

District Wide
Coastal Environment – Coastal Hazards

Section 32 Report for the Proposed Waitomo District Plan

Section 32 Report – Coastal Environment – Coastal Hazards

SUMMARY OF ISSUES	RESOURCE MANAGEMENT ACT	NATIONAL DIRECTION	REGIONAL POLICY STATEMENTS	IWI MANAGEMENT PLANS CONT...
<p>In developing this district plan Waitomo District Council engaged the services of coastal experts Bronwyn Hibberd and Jim Dahm to work with local communities and iwi to develop a risk management approach to coastal hazards. From this work coastal erosion hazard zones and coastal flood hazard areas were identified. This work is explained in detail in the report entitled Waitomo District Coastal Hazard Assessment October 2020. This report forms part of this section 32 assessment.</p> <p>The issues are:</p> <ul style="list-style-type: none"> The coastal environment of Waitomo District is extensive and diverse and large areas remain remote and essentially untouched. The developed areas of shoreline are characterised by open coast sandy beaches, estuarine intertidal sand flats and estuarine beaches, cliff shorelines, and low lying estuarine margins. The predominant coastal hazards within the coastal environment are: coastal erosion, coastal flooding, tsunami risk and sea level rise as a result of climate change. Managing the risk of these natural hazards is important. Some settlements, reserves and infrastructure in the district are located in areas of known risk. Managing this risk, with anticipated climate change, is an important issue for these communities. 	<p>Section 5 RMA Coastal flooding and erosion are natural processes that become hazards when people, the environment and property are at risk. The interrelationship between natural and physical resources and how they are managed is a critical element of sustainable management. The relationship is most acute for coastal hazards when buildings, reserves, and areas of historical and cultural values are affected. Such circumstances can be very difficult for people’s and communities’ economic, social and cultural wellbeing as well as potentially threatening their health and safety.</p> <p>Section 6 RMA The following section 6 matters are relevant to this topic.</p> <p>6(h) Management of significant risks from natural hazards. Councils must recognise and provide for the management of the significant risks of natural hazards.</p> <p>Section 7 RMA There are no section 7 matters relevant to this topic.</p> <p>Section 8 RMA Section 8 is relevant to this proposal. Natural hazards have the potential to impact iwi in a number of ways, including:</p> <ul style="list-style-type: none"> Loss of areas of cultural value due to erosion, flooding, and other natural hazard processes; and Loss of cultural practices due to natural hazard processes. <p>Section 106 RMA Section 106 pertains to the consideration of subdivision applications and states: (1) A consent authority may refuse to grant a subdivision consent, or may grant a subdivision consent subject to conditions, if it considers that— (a) there is a significant risk from natural hazards; (1A) For the purpose of subsection (1)(a), an assessment of the risk from natural hazards requires a combined assessment of (a) the likelihood of natural hazards occurring (whether individually or in combination); and (b) the material damage to land in respect of which the consent is sought, other land, or structures that would result from natural hazards; and (c) any likely subsequent use of the land in respect of which the consent is sought that would accelerate, worsen, or result in material damage of the kind referred to in paragraph (b). (2) Conditions under subsection (1) must be— (a) For the purposes of avoiding, remedying, or mitigating the effects referred to in subsection (1); and (b) of a type that could be imposed under section 108.</p> <p>The proposed natural hazard provisions will assist with the consideration of subdivision applications against section 106 as they will provide guidance around what is considered to be an acceptable risk.</p>	<p>There are six National Policy Statements (NPSs) currently in place:</p> <ul style="list-style-type: none"> New Zealand Coastal Policy Statement 2010 NPS for Electricity Transmission 2008 NPS for Renewable Electricity Generation 2011 NPS for Freshwater Management 2020 NPS on Urban Development 2020 NPS for Highly Productive Land 2022 <p>It is considered that only the New Zealand Coastal Policy Statement (NZCPS) is relevant to this chapter. The NZCPS includes policies dealing with the identification of coastal hazards, natural defences against coastal hazards, subdivision use and development in areas of coastal hazard risk and strategies for protecting significant existing development from coastal hazard risk.