

An aerial photograph of a rural landscape in Central Hawke's Bay. The foreground is dominated by a dense, green forest. A winding river or stream flows through the forest, its banks appearing light-colored and eroded. Beyond the forest, the land opens up into a vast, flat expanse of green fields, likely agricultural. Scattered throughout this landscape are numerous tall, slender cypress trees. In the far distance, a range of low, rolling hills or mountains is visible under a clear, light blue sky.

Central Hawke's Bay District Council
District Plan Review

Coastal Environment
Section 32 Topic Report

Central Hawke's Bay District Council

District Plan Review

Coastal Environment
Section 32 Topic Report

Date: May 2021
Status: FINAL

Contents

Executive Summary	1
1 Introduction	1
2 Statutory & Policy Context.....	1
2.1 Resource Management Act	1
2.2 National Direction	2
2.3 Regional Policy Statement & Regional Plans	5
2.4 Local Policies, Plans & Strategies.....	9
2.5 Operative District Plan Approach	9
3 Approach to Evaluation	11
3.1 Background Research	11
3.2 Technical Information and Analysis	14
3.3 Consultation	16
3.4 Draft District Plan Feedback	18
3.5 Decision-Making.....	20
3.6 Resource Management Issues.....	22
4 Evaluation of Proposed Objectives.....	23
5 Evaluation of Proposed Provisions (Policies & Methods)	27
5.1 Identification of Other Reasonably Practicable Options.....	27
5.2 Evaluation of Proposed Policies and Methods	31
5.3 Adequacy of Information and Risks of Acting or Not Acting.....	47
5.4 Quantification.....	47
5.5 Summary	47
6 Overall Summary and Conclusion	48

REFERENCES

1 Introduction

This report contains a summary evaluation of the objectives, policies and methods relating to the coastal environment in the Proposed Central Hawke's Bay District Plan, including the coastal settlements. 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.

This report contains a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from implementing the proposed provisions.

The provisions of the Proposed Plan have been assessed against the relevant higher-order documents that have been prepared under the RMA.

For the purposes of this report, the terms 'Area of High Natural Character' (HNC) have been applied to the areas of high natural character in the coastal environment identified on the planning maps and contained in the CE-SCHED7 schedule.

2 Statutory & Policy Context

2.1 Resource Management Act

The RMA sets out in section 31 the functions of territorial authorities. The key function for the District Council is 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 structures.

Section 5 sets out the purpose of the RMA, which is to promote sustainable management of natural and physical resources and this is explained more in section 5(2).

In this Act, sustainable management means managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural wellbeing, and for their health and safety while –

- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

Sections 6 and 7 of the Act set out principles of national importance and other matters in which the Council shall recognise and provide for, or have particular regard to, when reviewing the District Plan.

The key provisions of the RMA that need to be considered when addressing the sustainable management of the coastal environment are section 6(a) and section 7(c) & (f):

- s6(a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development*
- s7(c) the maintenance and enhancement of amenity values*
- s7(f) maintenance and enhancement of the quality of the environment*

However, values attributed to the coastal environment also draw on information gathered under other sections such as sections 6(b), (c), (e) & (f):

