SECTION 32 REPORT
Coastal Environment

Te Kaunihera-ā-Rohe o Ngāmotu
New Plymouth District Council

1 Executive Summary

The New Plymouth District coastline spans 100km, from the Mokau River mouth in the north to the Hangatahua (Stony) River in the south. The coastal environment is valued for its natural character, its ecological, landscape, and its amenity, recreational, open space, cultural and historical values. The coastal environment is subject to dynamic natural processes and to on-going development pressure.

The Operative District Plan identifies and maps a Coastal Policy Area and a Coastal Hazard Area, and applies rules to manage subdivision, use and development in these areas. However this mapping is based on outdated data, and the provisions do not give effect to the New Zealand Coastal Policy Statement 2010 (NZCPS) requirements for a strategic approach to coastal management, a precautionary approach to development of the coast, and recognition of tangata whenua as kaitiaki (guardians). Through the District Plan Review, the Council has reviewed and updated information relating to coastal hazards and coastal values.

The key resource management issue relating to coastal management is the protection of coastal values from inappropriate activities. It is also important to manage the coastal environment to support resilient and sustainable coastal communities. This involves minimising exposure of people and property to coastal hazard risks, including from potential increased hazard risks associated with climate change. Recent documentation introduced by the Ministry for the Environment (MfE) also advises that coastal hazard assessments should use multiple scenarios of sea level rise to identify the spatial extent and magnitude of hazards, and to quantify the likelihood of hazards occurring.

The key change introduced for the Coastal Environment is inclusion of three Coastal Management Areas, each with specific objectives, policies and rules:

- **Proposed Coastal Environment Area**
  Areas with coastal values that need to be protected from development, and areas that could be impacted by coastal hazards resulting from increased rates of sea level rise associated with climate change.
- **Proposed Coastal Erosion Hazard Area**
  Areas expected to be affected by erosion and land instability within 100 years, if erosion continues at current rates. Management of these areas is based on a directive and precautionary approach.
- **Proposed Coastal Flooding Hazard Area**
  Areas around low lying river mouths. Siting and design is required to avoid or mitigate effects of flooding.

The Proposed Plan uses updated science to take a flexible, risk-based approach to hazard management. The Plan aims to protect the natural character, coastal biodiversity, cultural and other values of the coastal environment, giving greater recognition to the role of tangata whenua as kaitiaki.

2 Introduction and Purpose

This report contains a section 32 evaluation of the objectives, policies and methods relating to the Coastal Environment in the Proposed New Plymouth District Plan. It is important to read this report in conjunction with the section 32 overview report which contains further information and evaluation about the overall approach and direction of the District Plan review and Proposed District Plan.

Preserving the natural character of the coastal environment from inappropriate subdivision, use and development, and managing the significant risks from natural hazards, are matters of national importance under the Resource Management Act 1991 (RMA). The New Zealand Coastal Policy Statement 2010 (NZCPS) provides national policy direction to achieve the purpose of the RMA in relation to the coastal environment of New Zealand. The Proposed District Plan must 'give effect' to the NZCPS.

Additionally, the Ministry for the Environment: Coastal Hazards and Climate Change, guidance for local government (2017) introduces a new concept of dynamic adaptive pathways planning, recommending an adaptive management approach for responding to accelerated sea-level rise. It supports Councils to adapt their approach to coastal hazards and the uncertainty regarding climate change and increased weather events, with community-led decision making. A technical document, it provides a legal framework and supports implementation of policies and objectives in the NZCPS relating to coastal hazards, with updated scientific material, including hazard, risk and vulnerability assessments. MfE advises that coastal hazard assessments should use multiple scenarios of sea level rise to identify the spatial extent and magnitude of hazards, and to quantify the likelihood of hazards occurring.

New Plymouth District Council (NPDC) is responsible for managing activities on land (that is, the landward side of Mean High Water Springs (MHWS)), whereas the Taranaki Regional Council (TRC) is responsible for activities in the Coastal Marine Area (that is, the area on the seaward side of MHWS). Integrated management is necessary to manage cross-boundary issues and the effects of the occupation of activities that cross the jurisdictional boundary between regional and territorial authorities (e.g. jetties, seawalls). Tangata whenua are also involved in this integrated management.

This report sets out the trends and issues for this topic, provides an overview of the statutory and policy context for coastal management, with a specific focus on:

- Preserving the natural character and other values associated with the coastal environment (including cultural, ecological, open space, recreational and other values); and
- Managing the significant risks from coastal hazards (coastal erosion and coastal inundation (flooding), including the effects of climate change.

The report also includes an overview of the specific consultation for this topic, review of the existing Plan provisions, and evaluation of alternatives to determine the most appropriate way(s) to achieve the purpose of the RMA in relation to the Coastal Environment.

Other chapters related to or that overlap the Coastal Environment topic include Public Access, Waterbodies, Outstanding Natural Features and Landscapes, Historic Heritage and Natural Hazards. The evaluation for these other topics are set out in the s32 Evaluation Report specific to each topic.

3 Statutory and Policy Context

3.1 Resource Management Act

Section 31 of the Resource Management Act (RMA) sets out the functions of territorial authorities. The key functions for a district council include:

- The integrated management of the use, development, or protection of land and associated natural and physical resources of the district. *"Natural and physical resources"* includes natural landforms, buildings and structure (Section 31(1)(a)); and
- The avoidance or mitigation of natural hazards (Section 31(1)(b)(i)).

Section 6 of the RMA specifically requires that the Council recognise and provide for matters of national importance. The Section 6 matters of national importance relevant to the Coastal Environment are:

(a) preservation of the natural character of the coastal environment, wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use and development.

(c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna.

(d) the maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers.

(e) the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.

(h) the management of significant risks from natural hazards.

Section 7 of the RMA requires the Council to have particular regard to the following matters:

(a) kaitiakitanga.

(b) the efficient use and development of natural and physical resources.

(c) the maintenance and enhancement of amenity values.

(d) intrinsic values of ecosystems.

(f) maintenance and enhancement of the quality of the environment.

(g) any finite characteristics of natural and physical resources.

(i) the effects of climate change.

Section 8 of the RMA requires the Council to take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi). Tangata whenua, through iwi authorities have been consulted as part of the review process and the obligation to make informed decisions based on that consultation is noted. Section 74(2A) of the RMA requires Councils to take into account relevant Iwi Management Plans and their bearing on the resource management issues of the district.

3.2 Statutory Planning Documents

3.2.1 National Policy Statements

Section 75(3)(a) of the RMA requires that the District Plan give effect to any National Policy Statement (NPS). The District Plan review has actively considered the following:

- NPS on Electricity Transmission (2008)
- NPS for Renewable Electricity Generation (2011)
- NPS for Freshwater Management (2011)
- NPS on Urban Development Capacity (2016)
- New Zealand Coastal Policy Statement (2010)

3.3 New Zealand Coastal Policy Statement (2010)

The Council must 'give effect' to the NZCPS policies for achieving the purpose of the RMA in relation to the coastal environment of New Zealand.

Overall, the NZCPS policies direct the Council to identify the extent and characteristics of the coastal environment in the district. Within this defined area, the Council must consider a range of matters, including land use activities, subdivision and development, and their effects on natural character, open space, public access and hazards. The NZCPS (Policy 24) specifically requires the identification of areas in the coastal environment that are potentially affected by coastal hazards, and encourages a precautionary approach with regard to development in coastal areas that could be vulnerable to natural hazards. The most relevant policies to the Proposed District Plan are:

- Policy 1: Extent and characteristics of the coastal environment
- Policy 2: The Treaty of Waitangi, tangata whenua and Māori heritage
- Policy 3: Precautionary approach
- Policy 4: Integration
- Policy 6: Activities in the coastal environment
- Policy 7: Strategic planning
- Policy 11: Indigenous biological diversity (biodiversity)
- Policy 13: Preservation of natural character
- Policy 14: Restoration of natural character
- Policy 15: Natural features and natural landscapes
- Policy 16: Surf breaks of national significance
- Policy 17: Historic heritage
- Policy 18: Public open space
- Policy 19: Walking access
- Policy 20: Vehicle access
- Policy 24: Identification of coastal hazards
- Policy 25: Subdivision, use and development in areas of coastal hazard risk
- Policy 26: Natural defences against coastal hazards
- Policy 27: Strategies for protecting significant existing development from coastal hazard risk

3.3.1 National Planning Standards 2019

Released in April 2019, the purpose of the National Planning Standards (planning standards) is to improve consistency in plan and policy statement structure, format and content.

The standards were introduced as part of the 2017 amendments to the Resource Management Act 1991 (RMA). Their development is enabled by sections 58B–58J of the RMA. They support implementation of other national direction such as national policy statements and help people to comply with the procedural principles of the RMA.

As discussed in the Overview Report, the Proposed District Plan will give effect to the planning standards. Of particular relevance, the standards specify that the Coastal Environment falls under the prescribed heading of 'General District-Wide Matters'. The Coastal Environment chapter must:

- Set out the approach to managing the coastal environment and giving effect to the NZCPS;
- Set out provisions for implementing the local authorities functions and duties in relation to the coastal environment, including coastal hazards; and
- Provide cross-references to any other specific coastal provisions that may be located within other chapters.

The planning standards also outline the spatial layers that can be used in a District Plan. The Coastal Environment and the natural hazards managed within it are overlays; a mechanism that spatially identifies distinctive values, risks or other factors that require management in a different manner from underlying zone provisions.

3.4 Taranaki Regional Policy Statement (2010) and Regional Plans

3.4.1 Taranaki Regional Policy Statement

Under Section 75(3)(c) of the RMA, the District Plan must give effect to the Regional Policy Statement (RPS). The Taranaki RPS became operative before the NZCPS 2010 was gazetted, therefore does not give effect to the NZCPS and the national direction of the NZCPS prevails over the policy direction of the RPS. The key directions from the RPS for the District Plan are summarised as follows:

- CNC Policy 1: Management of the coastal environment will be carried out in a manner that protects the natural character of the coastal environment from inappropriate subdivision, use, development and occupation and enhances natural character where appropriate. In determining the natural character of the coastal environment, matters to be considered will include:
  (a) the degree of modification from a natural state;
  (b) the amenity values of the environment, which collectively give the coastal environment its natural character including rural amenity value;
  (c) the importance of landscapes, seascapes and landforms, including visually or scientifically significant geological features and wild and scenic areas;
  (d) the contribution of Taranaki's historic heritage to the natural character of the coastal environment;
  (e) the degree to which the coastal environment provides for the continued functioning of ecological and physical processes including consideration of the diversity, productivity, variability and importance of marine ecosystems and

marine ecosystems typical or representative of the region, and links between marine and terrestrial ecosystems;

(f) the natural quality of water and air; indigenous biodiversity values; the characteristics of special spiritual, historical or cultural significance to tangata whenua; and

(g) the degree of integration of human use, development and subdivision with the above components.

- CNC Policy 2: The protection of the natural character of the coastal environment shall be achieved having regard to the following criteria in determining appropriate subdivision, use, development or occupation in the coastal environment:

  (a) the degree and significance of actual or potential adverse effects on the natural character of the coastal environment, including cumulative effects, and the efficacy of measures to avoid, remedy or mitigate such effects;

  (b) the extent to which the subdivision, use, development or occupation recognise and provide for the relationship of tangata whenua and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga;

  (c) the degree to which adverse effects on those historic heritage values that can contribute to natural character can be avoided, remedied or mitigated;

  (d) the need for development or occupation to occur in the coastal environment;

  (e) where it is likely that an activity will result in significant adverse effects on the environment, any possible alternative locations or methods for undertaking the activity, and where the activity involves the discharge of any contaminant, any possible alternative methods of discharge;

  (f) the degree to which the subdivision, use, development or occupation will avoid adverse effects at alternative non-coastal locations;

  (g) the degree of existing modification of the coastal environment from its natural character;

  (h) the degree to which the subdivision, use, development or occupation will disrupt natural processes or will be threatened by, or will contribute to, the occurrence of natural hazards, particularly coastal erosion;

  (i) the degree to which the subdivision, use, development or occupation can be accommodated near existing developments and in spatially compact forms and the extent of further modification of the natural character of the coastal environment through sprawling and sporadic development;

  (j) the provision of adequate services, particularly the disposal of wastes;

  (k) the need to protect habitat (in the coastal marine area) of species including mobile species and those that are important for commercial, recreational, traditional or cultural purposes;

  (l) benefits to the community of the use, development or occupation of the coastal marine area;

  (m) the degree to which financial contributions associated with any subdivision, use and development can be used to offset potential or actual unavoidable adverse effects arising from those activities; and

  (n) the benefits to be derived from the use and development of renewable energy sources, including national, regional and local benefits.

- CNC Policy 3: Appropriate recognition should be given to Port Taranaki to ensure its efficient operation and to enable appropriate development and diversification to occur to meet changing needs.
- CNC Policy 4: Areas in the coastal environment of importance to the regional will be identified and priority given to protection of the natural character, ecological and amenity values of such areas from any adverse effects arising from inappropriate subdivision, use and development.
- CNC Policy 5: Recognition will be given to protection where appropriate of other areas, features or landscapes in the coastal environment not covered by Policy 4, but still important to the region for amenity, scenic, recreational, historic, biodiversity, natural processes, scientific, landscape, or cultural features of significance to tangata whenua.

The RPS states that territorial authorities may wish to consider the following method:

CNC METH 11 *– Include in district plans and resource consents, provisions or conditions to protect natural character of the coastal environment from inappropriate subdivision, use and development of the coastal environment.*

The RPS recognises the significant issues relating to reducing the risks to the community from coastal hazards in Chapter 11: Natural Hazards, particularly:

- The modifying of natural hazard processes and taking into account potential changes in the frequency and intensity of natural hazards in the future, and
- The need to increase public awareness of and planning for natural hazards, to reduce the costs of natural hazard events, emergencies or disasters.

The RPS outlines the role and responsibility of the District Council to control the effects of the use, development or protection of land for the avoidance or mitigation of natural hazards. In accordance with section 62(1)(i)(i) of the RMA, NPDC is responsible for specifying the objectives, policies and methods for the control of the use of land to avoid or mitigate natural hazards, except where the control of the use of land relates to the TRC's functions under the RMA regarding:

- The coastal marine area; and
- The beds of rivers, lakes and other waterbodies.

The key directions from the RPS for the District Plan in respect of coastal hazards are as follows:

- New subdivision, use and development should be located and designed so that the need for hazard protection works is avoided.
- Take into account the effects of climate change when planning for the avoidance and mitigation of natural hazards.
- May include methods for natural hazards such as:
  - Special hazard zones and rules;
  - Identification of natural hazards on maps and registers;
  - General building and development controls or criteria;
  - Subdivision controls; and
  - Designations or other provision for public works.

3.4.2 Taranaki Regional Plans

Section 75(4)(b) of the RMA states that any District Plan must "not be inconsistent with" a regional plan for any matter stated in s30(1) (functions of regional councils, including the avoidance or mitigation of natural hazards). TRC administer the following Regional Plans:

- Regional Fresh Water Plan
- Regional Soil Plan
- Regional Coastal Plan
- Regional Air Quality Plan
- Civil Defence Group Plan

The Proposed District Plan provisions for the Coastal Environment are consistent with the relevant provisions of these plans.

3.4.3 Proposed Coastal Plan for Taranaki (2018)

In accordance with Section 74 of the RMA, a District Plan must not be inconsistent with a Regional Plan or Proposed Regional Plan. The Proposed Coastal Plan for Taranaki was notified for public submissions in February 2018.

The Proposed Coastal Plan recognises the need for integrated management of the wider coastal environment (including the coastal marine area and the land component), and the effect that activities undertaken on land could have on the coastal marine area. It includes objectives, general policies and methods that apply across the coastal environment as a whole, including the landward and seaward extent of the coast. The relevant objectives and policies of the Proposed Coastal Plan are:

- **Objective 1, Policy 2 and Policy 3**: Integrated management of the coastal environment and the adoption of a precautionary approach.
- **Objective 2 and Policy 5:** Appropriate use and development in the coastal environment, having regard to criteria in Policy 5 (a)-(j).
- **Objective 3, Policy 6 and Policy 7:** Existing activities and infrastructure.
- **Objective 6:** Natural character of the coastal environment is preserved and protected from inappropriate use and development, and is restored where appropriate.
  - **Policy 1a:** Areas identified as having outstanding natural character.
  - **Policy 4:** Extent and characteristics of the coastal environment.
  - **Policy 8:** Protect the visual quality and the physical, ecological and cultural integrity of areas of outstanding value, including areas identified in Schedule 2 that have outstanding natural character, by avoiding adverse effects of activities on their values and characteristics.
  - **Policy 9:** Protect natural character and natural features and landscapes not identified in Schedule 2 by avoiding significant adverse effects and avoiding, remedying or mitigating other adverse effects having regard to the criteria in (i)-(viii).
  - **Policy 10:** Restoration of natural character, particularly in relation to dunes, estuaries, coastal wetlands, coastal indigenous vegetation cover and habitats, ecological corridors, coastal water quality and land.

