

# How climate change affects local government

A catalogue of roles and responsibilities

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**We are.  
LGNZ.**



# 1

## **Introduction and summary**

## Introduction and summary

This assessment of how climate change affects local government roles and responsibilities provided the foundation work for the development of the LGNZ 2050: Local Government Position on Climate Change<sup>1</sup>.

It catalogues the ways in which local government responsibilities may be impacted by a changing climate both from an emissions mitigation and climate change adaptation perspective, and identifies opportunities for local government to address climate change.

This was developed through workshops with a technical advisory group of regional and territorial authority representatives and provides the first comprehensive overview of roles and responsibilities of local government that relate to climate change. This exercise highlighted that almost any local government role or responsibility is in some way affected by climate change or can impact on climate change outcomes. This is particularly true if councils are empowered to use new tools or incentives to respond to climate change, or where climate change alters the use or value of resources in the district or region.

The impact of climate change is most prominent in areas where changes to the environment will either undermine the quality of decisions being made by local government (such as by creating investment uncertainty) or will increase the costs of providing local public services (such as by reducing the availability of resources used by the community or requiring more resilient local infrastructure).

The pervasive impact of climate change on local government's roles and responsibilities underscores the importance of sharing and collaboration, and reinforces the need for taking a whole of systems approach in responding to climate change.

Table 1.1 summarises where changes in the climate have been assessed as having a "definite" impact on local government roles and responsibilities. This was identified through the cataloguing exercise described in the second section of this document.

Most of these roles either have the potential to impact on New Zealand's emissions profile (mitigation), or have to factor in a changing climate (adaptation).

Roles that set policies for resource use (acting as a resource consent authority and preparing the district plan) will have both mitigation and adaptation impacts.

<sup>1</sup> Draft LGNZ 2050: Local Government Position on Climate Change, October 2016.

Table 1.1: Local government roles and responsibilities that are affected by climate change

Role	Mitigation	Adaptation	Why is this role important in the context of climate change?
Decision-making and the purpose of local government (Local Government Act)	✓	✓	Allows impacts on the needs of current and future generations to be considered in decision-making. Longer-term, scenario based risk management decision-making will be needed.
Provision of services (Local Government Act)		✓	Provides for consideration of the impacts of events (storms, flood, fire, storm surge) or slow onset changes in sea level rise on services provided by councils such as flood protection, water supply, waste services, transport networks, community facilities and amenities.
Setting policies for resource use (Resource Management Act and subordinate policy statements)	✓	✓	Provides an opportunity to set policies for resource use that help to mitigate and adapt to climate change. Council decision-making must have particular regard to the effects of climate change, the efficient use of energy and benefits of renewable energy.
Preparing the district plan (Resource Management Act and subordinate policy statements)	✓	✓	Allows operational rules and spatial plans to consider the impacts of climate change (adaptation) and to manage emissions (mitigation) while being consistent with regional policy statements.
Spatial planning (legislated in Auckland only) (Local Government (Auckland Council) Act)		✓	Spatial plans will have to consider the effects of climate change on the suitability, location and type of houses, commercial premises and roads to construct. Likely to be adopted more widely in the future.
Preparing the regional land transport plan (Land Management Transport Act)	✓	✓	Provides an opportunity to promote lower carbon and energy efficient transport options such as walking, cycling and public transport, and must take into account impacts of climate change on existing transport corridors (particularly coastal).
Developing waste management and minimisation plans (Waste Minimisation Act)	✓		Opportunity to reduce landfill emissions through the promotion of waste minimisation eg waste avoidance, recycling, composting and landfill gas collection.
Acting as consent authority (Resource Management Act)	✓		Councils can manage certain activities that exacerbate the effects of climate change or impose conditions to mitigate effects.
Prepare and implement civil defence and emergency management plans (Civil Defence Emergency Management Act)		✓	Councils must understand, prepare for and respond to natural hazards that may be more frequent and severe because of climate change, placing additional management and financial burden on councils.
Consenting new development (Building Act)		✓	Councils will need to consider greater risk of natural hazards when issuing building consents. Councils may also be liable for developments that increase exposure to natural hazards.

2

# Cataloguing climate change responsibilities

## Cataloguing climate change responsibilities

This catalogue considers all local government roles that could be affected by climate change, and identifies which ones would be most affected. This was prepared by reviewing the legislation that creates responsibilities for local government that may be affected by climate change and workshopping with council representatives.

Only the Resource Management Act mentions climate change expressly. All the legislation discussed (Table 2.1) includes roles and responsibilities that are impacted by and can impact climate change.

To fully reflect the broad activities carried out by local government, a limited number of roles that are not specified in legislation are also included. These were identified by workshop participants and include spatial plans and climate change response plans.

The following tables present these local government roles and responsibilities in three different categories as follows:

### • Planning and policy

- Setting policies for efficient and effective resource use (including land);
- Promotion of cultural prosperity and recognition of indigenous rights and values;
- Transport planning;
- Making decisions on funding for local government services;
- Biosecurity;
- Civil defence and emergency response;

- Waste management; and
- Provision of infrastructure services.

### • Assets and service delivery (including regulatory services)

- Implementing planning rules;
- Biosecurity and environmental stewardship; and
- Civil defence and emergency response.

### • Monitoring and enforcement

- Monitoring resource use;
- Promotion of public health; and
- Marine transport, navigation and safety.

The extent to which climate change could impact on responsibilities is assessed and described using a four-point scale: definite, probable, possible, or unlikely, by asking two questions for each role:

- **Mitigation.** Do the decisions made by local government in this area have an impact on New Zealand's emissions profile?
- **Adaptation.** Will the decisions made by local government in this area need to change to reflect the impacts of climate change?

A definite impact means that if the climate changes in ways that are expected; this will have definite impacts on council functions and responsibilities.

Table 2.1: Legislation that sets roles and responsibilities for local government

Local Government Act 2002	Rating Valuations Act 1998	Building Act 2004
Local Government (Rating) Act 2002	Civil Defence Emergency Management Act 2002	Forest and Rural Fires Act 1977
Soil Conservation and Rivers Control Act 1941	Resource Management Act 1991	Land Transport Management Act 2003
Transport Act 1962	Land Drainage Act 1908	Waste Minimisation Act 2008
Health Act 1956	Maritime Transport Act 1994	River Boards Act 1908
Biosecurity Act 1993	Local Government (Auckland Council) Act 2009	Housing Accords and Special Housing Areas Act 2013

The following tables assess how local government roles and responsibilities are affected by climate change. Table A.1 assesses the responsibilities specified in legislation, while Table A.2 assesses the roles that have not been required under the law.

