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Climate Change Adaptation
Ministry for the Environment,
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Irrigation New Zealand Submission to assist the proposed inquiry into community-led retreat and adaptation funding.

IrrigationNZ represents over 3,800 members nationally, including irrigation schemes, individual irrigators, and the irrigation service sector across all regions of New Zealand.

Our irrigator members include a wide range of farmers and growers – sheep and beef, dairy and cropping farmers, horticulturalists, winegrowers, as well as sports and recreational facilities and councils. We also represent over 120 irrigation service industry members – manufacturers, distributors, irrigation design and install companies, and irrigation decision support services for both freshwater and effluent irrigation.

We are a voluntary-membership, not-for-profit organisation whose mission is to create an environment for the responsible use of water for food and fibre production for local and international consumers and to sustain the wellbeing of communities.

As an organisation we actively take a technical leadership role in promoting best practice irrigation and carry out a range of training and education activities associated with freshwater management. We have trained hundreds of people in the irrigation sector on various aspects of irrigation best practices to improve water use efficiency (lowering consumption) and better manage environmental effects (improved soil moisture and surface water management).

IrrigationNZ members share many of the same goals as other New Zealanders:

- Reduce their environmental footprints and see improvements in the health of the natural environment,
- Contribute to the wellbeing of their communities, and
- Provide for a resilient future for New Zealand in the face of climate change.

IrrigationNZ General Submission Principles

Along with others in our sector Irrigation NZ is awaiting the final special vote count, which is scheduled for November 3rd, to discern the shape of the coalition that will lead the country forward as the 53rd government transitions out of office. During this interregnum, our organization is aware the pause in parliamentary business does not prevent a commitment to participating in the policy-making process.

With a set of regulatory and legislative policies earmarked for change, some of which were initiated under the previous government or their ministry officials, Irrigation NZ recognizes the continuing momentum within government systems, even during caretaker arrangements, and the expectations placed on primary sectors.

In line with the guidance from the Office of the Clerk of Parliament, which preserves past submissions and allows for new ones, Irrigation NZ is making this submission within the stated deadline to ensure its voice is

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heard and its concerns are considered as the new Parliament forms and potentially reinstates old items of business.

In the context of the ongoing resource management legislative reforms, the fourth crucial piece of legislation under potential development is the Climate Change Adaptation Bill, which has made an appearance in reference to the Environment Select Committee inquiry picking up the Ministry for the Environment's (MfE) Managed Retreat document.

Irrigation NZ has therefore undertaken an extensive but preliminary review of the proposed enquiry into managed retreat and the supporting report from the Expert Working Group focused on planned relocation.

Upon an initial review of the provided documents, it appears to Irrigation NZ that the Expert Working Group (EWG) has taken a somewhat more strategic stance compared to MfE. The EWG proposes the use of the term "planned relocation," emphasizing the importance of providing displaced individuals and affected activities with viable alternatives in the face of insurmountable risks. This contrasts with the idea of merely forcing an escape to the nearest elevated areas.

However, a more detailed examination is warranted if this inquiry progresses, as the EWG's perspective appears to lack sympathy for the productive sector. While agriculture and horticulture are referenced in several instances, the proposed powers for land title cancellation are notably confronting. Furthermore, the EWG's stance on regional land planning obligations raises concerns, particularly with their assertion that it is "not about protecting wealth," a statement seemingly associated with agricultural, horticultural, and other commercial activities.

The MfE's interpretation of the term "community" appears to be primarily focused on residential matters, with comparatively less consideration for the impact on productive land. Notably, there is no mention of the concept of replacing lost food production or the imperative need for reliable water sources to facilitate reestablishment in new locations. The MfE's perspective seems to be characterized by short-term and reactive thinking.

Furthermore, it's worth noting that, out of the 43 questions posed in their consultation, the MfE addresses agriculture and horticulture in just one rather blunt question (question 25 is addressed specifically in the body of our submission). This limited engagement on such a critical issue underscores the need for a more comprehensive and inclusive approach that takes into account the concerns and needs of the productive sector in the broader context of climate change adaptation and planned relocation.