- s6(b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development*

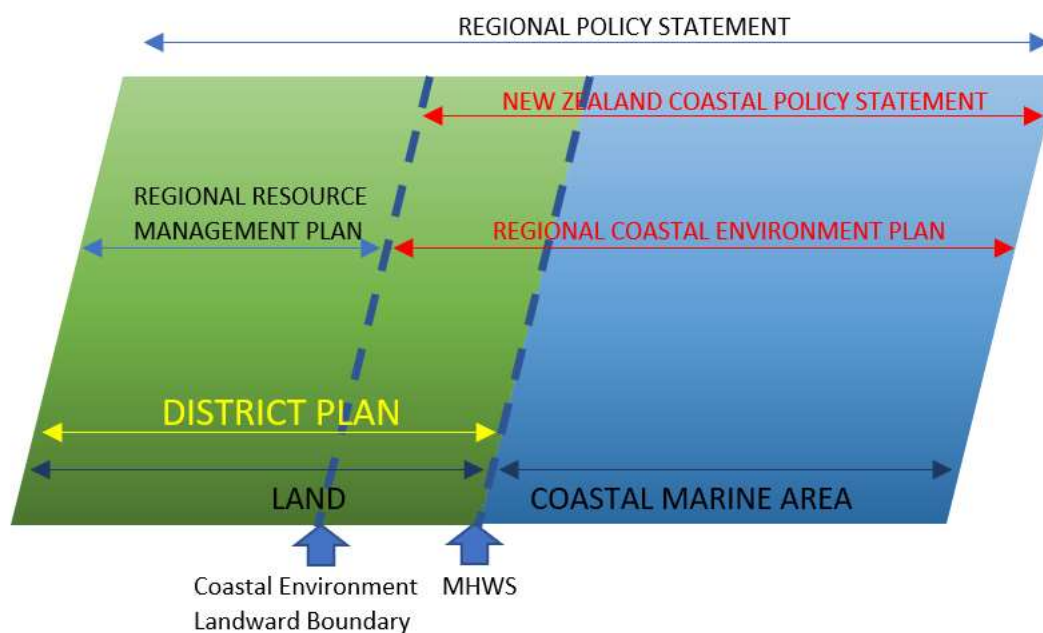
- s6(c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna*
- s6(d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers*
- s6(e) the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga*
- s6(f) the protection of historic heritage from inappropriate subdivision, use, and development*
- s6(h) the management of significant risks from natural hazards*

Because the natural character of the coastal environment is contributed to by matters covered in these other sections, section 6(b) draws on information that is also identified under them. This does not override or double up on the primary relevance of such information to these other sections, but simply draws on it to help inform a holistic view of the values within the coastal environment.

Section 8 requires local authorities to take into account the principles of the Treaty of Waitangi. Tangata whenua, through iwi authorities have been consulted as part of the review process. This feedback has informed the s32 evaluation, and the obligation to make informed decisions based on that consultation is noted.

Section 31 of the RMA further requires Councils to control any actual or potential effects of the use, development or protection of land.

The figure below represents the management of the coastal environment as contained in the RMA:



2.2 National Direction

When considering coastal environment matters, the only national policy direction that applies is the New Zealand Coastal Policy Statement (2010). The format of all District Plan provisions is also subject to the National Planning Standards.

2.2.1 New Zealand Coastal Policy Statement (2010)

Under section 75(3)(b) of the RMA, the District Plan must give effect to any New Zealand Coastal Policy Statement (NZCPS). The NZCPS contains 7 objectives and 29 policies.

The following objectives are considered most relevant:

- Objective 2 *To preserve the natural character of the coastal environment and protect natural features and landscape values through:*
- *recognising the characteristics and qualities that contribute to natural character, natural features and landscape values and their location and distribution;*
 - *identifying those areas where various forms of subdivision, use, and development would be inappropriate and protecting them from such activities; and*
 - *encouraging restoration of the coastal environment.*
- Objective 3 *To take account of the principles of the Treaty of Waitangi, recognise the role of tangata whenua as kaitiaki and provide for tangata whenua involvement in management of the coastal environment by:*
- *recognising the ongoing and enduring relationship of tangata whenua over their lands, rohe and resources;*
 - *promoting meaningful relationships and interactions between tangata whenua and persons exercising functions and powers under the Act;*
 - *incorporating mātauranga Māori into sustainable management practices; and*
 - *recognising and protecting characteristics of the coastal environment that are of special value to tangata whenua.*
- Objective 4 *To maintain and enhance the public open space qualities and recreation opportunities of the coastal environment by:*
- *recognising that the coastal marine area is an extensive area of public space for the public to use and enjoy;*
 - *maintaining and enhancing public walking access to and along the coastal marine area without charge, and where there are exceptional reasons that mean this is not practicable providing alternative linking access close to the coastal marine area; and*
 - *recognising the potential for coastal processes, including those likely to be affected by climate change, to restrict access to the coastal environment and the need to ensure that public access is maintained even when the coastal marine area advances inland.*
- Objective 6 *To enable people and communities to provide for their social, economic, and cultural wellbeing and their health and safety, through subdivision, use, and development, recognising that:*
- *the protection of the values of the coastal environment does not preclude use and development in appropriate places and forms, and within appropriate limits;*
 - *some uses and developments which depend upon the use of natural and physical resources in the coastal environment are important to the social, economic and cultural wellbeing of people and communities;*
 - *functionally some uses and developments can only be located on the coast ...;*
 - *the coastal environment contains renewable energy resources of significant value; ...*
 - *the potential to protect, use, and develop natural and physical resources in the coastal marine area should not be compromised by activities on land; ...*
 - *historic heritage in the coastal environment is extensive but not fully known, and vulnerable to loss or damage from inappropriate subdivision, use, and development.*

