

Adoption of Coastal Hazards Policy

TO	Thames-Coromandel District Council
FROM	Erin Bates - Principal Planner
DATE	18 July 2018
SUBJECT	Adoption of Coastal Hazards Policy

1 Purpose of report

The purpose of this report is to provide a synopsis of public feedback on the proposed Coastal Hazard Policy as part of the Coastal Management Strategy engagement process and seek Council adoption of the policy contained in **Attachment A**.

2 Background

In developing the Coastal Management Strategy, it was identified that Council's current "*Coastal Hazard Policy Framework for Peninsula Coastal Hazard Prone Locations (2007)*" was out of date and required a review. The framework incorporates three policies:

- Section 330 emergency protection works policy
- Policy to determine the use of Council foreshore property for coastal protection works
- Policy to determine the Thames-Coromandel District Council's service delivery role with regard to coastal protection works at Peninsula locations affected by coastal hazards

Council owns and/or administers coastal foreshore land on behalf of the community. Many private properties also abut the foreshore area. The management of foreshore areas affected by coastal hazards (erosion and inundation) can be contentious and in some instances, emergency situations may arise.

The purpose of the proposed policy is to provide guidance to Council and to private landowners and/or third parties, on the approach Council will take in managing coastal hazards.

It contributes to Council's wider strategic direction for managing coastal areas, by:

- sitting as a subsection of the wider Coastal Management Strategy
- building on the risk management approach in the District Plan; and
- recognising that Council has a range of roles and legislative drivers that direct its responses to coastal hazards.

The proposed policy brings together the differing roles Council has - from consent agency, to service delivery, to information advisor. It also acknowledges the inter-relationships between different pieces of legislation¹ and seeks to avoid repetition with these legislative provisions.

The policy addresses three key areas:

- Council's approach to managing coastal hazards
- Council's service delivery role
- Council's approach to managing emergency situations

¹ The Resource Management Act, Building Act, Civil Defence and Emergency Management Act and the Local Government Act, all have roles and specific provisions which guide Council's responses to managing coastal hazards.

On 13 June 2017 Council approved the proposed Coastal Hazards Policy for community engagement alongside an *Engagement Document - Development of a Coastal Management Strategy for the Thames Coromandel District* for the purposes of community engagement on the themes and proposed actions that Council was considering for inclusion in a comprehensive coastal management strategy. Community engagement was undertaken in the latter part of 2017.

3 Issue

Council currently has no clear guidance for Council and other parties in relation to managing coastal hazards; its service delivery role and its emergency management role.

4 Discussion

Feedback on the Coastal Hazard Policy was invited alongside the Coastal Management Strategy engagement process. There was limited feedback provided on the Coastal Hazard Policy. This is summarised and analysed below.

Feedback point 1

The Coastal Hazard Policy in 2.1 should include hazardous spills including vessel stranding and associated wreckage and pollution controls; noting that the presence of ocean borne plastics is also a continuing and increasing issue.

Analysis

In line with the definition provided in the policy, this document deals with coastal erosion and inundation. Hazardous marine spills are controlled through the Maritime Transport Act (MTA) which requires Maritime NZ and regional councils to prepare response plans and to respond to marine oil spills, in accordance with these plans. Vessel stranding and wreckage is also managed under the MTA; and the Navigation Safety Bylaws are prepared by the Waikato Regional Council and implemented by the harbour master.

While ocean borne plastics are an increasing issue, it is not an easy matter to regulate. The Resource Management (Marine Pollutions Regulations) 1998 go some way to addressing this issue.

Feedback point 2

Requests that the *Ministry for the Environment Coastal hazards and climate change: Guidance for local government 2017* (MfE guidance) be adopted as the Council's Hazard Strategy.