**Table A.1: How local government roles and responsibilities are affected by climate change (legislated responsibilities)**

Relevant Act	Legislative responsibility	How this role is typically discharged by local government	Mitigation: Does the role have an impact on NZ's emissions profile?	Adaptation: Will decisions need to change to reflect the impacts of climate change?
<b>Planning and policy: setting policies for efficient and effective use of resources (including land)</b>				
Local Government Act (Section 14)	<p>A local authority should ensure prudent stewardship and the efficient and effective use of its resources in the interests of its district or region, including by planning effectively for the future management of its assets.</p> <p>In taking a sustainable development approach, a local authority should take into account:</p> <ul style="list-style-type: none"> <li>(i) the social, economic, and cultural interests of people and communities; and</li> <li>(ii) the need to maintain and enhance the quality of the environment; and</li> <li>(iii) the reasonably foreseeable needs of future generations.</li> </ul>	<ul style="list-style-type: none"> <li>• Councils manage their services and assets giving regard to the best interests of their communities.</li> <li>• Councils communicate their views on the interests of their communities and how best to manage and allocate resources through the long-term plan (LTP) process.</li> </ul>	<p>Possible</p> <ul style="list-style-type: none"> <li>• Councils' decisions influence the emissions profile of the communities' activities.</li> <li>• Councils could prioritise environmental issues as in their communities' best interests and promote low-emission activities.</li> </ul>	<p>Probable</p> <ul style="list-style-type: none"> <li>• Decisions on efficient and effective use of resources will change as available resources change.</li> <li>• Councils will likely need to consider longer-term timeframes when making decisions (for example the Coastal Policy Statement was amended in 2010 to extend planning horizons to at least 100 years).</li> </ul>

Relevant Act	Legislative responsibility	How this role is typically discharged by local government	Mitigation: Does the role have an impact on NZ's emissions profile?	Adaptation: Will decisions need to change to reflect the impacts of climate change?
<p>Local Government Act 2002 (Sections 4, 81, 77 and Schedule 10)</p>	<p>Meet principles and requirements to facilitate participation by Māori in local authority decision-making.</p> <p>A local authority must—</p> <p>(a) establish and maintain processes to provide opportunities for Māori to contribute to the decision-making processes of the local authority; and</p> <p>(b) consider ways in which it may foster the development of Māori capacity to contribute to the decision-making processes of the local authority.</p> <p>If a decision is in relation to land or a body of water, taking into account the relationship of Māori and their culture and traditions with their ancestral land, water, sites, wāhi tapu, valued flora and fauna, and other taonga.</p>	<p>Māori are generally included in decision-making through:</p> <ul style="list-style-type: none"> <li>• Māori committees with iwi representation.</li> <li>• Co-governance and co-management arrangements. Joint Māori and local authority management, particularly of natural resources (which is generally driven by settlement Acts), where Māori contribute throughout the decision-making process.</li> <li>• Statutory consultation (although concerns have been raised about capacity to participate in the consultation process).</li> <li>• Environmental management plans prepared by iwi, which must be taken into account when preparing the regional policy statement and district plans.</li> <li>• Maintaining iwi relationships by holding regular meetings with key iwi members to discuss issues with resource management, council planning processes, or services.</li> </ul>	<p>Probable</p> <ul style="list-style-type: none"> <li>• Incorporating and applying the concepts of kaitiaki (stewardship) is more likely to support activities that have a relatively smaller impact on emissions.</li> </ul>	<p>Probable</p> <ul style="list-style-type: none"> <li>• Decisions on using resources with cultural meaning may have to change if there is pressure on the use of the same resource elsewhere.</li> <li>• Conflict may arise where decisions that are best from a climate change adaptation perspective do not align with cultural values (such as maintaining the mauri of water bodies).</li> </ul>

Relevant Act	Legislative responsibility	How this role is typically discharged by local government	Mitigation: Does the role have an impact on NZ's emissions profile?	Adaptation: Will decisions need to change to reflect the impacts of climate change?
<p>Resource Management Act 1991 (Section 30 (Focus on regional councils))</p>	<p>Regional councils:</p> <ul style="list-style-type: none"> <li>Establish, implement, and review objectives, policies, and methods to achieve integrated management of the natural and physical resources of the region.</li> <li>Prepare objectives and policies in relation to any actual or potential effects of the use, development, or protection of land which are of regional significance.</li> <li>Control of the use of land for the avoidance and mitigation of natural hazards, soil conservation, maintenance of water quality and quantity and ecosystems in water bodies and coastal water, and the prevention or mitigation of adverse effects of the storage, use, disposal or transportation of hazardous substances.</li> <li>The control of the taking, use, damming, and diversion of water, and the control of the quantity, level, and flow of water in any water body.</li> <li>Control of discharges of contaminants into or onto land, air, or water and discharges of water into water.</li> <li>Control of the introduction or planting of any plant in, on, or under the bed of a water body.</li> <li>Can establish rules in a regional plan to allocate the taking and use of water, heat or energy from water or the material surrounding it, or the capacity of air or water to assimilate a discharge of a contaminant.</li> </ul>	<ul style="list-style-type: none"> <li>Regional councils perform this role by controlling the use of the land and by controlling the discharge of contaminants.</li> <li>This is executed through the issuing of consents and creating regional policy statements (RPSs), which identify issues with resource management and describe how integrated management of resources will be achieved over the next 10 years.</li> <li>RPSs must specify the respective roles of regional councils and territorial authorities for the control of the use of land and the effects of the control of use of land.</li> <li>The RPS filters down into regional and district plans, and how resource consents will be considered.</li> <li>The Minister for the Environment may also set National Environmental Standards (NES) or develop National Policy Statements (NPS) for particular resources, eg air quality, soil, freshwater.</li> <li>Regional councils and unitary authorities are in turn responsible for ensuring that national standards are met in their regions (with regional councils having the primary responsibility in relation to freshwater under Section 30 RMA).</li> <li>Where there are national environmental standards, the Ministry for the Environment liaises between and provides national guidance to councils and informs the Minister of progress.</li> <li>For example, the New Zealand Coastal Policy Statement requires that councils consider the reasonably foreseeable effects of climate change.</li> </ul>	<p>Definite</p> <ul style="list-style-type: none"> <li>Determining where and how, and to what level resources can be used will affect the energy and carbon footprint of the area/region.</li> <li>Changing the allocation of land could allow more/less carbon emissions.</li> <li>This role could have a greater impact on ability to mitigate climate change if carbon dioxide was not expressly prevented from being considered a contaminant.</li> <li>Central government input into local government decisions (eg through NES or NPS) aims to ensure consistent actions to achieve Government targets.</li> </ul>	<p>Definite</p> <ul style="list-style-type: none"> <li>Councils must consider ability to remedy or mitigate climate change.</li> <li>Decisions such as the location or service level of flood protection will have to change to accommodate new flood patterns.</li> <li>Councils need to understand the biodiversity risks posed by climate change, and ensure district plans are consistent with maintaining biodiversity and promoting resilience in biodiversity.</li> <li>Councils need to understand how liability risks might surface with the effects of climate change, and the resources required for likely Environment Court hearings.</li> </ul>