The following policies (or parts thereof) are considered most relevant:

Policy 3 – Precautionary approach

1. *Adopt a precautionary approach towards proposed activities whose effects on the coastal environment are uncertain, unknown, or little understood, but potentially significantly adverse.*
2. *In particular, adopt a precautionary approach to use and management of coastal resources potentially vulnerable to effects from climate change...*

Policy 6 – Activities in the coastal environment

1. *In relation to the coastal environment: ...*
 - b. *consider the rate at which built development and the associated public infrastructure should be enabled to provide for the reasonably foreseeable needs of population growth without compromising the other values of the coastal environment;*
 - c. *encourage the consolidation of existing coastal settlements and urban areas where this will contribute to the avoidance or mitigation of sprawling or sporadic patterns of settlement and urban growth; ...*

- h. consider how adverse visual impacts of development can be avoided in areas sensitive to such effects, such as headlands and prominent ridgelines, and as far as practicable and reasonable apply controls or conditions to avoid those effects;*
- i. set back development from the coastal marine area and other water bodies, where practicable and reasonable, to protect the natural character, open space, public access and amenity values of the coastal environment; ...*

Policy 7 – Strategic planning

- 1. In preparing... plans:*
 - a) consider where, how and when to provide for future residential, rural residential, settlement, urban development and other activities in the coastal environment at a... district level; and*
 - b) identify areas of the coastal environment where particular activities and forms of subdivision, use, and development:*
 - i) are inappropriate; and*
 - ii) may be inappropriate without the consideration of effects through a resource consent application, notice of requirement for designation or Schedule 1 of the Resource Management Act process; and provide protection from inappropriate subdivision, use, and development in these areas through objectives, policies and rules.*
- 2. Identify in... plans, coastal processes, resources or values that are under threat or at significant risk from adverse cumulative effects. Include provisions in plans to manage these effects. Where practicable, in plans, set thresholds (including zones, standards or targets), or specify acceptable limits to change, to assist in determining when activities causing adverse cumulative effects are to be avoided.*

Policy 13 – Preservation of natural character

- 1. To preserve the natural character of the coastal environment and to protect it from inappropriate subdivision, use, and development:*
 - a. avoid adverse effects of activities on natural character in areas of the coastal environment with outstanding natural character; and*
 - b. avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on natural character in all other areas of the coastal environment; including by:*
 - c. assessing the natural character of the coastal environment of the region or district, by mapping or otherwise identifying at least areas of high natural character; and*
 - d. ensuring that ... plans, identify areas where preserving natural character requires objectives, policies and rules, and include those provisions.*

Policy 14 – Restoration of natural character

Promote restoration or rehabilitation of the natural character of the coastal environment, including by: ...

- b. providing policies, rules and other methods directed at restoration or rehabilitation in ... plans; ...*

Policy 25 – Subdivision, use and development in areas of coastal hazard risk

In areas potentially affected by coastal hazards over at least the next 100 years: ...

