

# Coastal Hazards Adaptation Planning Programme

Whakaraupō Lyttelton Mt Herbert Coastal Panel -  
TERMS OF REFERENCE (TOR)

DRAFT



## 1. Project overview

The Council's Coastal Hazards Adaptation Planning (CHAP) Programme follows the Ministry for the Environment's (MfE) *Coastal Hazards and Climate Change Guidance for Local Government* (2017). This guidance establishes a structured engagement process with communities that support people to adapt to life in a changing climate through increased awareness and the development of community-led adaptation plans that consider the social, cultural, natural and built environments. The adaptation plans will identify community values and objectives and set pathways that are adjusted over time to respond to the impacts of sea level rise, enabling communities and Council to prepare for the future in times of uncertainty. This adaptation work sits underneath the Council's Climate Resilience Strategy.

The Council's Urban Development and Transport Committee formally endorsed the CHAP programme at its meeting on 11 November 2020. At the same meeting, the committee also agreed to initiate adaptation planning with the first tranche of communities in the Whakaraupō Lyttelton-Mt Herbert Adaptation Area. As the timing and severity of sea level risk impacts will vary across the district, the most effective approach is to undertake adaptation planning in tranches.

Once adaptation planning with Whakaraupō Lyttelton-Mt Herbert communities is completed, adaptation planning will be initiated with the next tranche of communities and a new Coastal Panel will be established.

Over time, the development and implementation of community-led adaptation plans will have significant implications for the city's infrastructure, District Plan, population movement and distribution, natural environment, and the ways that communities and Council manage the impacts of sea level rise.

## 2. Project Purpose, Objectives and Timeframes

The purpose of the CHAP programme is to provide coastal and low-lying communities and the Council with adaptive pathways that allow us to plan for, and respond to, coastal hazards impacted by sea level rise (through coastal flooding, coastal erosion and rising groundwater).

The programme objectives are:

- To undertake coastal hazards adaptation planning with communities that will be impacted by coastal flooding, coastal erosion and rising groundwater as a result of sea level rise.
- For Council to provide clear and consistent direction and leadership in alignment with national direction and international obligations, and with regard to the principles of the Te Tiriti o Waitangi.
- To establish inclusive and equitable planning and decision-making processes that support community wellbeing.
- To develop community-led adaptation plans that allow Council and communities to respond to changes over time.
- To ensure communities, critical infrastructure and the built environment are safer and more resilient to the effects of coastal hazards.
- To consider the impacts of any decisions on the natural environment, and to minimise or mitigate any negative impacts where possible.
- To increase community and Council awareness and monitoring of coastal hazards.

The Coastal Hazards Adaptation Planning programme is being rolled out in three phases - the first two phases happen upfront, while the third phase will be rolled out for each adaptation area:

Phase	Key Milestones
<p><b>Phase One: Programme Initiation</b> Completed</p> <p>Establish team, identify resources and develop programme approach</p>	<ul style="list-style-type: none"> <li>• Establish programme resourcing</li> <li>• Establish Coastal Hazards Working Group</li> <li>• Define Adaptation Areas and Priority Communities</li> <li>• Seek Council endorsement of the programme</li> <li>• Initiate community science – schools and Coast Snap Commission</li> <li>• Updated Coastal Hazards Assessment (CHA) – extent and likelihood of hazards</li> <li>• Baseline Information Document (BID) – current state of social, natural, built, cultural and economic environments</li> <li>• Risk and Vulnerability Assessment (R&amp;VA) – exposure of assets</li> <li>• Coastal Adaptation Framework – sets out the process by which options will be assessed and formed into pathways.</li> </ul>
<p><b>Phase Two: City wide Education and Awareness Phase</b> Underway</p> <p>Build community awareness of the hazards, seek whole district input to the proposed process.</p>	<ul style="list-style-type: none"> <li>• Establish relationship with rūnanga,</li> <li>• Release the Coastal Hazards Assessment and build hazard awareness.</li> <li>• Engage on the Coastal Adaptation Framework.</li> <li>• Plan engagement with Te Whakaraupō / Lyttelton-Mt Herbert</li> <li>• Appoint Coastal Panel</li> </ul>
<p><b>Phase Three: Collaborative Adaptation Planning with Communities</b> (1.5 years - estimated) Undertake adaptation planning with the first tranche of communities.</p>	<ul style="list-style-type: none"> <li>• Initiate adaptation planning in Te Whakaraupō / Lyttelton-Mt Herbert.</li> <li>• Engage with the community to build awareness of the hazards information, identify community values and assets, and identify any additional community options.</li> <li>• Over a series of steps, the CHAP project team, the STAG, the Coastal Panel and rūnanga assess options against a criteria to identify those which may be used in pathways. Council and community triggers and thresholds are also set. Thresholds and adaptation pathways are tested with the community and formalised through council decisions.</li> </ul>