- **Objective 8:** Indigenous biodiversity in the coastal environment is maintained and enhanced and areas of significant indigenous biodiversity in the coastal environment are protected.
  - **Policy 14:** Protect areas of significant indigenous biodiversity in the coastal environment and maintain and enhance indigenous biodiversity by avoiding adverse effects on areas set out in (a)(i)-(vi) and avoiding significant adverse effects and voiding, remedying and mitigating other adverse effects of activities on areas set out in (b)(i)(vi).
  - **Policy 14A:** maintenance and enhancement of indigenous biodiversity generally in the coastal environment.
  - **Policy 14B:** Taonga species.
- **Objective 9 and 10, and Policy 16:** Traditional and continuing relationships of tangata whenua and their cultures and traditions with the coastal environment, including the role of tangata whenua as kaitiaki, are recognised and provided for. Treaty of Waitangi principles are taken into account in the management of the coastal environment.
- **Objective 11 and Policy 15**: Historic heritage in the coastal environment is protected from inappropriate use and development.
- **Objective 12, Policy 17, Policy 18 and Policy 19**: Public use and enjoyment of the coastal environment, including amenity values, surf breaks, traditional practices and public access to and within the coastal environment, is maintained and enhanced.
- **Objective 13, Policy 20, and Policy 21**: Coastal hazard risk and public health and safety; avoidance of increasing coastal hazard or public safety risks, and natural hazard defences.

The Proposed Regional Coastal Plan includes the following areas of outstanding natural character in Schedule 2, which are located in the New Plymouth District:

- ONC 1 Parininihi (unmodified diverse habitats comprising intact coastal forest, stream and dune systems, and offshore reefs, spectacular coastal white cliffs, and a marine reserve which provide exceptional and unique biotic and abiotic values along an unmodified and wild section of coastline).
- ONC 2 Mimi Estuary (relatively unmodified estuary, sandspit, dune and river mouth processes, important habitat, providing exceptional biophysical value and high scenic associations).
- ONC 3 Paritūtū, Ngā Motu (Sugar Loaf Islands) and Tapuae (a relatively unmodified seascape that includes volcanic islands and subtidal formations which provide exceptional biophysical values and very high wild and scenic associations).

The Proposed Regional Coastal Plan also includes surf breaks of national and regional significance identified in Schedule 7A, which should be protected from the adverse effects of other activities, and to which public access should be maintained and enhanced, in accordance with Policy 17(b) and 18(c), and 19 of the Proposed Coastal Plan. The Waiwhaikaiho Reef surfbreak is nationally significant, and there are a number of surfbreaks of regional significance concentrated near New Plymouth, Oakura, Bell Block and Waitara.

Also relevant to the Coastal Environment, the Proposed Regional Coastal Plan includes Significant Species and ecosystems (Schedule 4A), Archaeological sites of significance

and historic areas (Schedule 5A), Sites of significance to Māori and associated values (Schedule 5B), and Coastal sites with significant amenity values (Schedule 6).

3.4.4 Operative Regional Coastal Plan (1997)

The Operative Regional Coastal Plan contains a number of objectives, policies and rules that recognise and provide for different coastal processes, natural values and uses of the Coastal Marine Area. It also recognises and provides for the preservation of the natural character of the coastal marine area, protection of the natural character from inappropriate use and development, and restoration of the natural character where appropriate.

3.5 Iwi Environmental Management Plans

For the purposes of the District Plan Review, Iwi Environmental Management Plans must be taken into account under Section 74 (2A) of the RMA. The following Iwi Environment Management Plans have been considered:

3.5.1 Taiao, Taiora: An Iwi Environmental Management Plan for the Taranaki Iwi Rohe (2018) (lodged with Council):

- Taiao, Taiora identifies that natural hazards such as flooding and erosion are becoming an increasing threat because of climate change, likely to affect the iwi's resources and land, and their health and wellbeing. Taranaki Iwi do not support development that will result in people and structures unnecessarily put at risk from natural hazards in areas susceptible to natural hazards, especially coastal areas and flood prone areas. They identify that marae and pā need to be aware of natural hazards in their area to be prepared in the event of a disaster.
- Taiao, Taiora details the historical and customary occupation and cultivation of land near the shore, including the fishing, harvesting and managing of mahinga kai, and how central the coast was and is to daily life for iwi and hapū. However, land confiscations and events following, including more modern fishing techniques and activities such as drilling, mining and discharges have degraded taonga species and mahinga kai: *Human actions have and are degrading the mouri of Tangaroa-ki-Tai in the Taranaki Iwi rohe*. Recreational uses such as surfing, and associated traffic and other impacts are also of concern. There are a number of objectives and policies that are relevant to Coastal Environment topic in Section 11.4 of Taiao, Taiora.

3.5.2 Ngāti Mutanga Iwi Environmental Management Plan (draft provided; still under revision):

- For the purposes of this plan, Ngāti Mutunga consider the coastal environment extends inland to include landward features within 1km of MHWS and to tidal reaches up rivers. The plan notes that land use has a strong impact on coastal processes, so neither the coast nor the land should be considered in isolation. A large "Takutai/Coast" chapter is contained within the plan, with numerous policies and objectives, including the following overarching objective:
- To:
  - provide for the relationship between Ngāti Mutunga and the coast;
  - ensure that the coast is managed in an integrated way which recognises the cultural values of Ngāti Mutunga and the impacts of land use on coastal areas; and

- ensure that coastal resources are restored and protected.

- In relation to coastal hazards, the plan seeks to avoid development in natural hazard areas, and to recognise the role that natural features have in mitigating potential hazards. It anticipates storms becoming more frequent and powerful, sea level rise and increasing coastal erosion. This erosion endangers many sites of significance and may make it harder for the iwi to access mahinga kai.

3.5.3 Te Kotahitanga o Te Atiawa, 2019, Tai Whenua, Tai Tangata, Tai Ao: Te Atiawa Iwi Environmental Management Plan (draft provided; still under revision).

- This plan states "Prior to confiscation, the entire coastline from Te Rau o Te Huia to Herekawe Stream was critical to everyday life. Te Atiawa occupied, cultivated, harvested, fished and gathered kai here and buried our tūpuna. Today, the coastal waters, species and habitats have been degraded by inappropriate use and development. As kaitiaki, we have the responsibility to look after the coastal environment for current and future generations."
- The "Te Tai o Tangaroa – Coastal and Marine Environment" section of the plan identifies many issues, and contains many objectives and policies relating to the coast.
- Considers the impacts of climate change.

3.5.4 The Maniapoto Iwi Environmental Management Plan (Ko Tā Maniapoto Mahere Taiao) (2016) (Under revision).

- "Part 17.0 - Coastal and Marine Environment" of this plan identifies a number of issues and contains a number of objectives and policies.

3.6 Statutory Acknowledgements

The four coastal iwi with rohe in the New Plymouth District have settled their Treaty of Waitangi claims with deeds of settlement signed between the Iwi and the Crown (Taranaki Iwi in 2015, Ngāti Tama in 2007, Te Atiawa in 2012, and Ngāti Mutunga in 2005). As part of the deed of settlement are statutory acknowledgements, which are to be included as appendices in the District Plan. The purpose of statutory acknowledgements is:

- To require consent authorities, the Environment Court, and Heritage New Zealand to have regard to the statutory acknowledgements in its decision-making;
- To require relevant consent authorities to forward summaries of resource consent applications for activities within, adjacent to, or impacting directly on relevant statutory areas to the governance entity;
- To enable the governance entity and any member of the Iwi to cite the statutory acknowledgements as evidence of the association of the Iwi with the relevant statutory area.

The statutory acknowledgements for the particular cultural, spiritual, historical and traditional association of the iwi with the sites and areas include many parts of the coastal environment and river mouths. For example, Taranaki Iwi Statutory Acknowledgements include Taranaki Iwi Coastal Marine Area, Okato Coast Marginal Strip and a number of rivers and streams including the river or stream mouths. Ngāti Tama Statutory Acknowledgements include the Te Tau Ihu coastal marine area, and Ngāti Mutunga have Statutory Acknowledgements for the Mimi-Pukearuhe Coast Marginal Strip, Waitoetoe Beach Recreation Reserve, Mimi Scenic Reserve, and Urenui

and Onaero Rivers including the river mouths. Te Atiawa Statutory acknowledgements include 20 rivers and the coastal marine area from Herekawe Stream to Onaero River.

These statutory acknowledgements have been taken into account in the evaluation below.

3.7 Other Legislation and Policy Documents

There are many New Zealand statutes and policy documents relating to coastal management. Those relevant to this report are outlined below, and further instruments are listed in Appendix 1 for background context.

3.7.1 Building Act 2004

In addition to the RMA responsibilities, District Councils have responsibilities relating to natural hazards under the Building Act 2004. In the Building Act, a Natural Hazard includes "erosion (including coastal erosion), falling debris (including soil, rock, snow, and ice), subsidence, inundation (including flooding, overland flow, storm surge, tidal effects, and ponding), and slippage". The Building Act definition differs slights from the RMA definition.

Section 71(1) of the Building Act requires councils to refuse consent for building work if the land is subject to one or more natural hazards, or if the building work will accelerate or worsen the adverse effects because of the natural hazard on that land or other property. However, section 71(2) need not apply if an applicant can satisfy the Council that the land and building will be protected from the hazard. In these cases, under Section 72 of the Building Act, where the Council approves consent for building work on land subject to a natural hazard, it must impose a condition on the building consent and notify the Director-General of Land, resulting in a notation being placed on the Certificate of Title that the hazards exist. This process ensures Councill's indemnity when granting consent to build on land subject to a natural hazard.

The Building Act also requires new buildings to meet the performance requirements of the Building Code, including to protect against hazards such as flooding.

3.7.2 Civil Defence Emergency Management Act 2002

This Act provides the framework for pre and post action surrounding a natural hazard event, and complements the responsibilities in other legislation. A key feature of its implementation is establishment of Civil Defence Emergency Management (CDEM) groups in each region with representatives from the Regional Council, District Council, Police, Fire Serve and Health Services.

3.7.3 New Plymouth District Strategic Framework

The vision for the New Plymouth Strategic Framework is Building a Lifestyle capital (He Whakatutu Haupu Rawa Hei Ahua Noho). The community outcomes this will achieve are: Putting people first (Aroha kit e Tangata), Caring for our place (Manaaki whenua, manaaki tangata, haere whakamua) and Supporting a prosperous community (Awhi mai, Wahi atu, tatou katoa).

3.7.4 The New Plymouth District Blueprint

The New Plymouth District Blueprint first adopted in June 2015 is a 30-year spatial plan that provides eight key directions for Council. The following key directions are relevant to coastal environment:

- Environment – Enhance the natural environment with biodiversity links and clean waterways. This seeks to develop linkages with existing open spaces and walking and cycling transportation networks to build on the potential of the Taranaki Traverse (which includes extending the Coastal Walkway to Waitara).

- Citizens – Enable engaged and resilient citizens Proposed District Plan is a key tool in this regard with respect of natural hazards; to reduce vulnerability risk, to increase the communities' resilience to disasters, and the effects of disasters, and encouraging connectedness and well-being.

3.7.5 New Plymouth Coastal Strategy (2006)

NPDC's Coastal Strategy is a non-statutory document developed by Council to guide future development and change in the District's coastal environment. It integrates local community knowledge of their landscape and their vision for its future and provides a map for change (2006 to 2026) to allow fulfilment of these community visions. As a strategic document, it guides many of the Council's functions and other management documents (such as the District Plan, Long-term Council Community Plans, Asset Management Plans and financial planning). One of the key strategic directions identified in the strategy is to:

"avoid hazard areas, protect natural buffers and take a sustainable approach to hazards and risk to create more informed resilient and secure coastal communities"

3.7.6 New Plymouth District Council Coastal Erosion Strategy (1995)

The Coastal Erosion Strategy considers eight specified settlements susceptible to coastal erosion and identifies courses of action in respect of erosion management at each area (Tongaporutu, Urenui, Onaero Beach, Onaero Township, Waitara Foreshore, Bell Block Beach, Fitzroy Beach, and Oakura Beach). Options include removal of gabion baskets in disrepair, planting and dune reshaping, relocation of Council owned buildings, alternative locations for boat launches, determinations that only significant roads will be considered for hard protection structures, no action (allow Aeolian/windblown landscape feature), areas where hard protection structures will and will not be considered (as a last resort), and monitoring. In this document, the Council expressly declares that only significant public assets along the District's coastline will qualify for possible protection.

3.7.7 Local Government Act 2002

Under the Local Government Act 2002 (LGA 2002) District Councils must have particular regard to the contribution that the core service of "the avoidance or mitigation of natural hazards" make to their communities. In preparing its Long Term Plan (LTP), the District Council plans its activities (expenditure) over a 10 year planning horizon. This includes financial strategies for asset management planning (i.e. what the expected capital expenditure for network infrastructure, flood protection and flood control works is to maintain existing levels of service). Through the LTP and asset management planning process, the Council decides what level of natural hazard

protection their assets are to provide (in the case of flood protection and erosion control works) or what level of event they are to withstand (in the case of network infrastructure).

Further relevant legislation and regulations that have been considered in preparing the Proposed Plan provisions for Coastal Environment are outlined in **Appendix 1**.

4 Context, Research and Trends

4.1 Operative District Plan Approach

4.1.1 Context

The Operative District Plan considers that natural character may be adversely affected by inappropriate subdivision use and development through intensified urbanisation (resulting in more built structures), loss of vegetation or landform alteration, and identifies areas within the District potentially affected by these issues. Natural character of the coastal environment is primarily addressed within the Management Strategy, under Natural Values, Issue 14: Adverse effects of subdivision, use and development on the natural character of the coastal environment, wetlands, lakes and rivers and their margins.

The Operative Plan also identifies beach erosion, cliff and shoreline retreat, and inundation of low-lying areas as natural hazards that have the potential to adversely affect the New Plymouth District. It recognises that natural ecological systems can prevent or reduce the effects of a natural hazard, and that increased human activity (such as inappropriately located stormwater outlets, the development and dredging of Port Taranaki and increased human activity in coastal areas) has contributed to hazard problems. The Management Strategy addresses coastal hazards under Natural Hazards, Issue 12: Actual and potential adverse effects of natural hazards on people, property and the environment.

4.1.2 Plan Changes

Plan Change 27

Plan Change 27: Changes to Subdivision and Land Use Provisions relating to maintaining Rural Character (PLC10/00027) is relevant to activities occurring in the rural and/or coastal environment. It became operative in January 2012. This Plan Change amended the subdivision and land-use provisions relating to maintaining rural character in the Rural Environment Area. This introduced a strengthened policy context under Issue 4 and related objectives, policies and associated rules to control the scale, location, density and design of land use and subdivision in the Rural Environment Area, which includes the majority of land in the CPA.

The main change to the subdivision provisions for the rural environment was increasing the remaining balance lot from 4ha to 20ha. This Plan Change also introduced a (non-regulatory) Rural Design Guide to help guide subdivision and other development in rural areas. The guide contains specific reference to coastal and river mouths which "represent diverse ecologically sensitive landscapes and include cliff areas and sandy/rocky beaches", and states that:

Subdivision and development in sensitive landscapes require careful planning, smart architectural design and skillful choice of building materials, colour and landscaping to make best use of the important resource and limit the environmental effects on these highly valued landscapes. Generally, development would be expected to be of a lower density and design guidance will apply to a greater degree. Development near or adjacent to these sensitive landscapes should take into account the special landscape values present and respond considerately. Further information on sensitive landscapes is included in the District Plan.

This Plan Change was part of the wider Rural Review. Plan Change C: Landscape Areas, which identified the need for tighter controls, was also part of this wider review but was not progressed due to resourcing and priorities.

Plan Change 36

Plan Change 36: Realignment of the Oakura Urban Viewshaft and Coastal Policy Area Overlays along Messenger Terrace (PLC12/00036) became operative in June 2014. It ensures that public views and natural character values in Oakura continue to be protected following the proposed road stopping on the seaward side of Messenger Terrace, realigning the Oakura Urban Viewshaft and Coastal Policy Area Overlays accordingly.

