

Agenda 2023

Regional Leadership, Climate and Community Resilience Committee

Date: Wednesday, 15 November 2023
Time: 10.30AM
Venue: Council Chamber
Environment Canterbury
200 Tuam Street, Christchurch



Regional Leadership, Climate and Community Resilience Committee

Membership

Committee Chair: Councillor Craig Pauling

Deputy Committee Chair: Councillor John Sunckell

Committee Members:

- Chair Peter Scott
- Councillor Greg Byrnes
- Councillor Iaeen Cranwell
- Councillor Joe Davies
- Councillor Paul Dietsche
- Councillor David East
- Councillor Grant Edge
- Councillor Tutehounuku Korako
- Councillor Ian Mackenzie
- Councillor Claire McKay
- Councillor Genevieve Robinson
- Councillor Vicky Southworth
- Councillor Deon Swiggs
- Councillor Nick Ward
- Independent Member Oscar Bloom
- Independent Member Alice Docking

REGIONAL LEADERSHIP, CLIMATE AND COMMUNITY RESILIENCE COMMITTEE TERMS OF REFERENCE

Version 2.0 Adopted by Council 22 March 2023

REPORTING TO:	Council
MEMBERSHIP:	<p>All members of Council</p> <p>Council may appoint additional members with the skills, attributes, or knowledge that will assist the work of the Committee.</p> <p>The Committee may appoint youth members as appropriate</p>
QUORUM:	Eight (8)
MEETING FREQUENCY:	Four meetings per annum
CHAIR:	<p>One Chair</p> <p>One Deputy Chair</p>

A. PURPOSE

1. To:
 - a. Oversee development, implementation and review of strategic priorities for organisational direction and policy setting, and setting of Canterbury Regional Council's (the Council) strategic direction and policy responses;
 - b. Oversee and inform the development and review of the Council's direction, strategies, policies and plans from a climate change perspective;
 - c. Signal climate-related and other regional issues;
 - d. Respond to external agency statutory planning processes;
 - e. Provide thought leadership across matters of regional significance;
 - f. Provide effective leadership on climate change for the organisation and the region to reduce greenhouse gas emissions and ensure a climate resilient future;
 - g. Support and enhance integration on climate change plans and actions, with Canterbury's territorial authorities and other agencies.
 - h. Develop the Council's non-financial performance monitoring framework, including to report on climate-related action.
 - i. Provide guidance on natural hazards impacting the coastal marine area in accordance with the New Zealand Coastal Policy Statement 2010.

- j. Implement the funding for identification and monitoring contaminated land, as required by the Resource Management Act 1991; Hazardous Substances and New Organisms Act 1996; and Local Government Act 2002.
- k. Implement the funding for the Canterbury Civil Defence Emergency Management Group, as required by the Civil Defence Emergency Management Act 2002 and provide a Harbourmaster's Office and maritime spill response capability, as required by the Maritime Transport Act 1994.
- l. Implement the funding for management of discharges of contaminants to land/water and controlling water quality/quantity, as required by the Resource Management Act 1991.
- m. Work in the spirit of genuine partnership and assist the Council in fulfilling its duties as a partner with Ngāi Tahu and in alignment with the principles contained within the Tuia Agreement. In particular, the Committee will support effective partnerships with Papatipu Rūnanga, recognise the relevance of Te Ao Māori and affirm the importance of an enduring and collaborative relationship between the Council and Ngāi Tahu Papatipu Rūnanga.

B. SPECIFIC RESPONSIBILITIES

- 2. To advise the Council on matters relating to its regional governance role, which will include:
 - a. Developing the Council's strategic direction and recommending policy responses;
 - b. Developing the Council's position on regionally significant issues;
 - c. Developing Council's long-term and annual plan and recommending those plans to the Council;
 - d. Oversight of the Council's engagement with the community, including but not limited to community engagement on climate change and community resilience;
 - e. Advocacy with central government and other agencies, on all matters relevant to the work of the Council and in particular where the matter relates to climate change and tools that enable the region to respond to climate change;
 - f. Legislative reviews, including preparing and making of submissions to Select Committees;
 - g. Monitoring of the impact of the Council's policies on the social, economic, environmental, and cultural well-being of the region.
- 3. To monitor performance and provide strategic advice to the Council's Regional and Strategic Leadership and Climate Change and Community Resilience Portfolios (with the exception of building and maintaining infrastructure to control flooding)
- 4. To oversee the Council's coordination with other South Island regional councils.

5. To oversee the development and review of the Council's regional strategies, policies, and plans, in particular with a climate change perspective, and recommend these matters (and variations) to the Council. Provide regional leadership to:
 - a. Consideration of initiatives enabling communities to adapt to climate change.
 - b. The transition of the region to a resilient low emissions economy with a particular focus on the Climate Change Commission's greenhouse gas budgets and emissions reduction advice.
 - c. Understanding the region's emissions and climate risks and making sure they are well understood by the Canterbury community.
 - d. Collaboration with other regional councils and territorial authorities in the interests of building a stronger regional consensus for climate change action.
 - e. Responding to regional, national and international developments, emerging issues and impacts, and changes in the legislative frameworks that have implications for the Council's climate change strategies, policies, and plans.
6. Ensure that the Committee's decision making is consistent with the Council's plans and initiatives to give effect to the Council's declaration of a climate emergency on 16 May 2019.
7. To adopt and change, where necessary, Terms of Reference specifically applicable to Youth Members of the Committee.

DELEGATIONS

8. Subject to other clauses within these Terms of Reference, the Council delegates to the Committee all the powers, functions, and duties necessary to perform the Committee's responsibilities, except the powers that the Council cannot lawfully delegate, including those under clause 32(1) of Schedule 7 of the Local Government Act 2002.
9. The Committee may make decisions on matters with a financial impact only where the related costs are budgeted for within a current, adopted Long-Term Plan or Annual Plan, otherwise the matter must be referred to the Council for decision.
10. The Committee may not make a decision that is materially inconsistent with the Council's Long-Term Plan or Annual Plan.
11. If all Councillors of the Council are appointed to the Committee, then the Committee can change any part of its own Terms of Reference.
12. Only Councillors of the Council may vote on a change to the Committee's Terms of Reference.

Document history and version control

Version	Date approved	Approved by	Brief description
1.0	14 December 2022	Council	New Committee Terms of Reference.
2.0	22 March 2023	Council	Clarified Committee responsibilities and alignment with portfolios; added ability to update own Terms of Reference

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1. Karakia/Mihi Timatanga - Opening

The meeting will be opened with a karakia, followed by a member of the Regional Leadership, Climate and Community Resilience Committee with mihi whakatau.

2. Apologies

At the time the agenda closed there were no apologies received.

3. Conflicts of Interest

Members are reminded to be vigilant and to stand aside from decision making when a conflict arises between their role as a representative and any private or other external interest they might have.

4. Public Forum, Deputations, and Petitions

There were no requests for public forum, deputations, and petitions at the time the agenda was prepared.

5. Extraordinary and Urgent Business

The Chairperson will give notice of items requiring urgent attention not on the agenda as follows.

Matters Requiring Urgent Attention as Determined by Resolution of the Regional Leadership, Climate and Community Resilience Committee:

A meeting may deal with an item of business that is not on the agenda where the meeting resolves to deal with that item and the Chairperson provides the following information during the public part of the meeting:

1. The reason why the item is not on the agenda; and
2. The reason why discussion of the item cannot be delayed until a subsequent meeting.

Items not on the agenda may be brought before the meeting through a report from either the chief executive or the Chairperson.

The item may be allowed onto the agenda by resolution of the Regional Leadership, Climate and Community Resilience Committee.

Minor Matters relating to the General Business of the Regional Leadership, Climate and Community Resilience Committee:

A meeting may discuss an item that is not on the agenda only if it is a minor matter relating to the general business of the meeting and Chairperson explains at the beginning of the public part of the meeting that the item will be discussed. The meeting may not make a resolution, decision or recommendation about the item, except to refer it to a subsequent meeting for further discussion.

6. Notices of Motion

At the time the agenda closed there were no notices of motion received.

7. Minutes

7.1. Unconfirmed Minutes - Regional Leadership, Climate and Community Resilience Committee - 6 September 2023

Regional Leadership, Climate and Community Resilience Committee

Date of meeting	Wednesday, 15 November 2023
Author	Vivienne Ong, Committee Advisor
Endorsed by	Petrea Downey, Team Leader Governance

Purpose

1. The previously circulated minutes from the Regional Leadership, Climate and Community Resilience Committee on 6 September 2023 are to be confirmed.

Recommendations

That the Regional Leadership, Climate and Community Resilience Committee:

1. **Confirms the minutes from the Regional Leadership, Climate and Community Resilience Committee meeting held on 6 September 2023.**

Attachments

1. 2023 09 06 UNCONFIRMED Minutes RLCCR Committee 6 September 2023 [7.1.1 - 5 pages]

Minutes of the meeting of the Regional Leadership, Climate and Community Resilience Committee held at Environment Canterbury, Council Chamber, 200 Tuam Street, Christchurch, on Wednesday, 6 September 2023 at 1.01pm.

Present

Committee Chair Craig Pauling, Committee Deputy Chair John Sunckell, Chair Peter Scott, Councillors Greg Byrnes, Iaeen Cranwell, Joe Davies, Paul Dietsche, David East, Grant Edge, Tutehounuku Korako, Ian Mackenzie, Claire McKay, Genevieve Robinson, Vicky Southworth, Deon Swiggs, Nick Ward, and Youth Members Alice Docking and Oscar Bloom.

1. Karakia/Mihi Timatanga - Opening

Cr Mackenzie opened the meeting with a karakia, followed by a mihi whakatau.

The meeting did not go into the public excluded session (agenda item 9.0). The Committee Chair informed the Committee that the items requiring approval in the public excluded session could be addressed within the context of the open meeting.

2. Apologies

Apologies for lateness were received from Councillors East and Swiggs.

3. Conflicts of Interest

There were no conflicts of interest reported.

4. Public Forum, Deputations, and Petitions

There were no requests for public forum, deputations, and petitions.

5. Extraordinary and Urgent Business

There was no extraordinary or urgent business.

6. Notices of Motion

There were no notices of motion.

7. Minutes

Refer pages 10-15 of the agenda.

Cr Swiggs joined the meeting at 1.04pm during the presentation of item 7.1.

7.1. Unconfirmed Minutes - Regional Leadership, Climate and Community Resilience Committee - 10 May 2023

Refer pages 10-15 of the agenda.

The minutes of the previous meeting were to be confirmed.

Resolved RLCCRC/2023/15

Updated Staff recommendations were adopted without change.

That the Regional Leadership, Climate and Community Resilience Committee:

1. Confirms the minutes from the Regional Leadership, Climate and Community Resilience Committee meeting held on 10 May 2023.
2. Confirms the public excluded minutes from the Regional Leadership, Climate and Community Resilience Committee meeting held on 10 May 2023.

Cr Byrnes/Cr Ward
CARRIED

8. Report Items

Refer pages 16-58 of the agenda.

8.1. Regional Leadership, Climate and Community Resilience Committee Resolutions Status Report - September 2023

Refer pages 16-20 of the agenda.

Staff updated the Committee on the status of resolutions.

Resolved RLCCRC/2023/16

Updated Staff recommendations were adopted without change.

That the Regional Leadership, Climate and Community Resilience Committee:

1. Notes the status of previous resolutions provided in the Status of Regional Leadership, Climate and Community Resilience Committee Resolutions report September 2023.
2. Notes the status of previous resolutions provided in the public excluded Status of Regional Leadership, Climate and Community Resilience Committee Resolutions report September 2023.

Cr Edge/Cr Southworth
CARRIED

8.2. Work Programme Update Q4

Refer pages 21-38 of the agenda.

Staff updated the Committee on the progress of the Regional and Strategic Leadership and Community Resilience portfolios (excluding the Leading Flood and River Resilience programme which is reported to the Catchment Resilience Committee).

Resolved RLCCRC/2023/17

Staff recommendations adopted without change.

That the Regional Leadership, Climate and Community Resilience Committee:

1. Receives the work programme report for quarter four 2022/23 for the Regional and Strategic Leadership and Climate Change and Community Resilience portfolios (excluding the Leading Flood and River Resilience programme which is reported to the Catchment Resilience Committee).
2. Requests staff bring a detailed report to the next meeting of the Regional Leadership, Climate and Community Resilience Committee on the status of actions for Level of Service 35 (Delivery efficient and effective consenting and compliance monitoring and enforcement services).

Cr Southworth/Oscar Bloom
CARRIED

8.3. Long Term Plan/Impact Framework update

Refer pages 39-43 of the agenda.

Staff provided the Committee with an overview of the process and timing for development of Environment Canterbury's Long-Term Plan 2024-34.

Resolved RLCCRC/2023/18

Staff recommendations adopted without change.

That the Regional Leadership, Climate and Community Resilience Committee:

1. Notes the process and timing of the development of Environment Canterbury's Long-Term Plan 2024-34.
2. Agrees to the next steps to progress the Long-Term Plan 2024-34, including:
 - 2.1. Staff and Councillors to refine and confirm draft work programmes and budgets for the Core Services.
 - 2.2. Review of financial policies and strategies, and the 30-year Infrastructure Strategy.
 - 2.3. Development of the consultation material for enabling the community to engage with the proposed Long-term Plan in early 2024.

Cr McKay/Cr Sunckell
CARRIED

Cr East joined the meeting at 1.45pm during the presentation on item 8.4.

Cr Byrnes left the meeting at 1.47pm and returned at 1.51pm during the presentation on item 8.4.

8.4. It's Time Canterbury Update

Refer pages 44-54 of the agenda.

Staff updated the Committee on the completion of the *It's time, Canterbury* campaign phase 2022/2023 for quarters three and four.

Resolved RLCCRC/2023/19

Staff recommendations adopted without change.

That the Regional Leadership, Climate and Community Resilience Committee:

1. Receives the It's time, Canterbury campaign update for 2022/23 quarters three and four.
2. Notes the results and progress made during the It's time, Canterbury campaign for 2022/23 quarters three and four.
 - 2.1. Agrees to the next steps for the It's Time, Canterbury campaign, including:
 - 2.2. Production of a campaign closure report by the end of September, to be utilised to inform the next campaign phase.
 - 2.3. Communication with territorial authorities to share campaign closure report and determine on-going commitment, interest and availability of resource for the next phase.

Alice Docking/Cr Robinson
CARRIED

Cr Korako left the meeting at 2.16pm and returned 2.17pm during the presentation on item 8.5.

Cr Korako left the meeting at 2.21pm during the presentation on item 8.5.

8.5. Report from the Chair

Refer pages 55-58 of the agenda.

Matters of current interest and/or emerging issues relevant to the work of the Committee were raised, including:

- Recent Council submissions.
- A Regional Partnerships update.
- An Environment Canterbury Youth Rōpū update.
- Engagement on the Integrated Planning Framework.
- The Canterbury Climate Partnership Plan.
- The Environment Canterbury Climate Action Plan.

Resolved RLCCRC/2023/20

Staff recommendations adopted without change.

That the Regional Leadership, Climate and Community Resilience Committee:

1. Receives the Chair's report for the Regional Leadership, Climate and Community Resilience Committee.

Cr Davies/Cr Robinson
CARRIED

9. Resolution to go into Public Excluded

Refer pages 59-60 of the agenda.

Due to the change in the order of business the public excluded minutes and the status of previous public excluded resolutions report were taken in the open part of the meeting and the Committee did not move to a public excluded session.

10. Next Meeting

The next meeting will be held on Wednesday, 15 November 2023.

11. Karakia Whakamutunga - Closing

The meeting concluded at 2.35pm with a karakia from Cr Mackenzie.

CONFIRMED 15 NOVEMBER 2023

Committee Chair Craig Pauling
Councillor, Environment Canterbury

8. Report Items

8.1. Regional Leadership, Climate and Community Resilience Committee Resolutions Status Report - November 2023

Regional Leadership, Climate and Community Resilience Committee report

Date of meeting	Wednesday, 15 November 2023
Author	Vivienne Ong, Committee Advisor
Responsible Director	Petrea Downey, Team Leader Governance

Purpose

1. To provide visibility on the status of resolutions made by Regional Leadership, Climate and Community Resilience Committee.

Recommendations

That the Regional Leadership, Climate and Community Resilience Committee:

1. **Notes the status of previous resolutions provided in the Regional Leadership, Climate and Community Resilience Committee Resolutions Status Report November 2023.**

Status Reporting

2. The status of resolutions is reported at each ordinary Regional Leadership, Climate and Community Resilience Committee meeting. The report includes all resolutions from the previous meeting plus any incomplete actions from prior meetings. Comments and progress updates on incomplete actions are provided where applicable.