### 3. Purpose and function of the Coastal Panel

The purpose of the Coastal Panel is to provide informed recommendations to Council for adaptation plans that allow Whakaraupō Lyttelton-Mt Herbert communities impacted by sea level rise, to respond to changes over time.

The specific functions of the Panel are to:

- Consider the cultural, social, environmental, built, physical and economic impacts of coastal hazards, and agree – where possible by consensus – on a shortlist of potential options to address these impacts.
- Consider the broad range of limitations (including technical), thresholds for change and community tolerance to risk, and agree – where possible by consensus, on recommended adaptation pathways.
- Facilitate engagement with the wider community on the proposed options, pathways and triggers for action.

- Consider community views alongside input and expertise from technical and specialist advisors in order to make recommendations to Council on preferred options and pathways.

The Coastal Panel does not have decision-making authority, or powers of veto.

Note that the Coastal Panel is not expected have an expert understanding of all matters. Rather, it is there to provide a 'community lens' and will be supported by the STAG who will provide specific advice and input on technical, economic, environmental, social and cultural matters.

## 4. Membership and roles

The Whakaraupō Lyttelton-Mt Herbert Adaptation Area, as depicted by the blue area shown in Figure 1 below, will have a single Coastal Panel for the whole area:

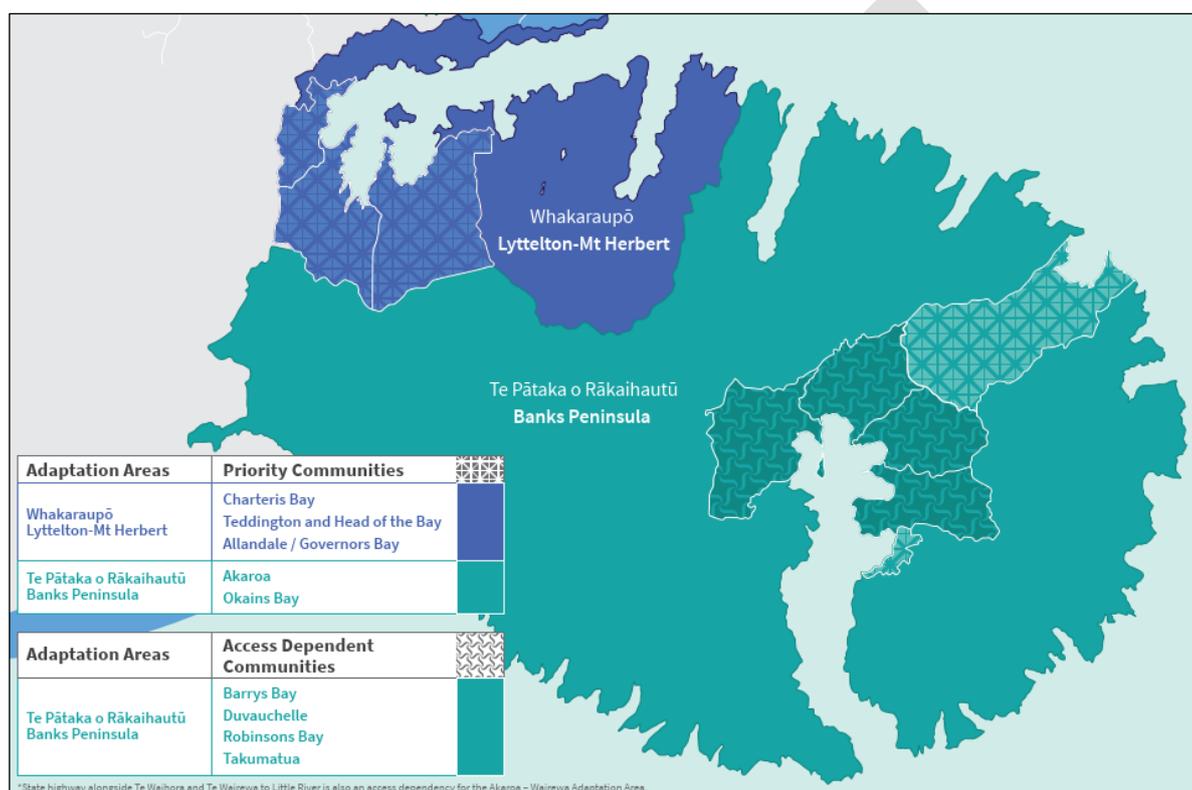


Figure 1. Whakaraupō Lyttelton – Mt Herbert Adaptation Area<sup>1</sup> Map

Coastal Panel membership will comprise of people predominantly from the area and represent a cross-section of the local communities.

Full voting members	Numbers
Rūnanga	TBC
Community representatives	6
Wider city representatives	Up to 3
Environment Canterbury Zone Committee representative	1
Te Pātaka o Rākaihautū Banks Peninsula Community Board – ward representative	1

<sup>1</sup> With the Te Pātaka o Rākaihautū Banks Peninsula Adaptation Area shown for context.

<b>Observer participants (non-voting)</b>	
Coastal Hazards Working Group (CHWG) members	
Non-CHWG Councillors	
Te Pātaka o Rākaihautū Banks Peninsula Community Board members	
<b>Support roles (non-voting)</b>	
Independent Chair	1
Panel Secretary	1
Specialist and Technical Advisory Group (STAG)	TBC
CHAP programme team members	TBC

### **Full voting members**

Members identified as full voting members will, where possible, follow a consensus decision-making process to select adaptation options and pathways for priority locations which will then be presented as recommended adaptation plans to Council for decision. It is expected that these members will support and champion communications and public engagement for the adaptation planning programme and update their relevant networks on upcoming initiatives and progress.

