

EXPERT WITNESS CONFERENCE

Case: Proposed Kapiti Coast District Plan

Topic: Coastal Environment

Date: 5 Sept 2016

Venue: Room 21, Wellington Regional Council, Shed 39, 2 Fryatt Quay, Wellington

Witnesses present:

Name	For
Lisa Rimmer	Kapiti Coast District Council (KCDC)
Frances Lojkine	Kapiti Coast District Council (KCDC)
Brad Coombs (by phone)	Kapiti Coast District Council (KCDC)
Graeme La Cock	Director General of the Department of Conservation (D-G DOC)
Chris Rendall	Director General of the Department of Conservation (D-G DOC)
Helen Marr	Director General of the Department of Conservation (D-G DOC)
Dr Jamie Steer	Wellington Regional Council (WRC)
Lucy Harper	Wellington Regional Council (WRC)

Facilitator: Mark St.Clair – Hill Young Cooper

In attendance: (if applicable) – N/A

Environment Court Practice Note:

It is confirmed that all present:

- Have read the Environment Court Practice Note 2014 Code of Conduct and agree to abide by it.

And in particular

- Have read the Environment Court Practice Note 2014 in respect of Appendix 3 – Protocol For Expert Witness Conferencing and agree to abide by it.

Joint Witness statement:

- Identification of Issues
- Materials comprising primary data, including published studies or reports
- Key facts and assumptions
- Identification of methodologies or standards as applicable
- Agreed; Those issues which area agreed between the experts
- Disagreement; Those issues not agreed and the reasons in each case

Overriding questions:

- (a) What is the most appropriate method to define/describe the ‘landward extent of the coastal environment’ in order to give effect to Policy 1 of the NZCPS and Policy 4 of the RPS?

Specifically in relation to the Kapiti Coast, LH, HM, GLC, CR, LR, BC and JS agree that s42A line is a line that defines the dominant coastal environment conceptually, and that the coastal environment extends beyond this – so the s42A line does not completely meet the elements outlined in Policy 1 of the NZCPS. On the basis of their combined expertise FL also agrees.

All experts agree that both the RPS and NZCPS policies in relation to the definition of the coastal environment can be read together.

Agreed that seawards of s42A line all the area is dominant coastal environment. Agreed that landwards of the s42A line coastal values exist.

Supplementary question:

- (b) With respect to Policy 4 of the RPS, what are the principal considerations involved in determining the extent of the coastal environment:
- (i) generally – i.e. what characteristics/features should be taken account of in determining the inland extent of the coastal environment?; and

The experts agree – those listed in Policy 1 of the NZCPS and Policy 4 of the RPS.

- (ii) specifically – i.e. what specific characteristics/features of the Kapiti Coast should be taken account of in determining the inland extent of the Kapiti Coast coastal environment?

The experts agree that particular characteristics mean that the wider coastal environment is a significant area in this District. This wider coastal environment has more processes, influences or qualities from the perspective of the coastal environment than the east coast of New Zealand.

Examples of physical features (which may occur a reasonable distance inland) include– coastal eco-sites, key native ecosystem sites (dune forests), inland dunes, wind influence on the environment, dune lakes, dune wetlands, ephemeral wetlands, parabolic dunes, estuaries. All experts agree that landscape, visual qualities and amenity also contribute to the coastal environment. Features of cultural and heritage significance e.g sites of Maori habitation (taking advantage of coastal wetlands and sea resources), and flax mills, which are linked to use of coastal resources, are also examples.

- (c) Having determined the components that constitute the description/definition of the coastal environment in the Kapiti context, how should they be provided for in the District Plan?

Should it be by:

- (i) lines on a map;
- (ii) a policy / narrative construct;
- (iii) a mixture of the above; or
- (iv) some other method(s).

The experts consider that (c)(iii) is how the coastal environment should be provided for in the District Plan.

Experts agree that a line is useful to provide certainty, where it is possible.

Experts agree that in the Kapiti situation – including a line to define the dominant coastal environment and policy to define the coastal environment is the best way to give effect to the RPS and the NZCPS.

Experts agree that Policy 4.1 needs to be adjusted to be effective, and that the approach in HM's evidence would be appropriate:

From 1.4 – Definitions

Coastal environment means the 'dominant coastal environment' area mapped in the District Plan Maps and any area that meets the criteria listed in Policy 4.1, and to which the objectives and policies of the New Zealand Coastal Policy Statement is are relevant. ~~This includes all areas of sand dunes (and interdune wetlands) and coastal escarpments.~~

Policy 4.1 – Identify Coastal Environment extent

The extent of the coastal environment is identified as being any area meeting any one or more of and mapped in the District Plan, using the following criteria:

aa) areas mapped in the District Plan as being part of the ‘dominant coastal environment’

- a) areas or landforms dominated by coastal vegetation or habitat of indigenous coastal species;
- b) landform affected by active coastal processes, excluding tsunami;
- c) ~~landscapes~~ elements or features, including coastal escarpments, that contribute to the natural character, landscape¹, visual quality or amenity value of the coast; and
- d) sites, structures, places or areas of historic heritage value adjacent to, or connected with, the coast, which derive their heritage value from a coastal location.

(d) If lines on a map are preferred as a method, then:

- (i) Is identifying an inland boundary of the coastal environment as a defined line on the Planning Maps consistent with ‘best practice’?

It is a practice, but it is not a one size fits all approach. In the case of the Kapiti Coast, experts agree that the approach of defining a dominant coastal environment line and a policy is an appropriate approach.

- (ii) Should the extent of the coastal environment and hence any delineation of an inland boundary on the Planning Maps be based on a definition of the “coastal dominance zone” as distinct from the ‘coastal significant zone’?

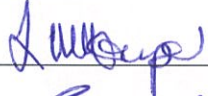
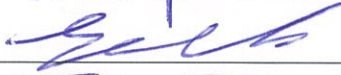
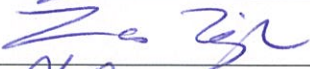
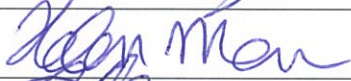

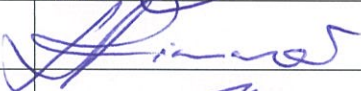

See discussion above. In this statement the experts have referred to the dominant coastal environment and the wider coastal environment. The proposed line and policy discussed above has not made reference to the concept of ‘coastal significance’ as this was not used as a criteria for the mapping work completed by Isthmus.

- (iii) Should the inland extent of the coastal environment for the Kapiti Coast generally ‘align’ with that of the adjoining local authority to the north (i.e. the Horowhenua District)?

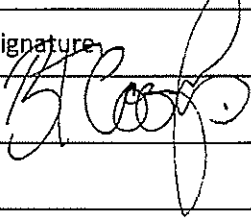
The identification of a ‘line’ depends on the policy context and rule framework of each plan. Therefore, while alignment may be a good idea in principle, it may not be appropriate where plan frameworks differ.

¹ Inserted by experts at conferencing.

Signed:

Witness	Signature	Date
Brad Coombs		
Lucy Harper		5/9/2016
Graeme La Cock		5/9/16
Frances Lojkine		5/9/16
Helen Marr		5/9/16
Chris Rendall		5/9/16.
Lisa Rimmer		5/9/16
Jamie Steer		5/09/16

Signed:

Witness	Signature	Date
Brad Coombs		05-09-2016
Lucy Harper		
Graeme La Cock		
Frances Lojkine		
Helen Marr		
Chris Rendall		
Lisa Rimmer		
Jamie Steer		