</p> <p>Policy 24 of the NZCPS provides guidance on the identification of coastal hazards. It requires identification of areas which will potentially be affected by coastal hazards. Hazard risk must be assessed over a 100 year timeframe. The assessment must have regard to a number of factors including sea-level rise, natural fluctuations of erosion and accretion, potential for inundation, human influences and the effects of climate change.</p> <p>Policy 25 of the NZCPS addresses subdivision, use and development generally (with Policy 27 specifically addressing strategies for significant existing development). It begins with a general direction that Councils should avoid increasing the risk of social, environmental and economic harm from coastal hazards. Policy 25(b) then more specifically directs that changes in land use (which includes subdivision and new development) which increase the risk of adverse effects from coastal hazards should be avoided. Therefore, new development should be located away from areas which will potentially be affected by coastal hazards over the next 100 years.</p> <p>In relation to existing risk, the management response directed by the NZCPS is more complex. Local authorities are directed through Policy 25 to “avoid” redevelopment or changes in land use that would increase the risk of adverse effects from coastal hazards and to “encourage” redevelopment or change in land use where that would reduce the risk of adverse effects from coastal hazards. This includes promoting managed retreat by relocation or abandonment, designing for relocatability or recoverability from hazard events, and discouraging hard protection structures. Where existing development is significant, there is also guidance on long term strategies in Policy 27.</p> <p>Policy 27 contains detailed guidance on developing strategies for areas of “significant” existing development that are likely to be affected by coastal hazards. It directs local authorities to consider a range of options for reducing coastal hazard risk over the long term, including relocation or removal of existing development. Innovative financial or insurance options could help facilitate this. The Policy recognises that hard protection structures may be the only practical means to protect existing infrastructure of “national or regional importance”, but also recognises the environmental and</p>	<p>The Waikato Regional Policy Statement (WRPS) contains specific objectives and policies for Coastal Hazards:</p> <ul style="list-style-type: none"> Issue 1.2 – Effects of Climate Change acknowledges that climate change is a significant issue for the region due to its effects on wellbeing, including health and safety and that, when addressing this issue, focus should be directed to an increase in the potential for storm damage and weather-related natural hazards; and to the long term risk that sea level rise poses to settlements and infrastructure through coastal erosion and flooding. Issue 1.4 – Managing the Built Environment acknowledges that development can have either positive or negative impacts on natural and physical resources and the provision for our wellbeing and that focus should be directed to, amongst other matters, the increasing potential for natural hazards. The WRPS provides policy direction for managing hazards within the coastal environment through a number of either general or specific objectives, policies and implementation methods within chapters 3, 4, 6, 11, 12 and 13 and identifies where policies must be given effect to through district plans. Objective 3.6 - Adapting to climate change promotes land use management that avoids the potential adverse effects of climate change, including sea level rise on amenity, the built environment, infrastructure, indigenous biodiversity, natural character, public health and safety and public access. Relevant policies are 4.1, 6.1, 6.2, 12.4, 13.1 and 13.2. Objective 3.23 – Public access promotes the maintenance and enhancement of public access to the coast, lakes, and rivers. Relevant policies are 4.1, 6.1, 6.2, 12.3.2 and 12.4. Objective 3.24 – Natural hazards promotes managing the effects of natural hazards on people, property, and the environment by increasing community resilience, reducing risk to acceptable or tolerable levels and enabling the effective and efficient response and recovery from natural hazard events. Policies 4.1, 6.1, 6.2, 13.1, 13.2 and 13.3. Policy 4.1 – Integrated approach requires the adoption of an integrated approach to the management of resources through the recognition of the inter-connectedness of natural and physical resources; the benefits of aligning decisions of agencies across boundaries; maximising