4.1.3 Operative District Plan Provisions

Management Strategy

The Operative District Plan contains the following relevant 'Management Strategy' for the coast:

The objectives and policies relating to the preservation and enhancement of the natural character of the coastal environment are primarily delivered through the Coastal Policy Area (based on the criteria set out in Appendix 2 of the Operative Plan), and Significant Coastal Areas (as set out in Appendix 20 of the Operative NPDP).

- Objective 14 - To preserve and enhance the natural character of the coastal environment, wetlands, and lakes and rivers and their margins.
- Policy 14.1 The natural character of the coastal environment should not be adversely affected by inappropriate subdivision, use or development and should, where practicable, be restored and rehabilitated.
- The objectives and policies relating to adverse effects of coastal hazards on people, property and the environment are delivered through the Coastal Hazard Area (CHA).
- Objective 12 - To avoid or mitigate any actual or potential adverse effects of natural hazards on people, property and the environment.
- Policy 12.1 - Subdivision, land use and development should be designed and located to avoid or mitigate the adverse effects of natural hazards on human life, property, infrastructure and the environment.
- Policy 12.2 - The ability of natural features and systems to provide a defence against natural hazards should be recognised and the integrity of these features and systems protected where appropriate.
- Objective 13 - To ensure that land use activities do not increase the likelihood or magnitude of natural hazard events.

- Policy 13.1 - Subdivision, development and other land uses should not result in aggravation of natural hazards.
- Policy 13.2 - Works designed to protect infrastructure, development, land and other assets from natural hazards will only be allowed where they are the best practicable option and should be designed and located so as to avoid adverse effects on other environmental values.

The Operative Plan defines the 'coastal environment' as an environment in which the coast is a significant part or element, varying from place to place depending on the extent to which is affected by coastal processes.

Coastal Policy Area

The NPDP identifies a 'Coastal Policy Area' (CPA) on planning maps. The CPA was identified to give effect to the New Zealand Coastal Policy Statement (1994) which placed an emphasis on landscapes, seascape and land forms, and characteristics of special spiritual, historical or significance to Māori, and significant places or areas of historical and cultural significance.

The CPA is defined in the operative plan as *"that area of land within the coastal environment, excluding the coastal marine area, where the council considers it is appropriate to control activities to avoid adverse effects on natural character. It is identified on the planning maps as that area of land on and seaward of the coastal policy area line."*

In addition, the Operative Plan refers to the RPS for Taranaki (1994) in determining the natural character of the coastal environment, which includes the following matters to consider (in addition to the criteria set out in Appendix 2 to the Operative Plan):

- The degree of modification from a natural state.
- Amenity values, with particular emphasis on aural and visual amenity.
- The functioning of ecological and physical processes.
- The natural quality of water and air, natural biodiversity and productivity and the intrinsic value of ecosystems.
- The degree of integration of human use, development and subdivision with the above components.

The Operative Plan contains the following rules applying to the CPA:

- Subdivision - Fully Discretionary Activity (requirement for esplanade strip);
- Buildings - Messenger Terrace (coastal character);
- Structures and earthworks - permitted unless they result in erosion/scour/adverse disturbance or modification of dune/wetland/estuarine ecosystem.

Significant Coastal Areas

The Operative NPDP also identifies 'Significant Coastal Areas'. These areas are identified in Appendix 20 of the Operative Plan as *"those areas where natural character constitutes an important component of the sustainable management of the coastal environment; especially those areas where the landwater interaction is the greatest".*

The identified Significant Coastal Areas were based on those areas identified as Coastal Management A and B Areas within the Regional Coastal Plan for Taranaki (1997), as follows:

- Mohakatino River mouth
- Tongaporutu River mouth
- Mimi River mouth
- Urenui River mouth
- Onaero River mouth
- Waitara River mouth
- Waiongana Stream mouth
- Waiwhakaiho River mouth
- Sugar Loaf Islands (Ngā Motu)
- Oakura River mouth

The Operative NPDP shows Significant Coastal Areas for information and advocacy purposes only, identified to encourage the rehabilitation and restoration of the natural character of the coastal environment.

Coastal Hazard Area

The Operative District Plan definition for Coastal Hazard Area (CHA) is: "*that area of land within the coastal environment, excluding the coastal marine area, where the Council considers it is appropriate to control activities to avoid the adverse effects of erosion, sea level rise and other coastal hazards on development within the next 100 years. Coastal Hazard Areas are identified on the planning maps as Hazards Coastal (H1).*"

The Operative Plan provisions are based on technical reports completed by the Taranaki Catchment Commission (TCC) in 1987/88, and while they reflect historic rates of sea-level rise they do not incorporate the predicted future sea-level rise rate acceleration adjustment. New modelling shows that the width of the old coastal hazard zone was about right and has withstood the test of time.

Developments consented within the CHA under the Operative District Plan have been supported by site specific scientific information.

The Operative Plan contains the following rules applying to the CHA:

- Subdivision - Fully Discretionary Activity (requirement for esplanade strip);
- Buildings - Restricted Discretionary;
- Structures and earthworks - permitted unless they result in erosion/scour/adverse disturbance or modification of dune/wetland/estuarine ecosystem;
- Hazardous facilities rule.

4.2 Other Methods

Methods outside the District Plan used to preserve the natural character of the coastal environment as listed in the Operative Plan are:

- Encourage enhancement of the natural character of 'Significant Coastal Areas' in line with proposed management options.

- Support Taranaki Regional Council's use of voluntary property plans.
- Provide information and technical advice for the protection of natural character of the coastal environment in conjunction with Taranaki Regional Council, Taranaki Tree Trust and the Department of Conservation.
- Consider incentives to encourage protection and enhancement of natural character.
- Promote community awareness of the importance of, threats to, and protection of natural character.
- Council planting of esplanade reserves and other public open space areas.
- Promote establishing community care groups.
- Formulate design guides to encourage consideration of natural character in development of land within the coastal environment.

The Council also applies a number of other methods to manage the risk of natural hazards. These include:

- The use of Section 73 of the Building Act in relation to the construction of buildings within identified hazard areas.
- Placing any known hazard information on LIMs and PIMs.
- Education and community conservation efforts, such as in relation to the retention of coastal dunes as a natural barrier against coastal erosion.
- Supporting a Civil Defence response for hazards such as tsunami, hurricanes, windstorms and any other hazards requiring a response.

4.3 State of the Environment

4.3.1 Coastal values

The natural character, landscape and associated values of New Plymouth's long coastline make a significant contribution to the region's distinctive and unique character:

- Natural coastal processes, marine life and ecosystems including indigenous flora and fauna (including those distinctive to the Taranaki coast) and indigenous biodiversity values.
- Coastal landscapes, areas of forest, shrub land, open space and farmland.
- Surf breaks.
- Wāhi tapu and other sites of spiritual or cultural significance to Māori, and places or areas with special historical, scientific, ecological or other heritage values.
- Recreational, open space and other amenity values that also contribute to the natural character of the coastal environment.

The Coastal Strategy (2006) identifies all of these values as important to the community. Natural character includes a wide range of landscape, cultural, amenity and biodiversity values which contribute to people's quality of life, enjoyment and appreciation of the environment.

The coastal environment offers an extensive and important recreational resource for fishing, diving, swimming, surfing, windsurfing, walking, and boating, including important ongoing temporary events such as the Easter Masters Surfing Championships. Generally, the public has very good access to most parts of the coast.

The coast is also important for the tourism industry, including the Coastal Walkway which is a key tourism attraction for the District.

The Taranaki State of the Environment Report (2015) states that the rugged nature of the Taranaki coastal environment means much of the coastal area has retained its distinct natural character. Dominated by cliffs and boulder reefs, the coastline is exposed to the west, with high energy wave and wind conditions. It also includes river mouths, estuaries and Taranaki's famous black sand beaches. More detail on the relevant coastal values[1] can be found in the Proposed Coastal Plan for Taranaki Schedules, outlined in Section 3.4.3.

Predominantly, the degree of modification by land use determines the natural character remaining in the coastal environment. The district's coastline is mostly rural, intersected with urban centres. Development in New Plymouth's urban area has resulted in extensive coastal modification through reclamation, urban and commercial development and development of Port Taranaki. Other smaller coastal settlements with modified natural character include Tongaporutu, Urenui, Onaero, Waitara, Bell Block, and Oakura.

In recent years, the district has had an increase in urban growth and subdivision along the coast, resulting in modification. Trends include:

- Increased property investment within existing settlements near the coast.
- An increase in demand for holiday homes near the coast.
- Increasing numbers of "lifestyle" and rural developments in the coastal environment.

The later trend was particularly noticeable prior to Plan Change 27, adopted in 2012, when rules for development and subdivision in the rural environment were generally more permissive. It was reported that a lack of District Plan rules in coastal areas is/was resulting in adverse impacts on coastal natural character. In her report: Landscape Assessment and Assessment of Coastal Strategy Actions (2010), Landscape Architect, Mary Buckland notes[2] that:

The Coastal Policy Area has no specific requirements for subdivision and is treated the same as the wider rural area, except that there is a requirement for an esplanade strip regardless of lot size.

When addressing the Coastal Strategy Actions, Ms Buckland stated that:

It can be seen that in some places in New Plymouth new subdivisions and individual dwellings have been allowed in inappropriate locations in rural areas between existing coastal settlements in the Coastal Policy Area.

[1] Proposed Regional Coastal Plan: Significant Species and ecosystems (Schedule 4A); Archaeological sites of significance and historic areas (Schedule 5A); Sites of significance to Māori and associated values (Schedule 5B); Coastal sites with significant amenity values (Schedule 6); and Surf breaks of national and regional significance (Schedule 7A).

[2] New Plymouth District Council Rural Review: Landscape Assessment and Assessment of Coastal Strategy Actions (2010), prepared for New Plymouth District Council by Mary Buckland, Landscape Architect.

The report provides numerous examples of where buildings/houses have been insensitively located in the landscape, thereby creating adverse impacts on coastal character. This was further confirmed by the BlueMarble Landscape Review[3].

The District's coast is important in terms of our rich culture and history and was subject to early settlement by Māori. Sites and Areas of Significance to Māori (SASM) and archaeological sites are concentrated at the coast, including pa, canoe landing sites, urupā, battle sites, burial grounds, and areas that formed part of a complex defence network both before and after Europeans arrived here. The Council has worked with iwi and hapū to map cultural and heritage sites, with verified sites included in the Proposed District Plan. A number of SASM have been and are subject to natural coastal processes that has led to their loss and degradation. This loss of cultural heritage is a key concern for tangata whenua.

The District's natural coastal biodiversity has changed as a result of human activities. However the District is still biologically diverse and has species unique to the area, providing important social, recreational and cultural values. In particular, tangata whenua have a unique traditional relationship with indigenous vegetation, fauna and habitat. Tangata whenua identify as kaitiaki of the coast. However, the Operative Plan offers limited opportunities for tangata whenua to actively play a kaitiaki role in coastal management.

As part of the Significant Natural Area (SNA) review, the Council engaged Wildlands Consultants Limited (Wildlands) to do a desktop analysis of indigenous vegetation in the District. This analysis identified a large SNA recognising coastal vegetation along the length of the coast (excluding areas already protected or in public ownership).

4.3.2 Coastal Hazards

Updating hazard information

The coastal hazard information relied on by the Council has not been up-dated since the late 1980s and did not consider the impact of sea level rise. The current District Plan hazard line is based on the TCC 1987/88 assessment and during the 30 year interim since that science was completed the reference shoreline has moved landward by up to 30m.

In 2016 and 2017 the Council commissioned Tonkin and Taylor to undertake two separate studies relating to coastal inundation (flooding) and coastal erosion (see Appendix 2 and Appendix 3). The Tonkin and Taylor studies consider climate change scenarios (RCPs[4]), and how these might impact on coastal hazards in the district over the next 100 years. Historic sea-level rise in New Zealand has averaged 1.7 ± 0.1 mm/year, and climate change is predicted to accelerate this rate of sea level rise into the future.

[3] Bain, R. (BlueMarble) (February 2016, Amended 1/7/2018) New Plymouth District Plan Review Coastal Policy Area

[4] The IPCC Assessment Report 5 (IPCC, 2014) provides a range of sea level rise predictions for various future emission scenarios known as Representative Concentration Pathways (RCPs). RCPs representative a possible range of radiative forcing values in the year 2100 relative to pre-industrial values (+2.6, +4.5, +6.0, and +8.5 W/m2, respectively). RCP2.6 represents a 'low emission' scenario, RCP 4.5 and 6.0 represent emission stabilisation (at around 2100) scenarios and RCP8.5 represents a scenario of increasing greenhouse gas emissions over time.

Hazard Management

The New Plymouth District's l00km long coastline comprises approximately:

- 71 km of eroding cliff shoreline, at the northern end of the district (north of Turangi Road/Motunui). This is mainly sedimentary siltstone, 'papa' rock, which forms a series of uplifted marine terraces and cliffs. There are few offshore reefs along the sedimentary coast, with sand dominating the nearshore and intersecting the cliff. There is limited estuary and sand dune development within the infilled river and stream valleys.
- 29 km of non-consolidated shoreline (west of Motunui) is primarily of volcanic origin. There are several geological formations resulting from mud or debris flows (lahars) as well as debris avalanches and alluvial deposits associated with volcanic activity. The lahars extend out into the ocean like fingers, creating a series of reefs, which create many of our regions surf breaks. The coastline is irregular with small stretches of mixed sand and gravel or cobble beaches and reefs. At a few locations (e.g. Oakura and Fitzroy), rivers and stream valleys, deltas and other barrier type features have enabled formation of sandy pocket or ribbon beaches, with limited sand dunes. Southern areas are currently experiencing accretion due to slips in the upper Hangatahua (Stony) River catchment (on Mt Taranaki) bringing millions of cubic metres of sand to the coast, which is then distributed in a northern direction via longshore drift.[5]

The Council manages coastal reserves and associated assets located at and near the coast, carrying out the following coastal hazard management in the district[6]:

- Coastal protection works– 8 kms.
- Sand dune management:
  - Plantings (4.2 kms), and
  - Sand push ups (Oakura, Waitara and Urenui beaches).

The following sections of the district's coastline are protected by hard protection works (i.e, seawalls):

- Oakura Beach – 100m
- Oakura Rivermouth - 289m
- Lee Breakwater to Te Henui – 3,575m
- Te Henui to East End – 570m
- Fitzroy Beach – 166m
- Waiwhakaiho River Mouth – 590m
- Bell Block Beach – 725m
- Waitara River mouth – 685m
- Onaero Beach - 220m
- Onaero domain – 63m
- Urenui domain – 625m
- Tongaporutu – 200m

[5] Tonkin and Taylor (July 2019) First pass Coastal Erosion Assessment and Identification of High Risk Areas

[6] Coastal Management - structures & dunes & river straightening - costs fact sheet, prepared by NPDC Parks, 9 August 2017, ECM 7496883

Council sand dune plantings have successfully established at:

- Greenwood Road - 680m
- Ahuahu Road – 560m
- Between Ahuahu and Oakura Beach - 1,140m
- Between East End and Fitzroy SLSC – 386m
- Fitzroy SLSC to Waiwhakaiho groyne – 940m
- Waitara East Beach – 480m

Private protection is funded and paid for by coastal landowners and exists at:

- Oakura in front of Messenger Terrace properties
- Port Taranaki
- New Plymouth foreshore between Queen Street and Kawaroa Park protecting rail line – Kiwi Rail
- Bell Block east of Wills Road
- Onaero 11A Motukari Place and 30 Onaero Beach Road
- Wai-iti Beach campground

Requests for protection have recently been made for Onaero Beach, Onaero Motor Camp, Urenui Beach and the Rahotu Block (Waitara) where localised erosion affecting property is of concern:

- Urenui west end of beach – a half tide wall has been installed, this structure has an anticipated life of five years. This structure was part funded by the local community.
- Onaero Beach – in front of Council reserve (Motukari Place Reserve). An incision rock revetment has been installed which provides partial protection of the coastline. Ongoing discussions have been occurring between the Council and members of the Onaero community regarding the potential for a targeted rate to enable Onaero residents to fund a consented future seawall.
- Onaero Motor Camp – active dune management and managed retreat are proposed.
- Rahotu Block – Council is working with trustees regarding future options for the coast (work involving Council's Iwi Relationships Team).

Coastal Inundation

Some low lying areas in the district have been subject to isolated incidents of coastal flooding associated with extreme weather events. While the coast is susceptible to storm driven coastal inundation (flooding) resulting from a combination of high tide, storm surge and variation of sea level rise and wave set up, the Tonkin and Taylor study[7] concluded that widespread impacts were unlikely.

