

Opening Statement

Hearing 27D: Coastal Hazards

Report prepared by: Kelly Nicolson

Date: 10 May 2021



Introduction

1. Good morning Chair, Commissioners, and Submitters. My name is Kelly Nicolson and I am the writer of the original s42A report for Hearing 27D – Coastal Hazards. I am also the author of the rebuttal evidence relating to the same topic.
2. This opening statement provides a brief overview of the review of coastal hazards and summarises the main matters raised by submitter and my response to those submissions.

Coastal Hazard Assessment and Mapping

3. A coastal hazards assessment was carried out by Bronwen Gibberd and Jim Dahm from Focus Resource Management Group as part of the review of natural hazards and climate change. The coastal hazard assessment was confined to the western coastline of the district and focussed on defining the areas potentially vulnerable to coastal erosion and coastal flooding. Mrs Gibberd is attending this hearing and will speak shortly.
4. The assessment resulted in the identification of areas that are currently at significant risk of coastal flooding or erosion with existing coastal processes and sea level. It also identified areas that will potentially be affected by coastal erosion and flooding based on a projected sea level rise of 1m over the next 100 years.
5. The current coastal hazard risk areas have been identified as the High Risk Coastal Hazard (Erosion) Area and the High Risk Coastal Hazard (Inundation) Area. The areas that are potentially at risk over the next 100 years have been identified as the Coastal Sensitivity Area (Erosion) and the Coastal Sensitivity Area (Inundation). The high risk overlay areas and coastal sensitivity overlay areas are shown on the planning maps and the rules within Chapter 15 only apply to land within these areas. Rules for the coastal hazard overlay areas apply to buildings, utilities, earthworks and subdivision.
6. Given the technical nature of the coastal hazard modelling, I have relied substantially on Mrs Gibberd and Mr Dahm for analysis and recommendations on submissions relating to mapped hazard areas. Recommendations included additional detailed modelling for specific areas as a result of submissions. The additional work included local scale modelling at Te Akau South and a reassessment of the initial modelling for Raglan and Port Waikato.
7. A peer review of the local scale modelling for Te Akau South was carried out by Dr Tom Shand of Tonkin & Taylor. The final peer review was not available at the time that I was finalising my rebuttal and Mrs Gibberd was finalising her evidence on behalf of Council. For this reason any response to the peer review has not been addressed in any depth in my Rebuttal or Mrs Gibberd's evidence.
8. Given the technical nature of the coastal hazard modelling, Mrs Gibberd has prepared a separate opening statement that summarises this work and includes a summary of the mapping related matters raised in submissions as well as her response to matters arising from the peer review.

Broad Themes

9. Provisions relating to coastal hazards have attracted submissions that cover a range of issues and these can be narrowed down to a short list of key themes. I would like to highlight the key themes and summarise the issues raised through submission under each of these themes.

Infrastructure and utilities

10. My S42A report addresses submissions relating to new and existing utilities in coastal hazard and sensitivity areas. Submissions by telecommunications and electricity providers sought that telecommunication and electricity lines, poles, cabinets and supporting structures be a permitted activity in high risk coastal hazard as well as coastal sensitivity areas. I agreed with these requests on the basis that this type of infrastructure is minor in scale, and as service providers are required to assess and mitigate the risk associated with their own assets in order to continue security of supply, I consider the activity to pose a low risk.