benefits and efficiencies of working together; the multiple values of natural and physical resources including ecosystem services; the nature and values of resources and the diversity of effects that can occur; the ability to maximise opportunities to achieve multiple objectives; the benefits of taking a long term strategic approach that recognises the change to the environment, resource use and pressures and trends; best consistent and practice standards and processes to decision making; and the establishment of a planning framework that sets clear limits and thresholds for resource use. Policy 6.1 – Planned and co-ordinated subdivision, use and development seeks to ensure that subdivision, use, and development is planned and 	<p>The Waikato Tainui Environment Management (WTEMP) Plan 2018 discusses natural hazards in Chapter 17 and lists three key issues - land use, risk management and climate change in relation to natural hazards and provides an objective and policy framework to address these issues.</p> <p>The WTEMP includes provisions for climate change, but only in so far as it relates to human induced climate change (noting that this is consistent with the definition in the RMA). The WTEMP recognises that global warming and climate change are likely to result in coastal inundation from an increase in mean sea level rise; more extreme weather events; changes to rainfall patterns; increased erosion; changes in the population density and distribution of fish and wildlife; and changes in the viability of cultural and/or spiritual resources and activities. The WTEMP also recognises that human-induced climate change and its projected effects are a controversial issue both globally and nationally.</p> <p>The impact that climate change has on indigenous flora and fauna is largely unknown, therefore Waikato-Tainui consider it vital that they actively engage and contribute to any nationally-led initiatives, policies, guidelines and programmes on climate change. Most importantly, Waikato-Tainui wants to avoid any disruption that climate change causes to indigenous ecosystems.</p> <p>Climate change is intricately linked with natural hazards, as climate change is predicted to increase the frequency and magnitude of weather-related natural hazards. The WTEMP identifies sea level rise, more frequent and intense rainfall as well as increased frequency and duration of drought as likely impacts of climate change. The plan identifies the need to change the way hazards are managed to protect developments in areas that may be at risk in the future.</p> <p>It is considered the proposed provisions take into account the provisions in the WTEMP.</p>

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		<p>social costs of permitting beach armouring to protect private property.</p> <p>Policy 26 recognises the importance of natural defences in reducing coastal hazards. Natural defences are specified to include beaches, estuaries, wetlands, intertidal areas, coastal vegetation, dunes and barrier islands. Policy 26 requires local authorities to provide for the protection, restoration and enhancement of natural defences. Regional policy statements and plans are directed to identify natural features which provide a natural defence to erosion and/or inundation and objectives, policies and rules should ensure they are protected. No new development should be allowed if it will have negative impacts on natural defence systems such as dunes, and the revegetation of dune areas should be encouraged.</p> <p>The NZCPS also contains a number of provisions relating to hard protection structures. Policy 25(e) requires local authorities to discourage the use of hard protection structures and to promote the use of alternatives. Policies 27(3) and (4) specifically address the design and location of hard protection structures and direct that they should not be built on public land for the purpose of protecting private property if there is no significant public or environmental benefit in doing so.</p> <p>Where hard protection structures are considered necessary, Policy 27 directs that they are to be designed to minimise adverse effects on the coastal environment. Policies 25, 26 and 27 suggest that, in general, hard protection structures should not be allowed (or at least should be discouraged and reliance on them reduced over time) except where they are necessary to protect “existing” infrastructure of “regional or national importance, to sustain the potential of built physical resources to meet the reasonably foreseeable needs of future generations.” As a result, objectives, policies and rules should ensure that hard protection works will be allowed only after all other options have been considered and proved impractical. In summary, hard protection structures are a hazard response that should be mainly reserved for existing regionally or nationally significant infrastructure.