Using a high sea-level rise prediction (RCP8.5) only a few areas were susceptible to inundation. These included:

- Oakura: limited impact on urban areas but more extensive flooding adjacent the Oakura River mouth.
- Urban New Plymouth:

[7] Tonkin and Taylor (November 2016) New Plymouth District Plan Review: Coastal Management

  - Ngamotu Beach and Port Taranaki;
  - Puke Ariki Landing and northern Brougham St with flood water flowing back up the Huatoki Stream and onto adjacent land;
  - East End Reserve and Lower Strandon with water flowing up the Henui Stream;
  - Fitzroy behind the foredunes, and a large area around the Waiwhakaiho River.
- Bell Block (limited exposure).
- Waiongana, Onaero and Urenui River mouths.
- Large areas along the Waitara River banks would be impacted, however the presence of the stopbanks mitigates the flooding risk. The assessment modelled and mapped the flooding risk based on two scenarios: with and without stopbanks.

The Tonkin and Taylor assessment was finalised in 2016, prior to the MfE guidance[8] being released. Modelling was based on both present day and future sea levels at 2065 (50 years) and 2115 (100 years) timeframes based on a range of sea level rise scenarios, extrapolating from past rates of sea level and including various IPCC future emission scenarios. The assessment did not extend the full 100km length of the district's coastline, being limited to the areas with available topographical data (Oakura to Waitara, and Onaero and Urenui). Therefore, northern settlements on low lying river mouths such as Tongaporutu and Mohakatino which may be prone to coastal flooding are not included in the analysis and may warrant further study in the future.

The Tonkin and Taylor coastal inundation report[9] identifies that the risk posed by coastal inundation hazard is dependent not only on the likelihood of an event occurring but also to the consequence of such an event. For coastal inundation, hazard to pedestrians and people in vehicles from flowing water, and damage to structures once flows exceed certain depths were identified as possible consequences. This poses both safety and financial risks.

The modelling completed by Tonkin and Taylor shows an inundation depth for a coastal water level of 4.1m TVD-70, which is (approximately) the most extreme water level for a 100 yr ARI event to 2115 with a high emission sea level rise scenario. The mapping enables assessment of flooding consequences and risk, and shows generally little significant flooding (<0.5m depth) of urban areas, except for Waitara under the scenario excluding the stopbanks.

C*oastal Erosion*

Coastal erosion is when the shoreline retreats, whether temporarily or permanently. A natural process, the coast recedes or advances depending on sediment supply, climate and ocean conditions. Erosion becomes a hazard when it threatens people's activities or settlements or other things they value.

Beaches and cliffs respond differently to erosion. The rate of susceptibility along the district's coastline varies, depending on the underlying geology. Beaches can move inland and dune systems can provide some protection against erosion. Large amounts of sand and gravel sediment, such as when a slip in the upper Stony River catchment resulted in millions of cubic metres of sand to be deposited in the river mouth, can

[8] Ministry for the Environment (2017); Coastal Hazards and Climate Change Guidance for Local Government

[9] Tonkin and Taylor (November 2016) New Plymouth District Plan Review: Coastal Management, p20

cause beaches to accrete or move outward. However, because there is no natural process to build them up again, cliffs can only erode. The composition of the cliff is important and cliffs made of slit and soft rock are more prone to erosion.

In July 2017 Tonkin and Taylor drafted a high-level district wide assessment of coastal erosion susceptibility. This resulted in a series of erosion susceptibility maps identifying areas potentially exposed to the effects of coastal hazards in three scenarios.

- Areas at immediate threat from short-term erosion, including predicted changes due to storm events, seasonal wave fluctuations cliff stability, and sediment supply within the next few years.
- Areas that could be subject to coastal erosion in the next 100 years, using historic sea level rise figures. This represents future 2120 susceptibility to coastal erosion excluding the effects of projected sea-level rise based on the current existing sea-level rise rates.
- Areas that could be subject to coastal erosion in the next 100 years, using accelerated future sea-level rise figures. This represents future (2120) susceptibility to future erosion including the effect of future effective accelerated sea-level rise of 0.84m to 2120.

This report was updated in 2019 to align with the recently released MfE best practise guidance[10]. In particular, a range of sea level rise scenarios based on RCPs recommended in the MfE guidance were modelled to show coastal responses to different scenarios. In addition, the 2019 Tonkin and Taylor report revised the modelling to 2130 rather than 2120. Figure 1 below shows an example of the coastal erosion modelling, predicting erosion areas under a range of climate change scenarios.

This first pass erosion assessment enabled the identification of areas of the coast potentially susceptible to erosion hazard risk. Comparing these results with the operative CHA shows that the coastal line north of Oakura has a long term trend of erosion, which will increase with future accelerated sea level rise. South of Oakura currently receives sediment supply from the Hangatahua (Stony) River which is transported northwards via longshore drift. The district's southern coastline is less susceptible to erosion.

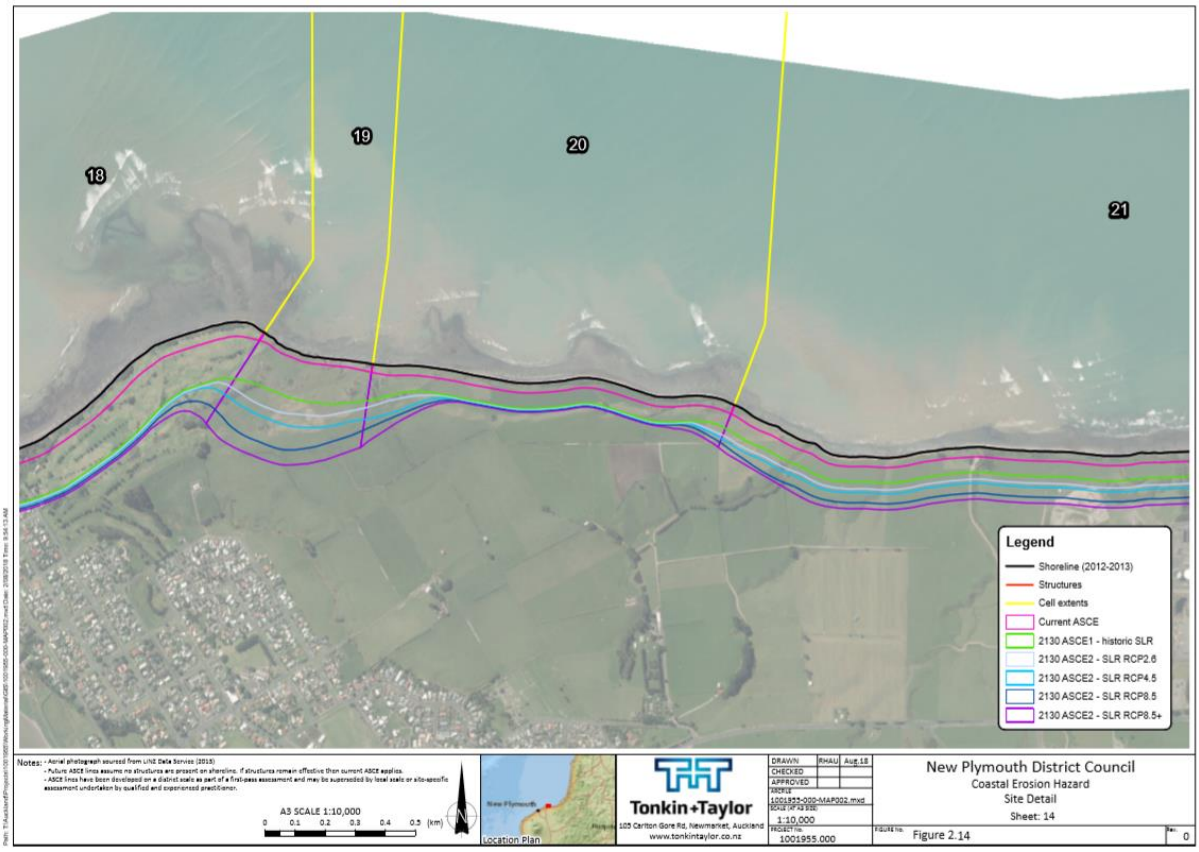
In general, trends show lower erosion values along the south coast and higher values along the central/north coast with the highest values along the Waitara coast and at Whitecliffs. The district-wide coastal erosion assessment shows:

- **Current ASCE**: area currently susceptible to coastal erosion, where there is an immediate threat from short-term erosion due to storm events, seasonal wave fluctuations, cliff stability, and sediment supply within the next few years). The current ASCE modelled ranges in width from 7m (south of Oakura) to 69m (north of Wai-iti) and a much larger local increase to 238m at Whitecliffs (due to their substantially increased elevation compared with the rest of the coast). The current ASCE is shown as the pink line in Figure 1).

[10] Ministry for the Environment (2017); Coastal Hazards and Climate Change Guidance for Local Government.

- **Future ASCE1**: based on historic rates of erosion (without considering climate change and accelerated sea level rise scenarios), the area modelled as susceptible to erosion within the next 100 years ranges in width from 18m (south of Oakura) to 168m along the highly unstable airport cliffs with a larger local increase to 306m at Whitecliffs, as per the green line in Figure 1.
- **Future ASCE2**: incorporating the effects of projected sea level rise under a worse case climate change scenario (RCP8.5+), the area modelled as susceptible to erosion within the next 100 years ranges in width from 23m, up to 340m at the airport and with the Whitecliffs section at 342m, shown by the purple line in Figure 1.

Figure 1: Coastal Erosion modelling, north of Waitara, under a range of climate change scenarios



The science regarding long term Climate Change scenarios is not highly certain. Interacting sources and changes over time mean some aspects of future climate change and its impacts cannot be precisely known for the foreseeable future. This poses challenges for credible and acceptable land use planning.

There is uncertainty as to whether the high level of sea level rise (RCP 8.5+) scenario will ever occur. However because worst-case climate change scenarios *may* occur, the Council must consider areas included in this mapping.

Additionally, the NZCPS directs that the Coastal Environment include areas *potentially* at risk from coastal hazards. It also directs councils to have regard for climate change and prioritise identification of high risk areas over a 100 year timeframe. Therefore, given that both the NZCPS and the MfE guide councils to take a risk-based approach,

focusing on consequences and likelihoods of hazards occurring within a prescribed timeframe for areas subject to hazard risks, it is appropriate to identify areas *likely* and *potentially* affected by hazards over the next 100 years.

While precise determinations of land that will be affected by erosion over the next 100 years is not possible, based on the Tonkin and Taylor district-wide assessment, it is likely that the actual area subject to erosion hazard over the next 100 years will be located somewhere between the area mapped based on historic rates of erosion (the green line), and the area identified under a worse case climate change scenario (purple line), depending on the actual sea level rise that occurs in the future and coastal response to that SLR. [11]

Identification of areas with the highest economic and social risk

Section 6 of the Tonkin and Taylor district-wide assessment identifies high risk areas, with the following identified as being at greatest economic and social risk:

- Oakura, where several multiple dwellings, roading and water infrastructure are potentially susceptible to erosion at the current timeframes, increasing in the future.
- Fitzroy, where current risk to the coastal walkway, surf club, sand dunes and part of the holiday park will increase to include residential properties and additional water and roading infrastructure in the future.
- Belt Road to East End, New Plymouth, where failure or removal of the current seawall would expose a large amount of transport and water infrastructure, residential dwellings, business, parks and heritage areas to hazard.
- Bell Block, where a seawall currently provides some protection but residential dwellings and roading infrastructure may be at future risk.
- Waitara East and West, where residential dwellings, roading and water infrastructure and parts of Marine Park at currently at risk, increasing in the future.
- Motunui, where the Methanex plant may be at risk to future erosion hazard.
- Onaero residential dwellings, roading and water infrastructure currently at risk, increasing in the future.
- Urenui where roading infrastructure, parts of the holiday park and the golf course (if the seawall were to fail) are currently at risk, increasing in the future.

Urban New Plymouth

Section 6 of the Tonkin and Taylor district-wide assessment identifies the New Plymouth settlement as the highest risk area in the district, including risk to significant public assets:

- State Highway 44, Port Taranaki, and the railway, which provide strategic linkages;
- Key water and waste assets (pipes and pump stations); and
- Recreational assets including the Coastal Walkway, holiday parks, swimming pools, skate parks and playgrounds.

[11] Tonkin and Taylor Taylor (July 2019) First pass Coastal Erosion Assessment and Identification of High Risk Areas

However, the hard protection provided by seawalls does reduce this risk and also provides a recreational asset to the community. For the foreseeable future the seawall is considered effective in remedying the coastal erosion hazard.

Onaero

Onaero is identified as the district's first hotspot community for coastal management. Following engagement and feedback on the Draft District Plan, Tonkin and Taylor prepared a detailed erosion assessment for the Onaero settlement. The assessment identified a range of potential erosion hazard distances for current and future timeframes and sea level rise scenarios, using a probabilistic approach. Key findings are:

- The erosion risk is greatest at the locations where the cliffs are highest, and where the historic erosion rates are highest;
- The Current ASCE ranges from 2m to 25m;
- Future ASCE1 (to 2130, with no accelerated sea level rise) ranges from 16m to 56m;
- Future ASCE2 (under RCP8.5+ to 2130) ranges from 29m to 99m.

The assessment notes the structures protecting some parts of the Onaero settlement from erosion. However as with the district-wide assessment, the hazard lines do not take these structures into account, due to the limited design life and consent term of coastal structures compared to the 100 year planning horizon, and the potential that they are not repaired and upgraded and/or consents renewed in the future. Without these protection structures, the seaward extent of Onaero Beach Road, including multiple residential dwellings, would be at risk to future erosion without any sea level rise. The extent of risk increases in scenarios of increased sea level rise.

Other high risk areas

The Council has also identified Waitara East (Rahotu Block) as a hotspot community. More detailed work is required to analyse of the multiple hazards facing Waitara East Beach (impacted by river flooding, coastal flooding and coastal erosion). Once the hazards are better understood, the Council will consider management options, including adaptive pathway planning.

Urenui, Oakura, Bell Block and parts of New Plymouth may also warrant further detailed assessment in the future.

4.3.3 Resource Consent Trends/Data

As part of the District Plan Review, the Council reviewed building and resource consent data to understand trends and the scale of development activity occurring in the Operative District Plan coastal overlay areas. Between 2008 and 2018, a relatively small number of resource consents have been triggered. There were 17 subdivision applications within the CPA (including the CHA); 4 were on Open Space zoned land and 13 were Rural.

Between 2008 and 2018, the number of land use consents in the CPA (including the CHA) has ranged between 2 and 11 per year. However, the number of building consent applications for land within the CPA and CHA overlays was greater, ranging between 6 and 17 per year. Therefore, more development is occurring within the CHA and CPA than is triggering resource consent. This is likely explained by the permissiveness of

the operative rules and implementation issues associated with establishing whether a proposed activity complies with the permitted standards in the rule or whether resource consent is triggered. It is also a result of visual and other effects being assessed at subdivision stage, where the Council's consent process require applicants to determine potential future land use impacts of the subdivision, which are controlled through subdivision and consent notice conditions.

There was a small increase in residential building consents in the CPA from 2014, which demonstrates increasing residential development pressure at the coast. However, this is not accompanied by an increase in resource consents applications in the CPA. This is likely the result of problems with the application of the permitted standards within OL17, and of land use effects being addressed during the preceding subdivision. It is also likely that the increase in building activity was a 'catch up', with the allotments related to these building consents created prior to the rural plan change.

4.4 Effectiveness of the Operative District Plan Approach

The Operative Plan coastal environment provisions are not fully achieving the intended natural character and coastal hazards outcomes. Some inappropriate and insensitive development has occurred in the Coastal Environment due to a lack and/or uncertainty of Operative District Plan controls. This has reduced slightly with the implementation of Plan Change 27. However, without a specific approach, the natural character of the coastal environment is still at risk from inappropriate development and use.

The Operative Plan was prepared under the framework of the NZCPS, RPS and Regional Coastal Plan which have since been superseded (or in the process of being superceded). Additionally, since the Operative Plan was prepared, understanding of coastal process and the implications of allowing development in areas susceptible to natural hazards has increased, including the potential and likely impacts of climate change.

Some Operative Plan rules are ambiguous, open to interpretation and difficult for Council officers to enforce. For example, Rule OL17 permits structures, excavation and filling in the CPA if it *"does not result in adverse disturbance, modification or destruction of dune, wetland or estuarine ecosystems"*. The current objective and policy framework is also inconsistent with the NZCPS 2010.