Relevant Act	Legislative responsibility	How this role is typically discharged by local government	Mitigation: Does the role have an impact on NZ's emissions profile?	Adaptation: Will decisions need to change to reflect the impacts of climate change?
<p>Resource Management Act 1991 (Section 31) (Focus on territorial authorities)</p>	<p><b>Territorial authorities</b> are responsible for:</p> <ul style="list-style-type: none"> <li>• The establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district.</li> <li>• The control of any actual or potential <b>effects</b> of the use, development, or protection of land, including for the purpose of: <ul style="list-style-type: none"> <li>– the avoidance or mitigation of natural hazards;</li> <li>– the prevention or mitigation of any adverse effects of the storage, use, disposal, or transportation of hazardous substances;</li> <li>– the prevention or mitigation of any adverse effects of the development, subdivision, or use of contaminated land; and</li> <li>– the maintenance of indigenous biological diversity.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• District plans establish council policies and regulations for land use and subdivision, and the environmental effects arising from these activities.</li> <li>• District plans can set rules determining what activities can be done as of right (permitted activities), what activities require resource consent, and how certain activities may be carried out.</li> <li>• District rules can cover residential development, agricultural land use, land subdivision, noise, and the location and height of buildings.</li> <li>• Appeals on RMA policy decisions are made to the Environment Court.</li> </ul>	<p>Same as above for Section 30 of the RMA.</p>	<p>Same as above for Section 30 of the RMA.</p>

Relevant Act	Legislative responsibility	How this role is typically discharged by local government	Mitigation: Does the role have an impact on NZ's emissions profile?	Adaptation: Will decisions need to change to reflect the impacts of climate change?
Resource Management Act 1991 (Sections 62 and 73)	Preparation of the district plan, which must state the objectives for the district; and the policies and rules to implement the objectives.	<ul style="list-style-type: none"> <li>Territorial authorities' district plans must give effect to regional councils' regional policy statements (Section 62 RMA), which requires co-ordination from both parties.</li> </ul>	<p>Definite</p> <ul style="list-style-type: none"> <li>Determining where and how, and to what level resources can be used will affect the energy and carbon footprint of the area/region.</li> <li>The effectiveness of mitigation may be undermined by inconsistent approaches used at different levels of government. For instance, central government targets feed into regional plans, and then district plans need to align with regional policy statements.</li> </ul>	<p>Definite</p> <ul style="list-style-type: none"> <li>This impact will be a result from changes to the decisions made in the regional policy statements.</li> <li>Districts will need to balance reduced access to resources (as a result of, or for the mitigation of, climate change) with other community interests such as job creation and economic growth.</li> </ul>
Local Government (Auckland Council) Act 2009 (Part 6)	The Auckland Council must prepare and adopt a spatial plan for Auckland. The purpose of the spatial plan is to contribute to Auckland's social, economic, environmental, and cultural well-being through a comprehensive and effective long-term (20- to 30-year) strategy for Auckland's growth and development.	<ul style="list-style-type: none"> <li>The Unitary Plan sets out how Auckland will grow, including what can be built and where.</li> <li>The purpose is to promote a higher quality and more compact city while still providing for rural activities and maintaining the marine environment.</li> </ul>	<p>Probable</p> <ul style="list-style-type: none"> <li>Spatial plan has ability to encourage activities with lower emissions.</li> </ul>	<p>Definite</p> <ul style="list-style-type: none"> <li>As the effects of climate change affect where houses, commercial premises and roads can be constructed, this will have to be factored into the spatial plan.</li> </ul>
Housing Accords and Special Housing Areas Act 2013 (Section 5)	Housing accords may be entered into between the Minister and territorial authorities in certain regions or districts and must provide for the Minister and the relevant territorial authority to work together to address housing supply and affordability issues in the district of the territorial authority.	<ul style="list-style-type: none"> <li>Government and councils agree, through Housing Accords, to improve housing supply and affordability in city or district.</li> <li>Targets set in the Housing Accord are achieved through creating Special Housing Areas, where developments will be "fast-tracked" through the resource consent process.</li> </ul>	<p>Probable</p> <ul style="list-style-type: none"> <li>Fast-tracking developments may result in decisions not considering the impacts of certain activities or suitable alternatives.</li> <li>Fast-tracking developments could exacerbate other natural hazards, or their effects.</li> </ul>	<p>Probable</p> <ul style="list-style-type: none"> <li>Effects of climate change may add further pressures on housing affordability and in Special Housing Areas.</li> <li>Councils may have to consider their liability in allowing developments that could potentially be increasing the risk of natural hazards.</li> </ul>

Relevant Act	Legislative responsibility	How this role is typically discharged by local government	Mitigation: Does the role have an impact on NZ's emissions profile?	Adaptation: Will decisions need to change to reflect the impacts of climate change?
<b>Planning and policy: promotion of cultural prosperity and recognition of indigenous rights and values</b>				
<p>Local Government Act 2002 (Sections 4, 8, 77 and Schedule 10)</p>	<p>Meet principles and requirements to facilitate participation by Māori in local authority decision-making.</p> <p>A local authority must:</p> <p>(a) establish and maintain processes to provide opportunities for Māori to contribute to the decision-making processes of the local authority; and</p> <p>(b) consider ways in which it may foster the development of Māori capacity to contribute to the decision-making processes of the local authority.</p> <p>If a decision is in relation to land or a body of water, taking into account the relationship of Māori and their culture and traditions with their ancestral land, water, sites, wāhi tapu, valued flora and fauna, and other taonga.</p>	<p>Māori are generally included in decision-making through:</p> <ul style="list-style-type: none"> <li>• Māori committees with iwi representation.</li> <li>• Co-governance and co-management arrangements. Joint Māori and local authority management, particularly of natural resources (which is generally driven by settlement Acts), where Māori contribute throughout the decision-making process.</li> <li>• Statutory consultation (although concerns have been raised about capacity to participate in the consultation process).</li> <li>• Environmental management plans prepared by iwi, which must be taken into account when preparing the regional policy statement and district plans.</li> <li>• Maintaining iwi relationships by holding regular meetings with key iwi members to discuss issues with resource management, council planning processes, or services.</li> </ul>	<p>Probable</p> <ul style="list-style-type: none"> <li>• Incorporating and applying the concepts of kaitiaki (stewardship) is more likely to support activities that have a relatively smaller impact on emissions.</li> </ul>	<p>Probable</p> <ul style="list-style-type: none"> <li>• Decisions on using resources with cultural meaning may have to change if there is pressure on the use of the same resource elsewhere.</li> <li>• Conflict may arise where decisions that are best from a climate change adaptation perspective do not align with cultural values (such as maintaining the mauri of water bodies).</li> <li>• Decisions involving the protection of culturally significant sites will need to take into account increased threats from climate change such as rising sea levels.</li> </ul>