Cost, Compliance, and Communication

Financial Implications

3. The report was compiled using existing staff resources, therefore there were no additional financial implications.

Risk Assessment and Legal Compliance

4. This gives visibility to the Committee of matters outstanding to ensure appropriate actions have been taken as resolved.

Engagement, Significance and Māori Participation

5. Not applicable.

Consistency With Council Policy

6. Under Environment Canterbury Standing Orders 28.3 discussion of minutes is limited to their correctness. This report allows members to be updated on the status of resolutions and to monitor progress.

Climate Change Impacts

7. Not applicable.

Communication

8. Not applicable.

Next steps

9. An updated report will be provided to the 6 March 2024 meeting of the Regional Leadership, Climate and Community Resilience Committee.

Attachments

1. RLCCR Resolution Status Report from [8.1.1 - 2 pages]

Regional Leadership, Climate and Community Resilience Committee Resolutions Status Report

- 10 May 2023

Resolution No.	Meeting Date	Report	Resolution	Status
RLCCRC/2023/01	29 March 2023	4.2.1 Deputation – Stacey Te Pōhue Rose and Alice Docking, Youth Rōpū	That the Regional Leadership, Climate and Community Resilience Committee: 1. Receives the deputation from Stacey Te Pōhue Rose and Alice Docking from the Youth Rōpū. 2. Provides a reply to Stacey Te Pōhue Rose and Alice Docking as soon as practicable.	Complete
Resolved RLCCRC/2023/15	6 September 2023	7.1 Unconfirmed Minutes – Regional Leadership, Climate and Community Resilience Committee – 10 May 2023	That the Regional Leadership, Climate and Community Resilience Committee: 1. Confirms the minutes from the Regional Leadership, Climate and Community Resilience Committee meeting held on 10 May 2023. 2. Confirms the public excluded minutes from the Regional Leadership, Climate and Community Resilience Committee meeting held on 10 May 2023.	Complete
Resolved RLCCRC/2023/16	6 September 2023	8.1 Regional Leadership, Climate and Community Resilience Committee Resolutions Status Report	That the Regional Leadership, Climate and Community Resilience Committee: 1. Notes the status of previous resolutions provided in the Status of Regional Leadership, Climate and Community Resilience Committee Resolutions report September 2023. 2. Notes the status of previous resolutions provided in the public excluded Status of Regional Leadership, Climate and Community Resilience Committee Resolutions report September 2023.	Complete
Resolved RLCCRC/2023/17	6 September 2023	8.2 Work Programme Update Q4	That the Regional Leadership, Climate and Community Resilience Committee: 1. Receives the work programme report for quarter four 2022/23 for the Regional and Strategic Leadership and Climate Change and Community Resilience portfolios (excluding the Leading Flood and River Resilience programme which is reported to the Catchment Resilience Committee). 2. Requests staff bring a detailed report to the next meeting of the Regional Leadership, Climate and Community Resilience Committee on the status of actions for Level of Service 35 (Delivery efficient and effective consenting and compliance monitoring and enforcement services).	Complete

Resolution No.	Meeting Date	Report	Resolution	Status
Resolved RLCCRC/2023/18	6 September 2023	8.3 Long Term Plan/ Impact Framework Update	That the Regional Leadership, Climate and Community Resilience Committee: 1. Notes the process and timing of the development of Environment Canterbury's Long-Term Plan 2024-34. 2. Agrees to the next steps to progress the Long-Term Plan 2024-34, including: 1. Staff and Councillors to refine and confirm draft work programmes and budgets for the Core Services. 2. Review of financial policies and strategies, and the 30-year Infrastructure Strategy. 3. Development of the consultation material for enabling the community to engage with the proposed Long-term Plan in early 2024.	Complete
Resolved RLCCRC/2023/19	6 September 2023	8.4 It's Time Canterbury	That the Regional Leadership, Climate and Community Resilience Committee: 1. Receives the <i>It's time, Canterbury</i> campaign update for 2022/23 quarters three and four. 2. Notes the results and progress made during the <i>It's time, Canterbury</i> campaign for 2022/23 quarters three and four. 3. Agrees to the next steps for the <i>It's Time, Canterbury</i> campaign, including: 1. Production of a campaign closure report by the end of September, to be utilised to inform the next campaign phase. 2. Communication with territorial authorities to share campaign closure report and determine on-going commitment, interest and availability of resource for the next phase.	Complete
Resolved RLCCRC/2023/20	6 September 2023	8.5 Report From The Chair	That the Regional Leadership, Climate and Community Resilience Committee: 1. Receives the Chair's report for the Regional Leadership, Climate and Community Resilience Committee.	Complete

8.2. Quarter One Work Programme Update

Regional Leadership, Climate and Community Resilience Committee report

Date of meeting	Wednesday, 15 November 2023
Author	Adrienne Lomax, Principal Advisor, Portfolio Management Pip Moore, Principal Advisor, Portfolio Management
Responsible Director	Katherine Trought, Director Strategy and Planning

Purpose

1. To update the Committee on the progress of the Regional and Strategic Leadership and Climate Change and Community Resilience portfolios (excluding the Leading Flood and River Resilience programme which is reported to the Catchment Resilience Committee).

Recommendation

That the Regional Leadership, Climate and Community Resilience Committee:

1. **Receives the work programme report for quarter one 2023/24 for the Regional and Strategic Leadership and Climate Change and Community Resilience portfolios (excluding the Leading Flood and River Resilience programme which is reported to the Catchment Resilience Committee).**

Background

2. On 17 June 2021, the Council adopted its Long-Term Plan 2021-31 (LTP) which established the Regional and Strategic Leadership and Climate Change and Community Resilience portfolios. These two portfolios each include a number of work programmes.
3. Through the Regional and Strategic Leadership portfolio: we will foster relationships and engage with communities to build a better understanding of our work and increase participation in decision making for the region. The programmes within this portfolio are:
 - Tuia partnership
 - Engagement and influence
 - Leading regional planning, consents and compliance
 - Investing for the future
 - Data for decision making

- Governance and advisory services.
- Through the Climate Change and Community Resilience portfolio: we will build community engagement and action, lead climate change resilience, take decisive action for healthy freshwater, land and coastal ecosystems, and help communities be well prepared for changes in the natural environment. The portfolio programmes reported to this Committee are:
 - Leading Community Resilience
 - Managing the Coastal Environment
 - Climate Change Resilience
 - Managing Contaminated Land, Hazardous Substances and Waste.
 - The Leading Flood and River Resilience programme also sits within the Climate Change and Community Resilience portfolio but is reported to the Catchment Resilience Committee.

Key updates to the work programme

- In August 2023, Councillors endorsed improvements to quarterly reporting that now sees performance for all five portfolios reported first to the Audit Finance, Risk Committee. The organisational performance reporting pack includes levels of service, key initiatives and financial information for all portfolios.
- The committee with responsibility for oversight of portfolio work programmes will receive the relevant portion of the reporting pack at the meeting following the Audit, Finance and Risk Committee meeting.
- A quarter one, 1 July – 30 September, organisational performance update was provided to Audit, Finance, Risk Committee on 1 November. The sections relevant to this committee are provided here as attachments.

Regional and Strategic Leadership

- The Regional and Strategic Leadership portfolio has ten Levels of Service and six Key Initiatives in 2023/24 and an operational expenditure budget of \$55.93M for the financial year. A summary of the portfolio's performance in Quarter One 2023/24 is provided below. The full Regional and Strategic Leadership Portfolio Report is provided in Attachment Five.

Regional and Strategic Leadership Portfolio	On Track	At Risk / Monitor	Will Not Achieve / Requires Attention	Achieved	Not Measured	Total No.
Levels of Service	7	1	1	1		10
Level of Service targets	25	1	1	1		28
Key Initiatives	4	1	1			6

	September YTD Actual	September YTD Budget	Variance from Budget
Financial Performance Surplus/(Deficit)	\$1.07M	\$1.63M	(\$0.56M)

10. With the exception of consent application processing and compliance monitoring, the Regional and Strategic Leadership levels of Service and Key Initiatives are on track. Much of the work of this portfolio is in support of other work programmes. Level of Service 37 (target: Maintain Fitch AA rating or equivalent) was completed in Quarter One.
11. Sustainable Consents Delivery is a core service, and a critical risk to the organisation if we cannot meet our obligations. Improving delivery of our consenting function is a Key Initiative and Level of Service target 35.1 is to achieve a 95% timeframe compliance for consent processing. For Quarter One, 21.1% of consents decided met the required timeframe and so we do not expect to meet this target for 2023/24. Staff are implementing a Sustainable Consents Delivery Plan (**a current priority project**), including realignment of our consents team, improved efficiency and productivity, and the appointment of an additional 11 consent planners during Quarter One, with further recruitment planned. We anticipate that the percentage timeframe compliance will improve over future quarters, and expect to be meeting the target of 95% by the end of December 2024.
12. There are financial impacts of being unable to meet statutory consent processing timeframes, with a requirement to discount processing fees, and a reduced ability to recover costs, and this is reflected in the financial performance of the portfolio. On 4 October 2023, the Audit, Finance and Risk Committee endorsed the recommendation to Council that additional funding of up to \$3.5M from General Rates Reserves was to be approved for the implementation of the Sustainable Consents Delivery Plan in 2023/24. This was approved at the 25 October Council meeting.
13. Level of Service target 35.3, which is to monitor $\geq 80\%$ of priority consents, is noted as at risk, with 17.6% of high priority consents monitored by 30 September, rather than $>20\%$ as anticipated. High staff turnover, and training requirements for newly recruited staff, has contributed to this. As staff complete training, we expect the number of consents being monitored, including high priority consents, to increase.
14. Reviewing the **Regional Policy Statement** (Level of Service target 34.1) is part of developing an Integrated Planning Framework (**current priority project**). As noted, it has taken longer than anticipated to develop governance arrangements and gather the information we need on the current state of Canterbury. For Quarter One, we commenced engagement with the community to seek feedback on their vision for Canterbury. An integrated planning framework will provide opportunities to simplify future consenting requirements and improve the efficiency of our consenting function in the longer term.
15. Work on developing an Impact Framework for Environment Canterbury and transition to a core services model for service delivery (**current priority project**) is progressing well and the project is on track. The core services model will be reflected in the draft

Long-Term Plan 2024-34 that will be made available to the community for feedback in early 2024.

16. Regional and Strategic Leadership's surplus at the end of the first quarter is \$1.07M which is \$0.56M unfavourable to budget. The unfavourable variance is due to financial impacts of the ongoing consents application build-up.

Climate Change and Community Resilience (excluding the Leading Flood and River Resilience programme)

17. Please note, the table below and the budgets referred to in this section, are for the Climate Change and Community Resilience Portfolio, which includes the Leading Flood and River Resilience programme.
18. The Climate Change and Community Resilience portfolio has ten Levels of Service and nine Key Initiatives in 2023/24 and an operational expenditure budget of \$33.96M for the financial year. A summary of the portfolio's performance in Quarter One 2023/24 is below. The full Climate Change and Community Resilience Portfolio Report is provided in Attachment Three.

Climate Change and Community Resilience Portfolio	On Track	At Risk / Monitor	Will Not Achieve / Requires Attention	Achieved	Not Measured	Total No.
Levels of Service	8	1	1			10
Level of Service targets	18	1	1			20
Key Initiatives	9					9

	September YTD Actual	September YTD Budget	Variance from Budget
Financial Performance Surplus/(Deficit)	\$3.33M	\$4.14M	(\$0.81M)

19. With the exceptions of Level of Service 19.1 and 22.1, all Level of Service targets within the portfolio are on track. All key initiatives are also reporting on track for this quarter. For Level of Service 19.1, which is at risk, there is a problem with internet connectivity within the Justice and Emergency Services Precinct, which creates a potential risk of delay in activating the Emergency Coordination Centre during an emergency. Changes put in place earlier this quarter by the Ministry of Justice, as landlord, have delayed implementing the solution previously identified and a new solution is now being progressed as the first implementation of a Canterbury Regional Council-wide solution.
20. We will not achieve Level of Service 22.1 this year. Reviewing the **Regional Coastal Environment Plan (RCEP)** is part of developing an Integrated Planning Framework (**a current priority project**). As noted, it has taken longer than anticipated to develop governance arrangements and gather the information we need on the current state of Canterbury. This has pushed some of the timeframes out, in particular for the full review of the RCEP, and focus has been on the Regional Policy Statement and targeted amendments to the Land and Water Regional Plan. Staff are working through the benefits and risks of this approach and will continue to provide information to the

governance group. For Quarter One, we commenced engagement with the community to seek feedback on their vision for Canterbury.

21. Climate Change and Community Resilience's budget surplus at the end of the first quarter is \$3.33M, which is \$0.81M unfavourable to budget. The key driver of the variance is due to a reduction in revenue recognised due to timing of the National Emergency Management Authority (NEMA) flood recovery event claim, and a delay in the timing of the forestry harvests due to the weather conditions in winter. These are both expected to be aligning closer to budget in the coming months.
22. All costs are being recorded for the response to the wrecked Austro Carina vessel in Banks Peninsula, and are expected to be fully recoverable.

Cost, compliance and communication

Financial implications

23. No decisions concerning funding are sought through this report. Financial performance and financial impacts of performance delivery are reported to the Audit, Finance and Risk Committee and noted above.

Risk assessment and legal compliance

24. No legal compliance issues have been identified for this progress report.

Engagement, Significance and Māori Participation

25. Engagement with Papatipu Rūnanga, mana whenua and the community are an important aspect of much of the work that occurs in these programmes and is embedded within the programmes.

Consistency with council policy

26. The Levels of Service, programmes and initiatives outlined in this report are consistent with the Council's Long-Term Plan 2021-31.

Climate Change Impacts

27. The work being reported to this committee is central to addressing the impacts of climate change.

Communication

28. The information included in this report will be made available online (<https://www.ecan.govt.nz/reporting-back/>) on Environment Canterbury's website. This reports the progress of our work to our communities.

Next steps

29. Staff will continue to deliver the work programme and provide quarterly updates to the Committee on the progress made.





Attachments

1. 2324 Q1 RSL portfolio update [8.2.1 - 6 pages]
2. 2324 Q1 CC CR portfolio update [8.2.2 - 6 pages]










Legal review	
Peer reviewers	


















Regional and Strategic Leadership Portfolio Performance Update for Quarter One 2023/24




















This performance update includes Levels of Service, Key Initiatives, and financial performance.