In addition to the points outlined in the previous section, there is a core concern that necessitates addressing in the context of the Climate Change Adaptation Bill. If managed retreat is to be the sole foundation of this bill, it is imperative that a much broader array of solutions and interventions, formed from a shared vision, are considered, rather than solely relying on the directive to move to higher ground. A comprehensive approach must encompass flood protection measures, the implementation of weirs and wetlands for water management, allowing agricultural activities to persist on the plains while residents live off-site, improved modelling and early warning systems, and the development of long-term strategies that provide people with sufficient time to adapt. It is crucial to avoid a panic-driven approach, as although climate change impacts are becoming more frequent and extreme, characterizing all extreme events as an emergency in an alarmist manner can be counterproductive. Drawing inspiration from the works of experts like Hans Rosling, sensationalism tends to be short-lived and may hinder the public's ability to envision an acceptable outcome, potentially leading to reactionary responses that do not effectively address the issue.

A detailed analysis of the MfE Managed Retreat Expert Working Group (EWG) reveals that their predominant focus and skill sets seems to be on the legal aspects of actions, including the potential for legislating forced land title cancellation. It is concerning that, from their backgrounds, it remains unclear if any of the EWG

members had productive land in mind, even when Landcare Research was represented. There is an evident gap in expertise relating to the productive sector.

Moreover, while the consultation document employs the term "community-led," it raises questions about the extent to which the community can genuinely participate in risk assessment and decision-making. Much of the document seems to empower government and regional authorities with broad rights to act, potentially neglecting the principles of public participation, such as those outlined in the International Association for Public Participation (IAP2) framework. The inclusion of a more inclusive and community-driven approach in the decision-making process should be a priority to ensure the fair and effective implementation of climate change adaptation strategies.

Furthermore, it is crucial to highlight that the Climate Change Adaptation Bill's development and the Managed Retreat Expert Working Group's (EWG) recommendations seem to lack input from several critical governmental bodies, including the Ministry for Primary Industries (MPI), the Ministry of Business, Innovation, and Employment (MBIE), the Department of Internal Affairs (DIA), the Ministry of Social Development (MSD), the Department of the Prime Minister and Cabinet (DPMC), and Te Puni Kōkiri (TPK). These entities each play vital roles in land use, freshwater resource management, and the oversight of the primary sector, which are all closely linked to the risk assessment and planning required for the nation's food supply chain. Their absence in the consultation and recommendation process raises concerns about the comprehensiveness of the proposed strategies.

It is important to note that Irrigation NZ offers support, in part, for the EWG's report and their use of the term "planned relocation." This approach, emphasizing strategic and proactive relocation, aligns with a more comprehensive vision that considers various factors, including flood protection, water management, and long-term strategies to address climate change impacts.

However, Irrigation NZ disagrees with the MfE version that exclusively adopts the term "managed retreat." This perspective seems to lack the strategic depth and comprehensive vision of "planned relocation," potentially leading to short-sighted and reactive measures that may not adequately address the challenges posed by climate change and managed retreat initiatives. It is crucial to engage in a robust and open dialogue to ensure the development of policies that are well-informed and comprehensive, taking into account the critical contributions of the primary sector and related governmental bodies.

Additionally, there is a point of contention regarding the scope of the inquiry, as the MfE has explicitly stated that they do not consider the question of where future development should occur. While it is acknowledged that enabling development in low-risk areas is a crucial element to consider when those affected by a decision to retreat, relocation is an aspect notably absent from the focus of the inquiry and this paper. Irrigation NZ disagrees with this focus, as it appears to neglect an essential aspect of comprehensive long term strategic climate change adaptation planning.

The term "community-led retreat" is defined in the paper as the process of moving homes, businesses, sites of cultural significance, and taonga out of harm's way through a carefully planned process that involves the community at every step. While this concept is commendable, there is a noticeable lack of coordination across government agencies in addressing this critical issue. The absence of a unified, all-hazards approach is evident, especially in the context of risk assessment and response, which should involve multiple government bodies. The Department of the Prime Minister and Cabinet (DPMC), in consultation with other agencies, has been developing an all-hazards approach, particularly in relation to infrastructure risk. Similarly, MBIE's Dam Safety Assurance program aims to adopt internationally tested methods for risk assessment. Furthermore, the Ministry for Primary Industries (MPI) has its own water availability and security program that is essentially build on climate change risk. These initiatives underscore the need for better coordination and collaboration across government agencies to address the multifaceted challenges posed by climate change adaptation and planned relocation.