### **Observer participants**

Members identified as observer participants will be invited to observe the process, but do not have any voting rights. Their attendance at meetings is at the discretion of the Independent Chair who may limit numbers attending each meeting in order to maintain an appropriate balance of Panel representatives in the room.

### **Support roles**

The Independent Chair has full speaking rights, but no voting rights. The other people/groups identified below have no voting rights. However, they do have speaking rights.

#### *Independent Chair:*

- Works with the CHAP programme team to organise and prepare for workshops/meetings.
- Clarifies the purpose or focus of each workshop/meeting.
- Is responsible for the management and facilitation of each workshop/ meeting including timekeeping, resolving conflicts, facilitating debates and seeking to build consensus among members.
- Is responsible for securing the required outcomes for each workshop/meeting based on the agenda in a fair, transparent and efficient manner.
- Ensures that all Coastal Panel members adequately understand the information that is presented and communicated through drawing on expertise from the STAG.
- Is responsible for issuing the final Panel recommendation report to the Council. However, the responsibility for preparing the document sits with Council's secretariat (administrative support to be provided by Council).
- Where required, attends and presents recommendations to Council's Coastal Hazards Working Group and Urban Development and Transport Committee.
- Acts as an official spokesperson of the Panel to the wider Whakaraupō Lyttelton Mt Herbert community (with agreement from the Panel members).

- Deals with media enquiries on behalf of the Panel<sup>2</sup>

*Panel Secretary:*

- Pre-circulates meeting agendas to Panel members.
- Takes note/minutes and captures actions at meetings/workshops.

*Specialist and Technical Advisory Group:*

- Provides technical and specialist advice to the Council and the Coastal Panel.
- Critically challenges and provides in-depth knowledge and expertise in a manner that is easily understood, and falls within the project scope.
- Offers expert guidance that feeds into the process to develop adaptation plans including the process, assessments, scenarios, options evaluation and pathways.
- Assists the Coastal Panel with their deliberations (when requested).

*CHAP programme team:*

- Supports the Independent Chair to facilitate meetings/workshops including the provision and presentation of content (in conjunction with the STAG).
- Provides programme management including timelines, planning, progress monitoring and execution.
- Supports Panel members including the provision of appropriate resources.
- Provides regular updates to the Coastal Hazard Working Group and Council.