Relevant Act	Legislative responsibility	How this role is typically discharged by local government	Mitigation: Does the role have an impact on NZ's emissions profile?	Adaptation: Will decisions need to change to reflect the impacts of climate change?
<b>Planning and policy: transport planning</b>				
Land Transport Management Act 2003 (Sections 13 and 14)	<ul style="list-style-type: none"> <li>Every 6 financial years, each regional council, must ensure that the relevant regional transport committee prepares, on the regional council's behalf, a regional land transport plan. The regional land transport plan must:               <ul style="list-style-type: none"> <li>Be consistent with the GPS;</li> <li>Have considered alternative regional land transport objectives (and their feasibility and affordability); and</li> <li>Have taken into account any national energy efficiency and conservation strategy, relevant national or regional policy statements, and likely funding from any source.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Regional Transport Committees (RTC) prepare regional land transport strategies and regional land transport plans (RLTP) and provide advice as requested by the regional council.</li> <li>RTCs have representatives from local authorities, the regional council and NZTA that agree regional transport priorities.</li> <li>The regional council is responsible for ensuring the regional land transport plan meets these criteria.</li> </ul>	<p>Define</p> <ul style="list-style-type: none"> <li>The RLTP can influence which projects are prioritised, which allows for some control over the size of energy and carbon footprint through the provision of transport activities (roads, public transport, or active transport, such as walking and cycling).</li> <li>This role can also help mitigate climate change impacts where they support policies set at a national level that prioritise energy efficiency and conservation.</li> </ul>	<p>Possible</p> <ul style="list-style-type: none"> <li>Where the effects of climate change make transport links vulnerable, the regional land transport plan may have to prioritise projects that improve resilience.</li> </ul>
Land Transport Management Act 2003 (Sections 119 and 125)	<ul style="list-style-type: none"> <li>If a territorial authority has joined a regional transport committee, the regional public transport plan applying in the region of the regional transport committee applies to the entire area of the territorial authority.</li> <li>Territorial authorities must comply with information requests from regional councils in developing regional public transport plans.</li> </ul>	<ul style="list-style-type: none"> <li>Responsibilities under this Act largely fall on regional councils, although territorial authorities are represented on regional transport committees (along with NZTA), which prioritise transport projects in the region.</li> </ul>	<p>Probable</p> <ul style="list-style-type: none"> <li>Territorial authorities can promote and develop more projects that have smaller emissions profiles.</li> <li>This could have a considerable impact where enough territorial authorities do this that it changes the overall profile of the projects before the regional committees and what projects are then prioritised.</li> </ul>	<p>Possible</p> <ul style="list-style-type: none"> <li>Where the effects of climate change make transport links vulnerable, the local authority may have to prioritise projects that improve resilience.</li> </ul>

Relevant Act	Legislative responsibility	How this role is typically discharged by local government	Mitigation: Does the role have an impact on NZ's emissions profile?	Adaptation: Will decisions need to change to reflect the impacts of climate change?
Transport Act 1962 (Section 72)	<ul style="list-style-type: none"> <li>Any local authority in respect of any roads under its control, may from time to time make bylaws, relating to: <ul style="list-style-type: none"> <li>Regulating the weights of vehicles or loads that may pass over bridges or culverts;</li> <li>Prohibiting or regulating stock movements on roads; or</li> <li>Providing for tolls on heavy traffic for the damage they cause to infrastructure.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Territorial authorities make bylaws about road use and enforce these rules, eg using parking wardens.</li> </ul>	<p>Possible</p> <ul style="list-style-type: none"> <li>Councils could set bylaws that incentivise activities with lower emissions profiles (for example, through car parking bylaws).</li> </ul>	<p>Unlikely</p>
<b>Planning and policy: making decisions on funding for local government services</b>				
Local Government (Rating) Act 2002	<ul style="list-style-type: none"> <li>Set, assess, and collect rates to fund local government activities.</li> <li>Set rates in accordance with decisions that are made in a transparent and consultative manner.</li> <li>Provide for processes and information to enable ratepayers to identify and understand their liability for rates.</li> </ul>	<ul style="list-style-type: none"> <li>Councils set general, targeted and differential rates, as well as setting regulatory service charges (eg for issuing permits), uniform annual general charges and (in some cases) rates for water and rubbish collection.</li> </ul>	<p>Possible</p> <ul style="list-style-type: none"> <li>Rates policies could have an ability to impact emissions profile if they incorporate incentives to reduce emissions (for example, through the use of the "polluter pays" principle).</li> </ul>	<p>Probable</p> <ul style="list-style-type: none"> <li>Councils must consider how the cost of adaptation initiatives will impact on rates affordability.</li> <li>Councils will also have to consider affordability impacts in areas where households face falling property values as a result of climate change.</li> </ul>
Rating Valuations Act 1998 (Section 7)	<ul style="list-style-type: none"> <li>Prepare and maintain district valuation roll for its own district.</li> <li>Provide details of general revaluation to Valuer-General.</li> </ul>	<ul style="list-style-type: none"> <li>The Valuer-General sets Rating Valuation Rules.</li> <li>Councils, or Valuation Service Providers on behalf of councils, assess the rating valuation of properties, usually every 3 years.</li> <li>Rating valuations may be based on capital value, land value and improvements value.</li> </ul>	<p>Unlikely</p> <ul style="list-style-type: none"> <li>Where tools or strategies for pest management have substantial carbon or energy footprints.</li> </ul>	<p>Probable</p> <ul style="list-style-type: none"> <li>Ability to draw on rates as a funding source may change as the value of property is affected by climate change, such as falling value from being located on an eroding cliff or on a floodplain.</li> </ul>

Relevant Act	Legislative responsibility	How this role is typically discharged by local government	Mitigation: Does the role have an impact on NZ's emissions profile?	Adaptation: Will decisions need to change to reflect the impacts of climate change?
<b>Planning and policy: biosecurity</b>				
Biosecurity Act 1993 (Section 13)	<ul style="list-style-type: none"> <li>Powers to carry out monitoring to determine whether or not pests, pest agents, and unwanted organisms are present; and surveillance of pests, pest agents, and unwanted organisms, as well as preparing proposals for and implementing the regional pest management plans.</li> </ul>	<ul style="list-style-type: none"> <li>Regional councils write the regional pest management plan.</li> <li>Regional councils can also act as the management agency of the regional pest management plan, for its region (or for particular areas).</li> </ul>	<p>Unlikely</p> <ul style="list-style-type: none"> <li>Where tools or strategies for pest management have substantial carbon or energy footprints.</li> </ul>	<p>Possible</p> <ul style="list-style-type: none"> <li>There may be changes in the types of pests as a result of climate change.</li> <li>It may not be possible to pursue certain pest management strategies that rely on resources that will be affected by climate change.</li> </ul>
<b>Planning and policy: civil defence and emergency response</b>				
Civil Defence Emergency Management Act 2002 (Sections 12 and 17)	<ul style="list-style-type: none"> <li>Every territorial authority within a region must unite to establish a Civil Defence Emergency Management Group.</li> <li>The functions of a Civil Defence Emergency Management Group, and of each member, are to: <ul style="list-style-type: none"> <li>(a) in relation to relevant hazards and risks: <ul style="list-style-type: none"> <li>(i) identify, assess, and manage those hazards and risks;</li> <li>(ii) consult and communicate about risks;</li> <li>(iii) identify and implement cost-effective risk reduction;</li> </ul> </li> <li>(b) respond to and manage the adverse effects of emergencies in its area; and</li> <li>(c) carry out recovery activities.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Regional councils co-ordinate Civil Defence Emergency Management (CDEM) Groups.</li> <li>As part of CDEM Groups, regional and territorial authorities: <ul style="list-style-type: none"> <li>– Identify and assess risks, communicate risks, and identify and implement cost effective risk reduction;</li> <li>– Provide response and recovery activities;</li> <li>– Prepare and implement a CDEM Group plan, which sets out how local authorities will contribute financial and other resources for the activities of the Group; and</li> <li>– Are still responsible for the planning and provision of CDEM within their district.</li> </ul> </li> </ul>	<p>Possible</p> <ul style="list-style-type: none"> <li>Where tools or strategies for disaster management have substantial carbon or energy footprints.</li> </ul>	<p>Definite</p> <ul style="list-style-type: none"> <li>Risk profile expected to change as a result of climate change (such as changes in the frequency, severity, location of events such as rainfall, floods, storms, tides etc).</li> <li>Overlapping risks (eg more frequent storms and rising sea levels) as a result of climate change will make decisions more complex.</li> <li>Where climate change widens the zone at risk of a hazard, more residents might be at risk.</li> </ul>