The focus of Irrigation NZ's submission centres on a critical aspect of adaptation in the context of this paper. In this context, we refer to adaptation as the proactive measures taken to enhance resilience against the current and anticipated impacts of the escalating risks presented by natural hazards, both now and in the future. It's important to note that these natural hazards encompass a broad spectrum of events in New Zealand, including floods (whether triggered by rainfall or sea-level rise), landslips, coastal erosion, heatwaves, and droughts.

Irrigation NZ's primary focus in this submission revolves around natural hazards directly linked to climate change, freshwater management, and the security of the food production supply chain. These issues are intricately connected to safeguarding the nation's agricultural sector and its ability to ensure food supply chain resilience. While these natural hazards associated with climate change are paramount to our concerns, it is recognized that other geological hazards (such as earthquakes and volcanoes) fall beyond the scope of our submission. The expertise and commentary on these geological hazards are better suited to those who specialize in that field. By narrowing our focus, we aim to offer a more targeted and effective contribution to the discussion surrounding climate change adaptation and its implications for the productive sectors of New Zealand.

We are available for further consultation on these issues, so please do not hesitate to reach out.

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Submission Point - Chapter 2: The Need for Change

Question 1: Do you think we should use the term 'community-led retreat'? If not, what do you think we should use and why?

Our response here is in two parts.

Part One: Yes, we firmly believe that the community should play a pivotal role in leading decisions that have a profound impact on their lives, livelihoods, and overall well-being. Communities are well-positioned to contribute valuable insights and assessments, particularly when it comes to weighing the risks and consequences within the context of their local issues, especially within a catchment framework. Their involvement is crucial for informed and collaborative decision-making.

Part Two: However, we disagree with the use of the term 'retreat' in the legislative design. The term 'retreat' falls short of addressing the broader and more significant issue, which is the long-term strategic relocation. 'Retreat' implies short-term thinking, often associated with a context of reaction and disruption. On the other hand, 'relocation' carries the nuance of being a more strategic, visionary, and long-term focus in terms of community re-settlement.

Under the current MfE legislative design, there is a noticeable absence of a nationally accepted strategy for freshwater management, availability, and security, which should ideally encompass all aspects of water use and protection and be developed collaboratively among multiple government agencies. The term 'relocation' better aligns with the imperative of addressing these comprehensive and intertwined aspects of water resource management and climate adaptation.

Submission Point - Variable Quality of Risk Assessment and Local Adaptation Planning

Question 3: Are there other issues that affect the quality of risk assessments and local adaptation planning? How can we strengthen our approach?

Irrigation NZ acknowledges and concurs that there is indeed a significant variance in the quality and comprehensiveness of risk assessments and local adaptation planning carried out by councils. While there are examples of commendable practices across the country, there are also instances where risks have not been adequately identified or managed.

It is evident that the risk management processes within local and central government agencies vary in sophistication, often falling behind their counterparts in the private sector. Irrigation NZ urges the MfE to engage in more extensive consultation and collaboration with other government bodies such as the Department of the Prime Minister and Cabinet (DPMC), the Ministry of Business, Innovation and Employment (MBIE), and the Ministry for Primary Industries (MPI). These entities are actively examining issues related to hazards, especially in the context of global megatrends like climate change's impact on freshwater resources and land management and infrastructure.

To enhance the approach, we recommend the government adopt a more coordinated stance to prevent inefficiencies in establishing new risk assessment processes. Internationally accepted risk planning standards, such as Australia's all-hazards legislation and the ISO 31000 Risk Management Guidelines, provide robust frameworks and principles that can be adapted for New Zealand's context.

It is worth noting that the public sector's capability in risk management appears limited due to insufficient training compared to the private sector.

A concerning pattern emerges in many of the Ministry for the Environment's approaches, where there seems to be an excessively narrow view of risks that predominantly focuses on lives and residences but neglects the longer-term strategic framework for food supply chains, land productivity, access to freshwater for food production, and the resilience of rural enterprises and communities. It is essential to adopt a multicriteria decision-making framework that accounts for a broader range of factors.

Furthermore, while MfE's 2020 framework for rating risks appears to deviate from ISO 31000 by primarily assessing the magnitude of consequences from the interaction of hazards, vulnerability, and exposure, it is essential to recognize that internationally, ISO 31000 has been successfully applied to climate change risk and community relocation. Examples such as the European Climate Risk Assessment (EUCRA) utilizing ISO 31000 and ISO 14091 guidelines for assessing climate risks and community relocation, as well as research projects exploring the ISO 31000 framework for evaluating the effectiveness and equity of buyout programs in response to climate change hazards, highlight the international applicability and relevance of these standards.