Regional and Strategic Leadership Portfolio	 On Track to achieve	 At Risk / Monitor	 Will Not Achieve / requires attention	 Achieved / Completed	Not Measured	Total No.
Levels of Service	7	1	1	1		10
Level of Service targets	25	1	1	1		28
Key Initiatives	4	1	1			6

	September YTD Actual	September YTD Budget	Variance from Budget
Financial Performance	1.07M	1.63M	(0.56M)

Regional and Strategic Leadership Levels of Service reporting			
Level of Service	Target result 22/23	Commentary	Projected year end status at end of Q1
31. Work in partnership with Ngāi Tahu toward outcomes that are in the iwi, hapū and regional interest	 Achieved	Target 31.1 Participate in hui/meetings with all 10 Canterbury Papatipu Rūnanga during the year We hold regular hui for the ten Papatipu Rūnanga across Waitaha, including Te Rōpū Tuia and Te Paiherenga.	 On track to achieve
	 Achieved	Target 31.2 Investigate feasibility of establishing two further new co-governance or co-management arrangement On track	 On track to achieve
32. Enrich community participation in regional decision making and action	New target	Target 32.1a Develop the mechanisms available for involvement in Council decision making, as a result of community feedback An internal review is underway of current opportunities available for community members to be involved in Council decision making.	 On track
	 Achieved	Target 32.1b Implement a programme of Councillor community engagements across the region, with attendance at one or more community events in each constituency Community engagements across the region are tracked and opportunities for Councillors to attend community events are shared.	 On track to achieve
	 Achieved	Target 32.1c Maintain or increase level of awareness (of how to have a say) against the previous year A survey will be carried out in May 2024.	 On track to achieve



	 Achieved	Target 32.2 Provide support for an additional 10 Enviroschools from the 2021 waiting list by the end of 2022/23 Three new schools joined the programme in quarter one. (2022/23 target was 25 schools)	 On track to achieve
	 Achieved	Target 32.3 Initiate at least 10 events or activities involving young people Three events were run by the Youth Rōpū in quarter one: Te Tiriti training for Canterbury youth councils, youth engagement event for Our Future, Canterbury campaign and a planting day for Conservation Week.	 On track to achieve
	 Achieved	Target 32.4 Review and update processes (for the contestable fund) based on applicant feedback, and report on allocation of the contestable fund For 2023/24, 14 groups that made multi-year applications have already been allocated \$167,558 (subject to agreed milestones being met), leaving approximately \$182,000 available. The funding round opened in mid-July for 8 weeks. 33 applications for around \$639,000 were received. Details of previous allocations are reported on our website .	 On track to achieve
33. Work in partnership with territorial authorities to promote coordination and collaboration (Mayoral Forum)	 Achieved	Target 33.1 Provide secretariat and policy support for the regional forums On track	 On track to achieve
34. Provide and implement a Regional Policy Statement to achieve integrated management of natural and physical resources in Canterbury – in partnership with Ngāi Tahu and the Canterbury region's territorial authorities	 Achieved	Target 34.1 Prepare draft Canterbury Regional Policy Statement and Section 32 Report For quarter one, we commenced engagement with the community to seek feedback on their vision for Canterbury. This will inform the ongoing work on the Regional Policy Statement and the integrated planning framework.	 On track to achieve
	 Achieved	Target 34.2 Provide planning support for Canterbury territorial authorities completing District Plan Reviews and Plan Changes on issues of regional significance On track	 On track
35. Deliver efficient and effective consenting and compliance monitoring and enforcement services to achieve the sustainable management of natural resources as set out in the purpose of the Resource Management Act 1991 (RMA)	 Not achieved	Target 35.1 Process ≥ 95% of resource consent applications in accordance with RMA statutory timeframes Timeframe compliance for quarter one was 21.1 %. We do not expect to meet this target for 2023/24. We are implementing a Sustainable Consents Delivery Plan, including realignment of our consents team and the appointment of additional consents planners. We anticipate that the percentage timeframe compliance will improve over future quarters.	 Will not achieve
	Not measured in 2022/23	Target 35.2 Assess a sample of consent applications to determine that Environment Canterbury is fully compliant with the requirements of the RMA On track. Assessment will be carried out in the second half of 2023/24.	 On track to achieve
	 Not achieved	Target 35.3 Monitor ≥ 80% of priority consents (as identified in the Compliance Five-year Plan) For quarter one, we have monitored 17.6% of 792 high priority consents, tracking behind where we expected to be (ie we anticipated having monitored at least 20% by the end of quarter one). High staff turnover, and training requirements for newly recruited staff, has contributed to this. As staff complete training, we expect the number of consents being monitored, including high priority consents, to increase.	 At risk





	 Achieved	Target 35.4 Respond to 80% of elevated (high priority) pollution events within two days On track, with 83.9% of elevated pollution responded to within two days.	 On track to achieve
36. Provide high-quality, accessible Long-Term Plan, Annual Plans, and Annual Reports that set our Council's strategic vision and how we are delivering on it	 Achieved	Target 36.1a Publish unmodified independent audit report for Annual Report (2022/23) Our Annual Report/Te Pūrongo ā-Tau 2022/23 has been audited and will be presented to the Audit, Finance, Risk Committee on 4 October and then to Council on 25 October 2023 for adoption.	 On track to achieve
	 Achieved	Target 36.1b Adopt Annual Plan (2024/25) prior to 1 July 2023 The Annual Plan for 2023/24 is year one of the Long-Term Plan 2024-34 and work is underway.	 On track to achieve
37. Ensure we are an organisation with the capability and willingness to repay its debts	 Achieved	Target 37.1 Maintain Fitch AA rating or equivalent In quarter one, Fitch Australia Pty Ltd completed their annual rating review and advised that Environment Canterbury have retained their AA+ Long-Term and F1+ Short-Term Issuer Default Ratings. (We have maintained these results since our initial assessment in 2020.)	 Achieved
38. Invest in activities that deliver agreed climate change outcomes (Environment Canterbury-led and/or collaborative activities embedded across all portfolios	New target	Target 38.1 Funding options for delivering agreed climate change initiatives are included in Environment Canterbury's Climate Change Action Plan (see LoS 23 for more information) On track	 On track to achieve
39. Collect, maintain and share quality-assured data for mana whenua, the community, businesses, and policy and law makers to use	 Achieved	Target 39.1 Ensure Canterbury's State of the Environment monitoring results are accessible via the Environment Canterbury website, and Land Air Water Aotearoa (LAWA) The LAWA annual water refresh went live on 22 September, with promotion of the updated council data and information on World Rivers Day 24 September.	 On track to achieve
	 Achieved	Target 39.2 Curate and share our data following agreed methods, standards, and procedures based on government open data guidelines On track	 On track to achieve
	New target	Target 39.3a Develop proof of concepts to support innovative data gathering and reporting On track	 On track to achieve
	New target	Target 39.3b Commence review of data strategy to ensure that we can deliver innovative data services into the future On track	 On track
	 Achieved	Target 39.4a Track user statistics and identify trends, including for: Canterbury Maps, Data Catalogue/ Open Data Portal, and Water data, to demonstrate availability of data sharing and use On track	 On track to achieve
	 Achieved	Target 39.4b Share publicly available mātauranga Māori through Canterbury Maps and the Environment Canterbury document library, and ensure it is reviewed and updated at least annually On track	 On track to achieve

	New target	Target 39.4c Work with the community and partners to scope a framework to capture citizen science data and integrate this alongside our data. Not yet started	 On track to achieve
40. Provide robust and transparent governance processes that allow community participation	 Achieved	Target 40.1 Ensure 100% of Council and Committee meeting dates, locations and agendas are publicly available at least two working days before the meeting On track	 On track to achieve
	 Not achieved	Target 40.2 Respond to 100% of official information requests within statutory timeframes For the period 1 July – 30 September 2023, we received 65 official information requests. All were responded to within the statutory timeframe.	 On track to achieve

Regional and Strategic Leadership

Key Initiative reporting (Please note, this list does not reflect much of our ‘business-as-usual’ work or work that is supports delivery across the organisation)

	Q1 status	Q4 22/23 progress	Q1 23/24 progress	FY 23/24 next steps
Responding to Government direction	 On track	Analysis of Environment Committee’s report on Resource Management reform and the report on Future for Local Government; submission on strengthening National Direction on renewable electricity generation and transmission; draft advice to inform Government’s second national Emissions Reduction Plan	Five submissions were completed on: Ministry for the Environment’s Emission Trading Scheme review and Permanent Forestry Category consultation; Ministry of Primary Industries Proposed Orari Mātaitai Reserve; Department of the Prime Minister and Cabinet Lifting the resilience of New Zealand’s Critical Infrastructure consultation; Ministry for Primary Industries overhaul of biosecurity in the aquaculture sector; and the Ministry of Transport Draft Government Policy Statement.	In quarter two, we will be responding to several open Government consultations of relevance to Environment Canterbury. General Election date set for 14 October 2023. We will develop briefing material about Environment Canterbury for incoming MPs and Ministers.
Themed engagement with the people of Canterbury to support multiple programmes of work	 On track	N/A (new for 2023/24)	Community engagement was open from 3 July to 27 August, with 347 groups or individuals providing feedback through a survey, webinars and in-person events. We asked about people’s vision for freshwater, what we should prioritise and the outcomes	The next community engagement activity is scheduled to launch in mid-October.

			we need to work towards achieving together. Feedback will inform the review of the Canterbury Regional Policy Statement, development of climate action plans, regional transport plans and the Regional Braided River Revival Strategy.	
Improving delivery of consenting function	 Requires attention	Regulatory processes and procedures enhancements are being undertaken to improve delivery of regulatory lifecycle Initial remediation plan developed.	A Sustainable Consents Delivery Plan has been agreed and is being implemented, including the appointment of 11 additional staff to the team	Continued implementation of the Plan, including improving alignment within the consents team to achieve greater efficiency and productivity and cross organisational support for delivery of this function. We expect to see the build up of consent applications cleared and consent processing within statutory timeframes by December 2024.
Improving delivery of compliance monitoring and enforcement	 Monitor	Initial work undertaken to explore options for improved delivery of compliance monitoring and enforcement function	Work on exploring options continued, but was scaled back to allow for increased focus on improving delivery of consenting function	Continue to explore and implement options for improved delivery.
Impact Framework and Long-Term Plan 2024-34	 On track	Strategic direction workshopped with Councillors to set direction for the Long-Term Plan; policy reviews commenced	Impact framework presented to Councillors, including description of core services, draft high level outcome measures and draft output measures. The Impact Framework is guiding development of the Long-Term Plan.	Engagement and development of a draft Long-Term Plan 2024-34, with community consultation planned for March 2024; Hearings, deliberations and adoption of Long-Term Plan by 30 June 2024.
Representation review (every local authority is required to undertake a representation review at least once every six years. The next one is required before the 2025 local body election.)	 On track	N/A (new for 2023/24)	The 16 August 2023 Council meeting resolved to retain the first past the post voting system. A public notice advised electors of their right to demand a poll on the future electoral system for the next two triennial elections.	<i>Key Dates for 2023/24</i> By 23 November 2023, Council resolution on Māori Representation (optional). By 21 February 2024, last date to receive poll demand on electoral system, or council resolution on poll for 2025. From 1 March 2024, earliest date for council to resolve an initial representation review proposal.

Regional and Strategic Leadership Financial performance reporting

	Actual vs Budget		Variance
	Sept Actual	Sept Budget	Variance from Budget
Revenue	12.41M	13.58M	(1.17M)
Expenditure	11.34M	11.94M	0.60M
Surplus/(Deficit)	1.07M	1.63M	(0.56M)





Financial Analysis:

Regional and Strategic Leadership's surplus at the end of the first quarter is \$1.07M which is \$0.56M unfavourable to budget. The unfavourable variance is due to financial impacts of the ongoing build-up of consent applications awaiting processing.







There are financial impacts of being unable to meet statutory consent processing timeframes, with a requirement to discount processing fees, and a reduced ability to recover costs, and this is reflected in the financial performance of the portfolio. On Wednesday 4 October 2023, the Audit, Finance and Risk Committee endorsed the recommendation to Council that additional funding of up to \$3.5M from General Rates Reserves be approved for the implementation of the Sustainable Consents Delivery Plan in 2023/24.













Climate Change and Community Resilience Portfolio Performance Update for Quarter One 2023/24












This performance update includes Levels of Service, Key Initiatives, and financial performance. Please note, it includes the Flood Resilience programme, which reports to the Catchment Resilience Committee.











Climate Change and Community Resilience Portfolio	 On Track to achieve	 At Risk / Monitor	 Will Not Achieve / requires attention	 Achieved / Completed	Not Measured	Total No.
Levels of Service	8	1	1	0	0	10
Level of Service targets	18	1	1	0	0	20
Key Initiatives	9	0	0	0	0	9

	September YTD Actual	September YTD Budget	Variance from Budget
Financial Performance	3.33M	4.14M	(0.81M)

Climate Change & Community Resilience Levels of Service reporting			
Level of Service	Target result 22/23	Commentary	Projected year end status at end of Q1
18. Provide information and advisory services that enable people to understand natural hazard risk and make informed decisions	 Achieved	Target 18.1 Respond to ≥ 90% of requests and follow-up requests within 10 working days A total of 145 hazard information requests were responded to this quarter including 96 flood hazard assessments, 20 land information requests, and 26 general hazard information requests. All natural hazard requests received throughout the quarter were recorded and responded to within the targeted time frame.	 On track to achieve
19. Enable the Canterbury Civil Defence Emergency Management Group	 Achieved	Target 19.1 Ensure full compliance with the Canterbury Civil Defence Emergency Management/Environment Canterbury Service Level Agreement, including the provision of suitably trained staff Target is at risk due to internet connectivity at the Justice and Emergency Precinct Emergency Coordination Centre. The remainder of the service level agreement is currently being met.	 At risk
20. Enable safe navigation for vessels throughout the Canterbury region	 Achieved	Target 20.1 Undertake external reviews that confirm consistency with the Code and compliance with ISO 9001:2015 (Harbourmaster's Office). Staff have been performing internal audits over the past quarter in preparation for the October 2023 audit of ISO 9001:2015 compliance. Results of internal reviews have been positive and the expectation is that our risk assessment regime and safety management system remains compliant. Staff will continue to	 On track to achieve



		update and improve the ISO management system throughout the year.	
	 Achieved	<p>Target 20.2 Ensure advice and information from appropriate staff is available during working hours on weekdays, and on-call 24 hours/365 days per year</p> <p>An on-call duty officer was available 24 hours/7 days per week for the quarter. They provided advice and information to the community and user groups across the region to assist with the understanding and implementation of the Navigation Safety Bylaw, and with navigation safety matters generally.</p> <p>We have five warranted Harbourmasters which ensures suitable coverage and availability of a Harbourmaster at all times.</p>	 On track to achieve
21. Provide coastal environmental monitoring, response planning and advisory services to enable informed decision-making	 Achieved	<p>Target 21.1 Monitor 40 region-wide coastal and estuarine sites monthly and 30 coastal sites quarterly.</p> <p>Water quality is monitored at 79 coastal and estuarine sites on either a quarterly or monthly basis for ecosystem health. The methods used to monitor water quality are in accordance with national and local standards. All data is available on our website, along with wave and sea level data.</p>	 On track to achieve
	 Achieved	<p>Target 21.2 Monitor 45 region-wide sites over the summer months and publish the results on the Land Air Water Aotearoa website within 48 hours of sampling</p> <p>Water quality is monitored at 46-region-wide sites on a weekly basis between November and March, all results are published on Land Air Water Aotearoa website within 48 hours. The methods used to monitor water quality are in accordance with national and local standards.</p>	 On track to achieve
	 Not achieved	<p>Target 21.3 Undertake one marine biosecurity survey in each Kaikōura, Lyttelton, Akaroa and Timaru location per year</p> <p>The planning process to undertake marine biosecurity surveys in each location is underway. Surveys are likely to commence during summer months when weather and sea conditions are more favourable.</p>	 On track to achieve
	 Achieved	<p>Target 21.4 Ensure the marine oil spill response capability and plan is available 24 hours/365 days per year</p> <p>We achieved approval of our marine oil spill response capability and plan from Maritime NZ in quarter four 2022/23. Response capability and plan is available 24 hours a day, 7 days a week. Just prior to the end of quarter one, the plan was required to be implemented to assist with the Austro Carina vessel wreck. At the time of writing, situation response continues and a plan to remove the wrecked vessel is being developed with the vessel owners and stakeholders.</p>	 On track to achieve
22. Partner with Ngāi Tahu, city and district councils, and the community to review the Regional Coastal Environment Plan to achieve integrated management of the Canterbury coastal and marine area	 Not achieved	<p>Target 22.1 Prepare the draft Canterbury Regional Coastal Plan and section 32 report.</p> <p>For quarter one, we commenced engagement with the community to seek feedback on their vision for Canterbury. This will inform the ongoing work on the Regional Policy Statement and the integrated planning framework.</p>	 Will Not Achieve






23. Raise awareness of how the community can be part of adapting to climate change	 Achieved	Target 23.1 Undertake at least one campaign to provide information, advice, tools and resources through climate change communication projects We are in the early phases of planning the next It's Time, Canterbury campaign and associated activities for the year.	 On track to achieve
	 Achieved	Target 23.2 Increase the number of people who engage with the campaign by ≥ 5% on the previous year Since the close of the last campaign (Mar-June 2023), we have been working on reporting the results. Reaching the targets for supporters, Facebook followers and newsletter subscribers are already well on track, and we do not anticipate any difficulty meeting the target. Website sessions are up 30% over the same period last year.	 On track to achieve
	 Achieved	Target 23.3 Complete development of the climate change action plan There are two action plans in development: an Environment Canterbury Climate Action Plan, and a Canterbury Climate Partnership Plan. The Environment Canterbury Climate Action Plan is progressing well. During quarter one, staff undertook public engagement through the What's our Future, Canterbury to help understand community views on climate change, as well as internal staff engagement to identify potential climate actions. Next steps include developing online engagement materials and in-person workshops to help identify, analyse and prioritise climate actions, incorporating community and stakeholder feedback. The Canterbury Climate Partnership Plan continues to progress with planning workshops, hosted by the Canterbury Climate Change Working Group (CCWG), to long-list and analyse climate actions. The CCWG and Reference Group will continue to finalise and prioritise climate actions as well as developing funding, monitoring and evaluation plans to begin drafting the partnership plan.	 On track to achieve
24. Identify and monitor contaminated land	 Achieved	Target 24.1 Develop a risk-based approach to identify potentially high-risk contaminated sites in Canterbury. The internal project team has been established; a project scope has been drafted including a programme schedule with milestones. The literature review identified potential options for a model suitable for purpose. Next steps include engaging an external consultancy to assist with the development of the risk model, develop a proof of concept using a small data set; testing the model and receiving feedback; and finalising the model.	 On track to achieve
	 Achieved	Target 24.2 Continue proactive site assessments and communicate with individual landowners (for closed landfill sites threatened by the impacts of climate change) The team is working closely with select landowners on landfill related issues. Staff will continue proactive site assessments and landowner communication	 On track to achieve
25. Partner with the Canterbury region's city and district councils to progress waste minimisation	Not measured	Target 25.1 Support the Canterbury Joint Waste Committee to develop a regional waste data project We continue to advocate for the development of a Regional Waste Strategy, including a focus on regional data consistency. A meeting with Christchurch City Council's (CCC's) waste manager has confirmed interest in the initiative. We will continue to	 On track to achieve



		engage with the territorial authorities through the Canterbury Joint Waste Committee and with CCC's waste manager.	
26. Maintain flood protection and drainage infrastructure to agreed standards, while considering broader outcomes	 Achieved	Target 26.1a Commence implementation of a regional river strategy Extraction is being undertaken in accordance with the Regional Gravel Management Strategy (2012). It is noted that a review of the 2012 strategy was not completed last year as per the 2022/23 target for this level of service. Progress on the Gravel Management Strategy is being reported as a key initiative.	 On track to achieve
	 Achieved	Target 26.1b Publish an annual report on scheme condition, for all schemes in accordance with relevant Asset Management Plans This work is on track. The focus for the coming months will be updating Asset Management Plans and completing a first round of fairway and berm condition assessments for all relevant rivers.	 On track to achieve
	 Achieved	Target 26.2 Initiate scheme reviews in accordance with the 30-Year Infrastructure Strategy. This work is on track with the next reviews to be scoped being the Selwyn/Waikiriki and Rangitata Rivers.	 On track to achieve
	 Not achieved	Target 26.3 Undertake extraction in accordance with the Regional Gravel Management Strategy Extraction is being undertaken in accordance with the Regional Gravel Management Strategy (2012). It is noted that a review of the 2012 strategy was not completed last year as per the 2022/23 target for this level of service. Progress on the Gravel Management Strategy is being reported as a key initiative.	 On track to achieve
27. Provide flood alerts and warnings when trigger levels are exceeded	 Achieved	Target 27.1 Communicate warnings and alerts via the Environment Canterbury website as outlined in the Flood Manual On track	 On track to achieve