Relevant Act	Legislative responsibility	How this role is typically discharged by local government	Mitigation: Does the role have an impact on NZ's emissions profile?	Adaptation: Will decisions need to change to reflect the impacts of climate change?
Forest and Rural Fires Act 1977 (Section 18)	<ul style="list-style-type: none"> <li>As Fire Authority, take appropriate fire control measures, including observing weather conditions and fire hazards, issuing warnings of the imminence of fire hazard conditions, providing information on fire hazard conditions.</li> </ul>	<ul style="list-style-type: none"> <li>Territorial authorities are sometimes a "Fire Authority" for part of their jurisdiction.</li> <li>As a Fire Authority, territorial authorities must promote and carry out fire control measures, can make bylaws to do so (which could include fire bans), and comply with the standards of the National Rural Fire Authority.</li> </ul>	Unlikely	<p>Possible</p> <ul style="list-style-type: none"> <li>Where risk profile will change as a result of climate change (eg changes in frequency, severity, location of fire hazard conditions).</li> </ul>
<b>Planning and policy: waste management</b>				
Waste Minimisation Act 2008 (Sections 42, 43, and 44)	<ul style="list-style-type: none"> <li>A territorial authority must promote effective and efficient waste management and minimisation within its district.</li> <li>A territorial authority must adopt a waste management and minimisation plan (WMMP), that states: <ul style="list-style-type: none"> <li>(a) objectives and policies for achieving effective and efficient waste management and minimisation within the territorial authority's district;</li> <li>(b) methods for achieving effective and efficient waste management and minimisation within the territorial authority's district; and</li> <li>(c) how implementing the plan is to be funded.</li> </ul> </li> <li>The territorial authority must also make sure the WMMP ensures that the collection, transport, and disposal of waste does not, or is not likely to, cause a nuisance.</li> </ul>	<ul style="list-style-type: none"> <li>In addition to adopting WMMPs, some councils have also issued bylaws that control the management of solid waste. These bylaws must align with the WMMP of the district.</li> <li>Some councils have focused on collecting data by carrying out waste assessments, while others have simply built existing practices into their WMMPs.</li> </ul>	<p>Definite</p> <ul style="list-style-type: none"> <li>Promotion of waste minimisation can influence the size of the carbon footprint of residential and commercial activities.</li> <li>Councils can also influence emissions through considering low emission alternatives in council-run or procured waste management, such as prioritising recycling plants or low emission rubbish collection vehicles.</li> <li>Depending on landfill age and consent conditions councils may need to collect and destroy methane gas.</li> </ul>	<p>Possible</p> <ul style="list-style-type: none"> <li>Solid waste infrastructure such as landfills and transfer stations in vulnerable areas may need to be defended or relocated to avoid natural hazards such as floods or coastal erosion.</li> <li>Changing weather patterns may alter the management of existing waste infrastructure such as rainfall changes affecting leachate from landfills or run-off from waste facilities or an increased risk of fire at landfills during drought.</li> </ul>

Relevant Act	Legislative responsibility	How this role is typically discharged by local government	Mitigation: Does the role have an impact on NZ's emissions profile?	Adaptation: Will decisions need to change to reflect the impacts of climate change?
<b>Assets and service delivery: provision of infrastructure services</b>				
Local Government Act 2002 (Section 11A)	<ul style="list-style-type: none"> <li>In performing its role, a local authority must develop an infrastructure strategy and have particular regard to the contribution that the following core services make to its communities:               <ol style="list-style-type: none"> <li>network infrastructure;</li> <li>public transport services;</li> <li>solid waste collection and disposal;</li> <li>the avoidance or mitigation of natural hazards;</li> <li>libraries, museums, reserves, and other recreational facilities and community amenities.</li> </ol> </li> </ul>	<ul style="list-style-type: none"> <li>Councils plan, fund and deliver these services (or contract for their delivery).</li> <li>Councils own network infrastructure, such as water and sewerage reticulation networks.</li> <li>Plans for infrastructure investment, extension, or setting of future service levels are detailed in the LTP, with a particular focus on core services in the infrastructure strategies.</li> </ul>	<p>Probable</p> <ul style="list-style-type: none"> <li>Decisions on what infrastructure to put in place can affect the carbon footprint of communities. For instance, decisions to construct infrastructure that supports public transport or walking and cycling are likely to be less carbon-intensive than infrastructure that encourages private transport.</li> <li>The equipment used to deliver these activities can determine the energy and carbon footprint of the service being provided, such as:           <ul style="list-style-type: none"> <li>Using energy efficient lighting and heating at libraries, museums and other facilities;</li> <li>Different treatment technologies used at treatment plants; and</li> <li>The use of pumps for moving water and wastewater around the reticulated network.</li> </ul> </li> </ul>	<p>Definite</p> <ul style="list-style-type: none"> <li>Changing rainfall patterns could affect water supply. This could affect the ability to supply residents using current infrastructure, and uncertainty of reliable supply risks that investment and planning decisions may be inefficient.</li> <li>Changing rainfall patterns could affect quality of sewerage services. More severe storms could increase overflows, posing potential public health risks, or require further investment to provide increased service levels.</li> <li>Changing sea levels could affect water quality. Saltwater intrusion may affect the quality (and reliable supply) of fresh groundwater resources in coastal areas.</li> <li>To the extent related services do not reflect the risk from climate change (eg the price of electricity distribution), the economic and social footprint of the council's area may increase the risk for councils in their infrastructure investment decisions.</li> </ul>

