

Statement of Professor Johanna Rosier to Expert Panel for NOBRG Member of Board responsible for 2010 NZ Coastal Policy Statement

1. While NZCPS (DoC 2010) Policy 24 requires councils to carry out a coastal hazard assessment with a 100 year timeframe, the Council has not interpreted the requirement to give effect to Policy 24 in **how** KCDC may carry out the associated actions (Policy 24 clauses a. - f.). For example, none of the coastal maps refer to the lines on Tsunami hazard maps compiled by GWC. The Council has not assessed degree of risk associated with the long term uncertainty of the data and the need to implement the precautionary approach in considering options (provision of information, provision of a service, charges, incentives, monitoring), along with possible policies and rules in the DP. The Department of Conservation acknowledged in the NZCPS Regulatory Impact Statement (DoC 2010a; p1), that the NZCPS...*”guides the management and regulation of activities by local authorities. The impact of the NZCPS therefore depends on how local authorities give effect to it, particularly in policy statements and plans. Plan provisions will vary according to the nature and scale of coastal management issues for different regions and districts.”* In addition the Section 32 analysis (DoC 2010b) of the NZCPS acknowledges that a full range of methods are required to deal with coastal hazards. KCDC provides no analysis justifying why rules are the only method used to deal with coastal hazards on the Kapiti Coast.
2. NZCPS Policy 27 (2) notes that in evaluating the range of options to reduce coastal hazard risk, the Council (a) *focus on approaches which reduce the need for hard protection structures and similar engineering interventions.* The current PDP does not discuss **how** the adoption of the current approach reduces the need for hard protection on managed or unmanaged coasts. It is also clear that recognising the GWC cutting of the Waitohu Stream mouth would be one valid method to deal with potential coastal erosion around the mouth of the stream.
3. NZCPS Policy 27 (1) e. provides for identification and **planning transition mechanisms and time frames** for moving towards sustainable approaches. Policy 27 (2) b. requires that Councils take into account how the nature of the coastal hazard risk may change over at least a 100-year time line. One option which could have been adopted on the Kapiti Coast is the provision of information to property owners about the risk, and methods for dealing with the multiple short and long term issues across the district. After a period of monitoring, the Council could then address whether more formal requirements (policies and rules) are needed to deal with risk.

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However, the KCDC has no specific monitoring proposals in the PDP to regularly update coastal research using specific monitoring criteria which may then be publically challenged. If after a number of years (up to 50 years), the evidence shows that various coastal landscape units are at risks, District Plan provisions may then be changed. After all there will be at least two District Plan reviews in the next 50 years.

4. There is no evidence in the PDP that KCDC has given effect to NZCPS policy 26 (2), in which recognition should be given to the role of natural defences, especially given the dune restoration work carried out in the estuary by the Waitohu Stream Care group over the last 20 years.

5. There is no evidence in the PDP that the KCDC consulted with the GWC to determine what GWC intended to do over the next 50 years about management of stream mouths managed on an “as needed basis” – thus ensuring integrated management of natural and physical resources in the coastal environment, and giving effect to NZCPS Policy 4. It is also arguable that by ignoring the Regional Coastal Plan provisions, the PDP is inconsistent with the Regional Coastal Plan.

6. NOBRG believes that the PDP does not conform with best practice regarding interpretation of RMA s.75(2) (a)-(f) which deals with information which may be included in a PDP. The KCDC notes that 1800 properties are affected by the hazard lines, which is a significant group in the community. However, the Council simply reports the finding of the Shand Report and describes the action to be taken. The Council chooses not to state the following for each part of the Coast:
 - a. The **significance of this issue**, not just in terms of the significance of the risk, but in the fact, that **all** costs of possible coastal retreat are met by those 1800 householders (a significant proportion of householders) is not discussed at all in terms of cost benefit analysis – especially given that assumptions made about managed or unmanaged parts of the coast were unable to be challenged before the Shand Report was prepared;

 - b. **A record of analysis** about what other methods could be used over the short, medium or long term to *identify the consequences of the potential strategic options relative to the option of “do nothing”* (NZCPS Policy 27: [1] b). The Shand reports should not be the

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only reports which inform this debate. There is no analysis of the social, economic or environmental impact of imposing draconian rules on the Kapiti Coast through the PDP or other possible actions;

- c. The ***reasons for*** adopting the rules now included in the PDP, as opposed to other methods – this is a serious omission;
- d. The ***expected environmental results*** from implementing rules as opposed to other methods;
- e. ***Procedures for monitoring the efficiency and effectiveness*** of implementing a rules-based approach rather than other methods, and
- f. ***Processes for dealing with cross boundary issues*** – e.g. relying on the GWC to continue its management, a Regional Coastal Plan-based approach for the cutting of stream mouths such as that currently carried out on an “as needed basis”. The KCDC does not support an integrated approach to coastal management – all strategic options have been formulated based on the assumption that the Regional Council is not involved in coastal management on the Kapiti Coast.

Professor Johanna Rosier

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Department of Conservation (2010) Regulatory Impact Statement NZCPS. DoC 10/11/2010

<http://www.treasury.govt.nz/publications/informationreleases/ris/pdfs/ris-doc-nzcps-nov10.pdf>

Department of Conservation Summary of 2010 NZCPS Section 32 Analysis

<http://www.doc.govt.nz/documents/getting-involved/consultations/consultations-results/nzcps-2010-summary-of-s32-evaluation.pdf>