Climate Change & Community Resilience

Key Initiative reporting (Please note, this list does not reflect much of our 'business-as-usual' work or work that is supports delivery across the organisation)

	Q1 status	Q3 22/23 progress	Q4 22/23 progress	FY 23/24 next steps
CDEM Group capability and capacity review	 On track	KPMG were contracted to undertake an extensive review of CDEM, looking at structures and resourcing across the region.	KPMG completed their review in Q1 FY 23/24.	Present results of the review to the CDEM Coordinating Executive Group and Joint Committee during November to discuss the report and decide how the findings will be applied going forward. Some initial outcomes will be fed into the next Long-Term Plan.
Develop a strategy for Waitarakao Washdyke including technical investigations &	 On track	Between March and July, phase one of the collaborative Waitarakao Washdyke Lagoon Catchment Strategy 'Our Waitarakao' was carried out. There was a very positive response from the community	We have initiated phase two of engagement and continuing to analyse feedback received in phase one.	Phase two of engagement involves working with partners, community and stakeholders to develop the evaluation criteria, indicators and measures for assessing

community engagement		and stakeholders wanting to be involved in improving the lagoon catchment. 170 survey responses and 90 share your idea cards were received.		options for inclusion in the strategy.
Investigate development of a Canterbury Resilience Strategy	 On track	The completed inventory of community resilience activities in Canterbury and analysis report of key findings and recommendations was received. Staff are reviewing and preparing recommendations for the Regional Leadership, Climate and Community Committee.	Findings of a Canterbury resilience Social Ecological Inventory (SEI) have been presented to Council and feedback sought on next steps.	Rest of year planned activities include identifying further options for facilitating connections between people, groups, activities, and organisations, including investigating the feasibility of hosting and maintaining the SEI Inventory dataset. We will also collaborate with the University of Canterbury in the next stage of the research – Phases 2 & 3 of SEI inventory method.
Banks Peninsula subtidal habitats and ecosystems (longairo)	 On track	First season of data collection is complete. Otago University team are processing and analysing the information gathered across a variety of methods. Preliminary investigations have revealed a myriad of diverse and often complex habitats and communities of animals and plants living within them. Impacts of marine activities including cruise ship anchoring and aquaculture are being assessed against control sites, as well as geological origin of seafloor sediment assessments.	This quarter has been focused on analysis of the samples and data collected during the summer/autumn 2022/23 field season. Work has started to create a habitat map using sediment grabs, drop camera footage, towed video footage, imagery analysis and corrections. We are also developing a platform for visualising and sharing datasets.	For the remainder of the year, we will continue exploring opportunities and building-platforms for data sharing. We intend to establish a modelling approach, classification strategies, and final data products. We will continue work on habitat map creation, and we are planning to host a community hui in Akaroa in quarter two to share preliminary findings. Further field work in summer 23/24 is planned to cover key study areas.
Support organisational climate risk reporting (for ECan)	 On track	Ecan staff completed risk rating process internally and have received draft deliverables for review by the Project Steering Group	Staff conducted review of draft deliverables. Revisions to report resulted in an extension to report due date	Climate change risk assessment report due this fiscal year. When received, staff will assess the report implications and evaluate how to progress organisational climate risk reporting.
Gravel Management Strategy	 On track	The comprehensive engagement process with partners and stakeholders to ensure the review produces a durable, fit for purpose approach is taking longer than anticipated. Staff are working in partnership with ngā Papatipu Rūnanga and met to progress this in quarter four 2022/23. A commitment has been made to continue this work.	Staff are currently exploring opportunities to develop this work within the context of the wider river related conversations in our review of the Regional Policy Statement (RPS) and the regional planning framework for Waitaha	Engage with our partners and stakeholder groups to explore the opportunity to connect the Gravel Management Strategy with the RPS.
2021 Flood recovery programme	 On track	Focus for winter 2023 is reinstatement of significant areas of flood protection vegetation.	In the last quarter we have continued to focus on reinstatement of flood protection vegetation. As a result we have undertaken our largest ever pole planting operation.	This work is on track to be completed by the end of the financial year.

Climate Resilience programme COVID-19 recovery fund	 On track	Good progress has been made in the last quarter with 4 projects nearing completion.	The Ministry of Business Innovation and Employment-Kānoa have approved a variation to extend the programme to the end of April 2024. All major physical works across most projects are complete.	All but one project are on track for completion by the end of December 2023. The remaining project is on track to be completed by April 2024.
MfE funded Nature Based Solutions projects	 On track		The first payment from MfE has been received. The project teams have been assembled and have commenced scoping key deliverables.	We are working to engage with our partners and key stakeholders so that we can finalise the scope for each project and commence procurement. All final project plans need to be submitted to MfE by the end of January 2024.

Climate Change & Community Resilience Financial performance reporting

	Actual vs Budget		Variance
	Sept Actual	Sept Budget	Variance from Budget
Revenue	11.02M	12.87M	(1.85M)
Expenditure	7.69M	8.72M	1.03M
Surplus/(Deficit)	3.33M	4.14M	(0.81M)

Financial Analysis:

Climate Change and Community Resilience's surplus at the end of the first quarter is \$3.33M, which is \$0.81M unfavourable to budget. The key driver of the variance is due to a reduction in revenue recognised due to timing of the National Emergency Management Authority (NEMA) claim, and a delay in the timing of the forestry harvests due to the weather conditions in winter. These are both expected to be rectified in the coming months, bringing the financial performance in line with budget.

Flood events in July have not had a significant financial impact on the portfolio in the 2023/24 financial year to date.

All costs are being recorded for the response to the wrecked Austro Carina vessel at Red Bay in Banks Peninsula and are expected to be fully recoverable.

8.3. Consent Processing, Compliance Monitoring and Incident Response

Regional Leadership, Climate and Community Resilience Committee report

Date of meeting	Wednesday, 15 November 2023
Author	Judith Earl-Goulet, General Manager - Regulatory Services
Responsible Director	Stephen Hall, Director Operations

Purpose

1. To provide Councillors with information in relation to Level of Service 35: Deliver efficient and effective consenting and compliance monitoring and enforcement services to achieve the sustainable management of natural resources as set out in the purpose of the Resource Management Act 1991 (RMA).
2. To provide Councillors with an overview of annual compliance and incident response activity for 2022/23.

Recommendations

That the Regional Leadership, Climate and Community Resilience Committee:

1. **Receives information on the progress against targets for the efficient and effective delivery of consenting and compliance monitoring and enforcement services (Level of Service 35).**
2. **Receives information on the overview of annual compliance and incident response activity for 2022/23.**
3. **Notes that provision will be made in the draft Long-Term Plan 2024-34 for the sustainable consents delivery function and an uplift in the compliance function.**

Key points

3. At the Regional Leadership, Climate and Community Resilience Committee meeting of 6 September 2023, the Committee requested that staff bring a detailed report of the next meeting of the Regional Leadership, Climate and Community Resilience Committee on the status of actions for Level of Service 35. [Resolution RLCCRC/2023/17].
4. Level of Service 35 is to deliver efficient and effective consenting and compliance monitoring and enforcement services to achieve the sustainable management of

natural resources. For 2022/23, two targets relating to the delivery of consenting services and compliance monitoring were not achieved. In Quarter One of 2023/24, both targets are tracking behind where they should be.

5. A Sustainable Consents Delivery Plan is being implemented, and work is underway to lift compliance performance. This has included realignment of our consents team, improved efficiency and productivity, and the appointment of an additional 11 consent planners during Quarter One of 2023/24, with further recruitment planned. We anticipate that the percentage timeframe compliance will improve over future quarters, and expect to be meeting the target of 95% by the end of December 2024.
6. Annual snapshots of compliance monitoring and incident response shows the volume of work undertaken and will be made available on the website. During the 2022/23 year 4,163 inspections occurred in association with 3,345 consents. For the same period, 3,394 environmental incidents were reported, with 3,160 assessed and 234 still being processed when the numbers were reported in early July.
7. For consents monitoring in 2022/23, around 70% of consents inspected were found to be fully compliant, and 5% significantly non-compliant.
8. There were several high-profile incidents that required significant staff response to resolve, including the response to Bromley Odour and a fish kill incident in the Heathcote River.

Background

9. The regulatory functions of Council support the sustainable management of resources in Canterbury and include plan-making, consent processing, compliance, and enforcement. These functions, along with environmental monitoring, are interlinked and staff from across the organisation work to support their delivery.
10. Work programmes and levels of service for our regulatory functions are included in the Annual Plan Mahere ā tau 2023/24.
11. In addition to reporting on levels of service, we also provide annual updates on compliance and incident response activity.
12. Information on Levels of Service performance was included in the Annual Report 2022/23, and was reported to the Audit, Finance, Risk Committee on 4 October 2023, with the report adopted by Council on 25 October 2023. The annual update for 2022/23 for the Regional and Strategic Leadership portfolio, which includes delivery of consenting and compliance services, was reported to the Regional Leadership, Climate and Community Resilience Committee on 6 September 2023 and made available on our website.

Level of Service 35:

13. The Level of Service is: Deliver efficient and effective consenting and compliance monitoring and enforcement services to achieve the sustainable management of natural resources as set out in the purpose of the Resource Management Act 1991 (RMA).
14. There are four targets associated with this Level of Service: two relate to consent processing, one relates to compliance monitoring and one relates to incident response.

Consent processing

15. Environment Canterbury has a statutory duty to process and make decisions on applications for resource consents. Making decisions on consent applications is one of the ways the Council provides confidence to communities on how plan outcomes will be achieved.

Level of Service Target 35.1: Process ≥95% of consent applications in accordance with RMA statutory timeframes.

16. Sustainable Consents Delivery is a core service of Council. For 2022/23, 914 resource consent application decisions were issued and, of these, 318 (34.8%) were processed in accordance with RMA statutory timeframes, down from 91.5% in 2021/22.
17. Key factors for not meeting statutory timeframes are old applications being progressed through the system for which timeframes have already been exceeded, new applications awaiting processing, a national shortage of Planners, increasing application complexity and new and changing national direction from central government.
18. Not meeting the statutory timeframes and the Level of Service target for consent processing presents both financial and reputational risks. The Resource Management (Discount on Administrative Charges) Regulations require consent authorities to apply a 1% discount for each day an application is processed over statutory timeframes, up to a maximum of 50 working days.
19. To mitigate these risks, a Sustainable Consents Delivery Plan has been developed and is being implemented. This has included realignment of our consents team, improved efficiency and productivity, and the appointment of an additional 11 consent planners during Quarter One of 2023/24, with further recruitment planned.
20. Information relating to the financial implications of the Sustainable Consents Delivery Plan was prepared for the Audit, Finance and Risk Committee on 4 October 2023 and was also on the Council Meeting agenda for 25 October 2023.
21. We anticipate that the percentage timeframe compliance will improve over future quarters, and expect to be meeting the target of 95% by the end of December 2024.

22. In Quarter One of this year, 21% of consent applications were decided within statutory timeframes. A key performance measurement is the ratio of application lodgement to decisions, which has improved from 0.62 in July 2023 to 0.92 in October. The sustainable consents delivery plan initiatives are designed to improve this ratio so there are more decisions than lodgements over time and it is expected this will continue to trend upwards.

Level of Service Target 35.2 – Assess a sample of consent applications to determine that Environment Canterbury is fully compliant with the requirements of the RMA.

23. Compliance with this Level of Service target is assessed once every two years. The Level of Service was last assessed in 2021/22 and is due to be reassessed in 2023/24. An update will be provided to Council at the end of the financial year.

Compliance monitoring and incident response

24. Environment Canterbury has a statutory duty to observe and enforce provisions in its own policy statements and plans and any national standards or regulations for which it has responsibility. Compliance monitoring serves as a critical check and balance in the system ensuring public resources are used in a sustainable manner. There are two components:
- The pro-active monitoring of consents, compliance with plan rules (permitted activities) and compliance with National Environmental Standards
 - The reactive response to reported environmental incidents that are received from the community.
25. Receiving, evaluating and responding to reported environmental incidents also plays an important role in minimising and remediating environmental harm and building public confidence in the Council's regulatory functions.

Level of Service Target 35.3: Monitor $\geq 80\%$ of priority consents (as identified in the Compliance Five-year Plan).

26. In 2022/23, 72.7% or 730 of 1,004 high priority consents were monitored. This compares with 76.4% or 674 of 882 high priority consents monitored in 2021/22. This meant that the target was not achieved.
27. For Quarter One, we have monitored 17.6% of 792 high priority consents, rather than >20% as anticipated. High staff turnover, and training requirements for newly recruited staff, has contributed to this. As staff complete training, we expect the number of consents being monitored, including high priority consents, to increase.

Level of Service Target 35.4 Respond to 80% of elevated (high priority) pollution events within two days.

28. In 2022/23, we met the target and responded to 83.7% (691) of 826 elevated pollution events within two days. This compares with 82.4% (760) of 922 in 2021/22.

29. For Quarter One 2023/24, we are on track to meet the target with 83.9% of elevated pollution events responded to within two days.

Annual snapshots for 2022/23

Compliance monitoring

30. Environment Canterbury administers the largest region by area, and has the highest number of regional resource consents (approximately 23,000 active consents). The Council's five-year Compliance Monitoring Plan implements a risk-based approach to compliance monitoring to ensure effort and resource are targeted at the highest priority areas.
31. Compliance work includes engaging with resource users and education/advice to build understanding, providing on-farm advice, auditing of farm plans, supporting industry best practice, and working with Territorial Authorities. It also includes undertaking monitoring of compliance with consents and plan rules, investigations and enforcement.
32. In 2022/23, 4,163 inspections were carried out for 3,345 resource consents. To put this in perspective, 3,345 represents 14% of the total number of resource consents in the region. When compared against previous years, the number of consents inspected has dropped (3,572 in 2021/2022, 4,550 in 2021/20), with key reasons being high turnover of Compliance Monitoring and Enforcement (CME) staff and training requirements for newly recruited staff, and reassignment of staff to help with regulatory system delivery improvements.
33. Water use consents continue to be a priority activity for CME staff, accounting for 47% of all inspections, followed by discharge consents (33%) and land use consents (18%).
34. General trends for compliance remain similar to previous years, with 70% of consents receiving an A grade (full compliance) in the 2022/23 period, as compared to 72% in 2022/21 and 67% in 2021/20. Significant non-compliance continues to represent a small proportion of the compliance results, accounting for 5% in the 2022/23 period.
35. We recognise the need to achieve an uplift in delivery of our compliance service and the coming year will see work continue on improved system design and better integration and alignment of the 4Es approach (engage, educate, enable, enforce). There may also be opportunities identified to improve compliance through the use of new tools and powers introduced as part of the recent resource management reforms.

Incident response

36. The Council received 3,394 incident reports in the 2022/23 period. This is a little lower than recent years, with 3,763 reports received in 2021/22 and 4,441 reports received in 2020/21. The majority of these concerned discharges to air, consistent with trends seen in previous years.