- a. avoid redevelopment, or change in land use, that would increase the risk of adverse effects from coastal hazards;*
- b. encourage redevelopment, or change in land use, where that would reduce the risk of adverse effects from coastal hazards, including managed retreat by relocation or removal of existing structures or their abandonment in extreme circumstances, and designing for relocatability or recoverability from hazard events;*
- c. encourage the location of infrastructure away from areas of hazard risk where practicable;*
- d. discourage hard protection structures and promote the use of alternatives to them, including natural defences; and*
- e. consider the potential effects of tsunami and how to avoid or mitigate them.*

The Proposed District Plan identifies the natural character of the coastal environment of the Central Hawke's Bay District, and contains provisions relating to:

- adverse effects of activities on natural character (including in areas identified as having high natural character, and coastal settlements),
- historical and cultural values,
- outstanding natural features and landscapes and indigenous biodiversity,
- subdivision, use and development in areas affected by coastal hazards, and
- public open space and public access.

2.2.2 National Planning Standards

The first set of National Planning Standards (NPS) were released in April 2019. Their purpose is to improve consistency in district plan and policy structure, format and content.

The District Plan Structure Standard (Standard #4) and the District-Wide Matters Standard (Standard #7, clause 28) direct that the provisions for managing the coastal environment and giving effect to the NZCPS be contained within the 'CE – Coastal Environment' chapter under the 'Part 2 General District-Wide Matters' heading. The 'Schedule of Areas of High Natural Character' (CE-SCHED7) is also included in this chapter, as provided for in the Format Standard (Standard #10, clause 33).

As the District Plan must only contain the zones listed in the Zone Framework Standard consistent with the description of those zones (Standard #8, clause 1), the coastal settlements in the District (formerly Townships Zone in the Operative District Plan) are zoned in the Proposed District Plan as 'LLRZ – Large Lot Residential Zone'. The description of this zone most closely matches the character and amenity of these coastal settlements, which are areas used predominantly for detached residential baches on large lots.

The proposed provisions also use the standardised definitions from the Definitions Standard (Standard #14), where appropriate.

2.3 Regional Policy Statement & Regional Plans

Under section 75(3)(c) of the RMA, the District Plan must give effect to the Regional Policy Statement (RPS) and, under section 75(4)(b), must not be inconsistent with a regional plan. The Hawke's Bay Regional Policy Statement (RPS) is contained within the Regional Resource Management Plan (RRMP), and regional plan provisions relating specifically to the coastal environment are contained within the Regional Coastal Environment Plan (RCEP).

2.3.1 Hawke's Bay Regional Resource Management Plan, including the Regional Policy Statement (Operative 28 August 2006)

Amongst other references, there are specific objectives related to the sustainable management of coastal resources within the RPS, as follows:

Issue 3.2.1

Integrated management of the region's coastal resources across a wide range of natural and physical conditions, administrative responsibilities cultural considerations, and matters of social and economic wellbeing.

Objectives

- OBJ 4 Promotion of the preservation of the natural character of the coastal environment and its protection from inappropriate subdivision, use and development.*
- OBJ 5 The maintenance and where practicable and in the public interest, the enhancement of public access to and along the coast.*
- OBJ 7 The promotion of the protection of coastal characteristics of special significance to iwi, including waahi tapu, tauranga waka, taonga raranga, mahinga kai and mahinga mataitai.*
- OBJ 8 The avoidance of further permanent development in areas prone to coastal erosion or inundation, taking into account the risk associated with global sea level rise and any protection afforded by natural coastal features.*
- OBJ 9 Appropriate provision for economic development within the coastal environment, including the maintenance and enhancement of infrastructure, network utilities, industry and commerce, and aquaculture.*

...

There are no specific policies relating to the coastal environment in the RPS. Specific regional plan provisions (including policies) for the coastal environment are contained within the Regional Coastal Environment Plan (addressed separately below).

The objectives and accompanying explanation in the RPS acknowledge that the natural character of the coast embraces ecological, physical, spiritual, cultural, intrinsic and aesthetic values, and that while it is a matter of national importance to preserve those values, the Act does not preclude appropriate use and development, particularly where natural character has already been compromised. The RPS does however, clearly direct District Councils through their District Plans to avoid further permanent development in areas prone to coastal erosion or inundation, taking into account the risk associated with global sea level rise... development in these areas is deemed inappropriate and the RPS cautions that local authorities are accountable for any development that does occur in these areas.

