

28 October 2024

Department of Internal Affairs

communityresilience@dia.govt.nz

Consultation on the Proposed Regulations for Natural Hazard Information in LIMs

Thank you for the opportunity to comment on the exposure draft regulations for natural hazard information in land information memoranda (LIMS).

Overall, the Kāpiti Coast District Council (The Council) **supports** the intention of the proposed regulation to enhance the quality of LIM reports.

However, we propose that data and information should be tested through a robust process before it is considered reliable and notifiable for use; one way to achieve that is to note that information required should be “adopted” by a Council. We have concerns that the proposed regulations are light on definition, and this creates a degree of uncertainty around how it should be implemented. Whilst information is valuable for supporting well-informed decisions around the risks from natural hazards, we believe it is important to acknowledge that not all information is equal or **reliable**. It will therefore be critical that there are standards set around the validity and reliability of information that is required to be disclosed. Further there is a need to define in the proposed regulations terms such as “relevant”, “known”, and “technical” to ensure that the right information is considered by Councils in the first place.

We have more specific technical feedback to the questions contained in the consultation document. Our feedback aims to refine the proposed changes to achieve better workability – key points are noted below, with further detail attached in a table to this letter:

- **Endorses the use of ‘plain English’.** However, the Council cautions that it may inadvertently alter the precise meaning of technical content and suggest providing assurance that technical content will not be diluted or impacted.
- **Supports the need for guidance and recommends a transition period for implementing changes.** It's essential that guidance materials, best practice examples, and templates are available from day one to support changes; and that a fair and reasonable transition period is provided for these changes to be made to effectively give effect to the Regulations. The Council would like to avoid preparing LIMs while uncertain about the practical implementation of the new regulations.
- **Clarifies how the additional requirements will be funded.** Although LIMs are currently a ‘user pays’ model, there is a question around how the upfront cost of shifting to the new model will be managed; or whether anyone who applies for a LIM immediately after the new regulations are implemented will bear this burden.

Thank you again for the opportunity to submit on the proposals for regulations covering the inclusion of natural hazard information in LIMs. We would welcome working with officials in the development of any guidance supporting implementation of the proposed Regulations.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Darren Edwards', with a stylized flourish at the end.

Darren Edwards
CHIEF EXECUTIVE
KĀPITI COAST DISTRICT COUNCIL