37. All reported incidents are assessed by compliance administration staff and assigned to Environment Canterbury staff or referred to other agencies. This includes reports received after office hours. Once assigned, Resource Management Officers will determine the most appropriate action, including whether physical attendance is required.
38. In some circumstances, action can be taken on the basis of information provided, for example, photographs or videos of smoky chimneys, and attendance by an officer is not required. In other situations, delays in members of the public submitting a report or the nature and location of the incident will mean that no additional information can be obtained by an officer attending.
39. For the incidents found to be non-compliant, advice and education support was the principal response in 622 cases, followed by written warnings (97), infringement notices (116) and abatement notices (199), enforcement orders (2) and prosecutions (2). Staff make a determination of the appropriate compliance action based on the scale and effect of the incident and history relating to the incident at hand.
40. Compared to previous years, the proportion of activities that received a written warning decreased, while the proportion issued an infringement notice or abatement notice increased. Looking ahead, the introduction of higher penalties and new powers and tools as part of the resource management reforms may provide further opportunities to drive improved environmental compliance.
41. The Council also responded to several high-profile environmental incidents in the 2022/23 period including:
- Receiving close to 150 complaints regarding odour in the Bromley area of which around 45% resulted in a site visit. Between the period 21/02/2023 to 05/04/2023, 15 infringements were issued which relate to the Living Earth premises at 40 Metro Place, Bromley. Ten were issued to the Christchurch City Council as the consent holder and five to Waste Management NZ Ltd as the agent of CCC and operator on site. The financial period these relate to is 2022-2023. All infringements were paid. This continues to be a priority for us.
 - In March 2023, a large number of dead fish in the Heathcote River/Ōpāwaho were reported to Environment Canterbury. Officers attended and collected around 530 dead fish. Warning notices were put up and water samples taken. Following testing, we were able to reassure the public we had not detected any contaminants of concern. The incident is still under investigation.
 - In April 2023, Officers attended a significant discharge of highly acidic contaminant-laden water spilling from a vehicle owned by WasteCo. The contaminated discharge entered the waterway. The company also discharged contaminated water to a drain after water blasting a chemical tanker. Two infringement notices were issued.
42. A summary of the action taken as a result of compliance monitoring and incident response activity for the past three years is summarised in Table 1.

Table 1. Compliance monitoring and enforcement activity

	2020/21	2021/22*	2022/23
Compliance monitoring			
Number of resource consents monitored	4250	3572	3345
Number of inspections conducted	6491	4983	4163
Written warnings	332	275	105
Abatement notices	181	91	70
Infringement notices	43	22	25
Prosecutions initiated	2	0	2
Incident response			
Number of incident reports received	4441	3763	3394
Written warnings	261	94	97
Abatement notices	68	81	199
Infringement notices	46	42	116
Prosecutions initiated	2	3	2

**Includes several weeks of very limited field activity due to COVID-19 restrictions*

Te Uru Kahika Compliance Monitoring and Enforcement group report

43. In recent years, Environment Canterbury has participated in an online survey of regional councils, reporting on metrics to capture performance in compliance and enforcement, including response to reported incidents. The most recent report available is the [2021/22 report](#).
44. Environment Canterbury has the largest number of active resource consents, and the highest number of reported environmental incidents of any regional council. We also have a smaller number of staff involved in consents monitoring and incident response on a regionwide per capita basis, when compared to the other regions.
45. In relation to our reported response rate, it should be noted that each council uses its own definition of 'response'. For some, a response may include any form of assessment or acknowledgement of receiving a report of an environmental incident.
46. As noted above, for Environment Canterbury, we assess 100% of all reported environmental incidents. Of these, each year there are approximately 15%-20% that are deemed very low risk and therefore no action is taken. We report these as 'no response'. This may be due to conflicting higher priorities, lack of resources (eg after hours), or quality of information provided (eg location of incident cannot be identified).
47. For those that are followed up, the response may include a site visit. However, action can be taken on the basis of evidence provided, and may include phone calls or texts,

emails, formal letters, or further investigation. Table 1 above shows the number and type of actions taken in connection with reported incidents.

Cost, compliance and communication

Financial implications

48. The budget for Consenting, Compliance, Incident Response and Enforcement sits in the Leading Regional Planning, Consenting and Compliance programme of work within the Regional and Strategic Leadership portfolio.
49. Much of the work relating to the processing of consents is user-pays, as reflected in Council policy, but when timeframes are not met, discounting of those costs must be applied. This creates financial impacts and a reduced ability to recover costs.
50. On 4 October 2023, the Audit, Finance and Risk Committee endorsed the recommendation to Council that additional funding of up to \$3.5M from General Rates Reserves was to be approved for the implementation of the Sustainable Consents Delivery Plan. This was approved at the 25 October 2023 council meeting.
51. Much of the work relating to the monitoring of consents is also cost recoverable in line with Council policy but there have been ongoing challenges to recover costs in line with policy over recent years. This is related to the high turnover of staff experienced and ensuring consent holders are treated in a fair and reasonable manner.
52. Most of the work associated with incident response is funded through general rates. Where it can be determined that the incident relates to a specific consent or permitted activity then user-pays charges may be applied.
53. Work is underway to lift compliance performance and incident response and consideration is being given to the scale of resourcing required to achieve improved service delivery, including the monitoring of new regulations for national reporting. This will be explored further through the development of the Long-Term Plan 2024-34.

Risk assessment and legal compliance

54. As noted above, there are reputational risks if we cannot deliver effective delivery of consents and compliance services, and there are delays in processing consents, this may mean we are more open to legal challenges on individual consent applications.

Engagement, Significance and Māori Participation

55. Work to lift performance in delivery of consenting and compliance services includes ongoing engagement with the community and with mana whenua. Papatipu Rūnanga Environmental Entities have an important role in providing cultural advice on consent applications and an agreed process for accessing that advice is well established.

56. In situations where there is discharge to waterways or risk to mahinga kai sites, staff inform Papatipu Rūnanga to ensure they are aware of the issue, of the response underway and may involve them in response.

Consistency with council policy

57. Providing the information in this report on consenting and compliance activity is consistent with Council policy and the work programmes set out in the Annual Plan Mahere ā tau 2023/24.

Climate Change Impacts

58. There are no climate change impacts noted from providing this information.

Next steps

59. Staff will continue to deliver the work programmes set out in the Annual Plan Mahere ā tau 2023/24. Quarterly updates on levels of service will be provided to the Audit, Finance, Risk Committee and the Regional Leadership and Climate Change and Community Resilience Committee.
60. The future work to ensure a sustainable consents delivery and an uplift in our compliance function will be reflected in the development of the Long-Term Plan 2024-3-4.
61. The information included in this report will be made available on the Environment Canterbury website.

Attachments

1. Monitoring Consents 2023 [8.3.1 - 4 pages]
2. Environmental Incident Response 2023 [8.3.2 - 3 pages]

Legal review	
Peer reviewers	Adrienne Lomax, Senior Strategy Advisor

Monitoring of consents

Date: 27 October 2023

Reporting Frequency: Annually

Goal: Consent holders comply with consent conditions to mitigate environmental impact.

Progress: 70.9% of inspections received a compliant A grade in 2022/23.

About this goal

During 2022/23 there were 4,163 inspections for 3,345 consents across the region. As of 30 June 2023, 473 consent inspections are still being graded. Of the graded consents around:

- ♦ 47.1% of inspections were for water consent
- ♦ 33% were for discharge consents
- ♦ 18.2% were for land-use consents
- ♦ 1.7% were for coastal consents.

2022-23 Annual Report

Environmental regulation and protection is a core service. To achieve this, we undertake effective and targeted consent compliance monitoring around the region.

In the past year, we did 4,163 inspections across Canterbury to make sure consent holders are doing what is required to protect our environment.

As a Council, it is important that we:

- ♦ Ensure effective and targeted consent compliance monitoring (this report)
- ♦ Respond quickly to as many incident reports as possible (incident response report).

Our goal is to deal with environmental risks before they turn into incidents and cause damage.

Monitoring consent compliance and responding to incidents, while necessary and important, are more like the ambulance at the bottom of the cliff. They are needed to fix a problem often after the environmental damage has occurred and to prevent it from happening again.

The consents we monitor and how we monitor them is changing. With more than 23,000 consents that need monitoring, we are finding smarter ways to do compliance monitoring and smarter ways to identify non-compliance so we can focus our efforts on the right places.

Monitoring compliance

We are working with land managers, individuals, and industry to improve compliance to ensure the best long-term environmental results.

Resource consents allow people or organisations to do something that may have an effect on the environment, but this comes with conditions to protect the environment.

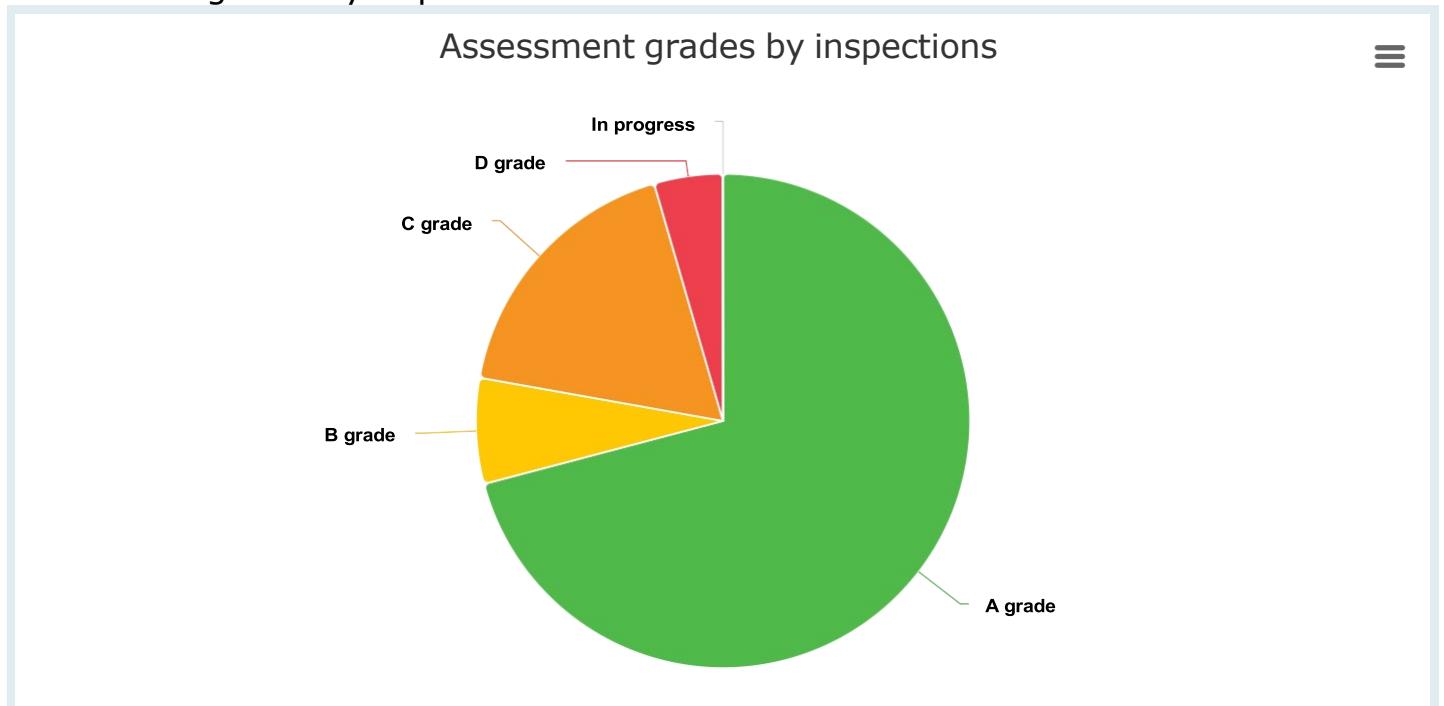
It is important consent holders comply with their conditions otherwise they can have a negative impact on the environment.

The importance of compliance

There are over 23,000 active [resource consents](#) in Canterbury, so it is not possible without considerable cost to monitor every consent every year. We work with land managers, individuals and industry to achieve voluntary compliance, ensuring the best long-term environmental results.

As long as we have consents with conditions we will continue to monitor them to ensure the activity is compliant. But what consents we monitor and how we monitor is changing. We are more focused on monitoring high-risk consents or those consent holders with poor compliance history. Better technology is improving our ability to monitor activities for compliance without having to do as many physical site visits.

Assessment grades by inspection



❗ Due to rounding, numbers presented throughout this webpage and other documents may not add up precisely to the totals provided and percentages may not precisely reflect the absolute figures.

What the grades mean

■ A - Full compliance

Full compliance with all relevant consent conditions, plan rules, regulations and national environmental standards.

■ B - Low risk non-compliance

Compliance with most of the relevant consent conditions, plan rules, regulations and national environmental standards. Carries a low risk of adverse environmental effects.

■ C - Moderate non-compliance

Non-compliance with some of the relevant consent conditions, plan rules, regulations and national environmental standards. Some environmental consequence.

■ D - Significant non-compliance

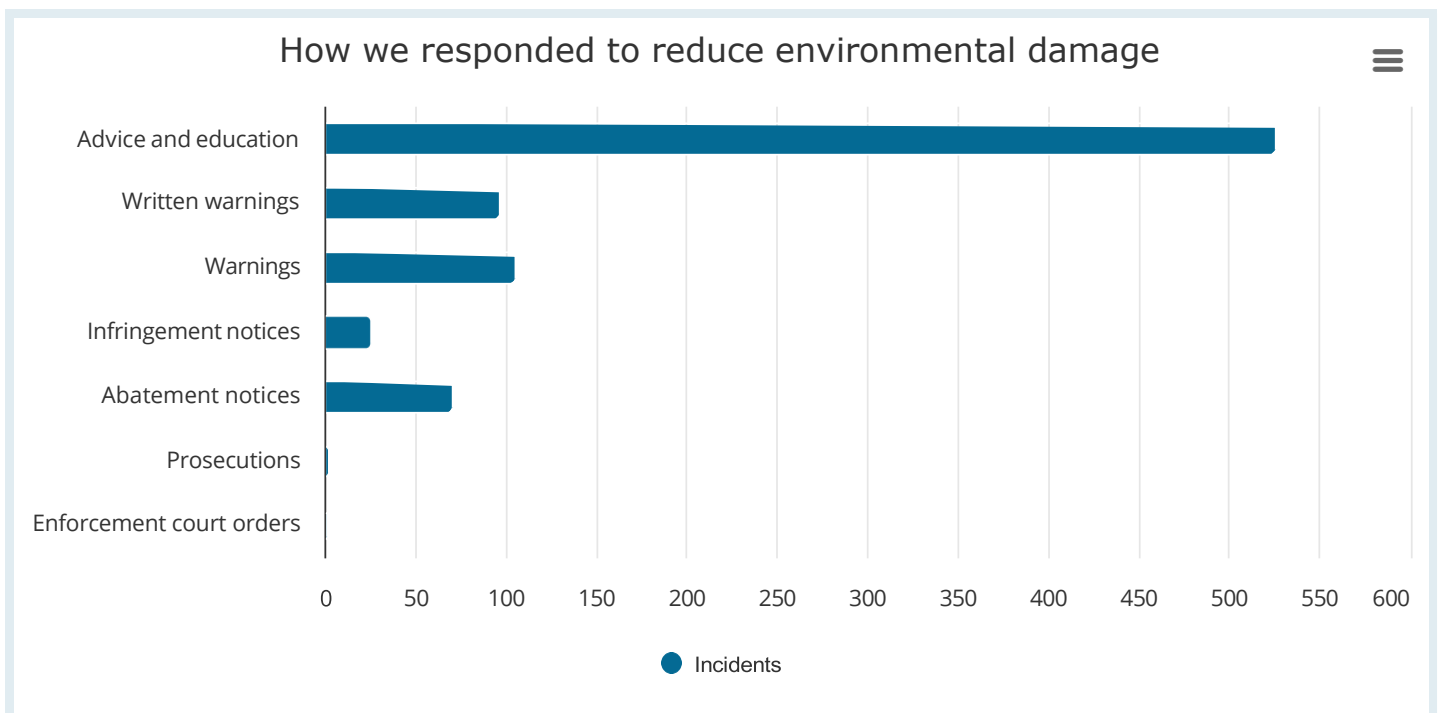
Non-compliance with many of the relevant consent conditions, plan rules, regulations and national environmental standards. Significant environmental consequence.

How we're responding

If there is an issue, our first response is to work with individuals and businesses to stop any immediate environmental damage.

We then investigate to determine what actions should be taken, including enforcement.