The RPS also recognises the importance of the physical and biological diversity of the coast; wildlife habitat and coastal vegetation; the recreational amenities of coastal areas and the importance of public access to and along the coast; and the need to make appropriate provision for economic development within the coastal environment (including infrastructure and network utilities).

The RPS also places significant importance on the identification and protection of coastal characteristics of special significance to iwi. In this regard, it is beholden on the District Council to engage with mana whenua along the coast to identify sites, landscapes and associations of special significance, and to ensure the District Plan protects those, where appropriate.

The direction contained within the Regional Policy Statement, in relation to the coastal environment, has been taken into account in the evaluation below.

2.3.2 Hawke's Bay Regional Coastal Environment Plan (Operative 8 November 2014)

The RCEP incorporates the regional coastal plan (as required to be prepared by regional councils) as well as issues regarding the landward component of the coastal environment. The RCEP defines the coastal environment of Hawke's Bay as follows:

'The Plan extends to include all of the coastal environment. The coastal environment includes the coastal marine area (as defined in s2 of the RMA) and the landward edge to this. The term 'coastal environment' is not specifically defined in the RMA, nor in the New Zealand Coastal Policy Statement, but has been defined in resource management case law. For the purposes of this Regional Coastal Environment Plan, the HBRC has defined the Hawke's Bay coastal environment as including:

- (a) *the coastal marine area*
- (b) *any areas identified as being affected by, or potentially affected by, coastal flooding or coastal erosion and*
- (c) *any of the following:*
 - i) *tidal waters and the foreshore above mean high water springs*
 - ii) *dunes*
 - iii) *beaches*
 - iv) *areas of coastal vegetation and coastal associated fauna*
 - v) *coastal cliffs*
 - vi) *salt marshes*
 - vii) *coastal wetlands, including estuaries and*
 - viii) *areas where activities occur or may occur which have a direct physical connection with, or impact on, the coast.¹*

The landward margin of the coastal environment for Hawke's Bay has been determined in the RCEP, and is featured on the RCEP maps, based on the following:

¹ paragraph 1.1.3.2, and definition of 'coastal environment' in Part I – Glossary, of the RCEP (8 Nov 2014)

“The coastal environment’s inland boundary recognises the varying natural and physical characteristics of Hawke’s Bay’s coast and does not represent a ‘one size fits all’ approach. The margin largely follows property boundaries, coastal ridgelines and clifftops and other natural or physical features (eg: roads, rail) where appropriate.”²

The RCEP has various objectives and policies (no rules) relating to ‘matters of national importance’ as they relate to the coastal environment landward of MHWS (therefore of relevance to District Plans), including:

- natural character (Objective 2.1 & Policies 2.1 – 2.4, 2.6 & 2.9 – 2.12);
- outstanding natural features and landscapes (Objective 3.1 & Policies 3.1 – 3.6);
- indigenous species and habitats (Objective 4.1 & Policies 4.1 – 4.5);
- public access to an along the coast (Objective 5.1 & Policies 5.1 – 5.6);
- relationship of Maori and the coast (Objective 6.1 & Policies 6.1, 6.2, 6.3 & 6.9); and
- historic heritage (Objective 7.1 & Policy 7.4).

These essentially give effect to the objectives and policies of the NZCPS.

In addition, the RCEP contains rules in relation to the use and development of land in the coastal margin and within identified Coastal Hazard Zones. The RCEP has identified three Coastal Hazard Zones (CHZ) along the region’s coastline – CHZ1, CHZ2, and CHZ3. ‘Coastal Margin’ and the CHZs are defined in the RCEP as follows:

Coastal Margin

means an area of the coastal environment identified for the purposes of this Plan to manage activities and the effects of activities occurring within the coastal environment. It does not include any part of the coastal marine area.