</p> <p>There are also seven National Environmental Standards (NESs) currently in place:</p> <ul style="list-style-type: none"> • NES for Air Quality 2004 • NES for Sources of Human Drinking Water 2007 • NES for Telecommunication Facilities 2016 • NES for Electricity Transmission Activities 2009 • NES for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 • NES for Plantation Forestry 2017 • NES for Freshwater 2020 <p>The following provisions in the above NESs are relevant to this topic:</p> <p>Section 57 of the NES for Telecommunication Facilities 2016 states that a territorial authority cannot make a natural hazard rule that applies to an identified regulated activity. The regulated activities are identified within Part 4 of the NESTF.</p> <p>Regulation 51 of the NES for Freshwater 2020 permits natural hazard mitigation work around wetlands. However, this regulation only applies to Regional</p>	<p>co-ordinated and is based on sufficient information to allow assessment of potential cumulative and long-term effects of them development; has regard to the existing built environment; and has regard to the development principles in section 6A.</p> <ul style="list-style-type: none"> • Section 6A - Development Principles. The specific principles in section 6A relating to natural hazards and climate change are, 6A(h) ensure development is directed away from natural hazard areas, 6A(l) maintain and enhance public access to and along the coast marine area, 6A(p) be appropriate with respect to the projected effects of climate change and be designed to allow adaptation to these effects, and 6A(q) consider the effects on the unique taangata whenua relationships, values, aspirations, roles and responsibilities with respect to an area. • Policy 6.2 Planning for development in the coastal Environment Development of the built environment in the coastal environment occurs in a way that: <ul style="list-style-type: none"> • ensures sufficient development setbacks to protect coastal natural character, public access, indigenous biodiversity, natural physical processes, amenity and natural hazard mitigation functions of the coast; • protects hydrological processes and natural functions of back dune areas; • avoids the adverse effects of activities on areas with outstanding natural character, and outstanding natural features and landscapes; • has regard to local coastal character; • allows for the potential effects of sea level rise, including allowing for sufficient coastal habitat inland migration opportunities; • protects the valued characteristics of remaining undeveloped, or largely undeveloped coastal environments; • ensures adequate water, stormwater and wastewater services will be provided for the development; • avoids increasing natural hazard risk associated with coastal erosion and inundation; • has regard to the potential effects of a tsunami event, and takes appropriate steps to avoid, remedy or mitigate that risk; • avoids ribbon development along coastal margins; • does not compromise the function or operation of existing or planned coastal infrastructure; • provides for safe and efficient connectivity between activities occurring in the coastal marine area and associated land-based infrastructure; • manages adverse effects to maintain or enhance water quality; and • maintains and enhances public access. • Policy 13.1 - Natural hazard risk management approach directs district plans to utilise a risk based approach to managing natural hazard risks through an integrated holistic approach. • This approach focusses on avoiding the creation of new ‘intolerable’ risk and reducing existing intolerable risk to tolerable or acceptable levels. The policy also focusses on protecting health and 	
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		<p>Council functions (as identified under Regulation 5) and does not affect territorial authorities.</p> <p><u>Relevant case law considered</u></p> <p><i>Gallagher v Tasman District Council [2014] NZEnvC 245</i></p> <p>The Court considered proposed new development in a coastal hazard area and found that the amendments to the district plan introduced to manage the hazard risk for the area were generally appropriate, having regard to the NZCPS and the relevant provisions of the RMA. The Court concluded that the present hazard risk exposure of the site was such that the feasibility or wisdom of any more intensive residential development was highly questionable and was not convinced that the structure plan represented appropriate or sustainable development. The Court assessed any future hazard risks in the light of the NZCPS provisions, noting that these were to be given effect to in terms of the decision of the Supreme Court in <i>Environmental Protection Society Inc v New Zealand King Salmon Company Ltd</i> [2014]. Further, significant uncertainties in the structure plan left the Court far from satisfied that such risks would be avoided. The Court was satisfied that the risk scenario identified by the expert evidence was a sufficiently realistic possibility to justify the imposition of the controls.