- Education can achieve better outcomes and is valued by consent holders who need help. If education does not get the right results, there are a range of compliance actions as set out below:
- Formal written warnings notify of an offence and require action to be taken.
- Infringement notices, which include a fine, are issued for more significant breaches.
- Abatement notices are a formal written direction, requiring certain actions to be taken or to cease within a specified time.
- Prosecution is reserved for offences so serious that they warrant proceedings through the courts.



Find out more

- Read our [compliance monitoring report for the past year and previous years](#).
- Find out how ratepayer funding supports this work with our [Rates Tool](#) .

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<https://www.ecan.govt.nz/your-region/your-environment/monitoring-and-compliance/monitoring-of-consents/>

Environmental incident response

Date: 9 October 2023

Reporting Frequency: Annually

Goal

Assess reported incidents to stop environmental damage.

Responded incidents

3,394 in 2022/23

About this goal

We want to deal with environmental risks before they turn into incidents and cause damage - a fence at the top of the cliff.

Monitoring consent compliance and responding to incidents, while necessary and important, are more like the ambulance at the bottom of the cliff. They are needed to fix a problem often after the environmental damage has occurred, and stop it happening again.

During 2022/23 there were 3,394 resource management incidents across Canterbury. 3,160 of them were assessed and 234 were still being processed at the time of reporting. Most reports related to:

- 88.27% discharge to land, air, water, and coastal marine areas,
- 11.66% to use of land, water and coastal marine,
- 0.059% to emission of noise.

If an incident has the potential to seriously impact the environment, a Resource Management Officer will make a site visit at the earliest opportunity.

2022-23 Annual Report

Environmental regulation and protection is a core service. The public play an important role in protecting our region's natural resources. Every year, we receive approximately 4,400 reports regarding incidents with potential to harm the quality of our air, land, or water.

Most reports last year related to discharges to air.

We respond to environmental incidents and consent breaches with a range of enforcement procedures to remediate adverse effects, educate those responsible, and prevent similar incidents recurring.

All reports are researched and evaluated to assess the potential environmental effects. Due to the high volume of reports, we respond to the most serious incidents first. Our priority when responding is the safety of our officers, followed by minimizing any adverse effect, and then investigating the incident.

Our staff call upon expertise from other technical staff (scientists, engineers), city and district council staff, and external consultants as the situation demands.

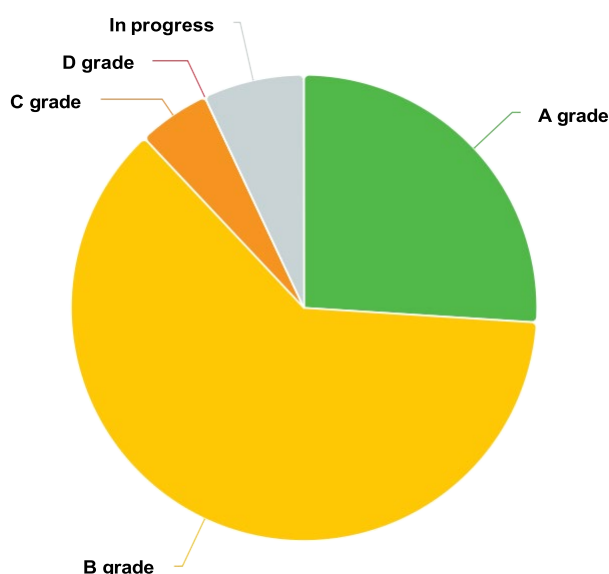
Breaching the Resource Management Act can amount to serious criminal offending. Our investigative practices are carried out to police standards, including conducting thorough scene examinations and evidence gathering.

Why this matters

Incidents involving contaminants in waterways or unauthorized discharges to land or air should be notified to Environment Canterbury by calling us on [0800 765 588](tel:0800765588) (24 hours).

We evaluate all calls to assess the potential environmental effects the reported incidents may have. Due to the high volume of reports we can receive, we respond to the most serious incidents first.

Assessment grades by inspections



❗ Due to rounding, numbers presented throughout this webpage and other documents may not add up precisely to the totals provided and percentages may not precisely reflect the absolute figures.

What the grades mean

■ A - Full compliance

Full compliance with all relevant consent conditions, plan rules, regulations and national environmental standards.

■ B - Low risk non-compliance

Compliance with most of the relevant consent conditions, plan rules, regulations and national environmental standards. Carries a low risk of adverse environmental effects.

■ C - Moderate non-compliance

Non-compliance with some of the relevant consent conditions, plan rules, regulations and national environmental standards. Some environmental consequence.

■ D - Significant non-compliance

Non-compliance with many of the relevant consent conditions, plan rules, regulations and national environmental standards. Significant environmental consequence.

How we respond to improve compliance grades

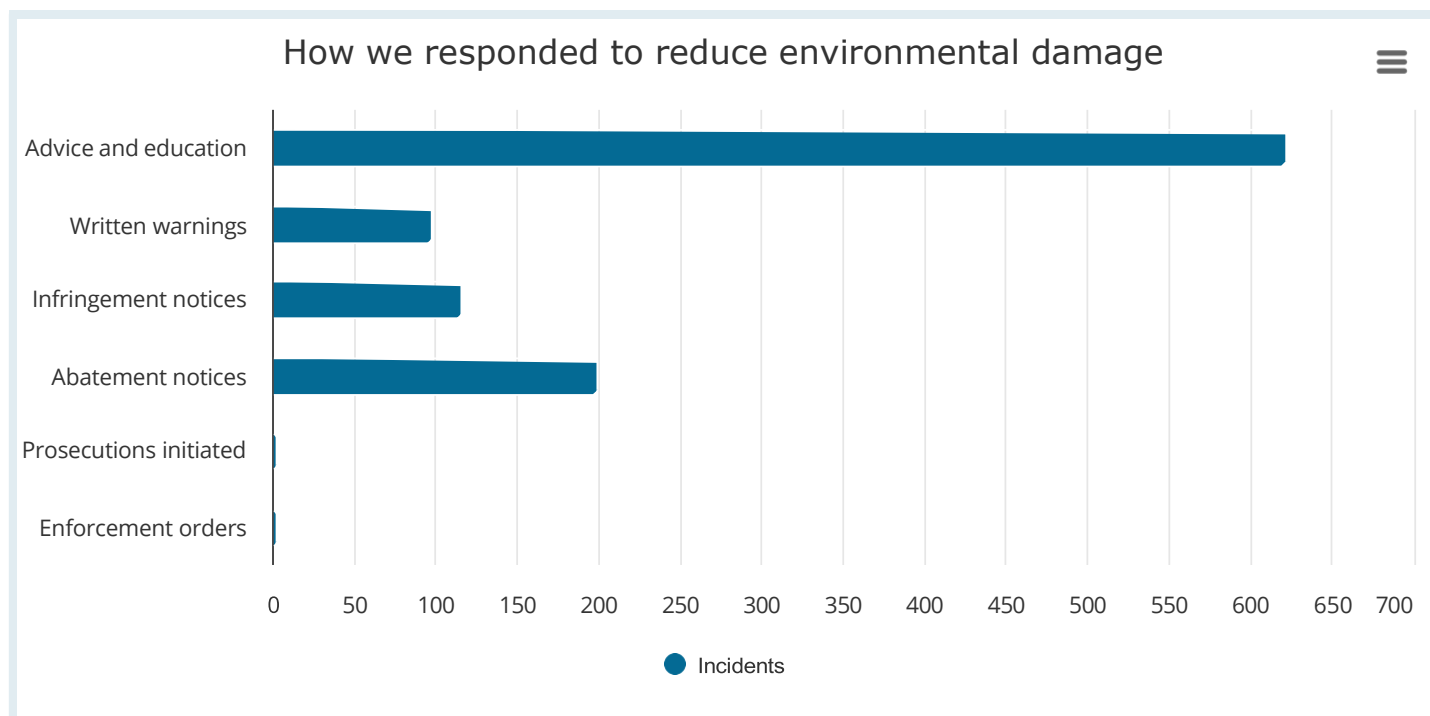
We provide a 24-hour point of contact for [reporting environmental incidents](#) to ensure a suitable response occurs. All calls received are researched and evaluated to assess the potential environmental effects. Due to the high volume of reports, we respond to the most serious incidents first.

If there is an issue, our first response is to work with individuals and businesses to stop any immediate environmental damage.

We then investigate to determine what actions should be taken, including enforcement.

Education can achieve better outcomes and is valued by consent holders who need help. If education does not get the right results, there are a range of compliance actions as set out below:

- Formal written warnings notify of an offence and require action to be taken.
- Infringement notices, which include a fine, are issued for more significant breaches.
- Abatement notices are a formal written direction, requiring certain actions to be taken or to cease within a specified time.
- Prosecution is reserved for offences so serious that warrant court proceedings.



Find out more

- Read our [incident response reports from the past year and previous years](#).
- Report an [environmental incident](#).
- Find out how ratepayer funding supports this work with our [Rates Tool](#).

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<https://www.ecan.govt.nz/your-region/your-environment/monitoring-and-compliance/environmental-incident-response/?stage=Stage>

8.4. Overview of Council Submissions to Central Government

Regional Leadership, Climate and Community Resilience Committee report

Date of meeting	15 November 2023
Author	Cecilia Ellis, Senior Strategy Advisor
Responsible Director	Katherine Trought, Strategy and Planning

Purpose

1. To update the Regional Leadership, Climate and Community Resilience Committee on submissions on central government policy provided by the Canterbury Regional Council.
2. Submissions on central government policy and legislation provide opportunities for Council to influence proposals that will impact on Council roles and responsibilities, and outcomes sought by the Council.

Recommendations

That the Regional Leadership, Climate and Community Resilience Committee:

1. **Receives the update on the 19 formal submissions provided to central government in the period September 2022 to November 2023.**

Background

3. Submissions are one of the key advocacy methods used by the Council to inform and influence central government policy. Through submissions, the Council has a significant opportunity to highlight its strategic priorities and identify potential impacts of policy decisions on roles, responsibilities and functions.
4. Submissions also provide opportunity to encourage Government to further engage with Council and staff to develop proposals that have direct implications for Canterbury Regional Council. In addition, submissions serve an important purpose as a public record of the Council's position on policy matters.

Submissions to Central Government

5. Eighteen formal submissions have been approved by Council and been presented to Central Government since the update to Council in September 2022. This is very comparable to the previous years to December 2022, and December 2021 when 18 and 17 submissions were presented respectively.

6. The list of completed submissions from September 2022 to November 2023 is attached. [attachment 8.3.1]. The list includes the proposed National Policy Statement for Natural Hazards Decision-Making submission that Committee approval is being sought on at this meeting. A draft submission on proposals for biodiversity credits system was being finalised by staff for approval at the time of writing this paper.
7. Submissions provided in the last year to influence new or developing central government legislation or policy direction included:
 - Select Committee processes that have direct implications for Council's regulatory roles and functions including the Natural and Built Environment and Spatial Planning Bills, the Emergency Management Bill, Water Services Legislation Bill and a Local Government Official Information Act Bill on Natural Hazards information. A submission was also provided on the Environment Select Committee's Inquiry into Climate Adaptation.
 - The Future for Local Government independent review panel's draft report that informed the panel's final report presented to Government in June 2023.
 - Ministry for the Environment proposals on national direction including amendments to the National Policy Statement on Highly Productive Land, and new national direction for natural hazards decision making. Proposals for national direction on renewable electricity generation and transmission, led by the Ministry of Business, Innovation and Employment were also commented on regarding Council's regulatory role.
 - Climate Change Commission advice on Government's second emissions reduction plan and Government proposals on emissions reduction policies which overlap with Council roles in areas related to emissions reduction emissions trading scheme and forestry and agricultural pricing.
 - Department of Prime Minister and Cabinet's consultation on critical infrastructure given Council's role in flood protection infrastructure, which provides protection to other infrastructure, including Crown assets.
 - Government proposals that could have implications for regional councils and biodiversity outcomes sought i.e. aquaculture biosecurity programme.
 - Draft 2024 Government Policy Statement on Land Transport to advocate key transport issues and funding needs in Canterbury.
 - A submission in support of an application for a Maitaitai reserve at Orari from Te Runanga o Arowhenua in recognition of Ngāi Tahu Partnership
8. For several of the submissions provided it is too early to analyse what influence Council recommendations had on the policy proposals, as policy development is underway.
9. Analysis of the Natural and Built Environments and Spatial Planning legislation found that some of the changes sought in the Council submissions had been reflected in the Acts. These include changes to provide a stronger framework for protection of the natural environment, strengthened recognition of te Tiriti across all resource management decisions, and elevation of climate considerations in land use and planning decisions. In addition, and specifically for Canterbury, new provisions clarify how the 'bed' of a braided river is to be defined.

10. At the time of writing this report, the new Government was forming. The new Parliament will consider the items of business that were in front of the previous Parliament including business before Select Committees and decide whether to reinstate them via resolution.

Cost, compliance and communication

Financial implications

11. The development of submissions is resourced via the relevant programmes within the Council's Long-Term Plan 2021-31.

Engagement, Significance and Māori Participation

12. Council and staff also supported other submissions that influenced proposals that had implications for the Canterbury region or regional council sector, including Canterbury Mayoral Forum, Joint Committees and Te Uru Kahika.

Consistency with council policy

13. Submissions are developed in accordance with Council's policy on responding to Central Government submissions.

Communication

14. All submissions are publicly available on Environment Canterbury's website - <https://www.ecan.govt.nz/about/your-council/about-us/our-submissions>

Next steps

15. Staff will assess central government consultations of relevance to Council as they arise and provide advice to Council on opportunities to influence proposals.

Attachments

1. Summary of Council submission to Central Government [8.4.1 - 1 page]

Legal review	
Peer reviewers	

LIST OF CANTERBURY REGIONAL COUNCIL SUBMISSIONS TO CENTRAL GOVERNMENT September 2022 to 8 November 2023	
Q2 2023/24 (Oct – Dec 2023)	<ul style="list-style-type: none"> Ministry for the Environment and Ministry for Primary Industries consultation on managing the use and development of highly productive land (HPL) Environment Select Committee Inquiry into Climate Adaptation Governance and Administration Select Committee consultation on the Emergency Management Bill Ministry for the Environment consultation on National Direction for Natural Hazards Decision making
Q1 2023/24 (July – Sept 2023)	<ul style="list-style-type: none"> Ministry for the Environment Emission Trading Scheme review and Permanent Forestry Category consultation Ministry of Primary Industries Proposed Orari Mātaitai Reserve Department of the Prime Minister and Cabinet Lifting the resilience of New Zealand's Critical Infrastructure consultation Ministry for Primary Industries overhaul of biosecurity in the aquaculture sector Ministry of Transport Draft Government Policy Statement
Q4 2022/23 (April-June 2023)	<ul style="list-style-type: none"> Ministry of Business, Innovation and Employment Strengthening National Direction on renewable electricity generation and transmission Climate Change Commission - draft advice on Government's second national Emissions Reduction Plan
Q3 2022/23 (Jan-March 2023)	<ul style="list-style-type: none"> Environment Select Committee Natural and Built Environment Act and Spatial Planning Bills Governance and Administration Select Committee LGOIMA Amendment Bill on Natural Hazards information Future for Local Government draft report (Independent review panel) Finance and Expenditure Committee Water Services Legislation Bill
Q2 2022/23 (Oct-Dec 2022)	<ul style="list-style-type: none"> Ministry of Primary Industries National direction for plantation and exotic carbon afforestation consultation Ministry for the Environment Proposals for pricing agricultural emissions Taumata Arowai Second Tranche of Drinking Water and Wastewater Network Environmental Performance Measures

8.5. NPS-Natural Hazards Decision-Making Submission

Regional Leadership, Climate and Community Resilience Committee report

Date of meeting	Wednesday, 15 November 2023
Author	Amanda Thompson, Senior Planner
Responsible Director	Katherine Trought, Director Strategy and Planning

Purpose

1. For the Committee to approve the Canterbury Regional Council (Environment Canterbury) submission to the Ministry for the Environment (MfE) on the proposed *National Policy Statement for Natural Hazards Decision-making* (NPS-NHD).
2. The proposed NPS-NHD provides guidance for decision-makers to assess natural hazard risk when making planning decisions for new developments under the Resource Management Act 1991 (RMA). The NPS-NHD will shape how the Canterbury Regional Policy Statement and regional plans classify and address these risks and how Environment Canterbury considers consent applications for natural hazard risks.

Recommendations

That the Regional Leadership, Climate and Community Resilience Committee:

1. **Approves the Canterbury Regional Council (Environment Canterbury) submission on the proposed *National Policy Statement for Natural Hazards Decision-Making* (attachment 8.5.1).**
2. **Delegates to the Chief Executive the amendment of any minor or clerical errors in the submission, prior to submitting to the Ministry for the Environment.**

Background

3. The Ministry for the Environment (MfE) is consulting on a proposed National Policy Statement for Natural Hazards Decision-making. The NPS-NHD is presented as an interim step to guide resource management planning and consenting practices while comprehensive national direction is developed, and wider resource management reforms are implemented.
4. Currently, under the RMA local councils are responsible for identifying and managing significant natural hazard risk, but as there is no national direction these risk management processes can vary across the country.