Coastal Hazard Zone 1 (CHZ1)

means an area identified on the planning maps which is land assessed as being subject to storm erosion, short-term fluctuations and dune instability and includes rivermouth and stream mouth areas susceptible to both erosion and inundation due to additional hydraulic forcing of river or estuary systems. For the purposes of this Plan, it extends a distance of 200m seaward from its inland boundary.

Coastal Hazard Zone 2 (CHZ2)

means an area identified on the planning maps which is land assessed as being potentially at risk up to 2100 due to long term rates of coastal erosion and at some locations, may also include areas assessed as being potentially at risk of sea water inundation in a 1 in 50 year combined tide and storm surge event. It includes allowance for sea level rise, but does not include land within Coastal Hazard Zone 1 or Coastal Hazard Zone 3.

Coastal Hazard Zone 3 (CHZ3)

means an area of land assessed as being potentially at risk of sea water inundation in a 1 in 50 year combined tide and storm surge event, and includes allowance for sea level rise, but does not include land within Coastal Hazard Zone 1 or Coastal Hazard Zone 2.³

In terms of use and development of land in the coastal margin, the RCEP contains rules only in so far as controlling feedlots and feedpads, and vegetation clearance or soil disturbance in the coastal margin (Rules 5-8). However, the RCEP contains comprehensive rules in terms of land use activities within the identified Coastal Hazard Zones (Rules 89-110). In summary, these rules make limited provision for (as Permitted Activities):

- i) minor land uses within the Coastal Hazard Zones, such as internal building work and maintenance, and alterations or additions to existing lawfully established buildings or structures of up to an additional 20m² beyond the floor area as at 30 August 2006, and for network utility operation structures;

² paragraph 1.1.3.5 of the RCEP (8 Nov 2014)

³ definitions in Part I – Glossary in the RCEP (8 November 2014)

- ii) cycleways, pathways, boardwalks, interpretive signage, and other small-scale public recreation and community infrastructure, public car parks etc; and
- iii) associated earthworks.

As well as:

- i) temporary activities (provided they do not impact on any sand dune system);
- ii) coastal enhancement projects in CHZ1 or CHZ2 carried out by DOC, HBRC or their agents; and
- iii) the maintenance, repair, upgrading, replacement, demolition etc of a network utility operation structure in CHZ3.

The following activities in the RCEP require resource consent from the Regional Council, in summary:

- i) any other building work in CHZ2 or network utility structures in any of the CHZs that exceed the thresholds for Permitted Activities (i.e. greater than 20m² floor area);
- ii) additions or alterations to existing lawfully established buildings in CHZ1 of up to an addition 20m² where seaward of the existing building (additions or alterations greater than 20m² in CHZ1 are a Non-Complying Activity);
- iii) the maintenance and repair of existing lawfully established coastal protection structures located in CHZ1 or CHZ2;
- iv) new coastal protection structures in CHZ1 or CHZ2 (Non-Complying Activity);
- v) replacement of structures in CHZ1 or CHZ2 damaged by action of the sea (Non-Complying Activity);
- vi) deposition or removal of sediment and other earthworks within CHZ1 of greater than 5m³ per property in any 6-month period (Non-Complying Activity).

Landfills or dumping of hazardous substances in any of the Coastal Hazard Zones are Prohibited Activities.

The Regional Council has mapped CHZ1-3 along the Central Hawke's Bay District coastline in detail, mostly in the vicinity of the beach settlements, with large sections of the remaining the coastal environment mapped as 'Transition Hazard Zones (Cliff Shore Hazard Area)':

