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## **Submission to the Environment Committee Komiti Whiriwhiri Take Taiao: Inquiry into Climate Adaptation**

The **New Zealand Association for Impact Assessment (NZAIA)** thanks the Environment Committee for the opportunity to its Inquiry into Climate Adaptation.

### **About the New Zealand Association for Impact Assessment (NZAIA)**

The NZAIA is a community of impact assessment (IA) specialists and supporters. Our membership comprises 80–100 practitioners: consultants, academics, researchers and students, and other assorted professionals and interested parties. They share a deep interest in impact assessment, a decision-support method that is one of the most important tools we have for safeguarding the environment, and the wellbeing of people and communities.

NZAIA is an affiliate of the International Association for Impact Assessment (IAIA), a professional association with some 1700 members across more than 120 countries. NZAIA has MoUs with the Environment Institute of Australia and New Zealand Inc. (EIANZ); and the Secretariat of the Pacific Regional Environment Programme (SPREP), and is an Affiliate Organisation of the Royal Society Te Aparangi.

## **Submission**

### **Preliminary comments**

NZAIA supports the main recommendations made by Te Kōkiringa Taumata | New Zealand Planning Institute (NZPI) in their submission to the inquiry, such as the need for a hybrid planning system to address adaptation, a te Tiriti based adaptation system, stronger regional spatial planning, and national direction on risk assessment approaches. In our submission we will focus on specific issues relating to **impact assessment**, consistent with our purpose as an organisation.

### **Overview**

The National Adaptation Plan (Aug. 2022) refers to enabling better risk-informed decisions. However, the purpose of risk assessments is to define the problem to be solved. They can also point to possible solutions, but they should not be the sole basis for making decisions about which solution to adopt in order to respond to actual or potential climate impacts. Many other considerations need to contribute to such decisions, and a vitally important one is: will the proposed solution lead to significant adverse impacts on people, their social and cultural wellbeing, and/or the natural environment?

Indeed, this is one of the decision-making principles put forward in the EDS working paper 1: Principles and Funding for Managed Retreat, in early 2023: *“Avoid Maladaptation Principle: It is important to avoid unintended negative consequences from decisions”* (p 22) which they characterise as follows: *“The avoid maladaptation principle seeks to avoid any unintended negative consequences of decisions. It requires a joined-up approach to policy formation and awareness of how solutions in one sphere can exacerbate those in other areas or in the future.”* (p. 29).

Avoiding unintended negative consequences of decisions is the domain of (ex ante) **Impact Assessment**. Impact assessment methods<sup>1</sup> are used where appropriate to identify the potential implications of proposed policies, plans and projects, thereby helping to avoid unintended consequences and resulting in better proposals. Impact assessment also encourages more integrated, strategic thinking, which is essential with respect to the effects of climate change and selecting appropriate responses, as it counters a tendency to adopt solutions on the basis of limited criteria such as cost and expediency.

Climate adaptation *projects* can be expected to be subject to impact assessment through legislative provisions to assess environmental effects in order to secure resource consents. These provisions are unlikely to change, regardless of wider decisions about resource management/environmental legislation. On the other hand, climate adaptation *plans*, whether stand alone or as part of other plans, will require close scrutiny for their potential unintended consequences. Our comments are directed primarily at this level of decision-making.

### **Specific comments**

The ToR for the inquiry include issues we would like to address in particular.

#### *Community-led decision making*

We strongly support community-led decision-making, but with two provisos. First, there needs to be genuine and effective involvement of local communities, particularly as they play a crucial role in the assessment of wider implications of proposed policies and plans. While territorial authorities will act as a focus for adaptation planning, they must work with local people at all stages. Second, local decision-making will still need to occur with reference to a regional, strategic adaptation framework (see next point).

#### *Alignment and integration with existing legislation*

The Natural and Built Environment Act and Spatial Planning Act may well be repealed by the start of 2024. However, there are many aspects of those Acts that are critically important with respect to adaptation planning. The most important is the development of regional spatial strategies and NBE plans at the regional level. These can provide the essential framework within which local adaptation responses can be developed. Simply allowing local authorities to develop adaptation plans without reference to the proposals from nearby authorities would be a recipe for disaster. The loss of areas of valuable soil or significant biodiversity to allow relocation of people threatened by coastal inundation, for example, might seem a low cost for an individual authority, but if repeated by many councils the **cumulative effects** regionally, or even nationally, would be considerable. Retreat might require relocation of communities to other authorities, with consequent service and infrastructure implications. This needs a strong spatial planning perspective.

However, the NBA also strengthened the evaluation of proposed policies and plans, which allows for much more effective assessment of potential effects (adverse and beneficial) for people and the natural environment. Such assessments would mirror the **strategic environmental assessments** required of land use and resource plans in the EU, and of policies and plans in many other countries. Crucially, that information would contribute to improving the policies and plans during their development, as well as being available to the public in succinct and understandable forms.

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<sup>1</sup> IA methods include: strategic environmental assessment, cumulative effects assessment, social impact assessment, health impact assessment, cultural impact assessment, and ecological impact assessment.

## **Conclusion**

Without a mandate, and clear direction, in relevant legislation, there is a real prospect that climate adaptation policies and plans will be formulated without proper investigation of unintended consequences. It will be later, once problems become evident, that the price (both literal and metaphorical) will be paid, often by local communities not involved in the original policy and plan development processes. Bringing impact assessment into those processes will make for better, and more cost effective, policies and plans in the long term, and greater buy-in from both affected communities and the public as a whole.

*Prepared by Emer. Prof. Richard Morgan on behalf of NZAIA.*