



31 October 2023

Environmental Defence Society submission to the Public Inquiry into Climate Adaptation

SUBMITTER DETAILS

FULL NAME: Environmental Defence Society Incorporated
ADDRESS FOR SERVICE: P O Box 91736, Victoria Street West, Auckland 1142
CONTACT: Raewyn Peart
EMAIL: raewyn@eds.org.nz

1. The Environmental Defence Society (“EDS”) thanks the Environment Select Committee for the opportunity to make a submission on the Public Inquiry into Climate Adaptation.
2. EDS is an independent not-for-profit organisation conducting interdisciplinary policy research and litigation. It was established in 1971 with the purpose of improving environmental outcomes in Aotearoa New Zealand. EDS has a special interest in climate adaptation matters.
3. In June 2022, EDS commenced a project titled *Aotearoa New Zealand’s Climate Change Adaptation Act: Building a Durable Future* to develop recommendations for the content of a new Climate Adaptation Act. This was in response to expressed government intention to develop new law to address the complex and distinctive issues associated with managed relocation such as funding, compensation, land acquisition, liability and insurance.
4. The project deliverables include three working papers and a final synthesis report. It has been supported by IAG New Zealand, ASB Bank, Beca, Wellington City Council and Auckland Council.
5. In February 2023, EDS released its first working paper for the project. Titled *Principles and Funding for Managed Retreat*, the paper focused on conceptualising managed relocation and explored what principles might underpin a new system and how it might be funded. A copy of the Working Paper can be accessed at:

<https://eds.org.nz/resources/documents/reports/aotearoa-new-zealands-climate-change-adaptation-act-building-a-durable-future-principles-and-funding-for-managed-retreat-working-paper-1/>

6. Working Paper 2, *Current Legislative and Policy Framework for Managed Relocation*, was released in May 2023. It described and evaluated the adequacy of the current law and rights-based systems applicable to managed relocation. A copy of the Working Paper can be accessed at:

<https://eds.org.nz/resources/documents/reports/aotearoa-new-zealands-climate-change-adaptation-act-building-a-durable-future-current-legislative-and-policy-framework-for-managed-relocation-working-paper-2/>

7. The last working paper in the series, *Working Paper 3 Options and Models for Managed Relocation Policy*, is currently undergoing peer review and is scheduled to be released in late November 2023. It focuses on identifying options for reform, drawing on lessons learnt from national and international case studies, and draws together packages of options into two potential models for reform. A copy of the peer review draft of Working Paper 3 is attached for your information.
8. The final synthesis report for the project, which is due in the first quarter of 2024, will contain concrete recommendations for design of the Climate Adaptation Act.
9. We hope the above project outputs will be useful to the Committee in addressing the matters you are considering.
10. We wish to be heard to present our findings in person.