</p>	<p>safety, enhancing community resilience, aligning civil defence approaches, and encouraging the use of natural features over man-made defences, while also promoting a natural systems/whole systems approach and using the best available information and best practices.</p> <ul style="list-style-type: none"> Policy 13.2 - Manage activities to reduce the risks from natural hazards sets out a framework for assessing subdivision, use and development on land subject to natural hazards to ensure risk is maintained at an acceptable or tolerable level, while avoiding levels of risk that are considered intolerable and minimising vulnerability to residual risk. This framework also discourages the use of hard protection structures, while promoting the use of natural defences, and also strongly discourages development that creates a demand for new protection structures. In order to manage risk to subdivision, land use and development, district plans must first identify areas within the district that are subject to natural hazards, including areas at risk of flooding during a 1% AEP storm event; coastal hazards and residual risk, prioritising areas at high risk, (i.e. areas at high risk of flooding) and then controlling activities within those areas, including ensuring development is appropriate in areas at high risk. Policy 13.3 - High impact, low probability natural hazard events requires local authorities to consider the potential effects of high impact, low probability natural hazard events such as tsunami, volcanic eruptions and earthquakes and to direct vulnerable development away from high risk hazard areas, and to promote contingency planning through civil defence readiness, response and recovery. <p>The Manawatu-Whanganui One Plan contains specific provisions for Natural Hazards. These are not relevant to the coastal environment which is located in the Waikato region.</p>	
OPERATIVE WAITOMO DISTRICT PLAN			IWI MANAGEMENT PLANS	OTHER RELEVANT PLANS OR LEGISLATION
<ul style="list-style-type: none"> Natural hazards are currently considered in Chapter 27 of the ODP. The coastal hazards in some areas of the district are well known and have been identified within the for some time. By way of example is the prohibited activity status for the identified coastal hazard areas in Mokau. 			<p>A summary of the provisions in the Maniapoto Iwi Environment Management Plan (MIEMP) 2018 relevant to natural hazards are as follows:</p> <p>Parts 13 (climate change), and 20 (natural hazards) of the MIEMP highlight issues with regards to increasing risk from natural hazards; preparedness and resilience; climate change; and flood protection and drainage.</p> <p>The MIEMP defines natural hazards as naturally occurring processes that pose a risk to people and property, and within its rohe includes climate-related hazards such as flooding, drought, and hill country erosion. It also recognises that Maniapoto cannot avoid the events occurring, but can take steps to reduce the risk, prepare responses and increase resilience.</p> <p>The MIEMP recognises climate change as a key driver for more frequent and severe natural hazard events. Flood protection and drainage schemes are recognised as key components that ensure continued productivity. Natural infrastructure such as wetlands is acknowledged as a major asset in combating and adapting to climate change.</p>	<ul style="list-style-type: none"> Section 71-73 of the Building Act 2004 Civil Defence Emergency Management Act 2002 Sections 11A(d), 145(b) and 149 of the Local Government Act 2002 Te Takutai Moana Act 2011 provides for recognition of customary interests of iwi, hapū and whānau in the common marine and coastal area. The takutai moana legislation also provides for the right of all New Zealanders to access and use the common marine and coastal area (subject to any lawful restrictions, including for the protection of wāhi tapu). Te Takutai Moana Act 2011 provides legal recognition of two kinds of rights: "CMT - customary marine title", which refers to some of the elements of ownership and possession, and "PCR - protected customary rights", which refers to use and activities. There are 11 applicants for CMT/PCR along the coastline of Waitomo District.
