



14 June 2024

## Environmental Defence Society submission to the Public Inquiry into Climate Adaptation

### SUBMITTER DETAILS

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### Submission

1. The Environmental Defence Society (“EDS”) thanks the Finance and Expenditure 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 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*, released in May 2023, 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. Working Paper 3 *Options and Models for Managed Relocation Policy*, released in December 2023, focused on identifying options for reform. This drew on lessons learnt from national and international case studies and brought together options into two models for a potential reform package. 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-options-and-models-for-managed-relocation-policy-working-paper-2/>

8. The final report for Phase 1 of the project, *Design Recommendations for a Climate Adaptation Act*, is being publicly released on 11 July 2024. It builds on the foundations established by the three working papers and sets out concrete recommendations for the design of a Climate Adaptation Act. In particular, Chapter 11 contains a summary of our recommendations and proposed drafting for key sections of new legislation.
9. We have attached a PDF copy of the final report and will post hard copies to the Committee for ease of use.
10. We are now in the planning stages for Phase 2 of the project which will investigate adaptation issues in more detail through a series of in-depth case studies.
11. We hope the above outputs of EDS's *Aotearoa New Zealand's Climate Change Adaptation Act: Building a Durable Future* project will be useful to the Committee in addressing the matters you are considering.
12. We wish to speak in person in support of our submission. Because EDS has invested considerable resource into scoping a prospective Bill, we would like to negotiate a realistic allocation of time before the Committee.