The Operative Plan is also not directive enough in managing coastal hazards and their potential impacts on people and property. For example, OL11 also permits structures, excavation and filling in the CHA if it *"does not result in adverse disturbance, modification or destruction of dune, wetland or estuarine ecosystems"*. While the management strategy does refer to climate change and the potential for sea level rise, the rule and the assessment criteria do not specify this consideration. Development in the CHA is assessed as Restricted Discretionary Activity which is not consistent with the NZCPS precautionary approach to managing the risks of coastal hazards, including the effects of climate change. It is also not consistent with MfE guidance (2017) on managing coastal hazards and climate change.

The following issues have been identified in assessing the effectiveness of the Operative District Plan:

Issue	Comment	Response
Issue 1: No specific objective, policy framework or rules for the coastal environment.	The coastal provisions of the current plan are in multiple locations and lack a strategic approach to coastal management. The current provisions are not directive and the plan is silent on the range of values relevant to coastal management. The current plan goes not give effect to the NZCPS, and does not implement the National Planning Standards or best practice guidance.	Development of a strategic approach to coastal management with a clear objective and policy framework.
Issue 2: Identification and management of Coastal Policy Area is not best practice and does not give effect to higher order documents.	The CPA is mostly based on landscape values and does not take into the wider requirements of the NZCPS, including identification of ecological, cultural, and other values.	Refine the Coastal Environment boundary to give effect to the NZCPS (2010), align it with best practice and the current state of the environment. Apply appropriate controls to the Coastal Policy Area.
Issue 3: Identification of coastal hazards lacks a risk based approach	Coastal erosion information has not been up-dated since the late 1980s and coastal flooding hazard is not included in the current plan. The current plan does not take a risk based approach to coastal hazards and does not consider the implications of climate change.	Use updated coastal erosion and flooding science, including modelling and mapping, to inform overlays and provisions. Inclusion of a risk based approach to managing coastal hazards.
Issue 4: No specific provision for Tangata whenua as kaitiaki	The CPA does not require, or even encourage, engagement with tangata whenua or the ability for kaitiakitanga to occur, due to the restricted matters of discretion that are to be assessed.	Identify Tangata whenua as kaitiaki of the coast, and require engagement in coastal development.

4.5 Effectiveness of Other Methods

As discussed in Section 4.2, there are other methods used to preserve the natural character of the coastal environment, ranging from the provision of information and technical advice, to the promotion of natural character to enhance community awareness. These have generally assisted understanding of natural character and protection of associated values.

There is a strong level of public interest in protecting and managing the natural character of the coastal environment as evidenced in the community feedback on the Coastal Strategy (2006). In addition, the Rural Design Guidelines prepared as part of the Rural Review Project have increased consideration of the coastal environment and

river mouths as ecologically sensitive landscapes in throughout the resource consent process.

A number of projects undertaken have enhanced the district's coastal biodiversity and natural character values, with work being carried out by central, regional and local government, and proactive community groups. As outlined in the Section 32 Indigenous Biodiversity Report, the following other methods are being effectively implemented to complement the regulatory approaches of Regional and District Plans:

- Biodiversity Strategy for the Taranaki Regional Council (February 2017) to maintain a full range of indigenous ecosystems and species *"from the mountain to the ocean depths".*
- NPDC's Coastal Reserves Management Plan (2006) which includes a sinking lid policy, allowing no further permanent structures and the requirement to remove all permanent structures within specified timeframes.
- NPDC Parks operations and habitat management on Council owned reserve land.
- Project Mounga, a collaborate project involving DOC, iwi, the NEXT Foundation and the local community including the Council, involving pest eradication and reintroduction of species, which includes off-shore islands.
- Wild for Taranaki, Restore Taranaki, and Predator Free Taranaki - collaborative initiatives, including central government support, linking existing initiatives, and connecting local people and communities across the entire region to protect and enhance native biodiversity in a range of ecosystems.
- The Ngā Motu Marine Reserve Society, made up of locals who are interested in the study and preservation of local coastal and marine areas, concerned with marine reserves, protection of marine life, scientific study of marine life on the Taranaki coast, and community awareness of the coastal environment by education.
- Citizen science: Project Hotspot, Curious Minds, Taranaki Conservationists, Dotterel Defenders, and others.

The use of Section 73 of the Building Act is a highly effective method of allowing landowners to develop residential dwellings in a hazard prone area at their own risk, within specified circumstances. The Council is indemnified of liability when granting consent to build on land subject to a natural hazard.

CDEM Taranaki also plays a vital role in supporting the community in emergencies. This includes education on preparedness, ongoing research into hazards relevant to the District (such as CDEM (October 2018) Taranaki Lifelines Vulnerability Study), and responding during and after civil defence emergencies to keep people safe, effectively mitigating many of the effects of Natural Hazards.

4.6 Other Relevant Research/Documents

The research and documents used to inform the evaluation of the effectiveness of the Operative District Plan and review coastal environment provisions are listed below (and mentioned where relevant throughout this report):

Bain, R. (BlueMarble) (February 2016, Amended 1/7/2018) New Plymouth District Plan Review Coastal Policy Area

Goodier, C. (2012, updated 2017) 'Taranaki Tsunami Inundation Analysis'; Hawke's Bay Regional Council

Mana Whenua Mana Moana (2006) Position Paper by Mana Whenua Reference Group Kaitiaki o Ngāti Tama, Ngāti Mutunga, Te Ātiawa, Ngā Mahanga-a-Tairi for the New Plymouth Coastal Strategy

Tonkin and Taylor (July 2019) First pass Coastal Erosion Assessment and Identification of High Risk Areas

Tonkin and Taylor (November 2016) New Plymouth District Plan Review: Coastal Management

Tonkin and Taylor (July 2019) New Plymouth Coastal Erosion Assessment: Detailed Assessment for Onaero

Taranaki CDEM (October 2017) Civil Defence Emergency Management Group Plan for Taranaki 2018 – 2023

Taranaki Regional Council (2015) "TARANAKI AS ONE—Taranaki Tāngata Tū Tahi: State of the Environment Report 2015"

Taranaki Regional Council (November 2015); Regional landscape study of the Taranaki coastal environment - Review of the Regional Coastal Plan for Taranaki.

CDEM (October 2018) Taranaki Lifelines Vulnerability Study

Ministry for the Environment (2017); Coastal Hazards and Climate Change Guidance for Local Government

Consideration has been given to national current best-practice, with a review of the Partially Operative Auckland Unitary Plan, Kapiti Coast District Plan; and Dunedin City 2G Plan. The Proposed New Plymouth District Plan will be one of the first e-Plans in New Zealand, and one of the first District Plans under the NPS.

5 Consultation

The District Plan review process included extensive consultation with key stakeholders and the local community. Refer to the General Overview Section 32 Report for details on the methods used in consultation.

5.1 General Consultation

Council received comments on various iterations of the Coastal Environment chapter of the Draft District Plan from Port Taranaki, Transpower, Federated Farmers, and various community members. Beach Walks and Talks were also held with the community. The key themes arising in consultation are listed below:

- The objective and policy framework needs to give effect to the NZCPS.
- Need to recognise activities with a functional requirement to be located in the coastal environment, including the Port, which has limited ability to minimise its prominence or visibility.

- Need to recognise existing farming activities in the coastal environment.
- Need to achieve appropriate balance between the NZCPS and NPSET.
- A key theme in feedback from the general community was a call for greater protection of the coastal environment and a need to restore and protect indigenous habitats from future development.

5.1.1 Beach Walk and Talks

In February 2018, Council officers held a series of beach field days at Waitara, Onaero and Oakura to explain the findings of the Tonkin and Taylor reports on coastal flooding and coastal erosion. Report author, Dr Tom Shand, explained the hazards present at each beach, including changes since the last coastal hazard assessment in the late 1980s. A Council planner explained the proposed district planning controls relating to properties identified in the new 100 year coastal erosion hazard or in the coastal flooding hazard area. Feedback was site specific:

5.1.2 Onaero

- Residents debated use of the generic district-wide model, which did not take into account a 2013 specific coastal erosion assessment the Council conducted in relation to a seawall.
- Residents requested the Council fund the entire low-level sea wall to protect properties at a high risk of falling into the sea within the next 20 years.
- Residents expressed concern about the impact of the new coastal hazard line on the saleability of their properties, and the future value of these properties if the sea wall is not built.
- Residents were concerned at the lack of Council maintenance on the current sea wall.

5.1.3 Waitara

- Residents were concerned about the impact of the hazard line on their properties, especially the implications of the coastal flooding.
- Residents also questioned the accuracy of the Flood Plain data.

5.1.4 Oakura

- Residents asked questions around the level of sand present, and the expected length of the current trend of accretion.
- Residents were also concerned about their ability to renew consents for private sea walls.

5.1.5 Comments received in response to the Draft District Plan

The following comments were received in relation to the Natural Hazards Chapter (coastal hazards were in the Natural Hazards Chapter in the Draft District Plan):

- 13 comments (12 from Onaero and one from Oakura) related to coastal erosion. Onaero residents queried the accuracy of the coastal hazard line, requesting that Council fund and construct a seawall to protect their properties through the Long Term Plan. Oakura residents commented on sand levels at the beach, asserting that a privately owned and funded seawall had improved the state of the beach.

- A general comment from a planning consultant about the rules relating to expanding existing activities involving the use and storage of hazardous substances.
- Comments from TRC relating to consistency between Regional and District Plans, integrated management, hard protection structures, other legislation and functions (Building Act 2004 and CDEM Act 2002), and subdivision.
- Comments from Federated Farmers relating to the practical requirements of farming.
- Comments from CDEM Taranaki, including statutory requirements and legislative changes, requesting a wider range of hazards be identified (including landslide and tsunami), and providing a list of known reference material.
- Comments from Climate Justice Taranaki encouraging greater consideration of climate change.
- Comments from infrastructure providers (including Powerco, Trustpower and Radio New Zealand) regarding existing utilities in hazard areas and relating to the functional requirement for infrastructure to be located in hazard areas.
- Comments from Oil and Gas organisations about hazardous substances in natural hazard areas.
- Comments from the Department of Conservation and the Ngā Motu Marine Reserve Society, related to the NZCPS.
- A comment from a planning consultant regarding subdivision in hazard areas.

In response to the comments relating to the accuracy of the coastal hazard line in Onaero, the Council contracted Tonkin and Taylor to do a detailed assessment of the 100 year coastal hazard line in Onaero. Dr Shand shared this science in a further Beach Walk and Talk session at Onaero on 3 May 2019.

Feedback related to Council's funding of a seawall at Onaero are not a direct District Plan matter. However, Council officers have met with the Onaero Foreshore Protection Society Inc. and are trying to support the community in their coastal management issues. The District Plan process will run alongside these issues to ensure consistency.

The proposed Coastal Erosion Hazard Area and Coastal Flooding Hazard Area are the same as those in Draft District Plan. Although there has been no further direct engagement, the consultation on the Draft Digital District Plan was widespread.

5.2 Consultation with Iwi Authorities

Iwi Authorities engaged throughout the review of the District Plan via a specific and mandated Ngā Kaitiaki forum. Some Iwi Authorities elected to devolve this position to hapū.

Ngā Kaitiaki provided a positions paper for Coastal Management for the District Plan Review (June 2016), principally focused on the recognition of cultural values and engagement of tangata whenua in the management of the coastal environment. It identified the special relationship tangata whenua have with the coastal environment that focused not only on the traditional, cultural and heritage values of the land, but most importantly on the role of tangata whenua as kaitiaki and overall guardians of the coast.

The paper noted that the Operative District Plan does not recognise the role of Māori as kaitiaki and the existing CPA only encompasses some of the cultural features and values that Māori associate with the Coastal Environment. It also noted that use of a Restricted Discretionary activity status for resource consent processes for activities within the CPA and CHA limits the ability for tangata whenua to be identified as affected parties and participate in the process, and that active participation is essential to enable kaitiaki in resource management.

Ngā Kaitiaki also raised the issue of development of Māori land, stating that flexibility should be included in the provisions so that they do not restrict tangata whenua needs for papakāinga, marae and associated development within the coastal environment.

6 Key Resource Management Issues

The key resource management issues for the coastal environment are:

- Protecting natural character and key coastal values: The natural character of the coastal environment and the associated open space, public access, ecological, historical and cultural values are adversely affected by inappropriate subdivision use and development and through intensified use (urban and rural).
- Tangata whenua relationship: Tangata whenua are not able to exercise their kaitiaki role in the coastal environment.
- Natural Hazards: There are significant risks to people and property from coastal hazards, which are difficult to predict with certainty, and may be acerbated by climate change.
- Alignment with higher order documents and updated information relating to coastal hazards and coastal values.

7 Proposed District Plan Provisions (Objectives, Policies and Methods/Rules)

The proposed provisions are set out in the Coastal Environment section of the Proposed New Plymouth District Plan. These provisions should be referred to in conjunction with this evaluation report.

7.1 Strategic Objectives

The applicability/relevance of all the proposed Strategic Objectives will need to be considered for all development proposals requiring resource consent under the Proposed District Plan. Of particular relevance to Coastal Environment provisions are the following proposed Strategic Objectives:

NE-4 The district's natural environment contributes to our district's sense of place and identity and is recognised and provided for.

NE-5 A well-functioning and resilient natural environment is sustained that provides for the social, economic and cultural well-being of communities and for the needs of future generations.

NE-6 An integrated management approach is taken where land use activities impact on waterbodies and coastal environment, in collaboration with government, councils and tangata whenua

NE-7 Tangata whenua are able to exercise their customary responsibilities as mana whenua and kaitiaki in the protection and management of the natural environment.

TW-8 Tangata whenua actively participate in resource management processes.

TW-9 Recognise that only tangata whenua can identify impacts on their relationship with their culture, traditions, ancestral lands, waterbodies, sites, areas and landscapes and other taonga of significance to Māori.

TW-10 Tangata whenua are able to protect, develop and use Māori Land in a way which is consistent with their culture and traditions and their social and economic aspirations.

TW-11 Provide for the relationship of tangata whenua with their culture, traditions, ancestral lands, waterbodies, sites, areas and landscapes and other taonga of significance to Māori.

TW-12 Recognise the contribution that tangata whenua and their relationship with their culture, traditions, ancestral lands, waterbodies, sites, areas and landscapes, and other taonga of significance make to the district's identity and sense of belonging.

7.2 National Planning Standards

The proposed objectives and policies align with National Planning Standards in providing a one stop shop for coastal provisions. The planning standards direct that provisions for Hazardous Substances, Public Access, Ecosystems and Indigenous Biodiversity, and Outstanding Natural Landscapes and Features are contained in separate standalone chapters. Provisions for earthworks and subdivision, as they pertain to the Coastal Environment are located in the Coastal Environment Chapter. The overview of the proposed Coastal Environment chapter states that the Natural Hazards chapter contains additional objectives and policies relating to natural hazards, which are also relevant to coastal hazards.

7.3 Proposed Provisions

In summary, the proposed Coastal Environment objectives and policies identify, recognise and preserve coastal natural character, landscape, historic, cultural and ecological values by:

- Managing the scale, location and design of activities.
- Avoiding activities that are considered incompatible due to being likely to adversely affect coastal values and/or will be vulnerable to risks from coastal hazards.
- Ensuring activities are appropriately located.
- Only allowing hard protection structures under certain circumstances.
- Requiring activities to minimise any adverse landscape, biodiversity, visual and amenity effects.
- Requiring esplanade strips or reserves through subdivision.
- Ensuring opportunities exist for tangata whenua to exercise kaitiakitanga in the coastal environment, and taking into account the outcomes of consultation with mandated tangata whenua.
- Encouraging restoration and rehabilitation of coastal values.

The proposed objectives and Policies seek to recognise, avoid, remedy and mitigate the significant risks of natural hazards on the environment, people and property, by:

- Managing activities based on sensitivity to hazards, with consideration of the likelihood and consequences.
- Restricting certain activities in identified hazard areas.
- Controlling the design and location of activities to minimise exposure to risk.
- Encouraging the use of natural defences against natural hazards.
- Requiring consideration of:
  - Technical expert inputs
  - Level of exposure of people to risk, and minimising exposure
  - Climate change
  - Cumulative effects
  - Functioning of natural systems
  - Whether activities are relocatable, should adaption be required
  - Monitoring
  - Adaptive management planning to find sustainable, long-term solutions

The Coastal Environment includes areas of Outstanding Natural Character (which are predominantly located seaward of MHWS), and the natural hazards managed within the Coastal Environment. These are all shown on the e-Plan as overlays, in accordance with the Planning Standards. The following coastal areas are identified as overlays on the planning maps:

- Coastal Environment;
- Areas of Outstanding Natural Character (detailed in SCHED10 – Schedule of Outstanding Natural Character Areas);
- Coastal Erosion Hazard Area; and
- Coastal Flooding Hazard Area.