SCALE & SIGNIFICANCE s32(1)(c)				STRATEGIC DIRECTION

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<p>The assessment is based on the factors outlined in Ministry for the Environment’s guidance on Section 32 reports. Each factor is scored in terms of its scale and significance (where 1 is low and 5 is high).</p> <p>Reason for Change: 4 Problem / Issue: 3 Degree of Shift from Status Quo: 2 Who and How Many Affected, Geographic Scale of Effects: 2 Degree of Impact on or Interest from Māori: 1 Timing and Duration of Effects: 2 Type of Effect: 5 Degree of Risk or Uncertainty: 1</p> <p>Total (out of 40): 20</p>			<p>It is considered the proposed provisions take into account the provisions in the MIEMP.</p>	<p>The following objectives from the Strategic Direction chapter of the proposed plan are relevant to this topic:</p> <p>SD-O14. - There is no significant increase in the risk from known natural hazards, including the effects of climate change, to people, property, and infrastructure as a result of subdivision, land use and development.</p> <p>SD-O15. The community is prepared to adapt to the effects of climate change and recognises the opportunities and risks associated with those effects.</p>
				<p>UNCERTAINTIES AND RISKS s32(2)(c)</p>
				<p>The degree of risk and uncertainty is low due to the certainty provided by well-understood potential effects and the approach taken for their management in the proposed provisions which is in line with higher order direction and national best practice.</p>

OBJECTIVE(S) s32(1)(a)	
<p>Relevance – The proposed objectives seek to ensure that development within areas prone to coastal hazards is appropriate and takes an adaptive management approach. This approach is consistent with that recommended in the report by Dahm and Hibberd 2020, and with the Ministry for the Environment guidance “preparing for coastal change” 2017. The objectives recognise that in some situations it is important to avoid new subdivision, use and development and to prioritise soft rather than hard protection measures. This is consistent with the outcomes sought under higher order policy direction, such as the RPS and NZCPS, and the strategic objectives. The proposed objectives take a consistent approach to coastal hazards. The proposed objectives also recognise that coastal hazards are more than just the event itself. Following a coastal hazard event there may be a period of time that the community requires to recover from the event. The objectives seek to ensure that this ability to recover from a coastal hazard is not reduced by further development compared to the existing situation.</p> <p>Usefulness – Outlines, the risk outcomes sought for development within the coastal hazard overlays, which will guide decision making when considering a resource consent application under section 104 of the RMA.</p> <p>Reasonableness – The proposed objectives will impose additional costs on the community, as there will be lost opportunity costs (as some sites will not be able to be developed further) and other developments will need to incorporate mitigation measures to ensure that the impacts from coastal hazards are reduced to an acceptable level. However, this needs to be balanced with the potential damage resulting from coastal hazard events. It also needs to be balanced against the requirement for Councils, as a matter of national importance, to manage significant risks from natural hazards under RMA Section 6(h). Overall, it is considered that the proposed objectives will not give rise to an unjustifiability high cost for the community. In this regard it is noted that in some locations there is a similar (and in one area, a stricter) level of regulation under the ODP.</p> <p>Achievability – Land use planning controls reflect one of the fundamental tools that councils have available to manage the risks associated with coastal hazards and it is a fundamental consideration under the RMA. As such, the proposed objectives can be realistically achieved within Council’s functions.</p> <p>Are the objectives the most appropriate way to achieve the Purpose of the Act? The proposed objectives are considered to meet the tests of relevance, usefulness, reasonableness, and achievability. The objectives are the most appropriate way to achieve the purpose of the RMA because they: take a risk based approach to the management of development and coastal hazards and establish the outcomes that are expected from development within the coastal hazard overlays. The proposed objectives set the same outcomes for coastal hazards and use wording that is consistent with section 6(h) of the RMA, and the WRPS. The objectives also support the Council to carry out its functions under section 31(1)(a) and section 31(1)(aa) of the RMA.</p>	
PROVISIONS s32(1)(b)	
EFFICIENCY & EFFECTIVENESS s32(1)(b)(ii), 32(2)(a)(i), s32(2)(a)(ii)	ALTERNATIVES s32(1)(b)(i)
<p>Benefits Anticipated</p> <p><u>Environmental</u></p> <ul style="list-style-type: none">The proposed adaptive management approach recognises the coastline will shift overtime. This approach should allow for the inland migration of the natural coastal edge <p><u>Economic</u></p> <p>The direct economic benefits derived from the proposed provisions include:</p> <ul style="list-style-type: none">Reducing the damage to future properties and developments from natural hazard events as a result of incorporated mitigation measures; andReduced costs to recover from natural hazards (such as clean-up, repairing damage, loss of productivity); andCommunities that experience less damage in a natural hazard event are able to recover faster. This ensures significantly reduced economic impacts if a natural hazard event occurs as the loss of productivity and employment opportunities are not as significant. <p>Indirect benefits include: Potential lower future cost to respond to future natural hazard events as they have been planned for.</p> <p><u>Social</u></p> <p>Direct benefits:</p>	<p>For the purpose of this evaluation, the Council has considered the following potential options:</p> <ol style="list-style-type: none">The proposed provisions; andThe status quo. <p>The ODP provisions are not considered to be efficient or effective in achieving the objectives. The existing objectives give limited effect to the higher order documents in that only the objective pertaining to fault lines recognises risk (and therefore has some alignment to Section 6(h) and the RPS). However, the existing objectives do not give effect to the higher order documents as follows:</p> <ul style="list-style-type: none">The flood hazard objective does not reference risk and therefore does not respond to the WRPS or section 6(h);There is an inconsistent approach between managing effects and risk within the ODP.