5. The proposed NPS-NHD aims to reduce this variability by providing direction on the identification of natural hazards and risks, risk tolerance and guidance on making decisions on land use in high hazard areas.
6. Due to short timeframes for submission development, Councillors were engaged with on the staff advice for the submission material via email. Material provided included the consultation document and proposed National Policy Statement, staff advice for key points and staff advice for response to the specific questions asked in the consultation. No material feedback or amendments to staff advice were received in this engagement.

Key Submission Points

7. In principle, we support the intention of the NPS-NHD to provide nationally consistent guidance on the consideration of natural hazards in resource management and the requirements for decision-makers to take a risk-based approach when making decisions.
8. Given the complex hazardscape, the exacerbation of natural hazard risk due to climate change and the current funding challenges, more action is required now to address these challenges. However, in its present state the NPS-NHD does not provide this action – it is largely reflecting work already completed by councils instead of advancing the management of natural hazard risks in a more holistic and coordinated way.
9. Ambiguity and lack of clarity in the use of subjective terms limits understanding and creates risks in the implementation of the NPS-NHD by opening the NPS to different interpretations.
10. The NPS-NHD does not provide the required level of technical guidance to support decisions-makers in their functions. Councils must provide robust and comprehensive evidence to support their determinations of risk levels, this would be better supported by the provision of clear guidance and established models for determining risk, which the NPS-NHD does not current provide.
11. Other concerns with the proposed approach in the NPS-NHD include:
 - a. Potential for over-simplification of complex issues,
 - b. Lack of dynamic responses or flexibility in responding to changes in the levels of hazard risk, particularly in relation to climate change,
 - c. Risks of increasing inequity within communities, and
 - d. Potential for conflict with other national direction, such as the National Policy Statement on Urban Development or the New Zealand Coastal Policy Statement.

Cost, compliance and communication

Financial implications

12. Once finalised Environment Canterbury will need to update planning instruments as soon as reasonably practicable. The financial implications of this will be dependent on the timings of the final NPD-NHD relative to the current review of the Canterbury Regional Policy Statement and will need to be assessed further once this is known.

Risk assessment and legal compliance

13. There are no risks associated with making this submission.

Climate Change Impacts

14. Climate change has a significant exacerbating effect on the frequency and intensity of some natural hazards increasing the levels of risk. The proposed NPS-NHD forms part of the response to action 4.2 in the National Adaptation Plan to 'develop national direction on natural hazard risk management and climate adaptation through the National Planning Framework'.
15. Further direction and requirements for the management of natural hazard and climate risks for existing development will be developed as part of the upcoming Climate Adaptation Bill, expected in late 2024.

Communication

16. After lodging with MfE, a copy of the submissions will be added to Environment Canterbury's website.

Next steps

17. Subject to Committee's approval of the submission (attachment 8.5.1), the submission will be lodged with MfE prior to the close of consultation on 20 November 2023.
18. The proposed NPS-NHD will be finalised for implementation in early 2024, ahead of a comprehensive National Direction for Natural Hazards to be developed over the next one-to-two years.

Attachments

1. Draft Submission on the NPS for Nat [8.5.1 - 13 pages]

Legal review	
Peer reviewers	Bridget Lange – Senior Strategy Advisor Sam Leonard – Principal Planning Advisor



15 November 2023

Ministry for the Environment
PO Box 10362
Wellington 6143

Tēnā koutou,

Environment Canterbury submission on proposed National Policy Statement for Natural Hazards Decision-making

Thank you for the opportunity to provide comment to the Ministry for the Environment on the proposed National Policy Statement for Natural Hazards Decision-making. Please find the Canterbury Regional Council (Environment Canterbury) submission attached.

We welcome the opportunity to comment on this proposed national policy statement. We support the development of national legislation to ensure that Natural Hazard Decision Making is managed consistently throughout the country to protect people, property and the environment from natural hazard risk and the associated impacts from mitigation of risk and look forward to working with the government to further improve the proposed national policy statement.

Our submission is reflective of our responsibilities as a regional council and has a specific focus on key issues for local government, such as the impact of the proposed national policy statement on the creation of the Canterbury Regional Policy Statements, regional plans, and the consenting process.

For all enquiries, please contact,
Amanda Thompson – Senior Planner
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Yours sincerely

Peter Scott
Chair, Environment Canterbury



Canterbury Regional Council (Environment Canterbury) Submission to the Ministry for the Environment on:

The proposed National Policy Statement for Natural Hazard Decision Making 2023

1. Canterbury Regional Council (Environment Canterbury) welcomes the opportunity to comment on the proposed national policy statement on Natural Hazard Decision Making (NPS-NHD) and accompanying discussion document. Environment Canterbury supports the development of national legislation to ensure that Natural Hazard Decision Making is managed consistently throughout the country to protect people, property and the environment from natural hazard risk and the associated impacts from risk reduction.
2. Our responses to the questions posed in the discussion document are captured in Appendix 1.

About Environment Canterbury

3. Environment Canterbury is the regional council for the largest geographical region and second most populous region in New Zealand. The Canterbury region faces numerous natural hazards, including earthquakes, landslips, floods, droughts, storms, tsunamis, erosion, and wildfires. Climate change is expected to worsen these challenges by increasing the frequency and intensity of storms and droughts, as well as causing sea-level rise. Coastal erosion is particularly concerning, as it threatens infrastructure, structures, and assets, and is likely to be exacerbated by climate change.
4. The Canterbury Regional Policy Statement (CRPS) identifies the following issues in relation to natural hazards in the region:
 - a. Risk from natural hazards and the impact of climate change.
 - b. Development subject to natural hazards
 - c. Adverse effects of natural hazard mitigation work
5. The CRPS requires integrated management of, and preparedness for, natural hazards. It requires local authorities and lead agencies to work together in a coordinated and integrated manner. Environment Canterbury also works in close collaboration with the ten territorial authorities in the region via the Canterbury Mayoral Forum and its sub-forums.

Our key submission points are summarised as follows:

6. Environment Canterbury supports the overall purpose of the proposed NPS-NHD to improve the way that natural hazard risk is managed under the RMA and create consistency throughout the country.

Ambiguity in Hazard Categorization

7. The use of subjective terms like "tolerance" makes the classification into high, moderate, or low-risk categories ambiguous. The proposed NPS-NHD requires consultation with a wide range of stakeholders, but with no clear guidance on the priority of different values. Given the diverse values and perspectives of stakeholders, there's a lack of clarity on how to make these determinations objectively.
8. Local authorities already identify and manage natural hazard risk. The proposed NPS-NHD seems only to reflect what councils already do, rather than advancing the management of risk in a more coordinated way. It would be more valuable to provide clear, unambiguous guidance or tools to quantify the level of risk to avoid, and identify what level of risk is suitable for mitigation or avoidance.

Determining "risk":

9. Determining natural hazard 'risk' involves determining the likelihood of an event occurring and the extent of the consequence resulting from the event.
10. The likelihood of a given piece of land being affected by natural hazards can generally be determined prior to land being developed, but the consequences of the hazard depend on the type of development that occurs and the suitability of any associated mitigation measures. It is therefore not possible to define natural hazard risk, without knowledge of the proposed development.
11. For example, a property that is subject to infrequent shallow flooding that has been developed for residential use with no mitigation measures may have a higher flood 'risk' than another property that is subject to frequent flooding of moderate depth, but has been developed for residential use with appropriate flood mitigation measures.
12. Basing planning decisions solely on pre-existing risk is not practical. It would be helpful if the proposed NPS-NHD established a minimum standard for natural hazard risk, and sets mitigation work standards to help development meet this standard. The NPS-NHD should also make it clear when development should be avoided where it is not possible to meet the minimum standard even with mitigation.

Determining "tolerance":

13. To provide consistency and increase efficacy the NPS should specify a minimum standard of natural hazard mitigation that must be achieved, noting that developers, communities, and individuals should be free to achieve a higher standard of mitigation if they wish.

Reasons for this include:

14. It may be very difficult to determine ‘those who are subject to the risk’, especially with respect to a new development where new sections/houses could be purchased by anyone. If new buildings are affected by natural hazards, there will be a broad spectrum of direct and indirect impacts, but ultimately all ratepayers and taxpayers are impacted to some degree.
15. If ‘those who are subject to the risk’ could be identified, it is challenging to reliably determine their tolerance to natural hazards and their ability to bear the associated risk.
16. In cases where ‘those who are subject to the risk’ can be identified and their tolerance to (and ability to) bear the risk can be accurately quantified, this would only represent a snapshot in time. People’s tolerance and resilience to natural hazard events can change over time, and be influenced by external factors. Also, ‘those who are subject to the risk’ now, may not be the same people who are subject to the risk in the future.
17. Many aspects of a building’s durability and safety are managed nationally through the Building Act and Building Code, encompassing minimum standards for fire and electrical safety, alongside some consideration of natural hazards like wind, snow loading, ground shaking and liquefaction. These standards don’t take individual preferences into account, and don’t require local authorities to exercise discretion. This approach recognises that adhering to national standards provides broader societal interests. Establishing minimum standards for natural hazards is a logical extension of the current framework.

Lack of Guidance & Modelling

18. We encourage central government to establish a robust and consistent framework for assessing and determining the risk posed by natural hazards. The absence of a defined framework in the proposed NPS-NHD may complicate the decision-making process by providing national legislation that must be followed without the necessary detail to drive at national consistency. This gap in policy could inadvertently lead to discrepancies in risk assessments regionally as well as across the country.
19. Guidance on how to integrate the risk from natural hazards occurring with the amount of risk that is tolerable, is required in order to ascertain the proposed NPS levels of hazard risk, be it high, moderate, or low. While the consultation document emphasizes a “principle-based” approach, allowing local authorities some discretion for specific hazards and developments, it does not provide a prescriptive methodology on how, in a practice, hazard risk and risk tolerance can be integrated to achieve a single level of risk. Without this, achieving national or even regional consistency for new development becomes challenging.

20. The NPS-NHD should provide a clear hierarchy of priorities for councils to consider when making decisions. The proposed NPS-NHD has a focus on new developments and as such, the following matters require consideration and weighting:
- a. Protection of human life: The safety and wellbeing of the community should be the priority of any national direction looking at managing hazard risk. The precautionary approach provided for in the NPS-NHD indicates this is the key priority, but should this precautionary approach also apply to the other factors?
 - b. Protection of property and infrastructure: While the safety of the community should be the first priority, risk to infrastructure and property is also an important consideration, and can indirectly impact community health in the long term as a result of accessibility of goods and services and economic implications. Regionally significant infrastructure (including Critical Infrastructure) may require special consideration when addressing hazard risk.
 - c. Environmental harm: Natural hazards can have an impact on the environment and alter ecosystems. Hazard mitigation work can also impact the environment which has flow on effects for other values such as natural character and biodiversity. While it's acknowledged that other RMA mechanisms may address these environmental concerns, it's important to ensure these are consistent given the impact to the community that results from environmental damage.
21. The NPS-NHD should explicitly define its hierarchy of priorities to provide clearer guidance to stakeholders, ensuring that new developments are both safe and sustainable. Consideration should also be given to other national direction and the RMA to ensure policies are consistent with each other.
22. There are a number of timeframes over which risk assessments can be undertaken including:
- a. 100 years : providing a long-term perspective crucial for anticipating and mitigating future risks.
 - b. 50 years : Matches the design life of many built assets, ensuring that infrastructure remains resilient throughout its intended operational life.
 - c. 30 years: Coincides with many spatial and infrastructure plans.
23. It would be useful if there was guidance provided to determine the appropriate risk tolerance timeframe both in terms of the size of the event and how far in the future we should plan for to ensure a consistent approach is used.

Evidence Requirement for Risk Identification

24. With varying legislative indications on hazard risk levels, councils face a challenging task. They must provide robust and comprehensive evidence to support any risk level

they identify, which puts a strain on resources and delays decision-making processes. National direction could reduce this by providing a clear framework for councils to point to when making regional and district policies and rules, and avoid each region needing to go through the process independently where possible.

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Appendix 1

Discussion document consultation questions and responses.

Questions from discussion document	Environment Canterbury response
<p><i>Natural Hazard Decision-making</i></p> <ol style="list-style-type: none"> 1. Is more action needed to reduce development from occurring in areas facing natural hazard risk? 2. Are there any other parts of the problem definition that you think should be addressed through the NPS-NHD? Why? 3. Are there other issues that have not been identified that need to be addressed through the NPS-NHD or the comprehensive National Direction for Natural Hazards? 	<p>More action is required to reduce or manage development in areas exposed to natural hazard risks. It is becoming more common for multiple hazards to occur simultaneously which requires a multifaceted response due to the compounding effect it can have.</p> <p>The impacts of natural hazards can disproportionately affect marginalised or low socioeconomic groups, and funding is a key consideration. In Canterbury flooding is a major hazard risk that disproportionately affects the rural community, these communities have a lower rate base than urban areas but provide nationally important role in the economy. The NPS-NHD and the comprehensive National Direction for Natural Hazards should address this to achieve adequate funding and support for those communities.</p> <p>Infrastructure resilience is a key concern, and much of the regionally significant and critical infrastructure such as rail lines, power generation is located in areas vulnerable to natural hazard risk.</p>
<p><i>Purpose of the NPS-NHD</i></p> <ol style="list-style-type: none"> 4. Do you support the proposed NPS-NHD's requirement that decision-makers take a risk-based approach when making decisions on new development in natural hazard areas? Why or why not? 	<p>We support a risk-based approach for making decisions in general. A risk-based approach ensures that both the likelihood of a hazard event and its potential consequences are assessed.</p> <p>There are a number of potential issues with the proposed approach without a clear framework and guidance to assess risk, including complexities for implementation, issues with the reliability of data, economic implications for land owners in locations assessed as high risk, difficulties in weighting priorities like safety, social implications and economic implications, against the development needs of the community.</p> <p>There is also a significant risk that this approach could exasperate inequality issues if the low income population is more densely populated in</p>

	<p>high risk locations. There may also be difficulties in maintaining the flexibility to respond to changing conditions resulting from climate change if a rigid risk level is adopted.</p> <p>Determining natural hazard 'risk' involves assessing the likelihood of an event and its potential consequences, which depend on land development and mitigation measures.</p> <p>A minimum standard for risk and mitigation should be established to ensure both current and future stakeholders are adequately protected from such risks. The community can then identify their tolerance levels over and above the minimum standard.</p> <p>Paragraphs 3.3(2)(b) and 3.3(3)(a) of the proposed NPS-NHD present conflicting directives. 3.3(2)(b) mandates that in the absence of complete and scientifically robust data, decision-makers must take all practicable steps to mitigate uncertainty, potentially through monitoring or validation of used models. Conversely, 3.3(3)(a) instructs local authorities not to postpone decisions solely due to uncertainty regarding the information's quality or quantity. Without further guidance it will be difficult to implement these policies.</p>
<p><i>Natural hazards in scope</i></p> <p>5. Should all natural hazards be in scope of the proposed NPS-NHD? Why or why not?</p> <p>6. If not all natural hazards are in scope, which ones should be included? Why?</p> <p>7. Should all new physical development be in scope of the proposed NPS-NHD? Why or why not?</p>	<p>Ideally all natural hazards should be included in the scope of the proposed NPS-NHD, this would ensure uniformity in decision making and comprehensive coverage.</p> <p>If some hazards are to be included, an assessment of the anticipated prevalence, level of impact and connected hazards will need to be taken into account.</p> <p>Ideally all development will be included in the NPS-NHD this to ensures fairness, a consistent approach, and the ability to manage risks in an integrated way.</p> <p>Different types of development could be treated in different ways, for example residential development may have a different risk level than uninhabited development. Infrastructure that is required in certain locations regardless of the risk level will also need different policies.</p>