Relevant Act	Legislative responsibility	How this role is typically discharged by local government	Mitigation: Does the role have an impact on NZ's emissions profile?	Adaptation: Will decisions need to change to reflect the impacts of climate change?
Health Act 1956 (Section 25)	<ul style="list-style-type: none"> <li>Provide sanitary works, which include:               <ol style="list-style-type: none"> <li>drainage works, sewerage works, and works for the disposal of sewage;</li> <li>waterworks;</li> <li>works for the collection and disposal of refuse, nightsoil, and other offensive matter;</li> <li>sanitary conveniences for the use of the public;</li> <li>swimming baths;</li> <li>dressing sheds;</li> <li>cemeteries;</li> <li>crematoria;</li> <li>disinfecting and cleansing stations established under this Act; and</li> <li>any other works declared by the Governor-General by Order in Council to be sanitary works.</li> </ol> </li> </ul>	<ul style="list-style-type: none"> <li>As described in the Local Government Act (Section 11A):               <ul style="list-style-type: none"> <li>Councils plan, fund and deliver these services (or contract for their delivery).</li> <li>Councils own network infrastructure, such as water and sewerage reticulation networks.</li> <li>Plans for infrastructure investment, extension, or setting of future service levels are detailed in the LTP, with a particular focus on core services in the infrastructure strategies.</li> <li>While the Minister of Health has the ability to direct local authorities to provide sanitary works, this is rarely used.</li> <li>The Health (Drinking Water) Amendment Act 2007 adds another obligation that water suppliers and carriers monitor drinking water and comply with the Drinking Water Standards.</li> </ul> </li> </ul>	<p>Possible</p> <ul style="list-style-type: none"> <li>Decisions on what infrastructure to put in place can affect the carbon footprint of communities.</li> </ul>	<p>Definite</p> <ul style="list-style-type: none"> <li>Changing weather patterns will directly impact the quality of drainage and sewerage services.</li> <li>These may have flow-on impacts on water quality and public health.</li> <li>Uncertainty of changing climate undermines ability to highlight trade-offs with other objectives, such as health, when making decisions.</li> </ul>
Land Drainage Act 1908 (Part 3, Section 60 and Part 1, Section 17)	<ul style="list-style-type: none"> <li>As being part of any Harbour Board, Drainage Board, River Board, or other persons or body however designated having authority under any Act to undertake the construction of any public work, local authorities can construct and maintain drains and watercourses.</li> </ul>	<ul style="list-style-type: none"> <li>Regional councils now carry out the functions of the river and drainage boards, which includes the following functions:               <ul style="list-style-type: none"> <li>Planning;</li> <li>Funding; and</li> <li>Service delivery.</li> </ul> </li> </ul>	<p>Possible</p> <ul style="list-style-type: none"> <li>Tools or strategies for drainage and flood protection may offer some opportunities to reduce carbon or energy footprints. For instance, alternatives such as gravity-fed drainage systems could be used instead of pumps to reduce energy use.</li> </ul>	<p>Definite</p> <ul style="list-style-type: none"> <li>Frequency, severity and location of events will undermine ability to make efficient investment decisions.</li> </ul>
River Boards Act 1908 (Section 73)	<ul style="list-style-type: none"> <li>As part of a River Board, responsible for the construction or maintenance of any works necessary to prevent or lessen any damage which may be occasioned by the overflow or the breaking of the banks of the rivers within the Board's jurisdiction.</li> </ul>	<ul style="list-style-type: none"> <li>Planning and funding activities are reported and publicly consulted on as part of the Infrastructure Strategy in the LTP.</li> <li>These functions are carried out for the purposes of river and coastal flood protection, and drainage.</li> </ul>		

Relevant Act	Legislative responsibility	How this role is typically discharged by local government	Mitigation: Does the role have an impact on NZ's emissions profile?	Adaptation: Will decisions need to change to reflect the impacts of climate change?
<b>Assets and service delivery: implementing planning rules</b>				
Building Act 2004 (Section 72)	<ul style="list-style-type: none"> <li>Territorial authorities issue project information memoranda, grants waivers and modifications of the building code, issues certificates of acceptance, decides the extent to which buildings must comply with the building code.</li> <li>if a building consent authority, the territorial authority:               <ol style="list-style-type: none"> <li>issues building consents, but not if a building consent is required to be subject to a waiver or modification of the building code;</li> <li>inspects building work for which it has granted a building consent;</li> <li>issues notices to fix;</li> <li>issues code compliance certificates; and</li> <li>issues compliance schedules.</li> </ol> </li> </ul>	<ul style="list-style-type: none"> <li>Territorial authorities are required to register as Building Consent Authorities.</li> <li>Territorial authorities oversee compliance with the Building Code.</li> <li>Territorial authorities issue building consents and inspect buildings, but have no role in setting building standards and cannot set higher or lower building standards than the Building Code.</li> </ul>	<p>Probable</p> <ul style="list-style-type: none"> <li>Councils will need to consent new green technologies that emerge in response to climate change such as renewable energy, water recycling and flood resilient building systems.</li> <li>Council programmes could encourage higher levels of energy efficiency than required under the Build Code to help reduce emissions and energy costs, for example Homestar rating.</li> </ul>	<p>Probable</p> <ul style="list-style-type: none"> <li>Councils will need to determine if new building proposals are sufficiently resilient to known natural hazards.</li> <li>Hazard information needs to be communicated so that people have the information needed to make decisions that take into account climate change. This might be by including this information on LIMs with limitations and assumptions clearly stated. The Council would then have obligations to keep information up-to-date.</li> </ul>
Building Act 2004 (Section 71)	<ul style="list-style-type: none"> <li>A building consent authority must refuse to grant a building consent for construction of a building, or major alterations to a building, if:               <ol style="list-style-type: none"> <li>the land on which the building work is to be carried out is subject or is likely to be subject to 1 or more natural hazards; or</li> <li>the building work is likely to accelerate, worsen, or result in a natural hazard on that land or any other property.</li> </ol> </li> <li>However, this section does not need to apply if the consent authority is satisfied that provisions have been made to protect the property, or to restore damage.</li> <li>Hazards include erosion, falling debris, subsidence, inundation and slippage.</li> </ul>	<ul style="list-style-type: none"> <li>Councils are able to refuse to allow buildings to be constructed (or rebuilt after an event) where there are hazards.</li> <li>Councils can seek declarations from the Department of Building and Housing to confirm some locations are unsafe.</li> <li>In some cases, notations of hazard risk may be placed on property titles and owners accept their own risk.</li> <li>The different risks from climate, geography and natural disasters are reflected in performance standards to be met in the Building Code.</li> </ul>	<p>Unlikely</p>	<p>Definite</p> <ul style="list-style-type: none"> <li>Some areas might face more natural hazards as a result of climate change, so councils will either have to refuse more building consents, or decide to change the threshold.</li> <li>Councils may have to consider their liability in allowing developments that could potentially be increasing the risk of natural hazards.</li> </ul>

Relevant Act	Legislative responsibility	How this role is typically discharged by local government	Mitigation: Does the role have an impact on NZ's emissions profile?	Adaptation: Will decisions need to change to reflect the impacts of climate change?
Building Act 2004 (Section 13)	<ul style="list-style-type: none"> <li>Regional councils perform the functions of a building consent authority... to the extent that those functions relate to dams.</li> </ul>	<ul style="list-style-type: none"> <li>Regional councils are Building Consent Authorities for dams; these usually require resource as well as building consent.</li> </ul>	Unlikely	<p>Probable</p> <ul style="list-style-type: none"> <li>Frequency, severity and location of river flood events will undermine ability to make efficient investment decisions.</li> <li>Decisions must consider the possibility of avoiding, remedying or mitigating the impacts of climate change.</li> </ul>
Resource Management Act 1991 (Section 2, Section 87A)	<ul style="list-style-type: none"> <li>Act as a consent authority, and can impose conditions limited to the matters over which control is reserved or to the point that discretion is restricted (whether in its plan or proposed plan, a National Environmental Standard, or otherwise).</li> </ul>	<ul style="list-style-type: none"> <li>Activities that may require a resource consent may be classified as Controlled, Restricted or Limited Discretionary, Discretionary, Non-Complying in the council's district or city plan.</li> <li>Resource consents must be granted for controlled activities (with a couple of exceptions), but do not have to be granted for restricted/limited discretionary, discretionary or non-complying activities.</li> <li>Resource consent applications for prohibited activities are not permitted.</li> </ul>	<p>Definite</p> <ul style="list-style-type: none"> <li>Councils can impose conditions on activities that have larger emissions profiles.</li> </ul>	<p>Probable</p> <ul style="list-style-type: none"> <li>What qualifies as an allowable activity, or location, might change where the effects of climate change alter the risk of activities being a nuisance eg activities that encourage erosion occurring as a result of climate changes.</li> </ul>
<b>Assets and service delivery: biosecurity and environmental stewardship</b>				
Biosecurity Act 1993 (Section 14)	<ul style="list-style-type: none"> <li>Territorial authorities act as a management agency under a pest management plan or a pathway management plan, and make contributions towards the costs of the implementation of the plan if stated in the plan.</li> </ul>	<ul style="list-style-type: none"> <li>Territorial authorities or regional councils can act as management agencies of regional pest management plans, for a region or for particular areas eg Auckland Council is the management agency in the Hunua Ranges (part of Waikato region).</li> </ul>	Unlikely	<p>Probable</p> <ul style="list-style-type: none"> <li>But these decisions are likely to be made by the regional council at the planning and policy stage.</li> </ul>