Irrigation NZ urges the MfE to align New Zealand's risk assessment and adaptation planning with internationally recognized best practices, fostering a more coordinated, comprehensive, and effective approach to address the nation's climate change challenges.

Submission Point - No Enduring and Comprehensive System for Community-Led Retreat

Question 4: Are there other issues that limit our ability to retreat in advance of a disaster? How can we improve our approach?

It is evident that there are significant issues that hinder the ability to proactively retreat in anticipation of potential disasters. While the absence of a national strategic plan for freshwater and land management is a critical challenge, there are other factors impeding our approach:

Reactive Approach: The prevailing approach is primarily reactive, responding post-event, particularly to extreme climate events like floods, droughts and heatwaves. Climate change is not solely about these dramatic events, but also includes subtler and long-term changes such as shifts in average rainfall and temperature profiles in various districts and catchments. Addressing these gradual changes necessitates a more proactive stance and longer-term vision.

All-Hazards Approach: Adopting an all-hazards approach to risk assessment and mitigation is paramount. For instance, flood protection measures in the form of water storage can address a multitude of risks, such as drought mitigation, securing drinking water sources, and facilitating the recovery of environmental flows. Water resilience, as exemplified by the Wairarapa Water Resilience Strategy, integrates both grey and green infrastructure solutions as part of a forward planning strategy.

The primary impediment to a more sensible, community-led approach, however, lies in the local government planning system's failure to adopt such a strategy. This failure is evident in the lack of adoption within the Greater Wellington Regional Council's Regional Policy Statement (GWRC RPS), and it underscores the need for comprehensive reforms to local government planning systems with better directives to achieve balanced outcomes. An enhanced framework would enable more proactive and community-driven measures, ensuring that New Zealand is better prepared to address climate change challenges and protect the well-being of its residents, and not just take a singular environmental protection interpretation of what sustainability means to society.

Submission Point - The Consequences of Not Adapting Well

Question 6: What do you think the costs are of a failure to adapt or failure to adapt well?

The statement from the MfE regarding the consequences of not adapting well is retrospective and implies a negative perspective. It fails to consider the historical importance of human settlements on fertile floodplains near freshwater sources, which has been a cornerstone of human civilization. At the time these communities were established, the knowledge of future climate change and associated risks was non-existent. This historical context does not diminish the importance of maintaining access to fertile soils and freshwater, which are essential for producing healthy and nutritious food from New Zealand's natural resources.

The impact of global population growth, which is also reflected in New Zealand's population growth over the past few decades, underscores the necessity of strategic planning to ensure ongoing access to floodplain soils and freshwater. Relocating to higher or steeper ground, while a consideration, may pose its own set of risks, such as landslides and a potential shift to lower fertility soils.

In light of these complexities, it is vital to adopt a more nuanced and forward-thinking approach to adaptation. This approach should involve comprehensive risk assessment, strategic planning, and the integration of multiple factors to ensure the long-term resilience of communities and the sustainable use of vital resources like highly productive soils and freshwater. The costs of failing to adapt well may encompass not only immediate environmental and economic consequences but also the long-term sustainability of communities and their ability to provide for their residents.

Submission Point - Chapter 4: Risk Assessment

Question 13: How many stages do you think are needed for risk assessment and what scale is appropriate for each of those stages?

Irrigation NZ agrees with the principle stated in the submission document that as technology and knowledge advance, the risk assessment process should be adaptable, allowing for adjustments in the level of detail within risk assessments and incorporating new data collection and assessment methods. It is crucial to recognize that risk assessment is not a one-dimensional, linear process, but rather a multidimensional and iterative one that may require feedback loops and the capacity to consider alternatives. This is particularly pertinent in the context of community-led decision-making, which is often complex and involves multiple stakeholders.

The proposed three-step process table within the document reflects institutionalized themes, which may not necessarily be inclusive of the broader community and iwi/Māori perspectives. The presented risk assessment

steps are derived from the Ministry for the Environment's guidance on local climate change risk assessment, and it's important to note that the MfE's perspective may not fully align with the complexities of natural environmental systems and food production methodologies. The document implies that productive land is considered a risk in terms of environmental degradation rather than recognizing its critical role in ensuring food security. This viewpoint warrants a re-evaluation to ensure a more comprehensive and inclusive approach to risk assessment.