## 5. Member attributes and protocol for collaborative deliberation

The Coastal Panel represents a community-led collaborative stakeholder process with the aim of providing the Christchurch City Council with advice and recommendations on adaptation planning for priority locations within the Whakaraupō Lyttelton-Mt Herbert Adaptation Area impacted by sea level rise.

For this process to be successful, members of the Panel will need to have the ability to explore, consider and deliberate on options and recommendations with an open mind, taking into account diverse views and interests, rather than advocating for a particular point of view. The following collaborative protocol is to be followed by all Panel members, observers and support roles:

- Panel members will agree to abide by the Code of Conduct (see Supporting Documentation).
- Panel members will participate co-operatively for the 'long term benefit' of the region as a whole, rather than to pursue a pre-determined outcome, or to benefit a specific interest group.
- Information said or given to the Panel may not be used in a subsequent planning or legal process except for any recommendations and agreements reached by the Panel.
- As per the Code of Conduct, any public statement regarding advice or recommendations made by the Panel is to be agreed by the Panel and made through the Independent Chair. This also applies to observers, Council staff and others who may attend in support of Panel meetings.
- Decisions will be made where possible by consensus (100% of the Panel being in agreement) with a process to capture any points of disagreement. Where 100% consensus cannot be reached on a specific piece of advice or a recommendation, the reasons for disagreement will be noted, any alternatives defined, and the reasons for members positions on the alternatives recorded.

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<sup>2</sup> Note that the Council Media Manager (or in their absence, their delegate) must be consulted about all media enquiries.

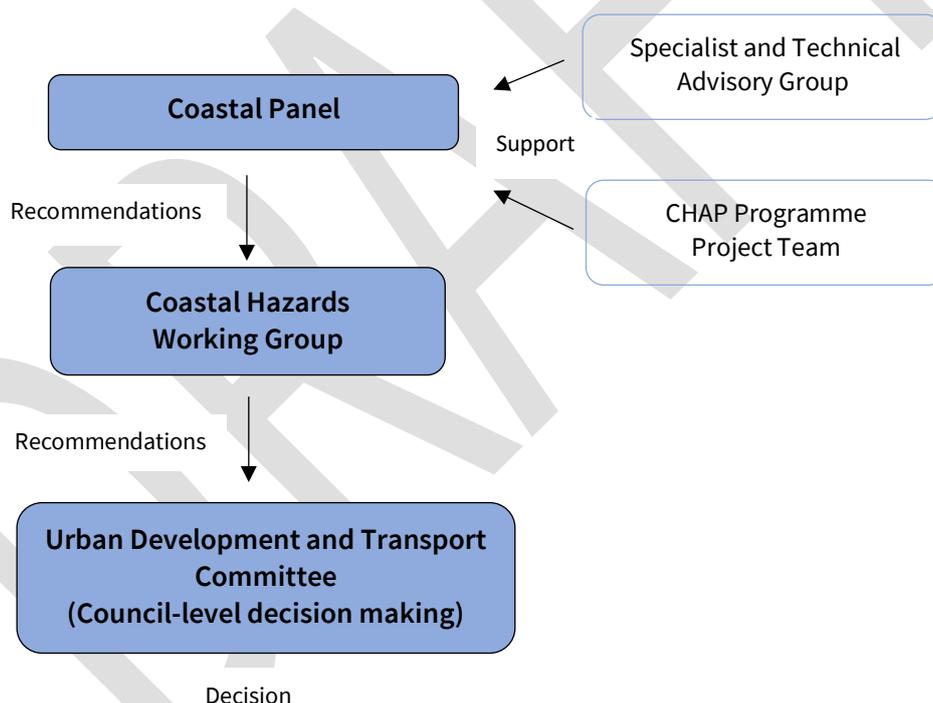
- Where the Independent Chair deems it necessary, an urgent meeting may be called to discuss matters that cannot wait until the next scheduled meeting of the Panel. With the agreement of a majority of members, the meeting may be held electronically provided all usual requirements for meetings are maintained (including the presence of a quorum), varied to accommodate members joining by audio or audio visual link.
- When the Panel reaches a decision, members will be expected to acknowledge that decision in subsequent public discussion, or presentation to the Council.
- If a meeting is missed by a member, members will not be able to 're-litigate' a piece of consensus advice or recommendation at a later time.
- Members will be expected to read and understand the relevant provisions of legislation referred to them from time to time by the Independent Chair, the Panel secretary, the STAG and/or the Coastal Hazards Adaptation Planning (CHAP) programme team.