Relevant Act	Legislative responsibility	How this role is typically discharged by local government	Mitigation: Does the role have an impact on NZ's emissions profile?	Adaptation: Will decisions need to change to reflect the impacts of climate change?
Soil Conservation and Rivers Control Act 1941 (Section 10)	<ul style="list-style-type: none"> <li>Promote soil conservation, prevent and mitigate soil erosion, prevent damage by floods, use lands in such a manner as will tend towards the attainment of the said objects of the Act.</li> </ul>	<ul style="list-style-type: none"> <li>Regional councils perform certain functions such as purchasing plant and machinery for soil conservation and river control purposes.</li> <li>Works are subject to the RMA.</li> </ul>	<p>Possible</p> <ul style="list-style-type: none"> <li>There may be some opportunities to reduce emissions by using equipment with lower carbon or energy footprints, or where soil conservation involves re-vegetation.</li> <li>Use of resources must consider the possibility of avoiding, remedying or mitigating the impacts of climate change.</li> </ul>	<p>Probable</p> <ul style="list-style-type: none"> <li>Frequency, severity and location of events will undermine ability to make efficient investment decisions.</li> <li>Decisions on where to construct or expand protection and conservation areas may affect property values.</li> </ul>
<b>Assets and service delivery: civil defence and emergency response</b>				
Civil Defence Emergency Management Act 2002 (Section 25)	<ul style="list-style-type: none"> <li>Declare a state of emergency for the district.</li> </ul>	<ul style="list-style-type: none"> <li>Mayors have the right to declare a state of emergency within their territorial boundary.</li> </ul>	<p>Unlikely</p>	<p>Possible</p> <ul style="list-style-type: none"> <li>Changing frequency and severity of events as a result of climate change may mean that states of emergencies are called more often, and require more resources to respond.</li> </ul>

Relevant Act	Legislative responsibility	How this role is typically discharged by local government	Mitigation: Does the role have an impact on NZ's emissions profile?	Adaptation: Will decisions need to change to reflect the impacts of climate change?
<b>Monitoring and enforcement: monitoring resource use</b>  Resource Management Act 1991 (Section 35)	Every local authority should monitor: <ul style="list-style-type: none"> <li>(a) the state of the whole or any part of the environment of its region or district;</li> <li>(b) the efficiency and effectiveness of policies, rules, or other methods in its policy statement or its plan;</li> <li>(c) the exercise of the resource consents that have effect in its region or district;</li> <li>(d) the exercise of the resource consents that have effect in its region or district, as the case may be; and</li> <li>(e) the exercise of a protected customary right in its region, including any controls imposed on the exercise of that right under Part 3 of the Marine and Coastal Area (Takutai Moana) Act 2011.</li> </ul>	<ul style="list-style-type: none"> <li>• Council performance is monitored in annual reports.</li> <li>• Some councils also publish reports on the state of the environment, and the effectiveness of their district plans.</li> <li>• Monitoring may also be required by National Environmental Standards.</li> <li>• The Ministry for the Environment also:               <ul style="list-style-type: none"> <li>– Carries out a survey of local authorities every 2 years to highlight areas of possible improvement in carrying out the RMA; and</li> <li>– Reports on the progress of councils in achieving National Environmental Standards and National Policy Statements.</li> </ul> </li> </ul>	Possible <ul style="list-style-type: none"> <li>• Monitoring could provide the information needed to make or influence decisions that determine the carbon footprint of council activities, or the activities in the community.</li> </ul>	Probable <ul style="list-style-type: none"> <li>• The rate of change of the environment as a result of climate change, may undermine the quality of monitoring the effectiveness of policies and rules.</li> <li>• Monitoring required by National Environmental Standards may not reflect the changing climates experienced at a local level.</li> </ul>

Relevant Act	Legislative responsibility	How this role is typically discharged by local government	Mitigation: Does the role have an impact on NZ's emissions profile?	Adaptation: Will decisions need to change to reflect the impacts of climate change?
<p><b>Monitoring and enforcement: promotion of public health</b></p> <p>Health Act 1956 (Section 23)</p>	<ul style="list-style-type: none"> <li>Duty to improve, promote, and protect public health within its district, and for that purpose every local authority is hereby empowered and directed:               <ul style="list-style-type: none"> <li>(a) to appoint all such environmental health officers and other officers and servants as in its opinion are necessary for the proper discharge of its duties under this Act;</li> <li>(b) to cause inspection of its district to be regularly made for the purpose of ascertaining if any nuisances, or any conditions likely to be injurious to health or offensive, exist in the district;</li> <li>(c) if satisfied that any nuisance, or any condition likely to be injurious to health or offensive, exists in the district, to cause all proper steps to be taken to secure the abatement of the nuisance or the removal of the condition;</li> <li>(d) subject to the direction of the Director-General, to enforce within its district the provisions of all regulations under this Act for the time being in force in that district;</li> <li>(e) to make bylaws under and for the purposes of this Act or any other Act authorising the making of bylaws for the protection of public health; and</li> <li>(f) to furnish from time to time to the medical officer of health such reports as to diseases, drinking water, and sanitary conditions within its district as the Director-General or the medical officer of health may require.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Territorial authorities appoint environmental health officers and staff to inspect their district, take steps to abate nuisances or health hazards, make bylaws (eg grading of food premises) and enforce regulations made under the Health Act (subject to the direction of the Director-General of Health).</li> <li>Nuisances to health include any pool, ditch, gutter, watercourse, sanitary convenience, cesspool, drain or vent pipe, any accumulation or deposit, and any premises, which are likely to be injurious to health, or likely to harbour rats or other vermin.</li> </ul>	<p>Possible</p> <ul style="list-style-type: none"> <li>Where tools or strategies for monitoring environmental health have substantial carbon or energy footprints.</li> </ul>	<p>Possible</p> <ul style="list-style-type: none"> <li>Where the effects of climate change alter the course or contents of pools, ditches, gutters, watercourses, sanitary conveniences, cesspools, drains or vent pipes.</li> </ul>