The Coastal Flooding Hazard Area and Coastal Erosion Hazard Areas are subsets of the Coastal Environment. If a site is within the hazard area, it is also in the Coastal Environment:

7.4 Rules

The following table summarises the overall approach and rule response to these three management areas:

Management area	Approach	Rule Response
Coastal Environment	Small scale activities permitted Larger scale activities require consent More rules in rural area Tangata whenua as kaitiaki - consultation if resource consent required	• Manage building activities - rural and open space zones, and Messenger Terrace (Oakura) • Earthworks - rural and open space zones only • Indigenous vegetation clearance - rural zone only • Allow port activities • Manage network utilities, hard protection structures, multi-unit development, industrial and large scale activities, and subdivision • Avoid (non-complying): quarries, petroleum exploration and production, large-scale renewable electricity generation; hazard sensitive activities; hazardous facilities
Coastal Erosion Hazard Area	Precautionary approach to new development	• Alterations and accessory buildings may be permitted, depending on design • Resource consent for most activities • Avoid subdivision and multi-unit development (non-complying)
Coastal Flooding Hazard Area	Manage floor levels Encourage relocatable buildings Avoid impacting flood water	• Buildings may be permitted, depending on design • Resource consent required for new network utilities and subdivision

The Coastal Environment rules are the principal tool to address the management of coastal natural character and other values. More rules apply to rural and open space zoned areas where:

- Natural coastal character remains to a greater extent than modified and more intensively developed urban areas.
- There is a significant amount of undeveloped land.
- Properties typically have options for locating activities back from the coast.

Therefore, the level of protection proposed matches the degree of modification. For example, urban areas will be able to absorb subdivision more readily than a rural area bound by sand dunes. The Coastal Environment also includes provision for sea level rise, and identifies areas which may *potentially* be affected by erosion to 2130. However, outside the hazard areas there are very few restrictions proposed for existing or smaller scale activities; rules are focused on restricting large scale and sensitive activities. Furthermore, the overlay has a function of alerting landowners to the potential for coastal hazards, should a worse-case climate change scenario play out, with accelerated sea level rise.

To manage coastal hazards, the proposed plan takes a flexible risk-based approach based on updated science. This approach differs for new and existing development taking:

- A risk management approach to significant existing development and infrastructure; and
- A risk reduction (including avoidance where appropriate) approach to new development.

The proposed plan takes a precautionary approach to development in the Coastal Erosion Hazard Area. For example, subdivision of land and multi-unit developments would require a resource consent with Non-Complying activity status.

On advice from Tonkin and Taylor in areas included on district planning maps that are subject to coastal inundation would require resource consent for building a house (excluding sheds or garages) if the house is located in the coastal flooding hazard and is below 4m Taranaki Vertical Datum. This approach is precautionary and enables more specific studies to be undertaken to ensure development does not increase the risk of hazards on the property itself or on surrounding properties.

At the Port's request, the hazard overlays are not applied in the Port area. It is assumed that the existing structures within the port mitigate the risk of coastal erosion to zero, and that the Port is responsible for maintenance and upgrade of these structures to manage their coastal hazard risk. Instead Port activities will be regulated by the Special Purpose Port Zone. However, the Port is within the Coastal Environment, and should activities there trigger resource consent under the Special Purpose Port Zone, then the Coastal Environment objectives and policies would be relevant. This is reflected in Rule CE-R7 which states that activities permitted under all relevant rules in the Port Zone and Precinct are a permitted activity under the Coastal Environment rules; and where not permitted in the port zone, shall be assessed as a Fully Discretionary Activity under the Coastal Environment rules.

Definitions:

The Proposed Plan contains a number of definitions. Those particularly relevant to the Coastal Environment are as follows:

Adaptive Pathway Approach: is a planning strategy that includes triggers and decision points to address natural hazards and accelerated sea level rise as it actually occurs to 2130.

Coastal Environment: is the area mapped and identified as the Coastal Environment, the extent of which is based on:

- Areas where coastal processes, influences or qualities are significant;
- Elements and features that contribute to the natural character, landscape, visual qualities or amenity values;
- Areas along the coast and river mouths where coastal erosion and coastal inundation is likely, and where there is a potential hazard risk over the next 100 years should accelerated sea level rise occur;
- Cultural and historic heritage areas or features;
- Areas of significant coastal vegetation and habitat of indigenous coastal species; and/or

- The built environment and infrastructure which have modified the coastal environment.

Coastal Erosion Hazard Area: is the area mapped and identified as the Coastal Erosion Hazard Area, which shows the areas that are considered to be at the highest risk of erosion over a 100 year timeframe, based on historic rates of sea level rise.

Coastal Flooding Hazard Area: is the area mapped and identified as the Coastal Flooding Hazard Area which spatially identifies the modelled extent of land subject to inundation in an event with a one percent probability of being exceeded in any year (1% AEP) with an allowance for sea level rise to the year 2115. The sea level rise value is based on a scenario of increasing greenhouse gas emissions over time referred to as IPCC Representative Concentration Pathways (RCP) 8.5.

Customary Activities: is the use of land and/or buildings for traditional Māori activities and includes making and/or creating customary goods, textiles and art, medicinal gathering, waka ama, Kingatanga events (Poukai), management and activities that recognise and provide for the special relationship between tangata whenua and places of customary importance.

Hazard Sensitive Activities: are activities that are particularly vulnerable to exposure to a significant risk of damage from one or more identified natural hazard areas, including:

- Major healthcare activities and facilities;
- Medical and health service activities;
- Emergency service facilities;
- Educational facilities; and
- Community facilities.

Operational need: is the need for a proposal or activity to traverse, locate or operate in a particular environment because of technical, logistical or operational characteristics or constraints.

7.5 Identification and Mapping of the Coastal Environment

7.5.1 Coastal Environment Overlay

A number of inputs have fed into the Council's identification and mapping of the Coastal Environment, with the inland boundary being determined by the most landward of the various inputs, outlined below.

Natural Character:
An assessment was undertaken by Richard Bain, Landscape Architect at BlueMarble to review and determine the location and extent of the CPA in line with the NZCPS criteria, best practice and in line with the methodology used to identify the coastal environment for the South Taranaki District Plan Review. The landscape review gave particular consideration to Policy 1(2)(c) of the NZCPS "where coastal processes, influences or qualities are significant" and Policy 1(2)(f) of the NZCPS "elements and features that contribute to the natural character, landscape, visual qualities or amenity values".

In the Proposed District Plan, the extent of the Coastal Environment has been revised to reflect the BlueMarble recommendations, including:

- Landscape values, the presence of geological landforms which are the result of the processes of marine erosion or deposition, indigenous flora commonly

associated with the coastal environment (noting that biodiversity values have also had input from ecologists carrying out a review of Significant Natural Areas for the Proposed Plan), and coastal reserves.

- Coastal areas identified as Outstanding Natural Character (ONC) and Outstanding Natural Features and Landscapes (ONFL), as identified in the Regional Landscape Study[12].
- The 35 sites from the "Inventory of coastal areas of local or regional significance in the Taranaki Region, 2004". These sites are no longer included as significant in the Proposed Regional Coastal Plan for Taranaki; however BlueMarble consider these areas remain sufficiently high in coastal character to be included within the Coastal Environment.
- Areas of high natural character, which are not mapped, but are described in Table 1 of the BlueMarble report.
- Where the coast is no longer predominant landscape characteristic, with a lack of obvious or definable coastal characteristics, the 100m distance from Mean High Water Springs, used by South Taranaki District Council was adopted. BlueMarble's review notes that while 100m may appear to be an arbitrary distance, in his experience it provides an approximate sufficient distance for the user of a coastal landscape to feel removed from the predominant coastal experience, and that the 100m is only used whereby no other inland boundaries are present. This is also appropriate in terms of regional consistency.

Natural Hazards

Policy 1(2)(d) of the NZCPS directs that areas at risk from coastal hazards are within the extent of the coastal environment. Unlike Policy 1(2)(c) which limits the extent consideration to where processes, influences or qualities are significant, Policy 1(2)(d) has no limiter; rather a separate policy guides the identification of coastal hazards. Policy 24 tells us to identify areas *potentially* at risk of coastal hazards, including the potential impact of climate change, and to give priority to areas at highest risk (*likely)*, over at least 100 years.

In accordance with the MfE 2017 guidance, Tonkin and Taylor have provided predictions for coastal erosion rates modelled on a range of sea level rise scenarios, as shown in Figure 2 below. Careful consideration has been given to which scenarios represent 'likely' and 'potential' erosion areas.

[12] Taranaki Regional Council (November 2015); Regional landscape study of the Taranaki coastal environment - Review of the Regional Coastal Plan for Taranaki.

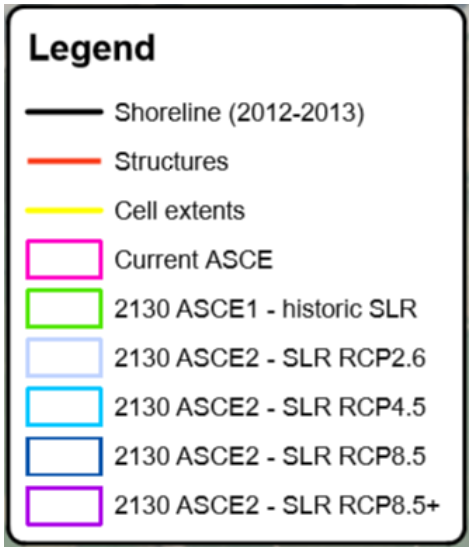


Figure 2: Coastal Erosion scenarios mapped in Tonkin and Taylor expert report (2019)

Note:

ASCE: Area susceptible to erosion

Current ASCE: Area currently susceptible, at immediate threat from short-term erosion due to storm events, seasonal wave fluctuations, cliff stability, and sediment supply within the next few years.

2130 ASCE1 – historic SLR: area susceptible excluding the effects of projected sea-level rise

2130 ASCE2: area susceptible including the effect of future projected sea-level rise (under 4 RCP scenarios)

The approach taken in mapping the coastal overlays in the Proposed Plan, is to use the green line on the maps to map the Coastal Erosion Hazard Area (representing *likely*), and the purple line (worst-case scenario) for Coastal Environment (*potential*).

The Coastal Environment also includes all land identified by Tonkin and Taylor (2016) under the RCP8.5 scenario for the Coastal Flooding Hazard Overlay.

Under the Operative District Plan, the CPA does not extend far inland in urban areas, primarily due to the focus of the CPA being natural character, and the degree of modification of urban areas. However, under the Proposed Plan, the Coastal Environment will extend further inland in urban areas, to identify the future 100 year potential erosion hazard risk.

Areas of indigenous vegetation

As previously stated, as part of the Significant Natural Area (SNA) review, the Council engaged Wildlands (ecologists) to carry out desktop analysis of indigenous vegetation in the District, and in terms of coastal vegetation, they identified a large LSNA (Likely SNA) which ran the length of the coast. After discussions with experts from DOC and the TRC, it was decided that the identification of such a large area was inaccurate, that there were no known records to support the inclusion of this area, and it would be very inefficient to field check this large area. Instead an approach of having a general vegetation clearance rule within the Coastal Environment was considered preferable. In identifying and mapping the Coastal Environment, the vegetation identified through the desktop assessment as 'coastal LSNA' was included.

The Proposed Regional Coastal Plan for Taranaki includes Schedules of Significant species and ecosystems (Threatened, At Risk and Regionally Distinctive Species, and Rare and uncommon ecosystem types found on the Taranaki coast). It also contains a schedule of Coastal taonga species, which is still under development, but may be useful to plan administrators once completed.

Recognising cultural and historical coastal values

As already stated, there is a concentration of SASMs and archaeological sites at the coast, and the Council has undertaken a large project with iwi and an archaeologist to better map and understand the cultural and heritage values of all sites including those

concentrated at the coast. Many more sites will be protected in the Proposed District Plan. This is detailed in other Section 32 Reports (SASMs and Historic Heritage) and the sites are proposed to be well protected by the rules in the SASM and Heritage chapters. However, in identifying and mapping the Coastal Environment, where any identified SASMs or archaeological sites are mapped which straddle the other coastal layer inputs, these sites are included within the extent of the Coastal Environment.

The Proposed Regional Coastal Plan for Taranaki includes schedules for Historic Heritage (Archaeological sites of significance and historic areas and Sites of significance to Māori and associated values). These were considered in the mapping of the Coastal Environment for the Proposed District Plan. There is some alignment between NPDC and the coastal plan sites; however the Proposed Regional Coastal Plan states that the listed sites are not intended to provide a definitive location or extent of a site, whereas the NPDC identification has resulted in data that is considered more robust in this regard. It is envisaged that prior to decisions being made on the Regional Coastal Plan, NPDC and Ngā Kaitiaki will be in a position to share this data with TRC, so that the Coastal Environment in the District Plan and the Regional Coastal Plan is aligned, to support integrated management of the coast.

Port Taranaki

Port Taranaki is included within the Coastal Environment, in accordance with Policy 1(2)(i) of the NZCPS which recognises physical resources and built facilities, including infrastructure, that have modified the coastal environment.

7.5.2 Coastal Flooding Hazard Area

The Proposed District Plan coastal flooding hazard mapping is based on the climate change scenario RCP8.5, to 2115. It is noted that the settlement with the most properties identified within this mapped area is Waitara, where there are stopbanks and gabion walls which provide some flooding protection. Tonkin and Taylor provided modelling for both scenarios of with and without stopbanks and gabion walls at Waitara. Consideration was given to using RCP8.5+, however, combined with the proposed provisions relating to floor levels, and the effective remedy currently provided by the stopbanks and gabion walls, and given the uncertainties around the longer term effects of climate change, using RCP8.5 scenario is considered conservative.

7.5.3 Coastal Erosion Hazard Area

For the Coastal Erosion Hazard Area, a district-wide approach for mapping applies for the length of our 100km coastline, based on historic erosion trends, except for:

- A deviation from the district wide approach for urban New Plymouth, including Port Taranaki based on an assumption that the Council and the Port will continue to protect the city with the walkway and significant existing development and infrastructure; and
- Reliance on more detailed recent science to inform the location of the overlays for Onaero.

As already stated, the mapped Coastal Erosion Hazard Area identifies areas considered at greatest risk of coastal erosion, to 2130, based on historical measured trends. No accelerated sea level rise scenario is included in the Coastal Erosion Hazard Area due to the current uncertainty associated with global emissions and the associated sea

level rise scenarios. Instead, the uncertainty around climate change and sea level rise is addressed in the Coastal Environment overlay.

Urban New Plymouth

The Tonkin and Taylor scenario modelling was undertaken on the basis of none of the district's current seawalls being in place (except at Port Taranaki, as discussed below), due to the limited design life of coastal structures and the potential for structures to not be maintained, or consents not being renewed. However, consideration of the Councils approach to maintaining these structures into the future is relevant in determining the extent of the coastal erosion hazard, on the basis of identifying where the coastal hazard is likely to occur. A pragmatic approach is proposed for urban New Plymouth, due to the effectiveness of the existing seawall, and the strategic importance of the central city to the district and region. Applying a risk based approach it is recommended that a narrower Coastal Erosion Hazard Area be applied to the planning maps along the urban New Plymouth coastline, based on the current Operative District Plan CHA.

The urban New Plymouth seawall has a dual purpose of providing a recreational asset to the community and protecting communities from the coastal erosion hazard; it is a significant asset and of strategic importance to the region. The mapping of the Coastal Erosion Hazard Area for the proposed plan is based on the key assumption that the Council will commit to this seawall's on-going maintenance so that it remains effective in its role protecting the strategic importance of the central city.

Port Taranaki

Due to the level of modification and hard protection at the Port Tonkin and Taylor did not model erosion hazards at Port Taranaki. The hazard mapping in this location also applies the assumption, in response to feedback from the port that they will manage to this seawall's on-going maintenance so that it remains effective in its role protecting the significant port infrastructure. Rather, activities at the port will be subject to the Special Purpose Port Zone provisions.

Onaero

The Coastal Erosion Hazard Area for the Onaero hotspot area is proposed to be based on the detailed "second pass" assessment[13], and does not recognise an existing or future seawall. If certainty increases (such as the seawall being constructed) then consideration to the presence of the seawall can be given in future planning assessments.