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<div><ul style="list-style-type: none">• The risk from natural hazard events will not increase significantly when compared to the existing situation. As such, purchasers of newly developed properties that are located in natural hazard overlays should have mitigation measures built in to ensure that the development is not significantly impacted by natural hazard events up to the identified design level.• The construction of buildings that respond to the natural hazard risk will be less susceptible to damage during a natural hazard event, therefore increasing the safety of the occupants, and reducing the social impacts that come from natural hazard events.</div> <div>Indirect benefits: There are no indirect social benefits identified with the proposed provisions.</div> <div><u>Cultural</u> Similar direct and indirect benefits where the properties are Māori land and Māori Trust land.</div> <div>Costs Anticipated</div> <div><u>Environmental</u><ul style="list-style-type: none">• Loss of coastal habitat</div> <div><u>Economic</u> Direct costs: The following direct economic costs have been identified; There will be increased costs to developments as a result of the need to incorporate mitigation measures into some developments. These costs may not be significant in the context of the overall development costs as many of the proposed measures would include matters such as; Increased floor heights, setting buildings back from high and medium hazards areas, having buildings that are relocatable. These measures are easily able to be incorporated into developments at the time of construction, without presenting significant additional costs. There will be a greater requirement to go through the resource consent process when compared to the status quo. As such, there will be the direct costs associated with this process. For some property owners there will be a lost opportunity cost from not being able to develop their property due the hazard risks present on the site. These lost opportunity costs could be significant, noting for some property owners the provisions purposed in the proposed plan are similar to that in the ODP.</div> <div>Indirect costs: Linked with the proposed objectives, policies and rules are hazard maps within the proposed plan. For many parties this will be the first time this information will be readily accessible. There may be increased pressure on the Waitomo District Council to reduce the extents of the natural hazard overlays through the construction of engineering measures.</div> <div><u>Social</u> No direct or indirect social costs have been identified with the proposed provisions.</div> <div><u>Cultural</u> No direct or indirect cultural benefits have been identified with the proposed provisions.</div>		<div>In order to identify other reasonably practicable options, the Council has undertaken the following:</div> <div><ul style="list-style-type: none">◦ Undertaken research on coastal hazards. The report by Dahm and Hibberd 2020 identifies and evaluates a range of coastal hazard response measure.◦ Reviewed other relevant district plan provisions for activities on the surface of water; and◦ Sought feedback from Council asset managers in terms of infrastructure.◦ In 2018 and early 2019, two rounds of open days were held in Mokau, Marokopa and Te Waitere to discuss the management of coastal hazards. The first open day sought community feedback on how the risk of coastal erosion and flooding should be managed. The second presented the findings to these communities and sought further and final feedback on the potential hazard overlays and risk management.◦ Clause 3(1)(e) requires that during the preparation of a proposed plan, the local authority must consult with any customary marine title (CMT) group in the area. While there are a number of applicants, as far as Council is aware, no party holds a CMT order at the time of the plan’s notification. None-the-less, Council wrote to all of the CMT applicants offering meetings and inviting the parties to consultation open days to discuss the management of coastal hazards. Representatives attended the Marokopa meetings and separate meetings were held with a number of applicants during 2018 and 2019. The outcomes of these meetings are recorded in Appendix 1 of the Introduction to the Evaluation Reports.</div>
QUANTIFICATION OF BENEFITS & COSTS <i>s32(2)(b)</i>		
Section 32(2)(b) requires that, where practicable, the benefits and costs of a proposal are to be quantified. Given the assessment of the scale and significance of the proposed provisions, specific quantification of the benefits and costs in this report is considered neither necessary, beneficial nor practicable in relation to this topic. Refer also to the evaluation in Dahm and Hibberd 2020.		