Relevant Act	Legislative responsibility	How this role is typically discharged by local government	Mitigation: Does the role have an impact on NZ's emissions profile?	Adaptation: Will decisions need to change to reflect the impacts of climate change?
<b>Monitoring and enforcement: marine transport, navigation and safety</b>				
Maritime Transport Act 1994 (Section 33I, (1a))	<ul style="list-style-type: none"> <li>For the purpose of ensuring maritime safety, a regional council may:               <ol style="list-style-type: none"> <li>erect, place, and maintain navigational aids in accordance with maritime rules (if any);</li> <li>remove obstructions and impediments to navigation; and</li> <li>execute and maintain works that it considers likely to improve navigation.</li> </ol> </li> </ul>	<ul style="list-style-type: none"> <li>Regional councils develop and update regional oil spill plans and notify the director of the Maritime Safety Authority where there are hazardous substances on ships, or substances being discharged from ships in their waters.</li> </ul>	<p>Possible</p> <ul style="list-style-type: none"> <li>Councils can determine the allowable pollution level by harbour users.</li> <li>Where tools or strategies for maintaining clean harbours have substantial carbon or energy footprints.</li> </ul>	<p>Possible</p> <ul style="list-style-type: none"> <li>Effects of climate change (eg changing shapes of the harbour from erosion, seawater intrusion into water supplies) might require changes to the stringency of regional oil spill plans.</li> </ul>
Maritime Transport Act 1994 (Section 33I (1b))	<ul style="list-style-type: none"> <li>For the purpose of ensuring maritime safety a territorial authority may:               <ol style="list-style-type: none"> <li>erect and maintain quays, docks, piers, wharves, jetties, and launching ramps;</li> <li>carry out other works for improving, protecting, managing, or utilising the waters within its district; and</li> <li>carry out works to prevent the encroachment of waters within its district.</li> </ol> </li> </ul>	<ul style="list-style-type: none"> <li>Local authorities provide navigational aids inside the ports they operate.</li> <li>Local authorities have ability to investigate acts that endanger safety, and to enforce rules.</li> <li>Authorised council officers have the same powers as Maritime New Zealand Officers to access and collect evidence, including gaining warrants to search premises.</li> </ul>	<p>Possible</p> <ul style="list-style-type: none"> <li>Where tools or strategies for maintaining safe harbours have substantial carbon or energy footprints.</li> </ul>	<p>Possible</p> <ul style="list-style-type: none"> <li>Effects of climate change (eg changing coastlines or currents) may require safety aids and guidelines to be revised.</li> </ul>

Table A.2: Legislation that sets roles and responsibilities for local government

Role	Role derived from	How this role is typically discharged by local government	Mitigation: Does the role have an impact on NZ's emissions profile?	Adaptation: Will decisions need to change to reflect the impacts of climate change?
Spatial planner	<ul style="list-style-type: none"> <li>Often in reaction to rapid population growth.</li> </ul>	<ul style="list-style-type: none"> <li>Result of collaboration of local authorities (territorial and regional) to develop a common strategic vision and direction for the growth and development of area or region.</li> <li>Identifies future growth areas and the infrastructure and funding requirements to enable their development (linked with planning and strategy functions under LGA, including 30-year infrastructure strategies that councils must prepare).</li> <li>Spatial plans exist in some areas and are being developed in others.</li> </ul>	<p>Possible</p> <ul style="list-style-type: none"> <li>Can set aspirations for activities that have smaller footprints, and can provide guidelines for managing activities in this way.</li> <li>However, given that these aspirations and guidelines are not required by law, they may be difficult to enforce so that they have an impact on New Zealand's emissions profile.</li> </ul>	<p>Probable</p> <ul style="list-style-type: none"> <li>Resources may be under multiple pressures, some from growing populations, and some from the effects of climate change. For instance, coastal erosion could reduce the land available for residential housing, and changing rainfall patterns could reduce drinking water availability (or reliability).</li> </ul>
Provide reliable information on risks and potential actions	<ul style="list-style-type: none"> <li>No common source of data on climate change for decision-making.</li> </ul>	<ul style="list-style-type: none"> <li>Regional councils are increasingly taking up this role and providing climate data and models to stakeholders, such as industries and the public (for example, Waikato Regional Council has published work that provides a regional perspective of the changes projected in the Intergovernmental Panel on Climate Changes 5th Assessment Report).</li> </ul>	<p>Possible</p> <ul style="list-style-type: none"> <li>Provision of information can allow for more informed and integrated decision-making, which might lead to reduced emissions profiles.</li> </ul>	<p>Probable</p> <ul style="list-style-type: none"> <li>Councils will need to incorporate this detailed data into their decision-making as well as providing it to the public (for example, through Land Information Memoranda).</li> </ul>
Provide climate change response plans	<ul style="list-style-type: none"> <li>A need for an integrated approach to addressing climate change.</li> </ul>	<p>Some authorities have developed plans that:</p> <ul style="list-style-type: none"> <li>Highlight mitigation opportunities in their district to encourage the council and community (Wellington City Council);</li> <li>Provide guidance to internal staff on how to incorporate climate change risks into decision-making (Auckland Council); and</li> <li>Describe the impacts of climate change on three waters services and high-level actions to address the impacts (Waipa District Council).</li> </ul>	<p>Possible</p> <ul style="list-style-type: none"> <li>Informs councils where to find mitigation opportunities and how to consider climate change when making decisions.</li> <li>However, other key council functions (eg district plans) are not required to take these response plans into account, which may weaken the ability of these plans to influence council decisions.</li> <li>Incremental development of climate change response plans reduces the likelihood and ability for this role to have a significant impact on New Zealand's emissions profile.</li> </ul>	<p>Probable</p> <ul style="list-style-type: none"> <li>These plans indicate that councils are recognising that decisions will need to change to incorporate the effects of climate change (particularly plans in Auckland and Waipa).</li> </ul>





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## We are.

Ashburton.	Gisborne.	Kaikoura.	Otago.	Southland Region.	Waimate.
Auckland.	Gore.	Kaipara.	Otorohanga.	Stratford.	Waipa.
Bay of Plenty.	Greater Wellington.	Kapiti Coast.	Palmerston North.	Taranaki.	Wairoa.
Buller.	Grey.	Kawerau.	Porirua.	Tararua.	Waitaki.
Canterbury.	Hamilton.	Mackenzie.	Queenstown-	Tasman.	Waitomo.
Carterton.	Hastings.	Manawatu.	Lakes.	Taupo.	Wellington.
Central	Hauraki.	Marlborough.	Rangitikei.	Tauranga.	West Coast.
Hawke's Bay.	Hawke's Bay	Masterton.	Rotorua Lakes.	Thames-	Western Bay
Central Otago.	Region.	Matamata-Piako.	Ruapehu.	Coromandel.	of Plenty.
Chatham Islands.	Horizons.	Napier.	Selwyn.	Timaru.	Westland.
Christchurch.	Horowhenua.	Nelson.	South Taranaki.	Upper Hutt.	Whakatane.
Clutha.	Hurunui.	New Plymouth.	South Waikato.	Waikato District.	Whanganui.
Dunedin.	Hutt City.	Northland.	South Wairarapa.	Waikato Region.	Whangarei.
Far North.	Invercargill.	Opotiki.	Southland District.	Waimakariri.	