7.5.4 Tsunami

Policy 24 NZCPS requires the identification of areas potentially affected by coastal hazards (including tsunami) giving priority to areas at high risk.

A 2012 report[14] concluded that the overall risk of tsunami in the District is low, however low lying communities including Tongaporutu, Urenui, Onaero and river mouths in

[13] Tonkin and Taylor (November 2018) New Plymouth Coastal Erosion Assessment: Detailed Assessment for Onaero.

[14] Goodier, C. (June 2012 & updated 2017) 'Taranaki Tsunami Inundation Analysis'; Hawke's Bay Regional Council

Waitara, Bell Block, Fitzroy and Oakura are at some risk. While some mapping is available, further modelling would be required to quantify this risk to a level which is necessary to determine land use controls at the individual property level. As the risk is low, and given the cost of further modelling, the tsunami hazard has not been included in the Proposed District Plan.

This follows best practise planning where Auckland Council recently considered risks from events with low probability but high potential impact (e.g. volcanic activity, tsunamis and earthquakes) cannot be addressed through land use planning and may be better addressed through measures put in place by Civil Defence.

8 Approach to Evaluation

The Act requires that this report contain a level of detail that corresponds with the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of this proposal. This section of the RMA requires that:

- New proposals must be examined for their appropriateness in achieving the purpose of the RMA.
- The benefits, costs and risks of new policies and rules on the community, the economy and the environment need to be clearly identified and assessed.
- All advice received from iwi authorities, and the response to this advice, needs to be summarised.
- The analysis must be documented so stakeholders and decision-makers can understand the rationale for policy choices.

8.1 Evaluation of Scale and Significance

	Minor	Low	Medium	High
Degree of change from the Operative Plan			✓	
Effects on matters of national importance.			✓	
Scale of effects – geographically (local, district wide, regional, national)			✓	
Scale of effects on people (how many will be affected – single landowners, multiple landowners, neighbourhoods, the public generally, future generations?)			✓	
Scale of effects on those with specific interests, e.g., Tangata Whenua				✓
Degree of policy risk – does it involve effects that have been considered implicitly or explicitly by higher order documents? Does it involve effects addressed by other standards/commonly accepted best practice?				✓

	Minor	Low	Medium	High
Likelihood of increased costs or restrictions on individuals, communities or businesses.			✓	

8.2 Explanation Summary

- The degree of change from the Operative District Plan is considered medium due to the addition of the Coastal Flooding Hazard provisions, the precautionary approach to development in hazard areas, the consideration of hazards and climate change scenarios within the Coastal Environment identification and mapping, and the shift to a risk-based and activities-based approach.
- Effects on matters of national importance is assessed as medium due to coastal management being relevant under RMA Sections 6(a), (c), (d), (e), (f) and (h). A number of Section 7 (Other matters) are also relevant: Section 7(a), (b), (c), (d), (f), (g), and (i). Furthermore, 19 of the 29 NZCPS policies are particularly relevant to this chapter (as listed in Section 3.3 above).
- Scale of effects – geographically is assessed as medium, due to being relevant to the entire 100km length of the district's coastline.
- Scale of effects on people is also assessed as medium, due to the approximately 1,500 (approximately 1,000 new) properties being identified within the coastal overlays, and the potential impacts on the wider public, communities and future generations, should mismanagement of the coast occur.
- Scale of effects on those with specific interests, e.g., Tangata Whenua is assessed as high. Ngā Kaitiaki have told us coastal management is a key area of interest to them. It is also relevant to Port Taranaki.
- The proposal relates to "*Citizens: Enable engaged and resilient citizens"*, which is a specific key direction in the Blueprint. The District Plan is a key tool to reduce vulnerability to risk, to increase the communities' resilience to disasters, and the effects of disasters, and encouraging connectedness and well-being. It also relates to key direction: "*Enhance the natural environment with biodiversity links and clean waterways."* In addition, the proposal gives effect to the NZCPS and regional planning documents, and considers the latest MfE guidance for Coastal Hazards and Climate Change, Council's Coastal Reserves Management Plan, and Iwi Management Plans.
- Likelihood of increased costs or restrictions on individuals, communities or businesses is assessed as medium. In total approximately 1,500 properties are within the mapped areas, and there will be increased costs to those wishing to develop, in terms of resource consenting. However, in the long-term, it is hoped that the stronger direction of the Proposed District Plan will avoid increasing the risk, so that individuals and communities can make more informed decisions on their investments and adaptation, and avoid burdening future generations with avoidable additional costs.

Overall, it is considered that the scale and significance of the proposal is medium to high. The level of detail in this report corresponds with the scale and significance of the environmental, economic and cultural effects that are anticipated from the implementation of the Coastal Environment provisions.

9 Evaluation of Objectives

Existing Objective(s)	Appropriateness to achieve purpose of the Act
Objective 14 - To preserve and enhance the natural character of the coastal environment, wetlands, and lakes and rivers and their margins. Objective 12 - To avoid or mitigate any actual or potential adverse effects of natural hazards on people, property and the environment. Objective 13 - To ensure that land use activities do not increase the likelihood or magnitude of natural hazard events. Note: These objectives are assessed in the following Section 32 reports: Objective 15 - To protect and enhance outstanding landscapes and regionally significant landscapes within the district (Natural Features and Landscapes). Objective 17 - To protect and enhance outstanding natural features from inappropriate subdivision, use and development (Natural Features and Landscapes). Objective 16 - To sustainably manage, and enhance where practical, indigenous vegetation and habitats (Biodiversity). Objective 18 - To maintain and enhance public access to and along the coast, lakes and rivers (Public Access).	The existing objectives fail to address the resource management issues relevant to the coast as they are not specific to the coastal environment. The objectives focus on the particular subject area (ie: natural character; natural hazards) and are not specific to the particular coastal values (e.g open space, ecological, recreation, historical and cultural values). This piecemeal approach makes it difficult to achieve strategic outcomes for the coastal environment. There is insufficient clarity, direction and guidance to owners and developers, Council officers and decision makers regarding the intended outcomes and specific activities and effects to be managed in relation to the coast. Additionally, this approach does not meet the requirements of the National Planning Standards, the NZCPS direction for strategic management of the coast. The objectives do not specifically identify the importance of the coastal environment to tangata whenua and do not direct their participation. The coastal environment includes numerous SASMs and was a focus of pre-European Maori activity, including canoe landing sites and settlement. The District Plan should recognise and provide for the relationship of Maori and their culture and traditions in respect of the coast. There is also Maori land located in coastal locations that can be difficult to develop due to coastal constraints. Tangata whenua are not able to effectively exercise their kaitaiki role in the coastal environment under the current objectives. The objectives in relation to natural hazards are generally valid in terms of the Council's position and the statutory and policy context. However, they do not recognise the requirement for a risk based approach. They also fail to recognise that the nature of certain activities makes the activity and the people involved more vulnerable to risks. The objectives also not take a long term-view and consider the implications of climate change. Overall, the current provisions have inadequate adequacy of direction/intent around coastal management to be considered appropriate or efficient in achieving the purpose of the Act.

Proposed Objective(s) (Option A)	Appropriateness to achieve the purpose of the Act
CE-01 - The natural character, landscape, historic, cultural and ecological values of the coastal environment are recognised and preserved, and where appropriate enhanced and restored. CE-02 - The adverse effects of activities on the natural character, landscape, historic, cultural and ecological values of the coastal environment are avoided, remedied or mitigated. CE-03 - Tangata whenua values, mātauranga and tikanga are recognised and reflected in resource management processes concerning the coastal environment.	The purpose of the RMA is to promote the sustainable management of natural and physical resources by managing the use, development and protection of physical resources in a way which enables people and communities to provide for their social, economic and cultural well-being. Under Section 6 of the RMA, the following are matters of national importance that the Council must recognise and provide for: (a) the preservation of the natural character of the coastal environment (including the coastal marine area) and its margins and the protection of it from inappropriate subdivision, use and development, and (b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development, and (c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna, and (d) the maintenance and enhancement of public access to and along the coastal marine area, and (e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga, and (f) the protection of historic heritage from inappropriate subdivision, use, and development In addition, under Section 7 of the RMA, the Council must have particular regard to kaitiakitanga, the maintenance and enhancement of amenity values, intrinsic values of ecosystems, maintenance and enhancement of the quality of the environment, and any finite characteristics of natural and physical resources. Objectives CE-O1 and CE-O2 are to recognise and provide for the protection, preservation and enhancement of coastal values, and to protect the coastal environment from inappropriate use and development. Objective CE-O3 is intended to ensure the appropriate recognition of tangata whenua in regards to activities within the Coastal Environment. It requires the engagement of tangata whenua to firstly identify values, and secondly provide input into the management of those areas through resource consent and monitoring processes. This is appropriate under RMA Section 6(e), Policy 2 of the NZCPS, and addresses concerns raised by Ngā Kaitiaki. In relation to coastal values, the proposed objectives are the most appropriate to achieve the purpose of the Act. The objectives will protect the important values of the coast from

	inappropriate activities and ensure that these values are protected, and that public access to and along the coast, with its high recreation, scenic or amenity values will be maintained and enhanced for future generations. They directly address the identified resource management issues and provide certainty to Plan users of the outcomes that are appropriate and expected for the coast under the District Plan framework. These objectives are aligned with best-practice, and considered reasonable and achievable as they are consistent with districts similar to New Plymouth. The objectives will achieve the purpose of the RMA.
CE-04 - The risks to people and property from coastal hazards and climate change are avoided, remedied or mitigated. Note: The proposed Natural Hazards chapter contains the following objectives, which are also relevant to coastal hazards (and cross referenced from the Coastal Environment chapter overview): NH-01 - The risks associated with natural hazards and their impact on people, property and the environment are recognised and avoided or mitigated, including the likely long-term effects of climate change. NH-02 - Activities do not create new or exacerbate existing natural hazards. NH-03 - Activities are designed and located to minimise exposure to a significant risk of damage from natural hazards. NH-04 - Natural defences against natural hazards are protected and restored.	The management of coastal hazards, for sustainable and resilient coastal communities, is relevant to the sustainable management purpose and principles of the RMA. Section 5 of the RMA relates to protecting natural and physical resources to enable people and communities to provide for their social, economic, and cultural well-being and for their health and safety, while meeting the reasonably foreseeable needs of future generations, safeguarding the life-supporting capacity of ecosystems; and avoiding, remedying, or mitigating any adverse effects of activities on the environment (including people and property). Under Section 6 of the RMA, the management of the significant risks from natural hazards is a matter of national importance that the Council must recognise and provide for, and under Section 7(i) the Council must have particular regard to the effects of climate change. The Council's functions under Section 31 include the avoidance or mitigation of natural hazards; and Section 106(1)(a) applies with respect to subdivision of land when there is a significant risk from natural hazards. The NZCPS also provides a strong directive and precautionary framework for coastal hazard management. Objective CE-04 within the Coastal Environment chapter relates to coastal hazard management. It is similar to NH-01, however it acknowledges the specific risk of coastal hazards and climate change, which are of particular concern to the district and this chapter. It is an outcome focused objective. Together this suite of objectives, located in the Coastal Environment and Natural Hazards chapters is consistent with the NZCPS policy framework and is an effective way to meet Council's responsibilities under the RMA in relation to managing the significant risks from coastal hazards.

Evaluation of Alternative Options	Appropriateness to achieve the purpose of the Act
Option B: Maintain the existing planning framework for managing the coastal environment (status quo).	Not taking a risk-based approach to natural hazards fails to protect people, property and the environment from likelihood and consequences of natural hazards occurring and its impact on the environment, including people and property. This would be inconsistent with RMA Section 6(h). Not taking an activities based approach could result in activities involving larger numbers of people, and people more vulnerable to hazards, being exposed to risk. Not requiring consideration of the long term effects of climate change is inconsistent and inappropriate for sustainable management. The status quo does not meet tangata whenua expectations or Council's obligations under RMA Section 6(e).
Option C: Do not define expectations for the Coastal Environment. Remove hazard provisions from the District Plan and rely on other methods, including the Building Act and Building Code, emergency management/civil defence planning and response, infrastructure planning including physical hazard protection works.	This option would hinder decision makers when assessing resource consent applications as they would have little guidance on the expected outcomes in relation to coastal management. It would also fail to properly recognise the natural character and other values of the Coastal Environment and protect them from inappropriate subdivision, use and development. While the Council and other organisations have a role in addressing the risks of natural hazards through other effective methods outside the RMA, not including provisions in the District Plan would be inappropriate given the roles and functions appointed to Council's under the RMA, and appointed to NPDC through the RPS. While it is not the only method, land use planning is a key component in hazard management. Failure to provide a regulatory framework to manage the effects of natural hazards, fails to protect people, property and the environment from the risks and provide for the social, economic, or health and safety of the community. However, having no objective would provide a high level of flexibility for landowners to determine for themselves the level of risk and their willingness to accept, avoid, or mitigate the risks. Overall, this option would mean Council fails to fulfil its statutory obligations under the RMA as it does not ensure the social and economic wellbeing of people, communities and the environment.
Option D: Avoid development in natural hazard areas.	This alternative objective directly relates to avoiding the risks posed by natural hazards, thereby providing for people's health, safety and well-being. The objective sets clear direction for decision–makers that avoidance is the sole method for addressing the risks

	posed by natural hazards. However, avoiding development in hazard prone areas means some land may be limited in its ability to be used and developed in an efficient manner, particularly where the risk from natural hazard may be minimal. Consequently, this objective is not considered the most appropriate in achieving the overall purpose of the RMA of promoting sustainable management of natural and physical resources, including the efficient use and development of land.

Summary

The proposed objectives will achieve the purpose of the RMA as they are clear statements of intent that recognise the values of the Coastal Environment, and provide for the protection of these values from inappropriate subdivision, use and development. The proposed objectives relating to Natural Hazards (in both the Coastal Environment and Natural Hazards chapters) directly address the identified resource management issues to avoid and mitigate the risks posed by natural hazards, thereby providing for people's health, safety and wellbeing. The proposed objectives protect future subdivision and development from being located where it can be damaged or destroyed by hazards such as coastal erosion.

Avoiding or mitigating the risks and adverse effects of natural hazards on people, property and the environment is the preferred option as it achieves the purpose of the Resource Management Act 1991 to promote sustainable management of our natural and physical resources. The nature, likelihood and impacts of different natural hazards vary, and these objectives ensure the risks from natural hazards are avoided or mitigated depending on the circumstances. This approach contributes towards the economic, social and community wellbeing of the District, and is consistent with the policy direction in the Regional Policy Statement. It also provides certainty as to the outcomes that are appropriate under the District Plan provisions.