## 6. Operating Protocols

- Coastal Panel members are expected to make every effort to attend all meetings. While it is anticipated that some Panel Members will miss certain meetings through circumstances beyond their control, if a member is absent for four consecutive meetings (not including urgent meetings) then, at the discretion of the Independent Chair, their membership may be reviewed and a reappointment process may be triggered.
- Voting members of the Coastal Panel shall not appoint alternates or nominate a proxy to attend a meeting/workshop where they are unable to attend.
- If the Independent Chair is absent from all or part of a meeting, a CHAP programme team member, who is also a non-voting member of the Panel, will exercise the meeting responsibilities, duties, and powers of the Independent Chair for the period of his or her absence.
- A minimum of 50 percent plus one (1) Coastal Panel members with voting rights are required for the meeting/workshop to be recognised as an authorised meeting for the recommendations or resolutions to be valid.
- Where a Panel member is no longer available to continue participation on a Panel for any reason, a reappointment process may be triggered for a new member, to be accepted at the discretion of the Independent Chair.
- Panel meetings are not open to the public. However, regular reporting via a newsletter or similar mechanism will be adopted by the Panel to ensure the wider public is kept informed of their activities. Furthermore, the Independent Chair can invite people such as relevant experts and interested parties to specific meetings, and open certain meetings to the public and media representatives where it is considered appropriate.
- Notes will be taken of all meetings. Notes will not record meeting conversations verbatim, but will provide an overall summary of the issues covered and the conclusions/decisions reached. The notes of each Panel meeting will be recorded and distributed by the Panel Secretariat to Panel members no later than five (5) working days following each meeting. These notes will be a public record and released at the end of the Coastal Panel process.

- Meeting agendas will be agreed with the Independent Chair and CHAP Programme Manager. Agendas with attached meeting papers will be distributed at least two (2) working days prior to the next scheduled meeting.
- While the preference is for members to turn up to meetings in person we recognise that, due to the current climate, some flexibility is required. Members will be strongly encouraged to attend meetings. However, when it is not safe to do so (ie. COVID-19 alert level change), online meeting and/or conference call options may be provided.
- Council will be responsible for providing all the necessary support for the effective functioning of the Panel, including the provision of meeting venues, refreshments, and staff support for the preparation of agendas, notes, communications etc.
- None of the matters in this Terms of Reference replaces, limits or restricts:
  - The individual decision-making of the Council and organisations involved.
  - The statutory responsibilities and obligations of the Council for the implementation of plans and polices, including consent processing, monitoring, enforcement and compliance.
  - The ability to collaborate or work together in ways not defined in this Terms of Reference.

## 7. Governance



## 8. Term of appointment

The term of the Coastal Panel is until such a time as when its recommendations are presented to the Urban Development and Transport Committee.

## 9. Recognition of contribution

In recognition of the commitment of member's time to prepare for and attend meetings, Christchurch City Council will recognise the contribution of the community, rūnanga and wider city representatives with an honorarium of \$250 per meeting. Mileage will be reimbursed, as will paid childcare if required.

Staff or elected members of Council or Environment Canterbury are not eligible for remuneration.

## 10. Code of conduct

Coastal Panel members will comply with the Coastal Panel Code of Conduct (see Supporting Documentation). This covers matters such as confidentiality requirements, the duty to act honestly and with integrity, and contact with the media.

## 11. Conflict resolution

Should any conflict situations arise, the Coastal Panel members will work with the Independent Chair to resolve the conflict. Council's Principal Programme Advisor is to be kept informed.

If the conflict is unable to be resolved via the Independent Chair, the matter will be directed to the Coastal Hazards Working Group who will then identify any further remedy required.

At all times parties shall consider the best interests of the Programme specifically, as well as those of Council generally, and any matters that have the potential to be viewed adversely by external parties (the 'front page test') shall be raised and addressed at the earliest possible opportunity. This may include calling a special meeting.

## 12. Supporting Documentation

Document Title	Purpose/Context	Link/Source/Reference
Code of Conduct	Sets out expectations of behavior, confidentiality and contact with media.	