Coastal Protection

11. Submissions were received in relation to hard and soft coastal protection structures. These included submissions seeking to amend provisions to allow for the repair, maintenance and upgrade, and in some cases replacement of existing hard protection structures.
12. The policy direction within Chapter 15 discourages hard protection structures and encourages reliance on natural features and buffers, such as beaches and dune systems and development setbacks from the coastline. This direction is consistent with the New Zealand Coastal Policy Statement.
13. The policies in Chapter 15 are clear in their intent and although hard protection structures are not encouraged as a first option for defence against coastal hazards, there is recognition within Policy 15.2.1.8 that in some cases they may be the most appropriate method for protection against coastal hazards. In this case the policy provides guidance for assessment of these structures.
14. Rules permit minor repairs and maintenance but require discretionary consent for upgrading, replacement and construction of new structures. This ensures that matters in Policy 15.2.1.8 can be appropriately considered and addressed. I have recommended that the discretionary activity rules for these structures be retained as notified.
15. Some of these submissions also anticipate that an adaptive management planning process may be carried out for some areas in Raglan in the future, and that the intent of that process will be to identify properties currently at risk from coastal hazards. Coastal protection structures as a means for protection against coastal hazards will likely be considered through that process. The adaptive management planning process is not directed by provisions in the district plan, however the outcomes of an approved adaptive management plan or strategy may assist with future land use planning through resource consents and plan changes. Policy 15.2.1.8 allows for the content of an adaptive management strategy to be taken into consideration when assessing proposals for hard protection structures.
16. Policies 15.2.1.7 and 15.2.1.9 refer to the importance of natural features and buffers as soft protection against natural hazards and the need to maintain, protect where appropriate and enhance these features. These include, but are not limited to features such as beaches and coastal dune systems. The Waikato Regional Council has sought specific rules to enable beach nourishment and dune stabilisation as a controlled activity. I agree that the Proposed District Plan does not sufficiently provide for these activities. In the absence of specific rules, these activities would likely fall under the earthworks provisions, where there would be insufficient matters to address any potential adverse effects.
17. I am not familiar with the full range of effects associated with such activities or whether controlled activity rules are the best mechanism for addressing the effects. As such, I have recommended that the submission be rejected for now. However, I am happy to assist the Panel with development of rule for beach nourishment and dune stabilisation, if the Panel agrees with the concept.

Rangitahi Peninsula

18. Submissions were received on the mapped hazard areas on the Rangitahi Peninsula. In particular the proposed mapped Coastal Sensitivity Area (Erosion) and the associated rules are considered by Rangitahi Limited as being a duplication of the current mechanisms for addressing coastal hazard risk on Rangitahi Peninsula. The proposed rules applying to building in the Coastal Sensitivity Area (Erosion) require a restricted discretionary resource consent so that future risk resulting from climate change can be assessed at a site specific level, and where applicable, adaptive measures or other mitigation methods can be addressed through conditions of consent.
19. The subdivision consents for Rangitahi Peninsula development included an assessment of coastal hazards but did not specifically consider future sea level rise. Specific design zones were identified based on the hazard assessment and closely align with the extent of the proposed Coastal Sensitivity Area (Erosion).
20. Geotechnical considerations for building within the specific design zone are implemented by way of a consent notice attached to the record of title for each lot subject to this zone. The submitter argues that this mechanism satisfactorily addresses any issues with regards to future erosion resulting from Climate Change. I was not convinced that the consent notice mechanism would be sufficient to address future risk, particularly with regards to any adaptive measures that may be appropriate for any given site. As such I recommended no change to the proposed rules as notified.

Adaptive Management Planning and Development on Maaori Freehold Land

21. The proposed rules for both high risk and coastal sensitivity areas apply equally across general land and Maaori Freehold Land. Submissions were received from the owners of the Te Kopua Maori land blocks in Raglan requesting that development on their land be a permitted activity if it is consistent with an approved adaptive management plan. Previous engagement with these submitters suggested that an adaptive management plan would include comprehensive and detailed information on the proposed development of the whole site, including a site specific risk assessment, and mitigation measures and/or adaptive pathways to address the impacts of climate change with respect to the proposed development.
22. These submitters highlighted the unique nature of Maaori Freehold Land and the enduring relationship that Tangata Whenua have with their land, as ownership spans many generations.
23. In my S42A report, I agreed that there may be a special case with regards to how natural hazard risk and the effects of climate change can be managed on Maaori Freehold Land. However, I did not recommend any changes to the notified rules in respect to this issue, as there was insufficient detail in the submission to fully consider how this mechanism would work in practice. I am also not aware of a district plan precedent for this.
24. I invited the submitters to provide evidence detailing how this approach could be implemented but no evidence was received.

Thank you

Kelly Nicolson

10 May 2021