Analysis

The MfE guidance is a technical document providing advice on how best to assess the potential coastal risks from climate change, and how to help determine possible response options. The Coastal Hazard Policy seeks to set out Council's overall policy approach (as opposed to a technical approach) to managing coastal hazards across the District, thereby clarifying the matters that are important to consider at a local level, such as reliance on the TCDC District Plan, TCDC's service delivery role and guidance for emergency management. The MfE guidance has been referenced and considered in the Coastal Management Strategy; and the allocation of the coastal hazards budget in the 2018-28 Long Term Plan reflects Council's commitment to community engagement on approaches to coastal risk e.g. through the development of shoreline plans.

Feedback point 3

A number of people queried the impact of the policy on private property owners. Their feedback included:

- whether consultation with the owners of the land should be included under Goal 3.2

- the addition of a new 3.2.2 d) avoid any adverse environmental costs over protection of private property
- a suggestion that 3.2.4(c) in relation to safe public access along the top of any protection works to the beach should only be implemented in relation to "hard defence options" as "soft defence options" are generally degraded by high public use and access.

Analysis

TCDC intends to work with individuals and communities, including landowners. This has been identified in clause 2.1.2 of the Coastal Hazards Policy and is also a strong component of the MfE guidance.

In relation to the suggestion to include new wording under 3.2.2(d) *to avoid any adverse environmental costs over protection of private property*, avoidance is an extremely high test under the RMA and may not be practical or realistic to achieve in all instances. Sustainable management also requires social and economic considerations to be taken into account. An adaptive management approach (as recommended in the MfE guidance) recognises that there may need to be short term solutions put in place as well as long term solutions when addressing the vulnerability of beach front private property.

With respect to 3.2.4(c), staff agree that this clause relates to "hard" defences and as this is the term included in the definitions in Appendix 1, it is recommended that the clause is reworded to read: "....along the top of any *hard defences* and from the top of any *hard defences* to the beach..."

Feedback point 4

Asks that planning be in place now to identify risk areas and prepare management methods for those areas including restrictions or prevention of developments, managed retreat, possible purchase of properties and consideration of returning areas subject to possible inundation to wetlands. Request that the work be brought into a ten year time frame to provide more immediacy to the work.

Analysis

Clause 2.1.2 indicates Council's intent to undertake planning in this context - which will also draw on the MfE guidance. Council adopted the sea level rise guidance as an assumption in the 2018-28 Long Term Plan (LTP).

Council considered responses to the proposed Coastal Management Strategy; and as a result set aside budget of \$2.6m in the LTP to undertake community based resilience and coastal hazard response planning. The actions from the strategy take into account potential impacts from climate change and in particular sea level rise and subsequent potential coastal erosion issues.

Feedback point 5

Requests more clarification and public consultation on the targeted rating.

Analysis

The targeted rating is identified as a tool Council may need to consider and apply in specific locations in the future. Further detailed investigation and community discussion would need to be undertaken before this could be implemented.

Feedback point 6

People need to be educated to be made aware of potential risks of coastal hazards resulting from sea level rise and increased storms. There also needs to be regular monitoring of and adherence to resource compliance.

Analysis

Education is required to enable understanding of the risk and vulnerability associated with coastal hazards. This is a fundamental aspect of implementing clause 2.1.2 and the MfE guidance 2017; and a key component of the District Plan's approach to managing coastal hazards. Resource consent compliance is a requirement under the RMA.

In summary

The attached proposed policy differs from the policy that was consulted upon through several wording changes that have been discussed above. The proposed policy has these changes shown as tracked changes.

5 Suggested resolution(s)

That the Thames-Coromandel District Council:

1. Receives the 'Adoption of Coastal Hazards Policy' report, dated 18 July 2018.
2. Revokes the Coastal Hazard Policy Framework for Peninsula Coastal Hazard Prone Locations (2007).
3. Adopts the *Proposed Coastal Hazard Policy* included as **Attachment A** in the agenda.

References-Tabled/Agenda Attachments

Attachment A *Proposed Coastal Hazard Policy*

Attachment A - Proposed Coastal Hazards Policy