- **Kairakau** – much of the beachfront campground lies within CHZ1, and there are a limited number of residential properties fronting Kairakau Road and Kairakau Beach Road that are partially affected by either CHZ2 or CHZ3.
- **Mangakuri** – the development at Mangakuri lies largely outside of CHZ1-3, although Williams Road lies largely within CHZ2, and CHZ3 encroaches along parts of Okura Road.
- **Pourerere** – properties on the corner of Pourerere Road and Pourerere Beach Road are affected by CHZ1 and CH2. Along the coast on Pourerere Beach Road, a number of beachfront residential properties are wholly or partially within CHZ2 and/or CHZ3. The seaward side of Pourerere Beach Road is CHZ1.
- **Aramoana** – the development at Aramoana (Shoal Bay) lies largely outside of CHZ1-3, with only the undeveloped beachfronts of some properties partially covered by CHZ2.
- **Blackhead** – the properties on the seaward side of McHardy Place at Blackhead Beach are partially affected by CHZ2 and/or CHZ3. In contrast, the 'Wazz Macs' development is extensively within CHZ1-3, with some buildings on the beachfront side lying wholly within CHZ1, and the remaining beach front buildings lying wholly within CHZ1 and/or CH2 – the buildings furthest from the beach are partially affected by CHZ2 or CHZ3 as well.
- **Te Paerahi** – lies largely outside of CHZ1-3, with only a small number of beachfront properties wholly or partially affected by CHZ1 and/or CHZ2.
- **Whangaehu** – is largely unaffected by CHZ1-3.

The direction contained within the RCEP has been taken into account in the evaluation below.

2.4 Local Policies, Plans & Strategies

2.4.1 Iwi Environmental Management Plan

There are currently no iwi management plans relevant to Central Hawke’s Bay District.

2.4.2 Statutory Acknowledgements

Heretaunga Tamatea and its hapū is one of six large natural groupings represented by He Toa Takatini who negotiated settlement of the historical Treaty of Waitangi claims of Ngāti Kahungunu, signed on the 26 September 2015. Settlement assets for Tamatea sit with the trustees of the Heretaunga Tamatea Settlement Trust, the post-settlement governance entity.

As part of the deeds of settlement are statutory acknowledgements. The statutory acknowledgements for the particular cultural, spiritual, historical, and traditional association of Heretaunga Tamatea and its hapū within Central Hawke’s Bay District include its many natural features and landscapes. There is only one statutory acknowledgement area extending to the coast, and the following areas assessed as having high/very high natural character (HNC) partially overlap:

Statutory Acknowledgement Areas within the Coastal Environment			Areas within the Coastal Environment Identified as having High / Very High Natural Character in the Proposed District Plan (HNC)
OTS Reference	Proposed Plan Reference	Deed Plans Title	
OTS-110-32	SA-18	Pōrangahau/Tāurekaitai and its tributaries within the Heretaunga Tamatea area of interest	HNC-6 Pōrangahau HNC-7 Mt Pleasant

2.5 Operative District Plan Approach

The coastal environment currently lies within the Rural Zone in the Operative District Plan, delineated by way of a ‘Coastal Margin’ line on the Planning Maps, with the following coastal settlements zoned as ‘Township Zone’ – Kairakau, Mangakuri, Pourerere, Blackhead and Te Paerahi. The settlements of Aramoana and Whangaehu were established by way of an approved 51-lot development (Shoal Bay) and limited sites created by subdivision of the underlying Rural-zoned land (Whangaehu).

2.5.1 Coastal References in the District Plan

There is no comprehensive set of provisions addressing the Coastal Environment or the Coastal Margin Area in the Operative District Plan. Coastal provisions in the Operative District Plan are scattered across various chapters:

Part 3.1 Tangata Whenua Values – Policy 6 *‘To maintain and enhance public access to the District’s...significant waterways, wetlands and coastal areas, having regard to their traditional importance as mahinga kai’*

Part 3.3 Open Space and Recreation – Policy 2 *‘To enhance public access along the coast and to the margins rivers and lakes identified as having significant recreational values through the taking and maintaining of esplanade reserves and strips, and the creation of esplanade reserves and strips, on subdivision, and the provision of incentives, including in some circumstances the public acquisition of land’*

Part 3.4 Natural Hazards –

Policy 3 *‘To ensure buildings are constructed appropriately to avoid or mitigate the risks associated with flooding, earthquake and fire, and hazards at the coast’*