EFFICIENCY & EFFECTIVENESS <i>s32(1)(b)(ii)</i>		REASONS FOR PROVISIONS <i>s32(1)(b)(iii)</i>
<div>s32(1)(b)(ii) requires assessing the efficiency and effectiveness of the provisions in achieving the objectives:</div> <div><u>Efficiency</u> The proposed provisions are considered to be the most efficient in achieving the proposed objectives because:<ul style="list-style-type: none">• They give effect to higher order direction (Section 6(h), and the WRPS) through a clear, transparent, and consistent framework that is located within the proposed plan.• While the proposed provisions will result in some additional economic costs, it is considered that the resulting benefits to future occupants and the recovery of the district following a coastal hazard event outweighs these costs. It is also noted that the additional costs to a development to incorporate mitigation measures into the design are often considerably less than the costs that result from damage (or repeated damage) from a coastal hazard event.• The proposed provisions will assist with the transfer of costs for addressing coastal hazard risk from future property owners and local and central government onto developers at the time the developments are undertaken.</div> <div><u>Effectiveness</u> The proposed provisions are considered to be the most effective in achieving the proposed objectives because:<ul style="list-style-type: none">• They give effect to higher order direction (Section 6(h), and the WRPS), which the proposed objectives also respond to;• The proposed provisions relate to the coastal hazards that have the potential to have the greatest impact on Waitomo District;• They take a nuanced approach to the management of coastal hazard risk and development, where the activity status of the consent and the resulting direction provided within the policy is directly relative to the risk presented by the development. This approach is consistent with case law;• The proposed provisions take a consistent approach across the various coastal hazards. This approach is also consistent between differing development typologies. This means that subdivisions for the purposes of accommodating residential dwellings in coastal hazard overlays will need to go through the same considerations as constructing a second dwelling (i.e. there is no loophole to work around the provisions); and• The proposed policies and rules will ensure there is no continued increase in the coastal hazard risk experienced by Waitomo District Council as a result of either discouraging development in high hazard areas or by requiring mitigation measures to address the risk from the coastal hazard.• Appendix 1 Information requirements for resource consent applications - provides clear guidance for applicants applying for resource consents in the coastal hazard areas.</div>		<div>S32(1)(b)(iii) requires a summary of the reasons for deciding on the provisions:</div> <div>Having considered the proposed provisions and the status quo, it is considered that the proposed provisions are the most appropriate way to achieve the objectives. The proposed provisions give effect to high order direction and provide a clear framework for the consideration of development within coastal hazard overlays. This framework has a number of economic and social benefits which are considered to outweigh the resulting costs. The status quo however is ineffective and inefficient and does not give effect to higher order direction. The existing provisions allow for a number of developments to occur within areas that are susceptible to coastal hazard risk with little consideration of addressing the resulting risk. As a result, the risk profile to the district from development in areas susceptible to coastal hazard overlays is slowly increasing, which has significant potential future economic and social costs, with very little resulting benefits. It is therefore considered that the status quo is not appropriate to achieve the outcome of the proposed objectives.</div>