Question 14: How frequently should a risk assessment be reviewed?

Indeed, the frequency of risk assessment reviews cannot be determined by a fixed interval, as it depends on the specific nature of the risk, its consequences, and the frequency of potential impacts. The risk assessment process itself defines the need for revisiting a risk. This question underscores the risk of oversimplifying the risk assessment process and trying to fit it into a legislative format. It is essential to approach risk assessment with flexibility and an open-minded view, rather than attempting to rigidly conform to a predefined legislative structure. Referring to external references and established best practices for risk assessment, such as ISO 31000, would allow for a more adaptable and robust approach that can evolve over time based on new knowledge and experiences. This approach is likely to be more effective in addressing the multifaceted challenges of climate change adaptation and community-led planning.

Submission Point - The Impact of Risk Over Different Time Periods and What Is Being Impacted

Question 15: What do you think makes a risk tolerable or intolerable (i.e., acceptable or unacceptable)?

The determination of what constitutes a tolerable or intolerable risk is not something that can be universally predefined. It requires a nuanced, case-by-case assessment, as the acceptability of risk can vary depending on specific circumstances. Factors such as the potential consequences of a risk, the affected entities, and the time horizon involved all play a significant role in assessing risk acceptability.

While there is precedence for assigning a monetarized value to risk, as exemplified in the NZ Transport Agency's work plan prioritization based on the cost of lives lost on roads, it is essential to recognize that a risk assessment goes beyond mere monetary valuation. The consultation should emphasize that quantifying the scale of response goes beyond loss of life to include other critical factors.

Notably, the consultation document often focuses on the impact on life, with some references to built infrastructure, and ecosystems, but it tends to overlook the potential consequences for productive land, especially on fertile floodplains, used for food production and the critical access to freshwater resources used for food production. As highlighted in the categories of risk discussed by Irrigation NZ earlier, climate change is more likely to affect productive land and the accessibility of freshwater resources used for food production. This perspective should be further incorporated into the risk assessment process to ensure that all critical aspects of risk are comprehensively evaluated. The balance between risks to life, infrastructure, ecosystems, and productive land should be taken into account to achieve a more holistic approach to risk assessment.

Submission Point - Roles and Responsibilities for Risk Assessments

Question 16: Do you think local risk assessments should be carried out or reviewed by a centralized agency or a local organization? Why?

Local risk assessments should primarily be carried out locally within a community-led process. However, this process should adhere to a nationally agreed risk framework that provides the flexibility to align with a national strategic intent concerning land and water management, while also accommodating the necessary local nuances. A centralized oversight of the process should be in place to ensure equitable representation and to oversee the process, ensuring that it is conducted fairly and without bias or error.

While various roles are suggested, including councils, regional planning committees, iwi/Māori, independent expert panels, and even a new central government agency, it is essential to recognize that these bodies, even if they have elected seats, may not adequately represent the views of the rural and food production community. The inclusion of real community representation is crucial to ensure that the perspectives and needs of those directly affected by risk are taken into account. Reference to the International Association for Public Participation (IAP2) principles, which prioritize community involvement, is highly relevant in this context.

Question 17: Should risk assessments be carried out only by technical experts or should other people also have a role? What role should other people and organizations have?

Risk assessments should involve a broader spectrum of participants beyond just technical experts. While experts can provide valuable insights and information, the process should also engage other individuals and organizations, especially those directly affected by the assessed risks. Their role should encompass active participation in the decision-making process.

Community-led decision-making is strengthened when it incorporates diverse perspectives, including those with local knowledge and those who may be directly impacted by the outcomes of risk assessments. In cases where some parties lack the capability and capacity to participate directly, they may find it more effective to rely on the services of independent or commissioned experts. The differentiation here lies in who has engaged these experts, and it may include expertise input from an iwi/Māori viewpoint. This approach ensures a balanced and inclusive decision-making process that takes into account the expertise of technical professionals while valuing the input of the broader community and relevant stakeholders.

Submission Point - Making Decisions on Adaptation

Question 22: Who do you think should make decisions about the adaptation pathway we choose and why? How should others be involved in the process?