10 Evaluation of Options to Achieve the Objectives

Options to achieve the District Plan objectives relating to the Coastal Environment	Benefits	Costs	Efficiency and Effectiveness	Risks of acting/not acting
Option A: Proposed approach • Recognising tangata whenua as kaitiaki. • Activities-based approach. • Precautionary risk-based approach. • Planning for a no less than 100 year timeframe. • Updated and more accurately defined Coastal Environment and hazard areas. • More specific controls on removal of coastal indigenous vegetation. • Tighter controls on development in the Coastal Environment. • Recognising that some activities, such as the port and network utilities, may have an operational need to locate in the Coastal Environment.	• Relies on existing available and up to date information on coastal values and hazards. • Coastal values are identified, and protected for present and future generations, adding to community identity, sense of place and enhancing the amenity of the district for residents and visitors. • Plan users and landowners will have reduced costs in the long term (in terms of emergency response) in understanding and complying with the coastal provisions of the plan. • Taking a risk-based approach, requiring technical inputs, will ensure development only occurs when it has been demonstrated as appropriate.	• Costs of consent for landowners proposing activities or development in areas at risk from natural hazards, and where development may impact on coastal values. • Higher costs for landowners and ratepayers involved in obtaining resource consents and associated time/costs/uncertainty associated with more stringent activity status. • Potential impacts on property values and development potential with tighter rules for protection of coastal values and avoiding increasing the risks associated with coastal hazards. This could affect future re-sale of sites in the Coastal Environment. • Potential increase in resource consent	• This approach is effective and efficient as it protects the natural character and other values of the coast from inappropriate subdivision, use and development. The approach is practical and pragmatic ("fit for purpose"). It applies different rules for rural and urban areas, due to the degree of modification to urban coastal areas. • The rules and standards reflect best practice, and provide clarity to plan users about when resource consent would be required. This approach is not considered to be overly restrictive or onerous for landowners. • This approach addresses current issues, by providing a balance	• Approximately 120 properties, which are not currently in an operative hazard zone have been identified as being at risk from coastal flooding. Approximately 80 additional properties have been identified as being at risk of coastal erosion. Approximately 1000 new properties are in the Coastal Environment. The risk of not advising people of the potential coastal hazards is the future impact on them if their safety and properties are at risk of danger. The risk of acting, is that there may be effects on property values and insurability. However these are not considered RMA reasons to not act, because the duty to protect

Options to achieve the District Plan objectives relating to the Coastal Environment	Benefits	Costs	Efficiency and Effectiveness	Risks of acting/not acting
• Identify (map) areas at risk from natural hazard and apply rules requiring resource consent for development. • More provisions in the rural area than urban areas, to reflect the degree of modification of the coast. • More considered activity status, including the use of non-complying. • Adaptive management approach supported to respond to sea level rise.	• Greater certainty for infrastructure about what is appropriate use and development of coastal land. • Activities that are appropriate and that contribute to the values of the coast can occur without the need for resource consent (e.g. customary activities). • Tangata whenua involvement as kaitiaki of the coast, including statutory acknowledgement areas, recognises and provides for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, wahi tapu and other taonga (many of which are located alongside or near the coast) • Maintenance and enhancement of coastal vegetation. • Protects values of the coast.	applications and effects on council (and potentially iwi) resources.	between protection of the various values of the coast and provision for continuation of existing activities. • Taking a precautionary approach to coastal hazards is efficient in the medium to long-term. • Encouraging relocatable buildings in hazard areas is considered an efficient mechanism to allow some activities to occur, on the basis that they may be more easily adapted in the future when it is no longer safe to remain.	communities from harm is important. • There is a risk associated with Council not having carried out targeted engagement with people new to hazard areas. However these provisions will not have immediate legal effect and the risk of not acting is considered to outweigh the risk of acting without the desired engagement occurring prior to notification. • Not acting may mean that coastal values could be degraded or lost; inappropriate use and development may compromise values for present and future generations. • Overall, it is considered that there is sufficient information to act, and that risks of acting outweigh those of not acting.

Options to achieve the District Plan objectives relating to the Coastal Environment	Benefits	Costs	Efficiency and Effectiveness	Risks of acting/not acting
	• Adaptive management approach will encourage developers consideration of future scenarios and future proof development (such as by ensuring buildings are relocatable)			
Option B: Status quo • Coastal policy area primarily focused on natural character • Coastal hazards based on outdated science assessments • Light regulation • Not precautionary • Not risk based • Does not manage coastal inundation hazard • Effects based rules • Restricted matters of discretion due to activity status	• Theoretically reduces exposure to risk to people and property from the impacts of natural hazards. • Provides a trigger to assess the risks and adverse effects of natural hazards on the proposed development, but is not triggered in all appropriate cases. • Areas of coastal value are generally identified. • Flexibility for landowners to develop their land with few compliance costs Minimal restrictions for activities adjacent to the coast leads to greater development potential and flexibility for landowners or	• Identification of coastal areas is not representative of all areas in the district, and is inconsistent with recent available and up to date information, thus limiting the effectiveness of the plan and its implementation. • Minimal restrictions for activities in the Coastal Environment, and associated greater development potential and flexibility for landowners can result in a reduction or loss of important values associated with the coast (cultural and historical values, public access, amenity, recreation, conservation).	• This approach is permissive and does not apply the relevant rules to the coastal values identified as significant in higher order documents. • The continuation of this approach is efficient in that plan users are familiar with the current plan approach, and that there are greater opportunities for developers on sites in the Coastal Environment without restrictions. However, this approach could result in inappropriate activities, resulting in loss of the important coastal values. This option, with a focus only on natural	• The risk of acting on these status quo provisions is that coastal values could be degraded or lost; inappropriate use and development may compromise values for present and future generations. • The current policy framework lacks detail and specific direction on appropriate or inappropriate activities. • The light regulation could lead to inappropriate activities locating in at the coast which adversely affects coastal values and exposes people to risk. • The ineffectiveness of the current planning

Options to achieve the District Plan objectives relating to the Coastal Environment	Benefits	Costs	Efficiency and Effectiveness	Risks of acting/not acting
	developers, and associated economic benefits. • Plan users and landowners are familiar with current coastal provisions, resulting in continuation of existing costs in understanding and complying with the coastal sections of the plan.	• The policy framework lacks detail, direction and certainty and is only focussed on the natural character of the coast. It does not provide direction on what is or is not appropriate at the coast, and could lead to inconsistent decision-making. • Does not preclude hazard sensitive activities locating in high risk areas. • Allows development in areas that may be subject to risk in the future, with associated health, safety and remediation costs to individuals and the community. • Costs on ratepayers to pay for damage from natural hazards events (e.g. emergency response).	character, is no longer considered to be best practice and is not considered to be the most efficient, effective and appropriate option to achieve the objectives. • Over the medium to long term, as coastal hazards continue to move inland and including the potential effects of climate change, adaptation will be required. Continuing with the current approach will lead to more activities locating in the Coastal Environment, which may then need to adapt or relocate, at considerable cost. It may also result in property owners desiring hard protection structures to protect property, which is often only a short-term remedy and is considered an inefficient	framework is demonstrated in Section 4.4, and is no longer considered to be 'best practice'. • It is considered that there is sufficient information to determine that retaining the status quo approach is not appropriate (i.e. there is sufficient information so a low risk of acting).

Options to achieve the District Plan objectives relating to the Coastal Environment	Benefits	Costs	Efficiency and Effectiveness	Risks of acting/not acting
			method to protect people and property.	
Option C: Methods outside the District Plan Including the Building Act and Building Code, emergency management/civil defence planning and response, infrastructure planning including physical hazard protection works.	• Provides flexibility for use of land. • Sharing information increases community preparedness for a natural hazard event. • Avoid duplication of controls between Regional Council and District Councils, as well as where other legislation/regulations may effectively address the risk.	• Cost on ratepayers to fund initiatives. • Potential damage to some activities and development in natural hazard areas where the building regulations and other non-regulatory methods do not effectively avoid or mitigate the risks.	• While this could be efficient in the land use planning context, it is not recommended to fully rely on other methods, as this would be ineffective in managing the significant risks of natural hazards.	• Allowing development to occur in hazard areas is likely to have enormous legal and financial risk. It would be a failure to meet Council's obligations under the RMA. However, these methods are complementary to the proposed approach.

Quantification

Section 32(2)(b) requires that if practicable the benefits and costs of a proposal are quantified. Approximately 120 properties, which are not currently in an operative hazard zone have been identified as being at risk from coastal flooding. Approximately 80 additional properties have been identified as being at risk of coastal erosion. Approximately 1000 new properties are in the Coastal Environment. The proposal may affect the development potential of these landowners in addition to those already within the CHA and CPA in the Operative Plan. On the other hand, the proposal intent is to protect these landowners from future risk and cost associated with owning land subject to coastal hazards.

Given the assessment of the scale and significance of the proposed changes above it is considered that quantifying costs and benefits would add significant time and cost to the s32 evaluation processes. The evaluation in this report identifies where there may be additional cost(s); however, the exact quantification of the benefits and costs discussed was not considered necessary, beneficial or practicable.

Summary

The above table has demonstrated that Option A (Proposed Approach) is the most appropriate method for managing the Coastal Environment. Other methods (Option C) complement Option A.

The status quo regulatory approach (Option B) is permissive and because it is not restrictive enough, has greater potential of adverse effects on the values of the coast, and to result in continued investment on land potentially subject to hazards. The status quo approach would not effectively achieve the proposed objectives to protect the values of coast, or manage the significant risks associated with coastal hazards, or avoid, remedy or mitigate adverse effects of activities in the Coastal Environment.

Therefore, Option A is recommended.

11 Summary

This evaluation has been undertaken in accordance with Section 32 of the RMA in order to identify the need, benefits and costs and the appropriateness of the proposal having regard to its effectiveness and efficiency relative to other means in achieving the purpose of the RMA. The evaluation demonstrates that this proposal is the most appropriate option as:

- The objectives and policies provide for the identification, recognition and protection of coastal values, including specific detail, direction and certainty on appropriate and inappropriate activities in relation to this environment.
- The policy framework provides specific recognition of cultural values and the association tangata whenua have with the coast.
- It gives effect to the New Zealand Coastal Policy Statement 2010 (NZCPS), which requires a strategic approach to managing development on the coast.
- It provides stronger direction regarding the use and development of the Coastal Environment, so that development is consistent with the relevant requirements of the RMA and NZCPS.
- The New Zealand Coastal Policy Statement 2010 also requires the District Plan to identify coastal hazards and to manage subdivision, use and development within areas potentially affected by coastal hazards over a 100 year timeframe, including taking into account the effects of climate change. The Proposed District Plan's approach to managing coastal hazards includes identifying and mapping:
  - A Coastal Flooding Hazard Overlay Area, which applies to areas that are typically located at low-lying river mouths;
  - A Coastal Erosion Hazard Overlay Area, which applies to areas considered likely to be risk of erosion over a 100 year timeframe, based on historic rates of sea level rise;
  - A Coastal Environment Overlay Area, which applies to areas where there is a potential risk of erosion over a 100 year timeframe, acknowledging that accelerated sea level rise resulting from worst-case global emission scenarios may occur.
- It takes a risk-based approach to existing development and infrastructure that addresses the risks associated with coastal hazards, and a risk reduction) approach to new development (including avoidance where appropriate).
- It includes a wider Coastal Environment to acknowledge accelerated rates of sea level rise resulting from worst-case global emission scenarios results in advising landowners of the long-term potential for coastal hazards. However, this does not place many restrictions on existing or smaller scale activities, or in urban areas.
- The activities-based approach will avoid increasing the number of people exposed to risk, and avoid more vulnerable and less mobile people establishing new activities in hazard-prone areas.
- Its pragmatic approach to urban New Plymouth and Port Taranaki, reflects the effective remedy provided by existing seawalls, with an assumption that these seawalls will be maintained in the future to safeguard the significant assets behind them.
- It advocates an adaptive management approach to managing coastal hazards and potential accelerated sea level rise, in accordance with central government guidance on coastal hazards and climate change.

Overall, set of proposed provisions is the most appropriate given that the benefits outweigh the costs, and there are gains to be made in efficiencies over the medium to long term. The risks of acting are also clearly identifiable and the risk of not acting should be avoided.

12 Appendices

Appendix 1: Other Legislation, Guidance and Policy Documents

Relevant technical and monitoring reports

Appendix 2: New Plymouth District Plan Review Coastal Policy Area - Bain, R. (BlueMarble) (February 2016, Amended 1/7/2018)

Appendix 3: First Pass Coastal Erosion Assessment and Identification of High Risk Areas - Tonkin and Taylor (July 2019)

Appendix 4: New Plymouth District Plan Review: Coastal Management - Tonkin and Taylor (November 2016)

Appendix 5: New Plymouth Coastal Erosion Assessment: Detailed Assessment for Onaero - Tonkin and Taylor (July 2019)

Appendix 1: Other Legislation and Policy Documents

The following legislation and Policy documents have also been considered in developing the Proposed District Plan Provisions for the Coastal Environment:

Marine and Coastal Area Act (2011)
The Marine and Coastal Area (Takutai Moana) Act 2011 acknowledges the importance of the marine and coastal area to all New Zealanders and provides for the recognition of the customary rights of iwi, hapū and whānau in the common marine and coastal area. The Act applies from MHWS to the outer limits of the territorial sea. Under the Act, neither the Crown nor any other person owns the common marine and coastal area. However, an iwi, hapū or whānau group may have their customary rights in the marine and coastal area acknowledged by negotiating a recognition agreement with the Crown, or by applying for a recognition order from the High Court. Groups can apply for protected customary rights and/or customary marine title.

- A **protected customary right** is a right that has continued to be exercised since 1840 and includes things like collecting hāngi stones or launching waka. When the High Court grants a protected customary rights order or a recognition agreement is negotiated with the Crown, the iwi, hapū or whānau group has the ability to exercise their protected customary rights without need for a resource consent and without paying occupation charges or royalties.
- A **customary marine title** exists when an applicant group has held a specified area in accordance with tikanga and has exclusively used and occupied the area from 1840 to the present day without substantial interruption, or has received an area through customary transfer since 1840. When an iwi, hapū or whānau group is granted customary marine title they are given certain permission rights relating to resource management and conservation in the area. One of the rights is an RMA permission right giving the group the ability to give or withhold permission for a new consented activity (with some exceptions)

Iwi of Taranaki currently have claims before the Crown for both customary marine title and protected customary right. These do not have status until they are confirmed by the Crown. The current applications relevant to the New Plymouth District are set out in **Error! Reference source not found.**, and have been considered in the evaluation below.

Table 1 Applications for customary marine title and protected customary rights relevant to New Plymouth District

Applicant Group	Application Area	Application number
Ngā hapū o Mokau ki Runga	From the centre of the Mokau River in the north; to the Wai Pingao Stream in the south; on the landward side by the line of mean high-water springs; and on the seaward side, by the outer limits of the territorial sea	MAC-01-10-21
Puketapu Whanau (Te Ātiawa)	The area north east of the Waiwhakaiho river to the mouth of the Waitara river. This area extends out 12 nautical miles offshore between these two points	MAC-01-10-11
Te Ātiawa (Taranaki) Iwi	Herekawe stream in the south to Te Rau o Te Huia in the north and 12 nautical miles offshore	MAC-01-10-14
Taranaki Iwi	Paritūtū to Rawa-o-Turi stream out to 12 nautical miles offshore	MAC-01-10-13

Applicant Group	Application Area	Application number
Ngāti Mutunga (Taranaki)	Titoki Ridge to the Esplanade Reserve out 12 nautical miles	MAC-01-10-07
Ngāti Tama	From south of Pariokarina point to the southern bank of the Mokau river out 12 nautical miles	MAC-01-10-08
Ngā Hapū o Poutama	The area from Onetai in the north to Pukearuhe in the south. This extends out 12 nautical miles between these two points	MAC-01-10-02

Civil Defence Emergency Group Plan for Taranaki 2012
This Plan sets out the strategic direction that the CDEM Group and wider community will take to ensure the effective and efficient management of hazards and risk within the Taranaki Region, to provide a resilient and secure regional community. This plan directs District Councils to incorporate knowledge about natural hazards risks into land use planning decisions, such as the District Plan.

Local Government and Official Information and Meetings Act 1987
Under the Local Government and Official Information and Meetings Act 1987 (LGOIMA), District Councils are obligated to issue Land Information Memoranda (LIM) on request. A LIM must include information known to the District Council on (amongst other things) the potential erosion and inundation related to the site.

New Plymouth District Council Open Space, Sport and Recreation Strategy (2015)
This strategy guides long term planning, development and management Council-owned recreation and open spaces within the district, in a way that meets the current and future needs of the community. Of relevance, the strategy identifies "shared pathway networks" for multiple uses along the coast so that the coast and waterbodies are easily accessed by the community. It also seeks to ensure that other types of open spaces are appropriately located and connected by networks such as waterbodies and the coast.

New Plymouth District Council 10 Year Plan 2018-2028
The 10 Year Plan notes *"Climate change, and the hazards and weather extremes that come with it, will continue to pose challenges for our communities and the infrastructure that supports them. Resilience planning and infrastructure investment over the next 10 years will provide us with the opportunity to lay the foundations for our future responses to climate change related events."*[15]

Regional Economic Development – Tapuae Roa
Tapuae Roa–Make Way for Taranaki: *Taranaki Regional Economic Development Strategy,* August 2017 (Tapuae Roa) is a culmination of work undertaken by the district councils and regional council of Taranaki in partnership with Ngā Iwi o Taranaki. It is designed to feed into the Long-Term Plans of all the councils in the region, and influence public and private sector investment decision-making on future activities.

Tapuae Roa identifies the values of environmental sustainability, preparedness for future generations, liveability and resilience.

New Plymouth District Council Bylaw 2008 Part 5 Public Places amended 2014
Under this Bylaw (as amended and readopted in 2014) persons are not allowed to damage, break, destroy, remove or otherwise interfere with any portion of any protective works,

[15] New Plymouth District Council 10 Year Plan 2018-2028, p8

groynes or other structures legally erected on any part of a beach, foreshore and dunes for the control of sand or single or for the prevention of erosion. Certain activities are classified as restricted activities and prohibited activities, covering matters such as animals on beaches, clothing of bathers, and use of changing facilities. The bylaw seeks to prevent nuisance and protect the public from safety hazards, and to lessen the potential for offensive behaviour on beaches. It requires that beach access must be via designated access routes, and permits NZ Surf Life Saving Association activities.