

2 February 2023

Governance and Administration Select Committee

Local Government Official Information and Meetings Amendment Bill

To the Select Committee,

Thank you for the opportunity to submit on the Local Government Official Information and Meetings (LGOIMA) Amendment Bill. This letter provides our feedback.

Toka Tū Ake EQC cares about reducing risk from natural hazards

Toka Tū Ake EQC is a Crown entity responsible for providing insurance to residential property owners against the impact of natural hazards, investing in and facilitating research and education about natural hazards and natural hazard risk, and incentivising and/or implementing methods of reducing or preventing natural hazard damage.

Toka Tū Ake EQC has a crucial role not only after a natural hazard event has occurred, but also in reducing risk from, and building resilience to natural hazards in Aotearoa New Zealand.

Toka Tū Ake EQC Submission on the Local Government Official Information and Meetings Amendment Bill

The LGOIMA Amendment Bill covers two separate policy issues:

- Changes to natural hazard information provided in Land Information Memoranda (LIMs)
- Aligning the withholding and certification processes with the Official Information Act.

Toka Tū Ake EQC is only submitting on the proposed changes to natural hazard information provided in LIMs. **Toka Tū Ake EQC strongly supports these proposed changes.**

The potential loss associated with natural hazard risk in Aotearoa New Zealand is high and is carried by Toka Tū Ake EQC on behalf of the Crown. We therefore have a strong interest in reducing risk from, and building resilience to, natural hazards.

By introducing clearer requirements to provide natural hazard information in LIMs, property buyers will understand the natural hazard risks and be able to make more informed decisions on whether to purchase a property.

Helping property buyers to understand the natural hazard risks allows better land use planning to manage both existing and future risks. Understanding these risks will allow communities to become more educated and resilient towards natural hazards and lower the liability for Toka Tū Ake EQC on behalf of the Crown.

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In particular, Toka Tū Ake EQC would like to note our support for the following features of the Bill which we consider will contribute to improved natural hazard risk management:

- Clarifying existing section 44A(2) by explicitly identifying the extent to which natural hazards shall be included in the LIM, including requirements to consider the degree to which hazards will be exacerbated by climate change.
- The intent to make the natural hazard information "more understandable", as we consider it important that information about the natural hazard risk affecting the land concerned in the LIM is able to be understood by the broadest base of property owners and potential property buyers. We would note that what is "understandable" is potentially ambiguous and will vary considerably depending on the audience. We would emphasise the need for regulations to be clear on what is considered to be "understandable" and how best to achieve this in a LIM.
- Requiring regional authorities to provide information to territorial authorities for inclusion of LIMs. Regional councils often have extensive information about the regional extent and intensity of potential natural hazards, and the predicted effects that climate change is likely to have on this natural hazard risk. Requiring that regional councils provide this information to territorial authorities for inclusion on the LIM ensures that the information provided to property owners and buyers is consistent, and as up-to-date and accurate as possible.
- Preventing regional councils and territorial authorities from being liable in civil or criminal proceedings for providing information about natural hazards in LIMs. Councils may be reluctant to provide information in case of legal repercussions, so it is important that they are legally protected from liability when providing information about natural hazards in good faith.

Kind regards,



Dr Jo Horrocks

Chief Resilience & Research Officer