Irrigation NZ supports the view that multiple stakeholders should be involved in the decision-making process for choosing the adaptation pathway. The roles of councils, central government, iwi/Māori, communities, businesses, and individuals are all important and should be reflected in the decision-making process. This comprehensive involvement is vital to ensure that the adaptation pathway chosen takes into account a wide range of perspectives and needs.

Additionally, it is crucial to closely involve affected individuals and communities in the decision-making process. This involvement should extend to both individual contributions and the establishment of community panels to provide advice and insights. Engaging communities directly ensures that those most affected by the outcomes of adaptation pathways have a say in the decisions that will impact their lives and livelihoods.

However, caution should be exercised when considering the inclusion of an exclusive call-in power for the responsible Minister for the Environment of the day. If such a power is designated to a singular entity like the Minister without input from other relevant government bodies and their Ministers such as the Ministry for Primary Industries (MPI), the Ministry of Business, Innovation and Employment (MBIE), or the Department of Internal Affairs (DIA), it could risk bypassing the necessary collective decision-making process. Decisions should be made collectively, with a focus on collaboration and consultation among various stakeholders to ensure comprehensive and well-informed choices are made regarding adaptation pathways. Irrigation NZ has made separate submissions in other policy consultation processes on the need for a Minister of Water to provide a coordinated and overarching focus on freshwater management and risk issues.

Submission Point - Question 23: The Most Important Outcomes and Principles for Community-Led Retreat

The most important outcomes and principles for community-led retreat should be centred around ensuring, first and foremost, the safety of people but also importantly the well-being society as a whole. These outcomes should include:

Safety: The paramount outcome is that people are safe, and their lives and health are protected. This includes safeguarding communities from the immediate and long-term risks posed by natural hazards and climate change induced extreme events.

Access to Healthy Nutritious Food: Ensuring that communities have continued access to healthy and nutritious food is vital. This involves maintaining and protecting productive land and freshwater resources used for food production, especially in the face of climate change challenges, and all-hazards approach.

Safe Drinking Water: Access to safe and clean drinking water is a fundamental human right. Principles for community-led planned relocation should prioritize securing reliable sources of safe drinking water for communities. Water storage provides a key intervention element in this matter and the alignment of reliable drinking water with storage of water for irrigation purposes should be seen as a complimentary and enabling activity with possible co-benefits of flood management.

Sustainable Food Production: The ability to meet the needs of the global and local population for food is a key objective. This involves access to highly productive soils and freshwater resources for food production in a sustainable and environmentally responsible manner.

Minimizing Perverse Outcomes: It is essential to minimize unintended and harmful consequences, such as short-term decision-making that may lead to long-term negative impacts, such as the inability to successfully relocate populations and accommodate their activities. Principles for community-led planned relocation should be designed to prevent these perverse outcomes and ensure that decisions and actions are aligned with long-term sustainability and well-being.

The overarching principle should be to safeguard the safety, security, and resilience of communities while ensuring that their access to essential resources like food and water is maintained and protected. These principles should guide the decision-making process for community-led planned relocation to create a more sustainable and secure future for all.

Submission Point: The Use of Affected Land at the End of a Retreat Process

Question 25: Do you agree that affected land should no longer be used at the end of a retreat process (with limited exceptions for things like ceremonial events, recreation, some agricultural or horticultural uses, and mahinga kai gathering)? Why or why not?

Within the consultation process this is the only question that specifically gives acknowledgement to the risks faced by and interventions possible for productive land. Irrigation NZ highlights that this is symptomatic of the lack of focus from MfE or the Expert Working Group to take productive land into account.

The decision on whether affected agricultural and horticultural land should no longer be used at the end of a community led retreat process is a significant one and should be made on a case-by-case basis. It depends on the nature of the risk and the interventions available, of which retreat, partial retreat or intermittent occupation may be an option. The determination should consider the following factors:

Nature of the Risk: The decision should take into account the specific nature of the risk and whether it makes the land unsuitable for just human occupation or also food production.

Community Led Process: The decision should be guided by a community-led process, where the affected community assesses the risk and decides on the most appropriate course of action to maintain the necessary level of food production for the community and other economic activities to support the relocation process..

Food Security: If the risk is determined to be insurmountable and long-term retreat is deemed necessary, careful consideration should be given to the lost contribution of land to food production. Measures should be in place to replace this contribution to avoid food insecurity and its associated consequences.

Intermittent Land Uses: There should be recognition that some food production activities involve intermittent seasonal use of land and water. Permanent close-out of access should be considered carefully, as it may reflect a low risk to food production activities.