<p><i>Urban impacts</i></p> <p>8. What impact do you think the proposed NPS-NHD would have on housing and urban development? Why?</p>	<p>There are large populations in urban areas, so there is potentially more risk for a larger number of people.</p> <p>Urban centres need to be carefully planned and provide for risk reduction and nature based hazard protection. Land will need to be set aside to accommodate this and is likely to require taller buildings. Higher structures might be more susceptible to earthquake damage and so require structural work, potentially escalating construction costs.</p> <p>Restricting further development or upgrades in existing areas could lead to stagnation, undermining the vitality of these communities.</p>
<p><i>Proposed Objective</i></p> <p>9. Do you agree with the proposed objective of the NPS-NHD? Why or why not?</p>	<p>We agree with objectives in principle however, we have noted some potential issues:</p> <ul style="list-style-type: none"> • Lack of specific mechanisms and strategies to achieve the objective. • Adaptation to manage the dynamic nature of natural hazards in particular in relation to climate change. • No clear priority hierarchy for values.
<p><i>Definitions and risk categories</i></p> <p>10. What are the pros and cons of requiring decision-makers to categorise natural hazard risk as high, moderate or low?</p>	<p>Pros</p> <ul style="list-style-type: none"> • Simple approach. • Prioritises management or avoidance in higher risk areas. • Consistency across the country. • Clear guidance for the community once risk level is set. <p>Cons</p> <ul style="list-style-type: none"> • Potential for over simplification • Complacency in low risk locations. • Lack of flexibility in responding to changing hazard risk, or lack of certainty for the community if made too flexible to change categories. • Economic impacts from classification • Subjectivity of “tolerance” • Anxiety in the community
<p><i>Assessing risk</i></p> <p>11. What are the pros and cons of directing decision-makers to assess the</p>	<p>Pros:</p> <ul style="list-style-type: none"> • Holistic view of hazard risks. • Decisions grounded in data.

likelihood, consequence and tolerance of a natural hazard event when making planning decisions?	<ul style="list-style-type: none"> • Adaptable to changing conditions. <p>Cons:</p> <ul style="list-style-type: none"> • Requires accurate scientific data. • Ambiguity without clear guidance. • Potential for over-complexity. • Resource intensive to run community engagement to determine the community's risk tolerance <p>There are currently differing levels of tolerance in different legislation e.g. building code vs CRPS, which means regional councils must provide robust evidence to support policy requiring a more precautionary approach.</p>
<p><i>Precautionary approach</i></p> <p>12. What are the pros and cons of directing decision-makers to adopt a precautionary approach to decision-making on natural?</p>	<p>Pros:</p> <ul style="list-style-type: none"> • Prioritises safety over uncertainties. • Pragmatic in unpredictable scenarios. • Promotes responsible development. <p>Cons:</p> <ul style="list-style-type: none"> • May hinder reasonable development. • Reliance on imperfect or inadequate data. • Potential economic setbacks.
<p><i>Controlled activity status</i></p> <p>13. What are the pros and cons of requiring natural hazard risk as a matter of control for any new development classified as a controlled activity in a plan, and as a matter of discretion for any new development classified as a restricted discretionary activity?</p>	<p>Controlled activities provide a simple framework in areas where risk is easy to identify quantify and suitable mitigation such as raised floor levels can be installed, however this approach would not work as well in locations where there is more complexity.</p> <p>Discretionary activities offer more flexibility and the ability to assess risk on a consent by consent basis however it increases the complexity and cost of processing consents. Clear guidance and a framework that provides for the current ambiguity would assist with processing these applications.</p>
<p><i>High Medium or low risk</i></p> <p>14. What are the pros and cons of requiring planning decisions to ensure the specific actions to address natural hazard risk outlined in policy 5?</p> <p>15. What is the potential impact of requiring decision-</p>	<p>Policy 5 aligns with the current CRPS approach. The CRPS provides direction on managing natural hazard risk, including requirements to: avoid development in high-risk areas where there might be risk to life or significant damage, mitigate the risks from flood hazards where the risk can appropriately managed or avoided, avoiding subdivision and development close to active earthquake faults, and mitigating the effects of liquefaction. In areas not covered by specific policies, the development of land is directed to be avoided</p>

makers to apply this framework in their decision-making? Will it improve decision-making?	<p>where the risk from natural hazards would be unacceptable.</p> <p>The guidance states development should be avoided unless one of the exceptions applies. The exceptions include unclear wording such as risk has been reduced to a “tolerable” level. There is no clear guidance to define what that level is.</p> <p>The potential impact of requiring decision makers to apply this framework is the risk of different interpretations, the requirement for specialists or lawyers to assist applicants</p>
<p><i>Mitigation</i></p> <p>16. What are the pros and cons of providing direction to decision-makers on the types of mitigation measures that should be adopted to reduce the level of natural hazard risk?</p>	<p>Providing guidance on suitable types of mitigation, along with direction on where mitigation is not appropriate and development should be prevented, would be useful in achieving a consistent and fair approach and avoiding further development in areas that are not viable in the long term.</p> <p>This guidance would need to balance the impact this may have on existing communities where further development is limited and could lead to running down and devaluing some areas.</p>
<p><i>Māori</i></p> <p>17. Does policy 7 appropriately recognise and provide for Māori rights, values and interests? Why or why not?</p> <p>18. Can traditional <i>Māori knowledge systems</i> be incorporated into natural hazard risk and tolerance assessments?</p> <p>19. Does the requirement to implement te Tiriti settlement requirements or commitments provide enough certainty that these obligations will be met? Is there a better way to bring settlement commitments into the NPS?</p>	<p>Policy 7 requires councils to engage early with Māori which is in line with the approach the CRC already take.</p> <p>Mātauranga Māori should be incorporated into natural hazard and risk assessment processes. This can enrich assessment methods, providing a holistic approach.</p> <p>Policy 7 of the NPS-NHD aims to address Te Tiriti obligations. Whether this works in practice will depend on a number of factors in the policies implementation e.g. clear guidelines and the capacity of rūnanga to assist with assessments.</p>
<p><i>Timing</i></p> <p>20. Is the implementation timeframe workable? Why or why not?</p>	<p>Once the NPS-NHD takes effect, discretionary resource consents will need to consider the NPS-NHD on a consent by consent basis. If the language is ambiguous it will be difficult to process.</p>

<p>21. What do you consider are the resourcing implications for you to implement the proposed NPS-NHD?</p>	<p>With the current level of guidance it will be difficult for Rūnanga and councils to effectively determine their tolerance levels, and there may not be resources available to process those consents in a timely manner.</p>
<p><i>Guidance</i></p> <p>22. What guidance and technical assistance do you think would help decision-makers to apply the proposed NPS-NHD?</p>	<p>The absence of guidance in determining risk and risk tolerance (and hence low, moderate, high levels of risk – Policies 1 and 2)) has been identified as a clear issue and would need to be addressed. Specifically, we see specific guidance needing to clarify the following:</p> <p>Guidance on how to combine the natural hazard risk with risk tolerance to determine the NPS levels of hazard risk (high, medium, low)</p> <ul style="list-style-type: none"> • The consultation document describes the criteria as “principle-based” rather than “overly prescriptive” in order to provide local authorities with some discretion for individual hazard type and developments. However, without a more prescriptive methodology on how to combine these two criteria this is not likely to result in any form of national, let alone regional consistency for new development. <p>Guidance on the hierarchy of priorities for determining tolerance.</p> <ul style="list-style-type: none"> • This NPS is for new development. Therefore, should risk tolerance be related only to consequences/impacts of the hazard to life/injury and damage to property? Adverse effects on the environment (Policy 2(a)) from a natural hazard should be dealt with via other RMA mechanisms. A precautionary approach is being advocated (Policy 3). Therefore, should tolerance to the hazard be based on risk to life, with the other consequences (i.e. property/infrastructure damage) likely to be included, by default within this more precautionary envelope? <p>Guidance on timeframes for determining risk tolerance thresholds.</p> <ul style="list-style-type: none"> • Risk tolerances for many hazards will change over different timeframes. If we are talking about risk tolerance thresholds for new development, what timeframes should be considered? 100 years (congruent with many climate adaptation plans), 50 years (design life

	<p>for built assets) or 30 years (spatial and infrastructure plans).</p> <p>Access to national databases and tools, legal clarification on the interpretation of ambiguous words, Advice on nationally available funding and advice on conflicts between different national direction would also assist to achieve a consistent approach nationally.</p>
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8.6. Report from the Chair

Regional Leadership, Climate and Community Resilience Committee report

Date of meeting	Wednesday, 15 November 2023
Author	Committee Chair Craig Pauling

Purpose

1. The purpose of this report is to raise matters of current interest and/or emerging issues relevant to the work of the Regional Leadership, Climate and Community Resilience Committee.

Recommendations

That the Regional Leadership, Climate and Community Resilience Committee:

1. **Receives the Chair's report for the Regional Leadership, Climate and Community Resilience Committee.**

Key points

2. The Chair's report is an opportunity to provide members of the Committee with visibility of matters of current interest and/or emerging issues in regard to the work of the Regional Leadership, Climate and Community Resilience Committee.
3. Matters of current interest and/or emerging issues covered in this report include:
 - Recent Council submissions
 - Regional Partnerships Update
 - Waitaha Action to Impact Fund
 - Environment Canterbury Youth Rōpū update
 - Engagement on Integrated Planning Framework
 - Canterbury Climate Partnership Plan
 - Environment Canterbury Climate Action Plan
 - Resource Management Reforms

Matters of current interest and emerging issues

Recent Council submissions

4. Council (Environment Canterbury) made a submission on the Government's Emergency Management Bill (the Bill) which has been introduced to replace the two decades old Civil Defence Emergency Management Act 2002 (CDEM Act). The Bill seeks to improve how the emergency management system manage risks, responds to

and recovers from emergencies, and empowers and supports communities to be resilient. Environment Canterbury's draft submission is focussed on our role as the administering authority for Canterbury Civil Defence Emergency Management Group and our statutory responsibilities, including as a provider of flood protection infrastructure. Environment Canterbury's submission builds on our comments during previous consultations - Rautaki Hanganga o Aotearoa: New Zealand's Infrastructure Strategy 2022-2052 (June 2021); Modernising the Emergency Management Framework (February 2022); and Strengthening the resilience of Aotearoa New Zealand's critical infrastructure system Discussion Document (August 2023).

5. Council also made a submission to the Environment Committee's Inquiry into Climate Adaptation. Feedback from the Inquiry will be used to inform the development of the Climate Adaptation Bill (as part of the ongoing resource management reforms). The Inquiry is collecting evidence on climate adaptation with a particular focus on issues relating to the design of an equitable and enduring adaptation system (including community-led managed retreat) and the funding of climate adaptation. Environment Canterbury's submission focuses on key issues with the design and funding of an adaptation system, with specific emphasis on regional council roles and responsibilities in relation to the different stages of adaptation planning. These are presented as they apply to the different sections in Ministry for the Environment's (MfE) Community-led retreat and adaptation funding: Issues and Options paper. This report was produced to support the Inquiry and sets out specific issues and options relating to designing te Tiriti-based adaptation, risk assessments, local adaptation planning, decision-making, funding and adaptation through recovery.

Regional Partnerships update

6. The Greater Christchurch Partnership Committee (GCPC) last met on Friday 20 October. On the agenda for that meeting was a paper seeking support from the GCPC to progress the development of the Greater Christchurch component for the Canterbury Regional Public Transport Plan (RPTP) 2024-34 and to nominate four GCPC representatives (one from each Council) to form the Greater Christchurch RPTP 2023-24 Hearings Panel for the purpose of hearing submissions on the Greater Christchurch components of the draft Canterbury Regional Public Transport Plan 2024-34 and making recommendations to GCP.
7. Also on the agenda was a paper updating the GCPC on progress of the Joint Housing Action Plan and seeking input on the development to date. The action plan will focus on areas where the Greater Christchurch Partnership can add value beyond what partner organisations can do individually. The action plan is being developed collaboratively and will complement other initiatives, including the Canterbury Mayoral Forum's Housing Workstream and the Mana Whenua Kāinga Nohoanga strategy.
8. The hearings on the Greater Christchurch Spatial Plan have now been completed and deliberations are scheduled for later in November.
9. Canterbury Civil Defence and Emergency Management and Canterbury Mayoral Forum are not scheduled to meet until late November.

Waitaha Action to Impact Fund

10. The Waitaha Action to Impact Fund (WAI Fund) was established in 2021 as a contestable fund specifically for community-based organisations to support community action and engagement. For 2023/24, \$350k was made available for the fund. Applications were accepted from mid-July to mid-September.
11. Thirty-four new applications were received from across the region requesting approximately \$650,000. Twenty-three groups have been allocated funding for 2023/24, with 12 of these being multiyear allocations made in previous years and nine being new projects.
12. Details of previous years' allocations are on the Environment Canterbury website, and the details of the projects funded for 2023/24 will be added in the next few weeks.

Canterbury Youth Rōpū update

13. In August, the Youth Rōpū ran their second annual planting day in the Waimakariri Regional Park to celebrate Conservation Week. The event was attended by more than 30 members of the community, including Waimakariri Youth Councillors, and more than 500 native trees were planted.
14. Rōpū members have attended two professional development sessions: training in political neutrality, run by the Electoral Commission, and the Positive Youth Development Framework, run by the Champions project. Both sessions were attended by other Canterbury and West Coast youth councils, making them excellent networking and collaboration opportunities. The Positive Youth Development Framework session was held at Environment Canterbury's office in Tuam Street.
15. Eight episodes of the Youth Rōpū's podcast, Fix It Up Waitaha, have been released on Plains FM and streaming services such as Spotify.
16. In October, the Youth Rōpū hosted an end of year hui for their high school environment leaders' network. This was held at the Climate Action Campus and focused on reflection and celebrating their year's mahi.
17. A recruitment campaign for new members has closed. A panel including Councillor Greg Byrnes, two Youth Rōpū alumni and the Lead Advisor Youth Engagement and Education met to consider the applications during the first week of November.

Engagement on Integrated Planning Framework

18. On 20 October, Council launched the second public engagement campaign that will feed into the development of a new Canterbury Regional Policy Statement. The first engagement campaign earlier this year was called "*What's our future, Canterbury?*". During that time Council asked the public what outcomes are important to them. The new campaign is called "*Pick a Path*" and we will be reflecting back to the public the outcomes we were told they want, while also testing options for delivering those outcomes. The campaign includes multiple channels including 10 full day summits where Council hopes to encourage stakeholders from various parts of the community to discuss options together. There is also opportunity for engagement online via

webinars and surveys, drop in opportunities and we will be out at A&P shows, markets and other community events so staff can talk to people where they are.

Canterbury Climate Partnership Plan

19. The Strategic framework for the Canterbury Climate Partnership Plan has now been endorsed by 10 councils across the region, and noted by Timaru District Council.
20. A sixth climate action planning workshop was held by the Canterbury Climate Change Working Group (under the Canterbury Mayoral Forum) to continue analysing and drafting climate actions.
21. The development of regional climate actions will leverage off Environment Canterbury's engagement campaign, '*What's our Future, Canterbury*', to seek feedback from papatipu rūnanga, key stakeholders and community members on themes and example actions where Canterbury councils can partner.

Environment Canterbury Climate Action Plan

22. The Environment Canterbury climate action plan will identify and collate this Council's climate actions and be integrated into key initiatives including our Long-Term Plan 2024-34, and the Integrated Planning Framework.
23. The climate action plan will use the Council's strategic framework and priority climate change risks and emissions sources in Waitaha Canterbury to identify goals for climate action by Environment Canterbury.
24. Staff have drafted climate actions to achieve these goals and are currently seeking feedback on themes and example actions with papatipu rūnanga, key stakeholders and community members as part of the '*What's our Future, Canterbury*' engagement campaigns.
25. The next step in this work is to integrate with, and determine funding requirements, through Environment Canterbury's draft 2024-34 Long-Term Plan to ensure climate actions are funded.

Resource Management Reforms

26. Ministry officials have paused the resource management reform programme while they await decisions on the form of a new Government. Targeted engagement on the National Planning Framework (secondary legislation prepared under the Natural and Built Environment Act) has been paused and will be revisited once the form and direction of a new Government is known.
27. Consultation is still continuing for changes to national direction prepared under the Resource Management Act. These include new national direction relating to natural hazards, changes to the national policy statement for highly productive land, and a proposed biodiversity credit system.

Cost, compliance and communication

Financial implications

- 28. There were no additional financial implications related to producing this report.
- 29. No decisions concerning funding are sought through this report.

Risk assessment and legal compliance

- 30. No legal compliance issues have been identified for this report.

Engagement, Significance and Māori Participation

- 31. Engagement with Papatipu Rūnanga, mana whenua and the community are an important aspect of the work overseen by this committee, and has contributed to the specific items outlined in this report.

Consistency with council policy

- 32. The activity in this report is consistent with the Council's Long-Term Plan 2021-31.

Climate Change Impacts

- 33. The work being reported here is central to addressing the impacts of climate change.

Next steps

- 34. A further update from the Chair will be given to the 6 March 2024 meeting.

Attachments

Nil

Peer reviewers	Jesse Burgess, Senior Strategy Manager Sam Bellamy, Team Leader Strategy and Planning
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9. Next Meeting

The next meeting of the Regional Leadership, Climate and Community Resilience Committee is scheduled to be held on Wednesday, 6 March 2024. Any changes to this time will be publicly advertised and updated on the Environment Canterbury website.

10. Karakia Whakamutunga - Closing

The meeting will conclude with a karakia by a member of the Regional Leadership, Climate and Community Resilience Committee.