Sustainability of Exceptions: If exceptions are considered for activities like agriculture, horticulture, and mahinga kai gathering, their sustainability and potential impact on the overall objectives of the planned relocation process should be evaluated.

Question 26: Do you think there should be any other exceptions? If so, what, and why?

The determination of additional exceptions should be based on the specific circumstances of each case and should be made in consultation with the affected community through a community-led process. It is difficult to predefine these exceptions without a clear understanding of the risk, interventions available, and the unique characteristics of the affected land. The exceptions should align with the principles of safety, food security, and sustainability, ensuring that the best interests of the community are at the forefront of the decision-making process.

Submission Point - Power to Withdraw Core Services and Threshold for Service Withdrawal

Question 28: What do you think the threshold or trigger should be for withdrawing services once a decision has been made to retreat?

In a community-led approach, the community should have already agreed on the severity of the situation and set a time frame for the relocation of people and activities. The decision to withdraw services should align with the consensus reached by the affected community. If the community is not on board with the decision, it indicates that the process may have failed at an earlier stage. In cases where the community has not reached an agreement, it may be necessary to revisit earlier approaches to communication and consensus-building.

The threshold for withdrawing services should be based on the pre-established criteria and timelines determined through the community-led process. The trigger for service withdrawal should be clearly defined and agreed upon by the community to ensure that people have adequate time to adjust and prepare for the transition. This approach emphasizes the importance of proactive planning, effective communication, and a cooperative decision-making process. Stronger step-in powers should only be considered in cases where the cooperative process was not conducted to the extent it could have been, such as unforeseen events like geological risks.

Submission Point - Liability and Protection for Decision-Makers

Question 29: In what circumstances, if any, do you think decision-makers should be protected from liability?

Liability exposure can serve as an important incentive for decision-makers to make decisions in good faith and with care. Decision-makers should be protected from liability when they have followed an agreed and well-documented process that involves the affected community. This protection assumes that the process has been transparent, inclusive, and has considered the best available information.

The decision to protect decision-makers from liability should not be used to shield them from accountability in cases of negligence or misconduct. Protection should be contingent on following established procedures and ensuring that the community has been a central part of the decision-making process. The level of protection should be in line with the depth and legitimacy of community engagement in the decision-making process.

Submission Point - Powers in the Retreat System and Overlapping Systems

Question 30: Which parts of the current system work well, and which do not? Are there any other issues with our current approach to adaptation funding?

Irrigation NZ (INZ) acknowledges that it is not in a position to comment on the legal aspects of how powers in the planned relocation system may overlap with other systems and how to resolve conflicts, such as overriding the provisions of private trusts or contractual agreements. Legal aspects require expert legal analysis and may vary greatly depending on specific circumstances and legal frameworks.

Submission Point - Chapter 7 – Funding and Financing

In the context of funding and financing adaptation, several key questions and principles emerge for consideration:

The most important outcomes and principles for funding adaptation should prioritize ensuring the safety and well-being of people, access to healthy food and safe drinking water, and the sustainability of food production.

Central government's initial funding priorities should prioritize essential services, community well-being, and longer term food production security.

Effective communication of central government's investment priorities is crucial, and the most effective approach should be determined based on transparency, accessibility, and community engagement.

Exploring a variety of funding and financing solutions is essential to ensure that the costs of adaptation are distributed fairly and that communities have access to the resources they need to respond to climate change effectively.

Submission Point - Chapter 8 – Adapting through Recovery with a Strategic Focus

In the context of adapting through recovery, it is imperative to adopt a strategic approach that encompasses not only short-term reactions but also long-term resilience and security, particularly in terms of food and water availability. The following key questions must be addressed:

Question 42: During the recovery phase, identifying and addressing issues that hinder adaptation is essential for building a comprehensive and forward-thinking strategy. These issues might include the immediate needs of displaced individuals, resource allocation, and the coordination among various stakeholders. A strategic view should ensure that recovery efforts align with broader adaptation goals.

Question 43: The approach to community-led planned relocation and adaptation funding should be flexible, taking into account the changing circumstances and priorities before and after a disaster. While certain principles remain consistent, the post-disaster context may require urgent actions, efficient resource allocation, and customized solutions to address both immediate and long-term needs. A strategic perspective is essential to adapt effectively in the face of evolving challenges and ensure the security of food and water resources.