Policy 5 *‘To require the Council’s consent for subdivision within any area identified in the Plan as being at risk from a natural hazard including the coast and to require a landuse consent for buildings located near faultlines identified in the Plan, so as to minimise the likelihood of damage to future assets’*

Policy 6 *‘To permit coastal protection works in areas threatened by coastal hazards, only where they are the best practicable option for the future and avoid adverse environmental effects as far as practicable’*

3.4.2 Environmental Results Anticipated –

- *The location of new subdivision and subsequent development away from areas at high risk from natural hazards, including hazards at the coast*
- *New coastal hazard protection works are only built if they are the best practicable option providing adverse effects are avoided*
- *The protection or management of dunes or other natural features as a means of avoiding or mitigating the risk of coastal erosion or inundation from the sea*

Part 4 Rural Zone –

Objective 4.4.1(2) *‘The margins of wetlands, rivers, lakes and the coast are managed in order to preserve the natural character of these environments and the margins of identified river catchments are managed to enhance water quality’*

Policy 4.4.2(5) *‘To control activities which have the potential to adversely affect the natural character of coast which is an important contributor to the amenity of the District’*

4.4.4 Explanation & Reasons *‘The coast and several landscape vistas contribute to the amenity of the District. The coast is that part of the environment that is viewed from the sea, and in which the coast is a significant element; while, the identified landscape vistas are viewed from nearby public roads. These areas are identified on the Planning Maps. Rules are introduced to control building development and the planting of trees because they may obstruct the views of these landscape vistas or compromise the natural character of the coast’*

Relevant District Plan Appendices:

Appendix A Schedule of Designations – includes numerous designations located within the Coastal Margin Area.

Appendix B Schedule of Heritage Items and Notable Trees – includes 4 heritage items located within the Coastal Margin Area (being H2 Tapu Rock, Pourerere Beach; H3 Old Wool Press, Pourerere Beach; H53 Aramoana Station Homestead and Stables; H54 Aramoana Station Woolshed and Mens Quarters).

Appendix C Schedule of Sites of Cultural Significance to Tangata Whenua – includes numerous sites located within the Coastal Margin Area (including urupā and pā sites).

Appendix D Schedule of Areas of Significant Nature Conservation Value – includes 5 sites located within the Coastal Margin Area (being Site No.36 Kairakau Beach – Taupata – Miocene mudstone and coastal vegetation; Site No.49 Parimahu – Coastal forest with mainly Karaka; Site No.51 Porangahau – Mosaic of coastal vegetation; Site No.53 Cooks Tooth Coastal Faces – Flax scrubland; Site No.57 Pourerere Conservation Area).

Appendix F Schedule of Archaeological Sites – includes numerous archaeological sites located within the Coastal Margin Area (including pits, terraces, middens and ovens, pā, and artefacts etc).

Appendix H Schedule of Identified Community Facilities – includes 2 facilities located within the Coastal Margin Area (being C6 Porangahau Country Club; C57 Porangahau/Rongomaraero Marae).

Appendix I Schedule of Areas of Outstanding Landscape Views – includes three view shafts located within the Coastal Margin Area (being SV8 View of coast from Pourerere Road; SV9 View of sand dunes and beach from Blackhead Road; SV10 View of sand dunes and beach from Blackhead Road).

2.5.2 Provisions Specific to the ‘Coastal Margin Area’

Part 4 Rural Zone –

Rule 4.9.9 in Part 4: Rural Zone is specific to the ‘Coastal Margin’, and imposes the following standards:

‘Rule 4.9.9 Coastal Margin

The following standards shall apply to the Coastal Margin Area identified on the Planning Maps:

- Exotic tree planting shall be limited to 1000m² per site over any 5 year period.*
- Any building(s) shall be limited to a total gross floor area of 200m² per site.’*

Part 9 Subdivision –

Rule 9.9.1(e) in Part 9: Subdivision and Financial Contributions provides for the Council to take esplanades strips or reserves when an allotment is created along the coast.

Rule 9.9.4(ii) deems all subdivision within the Coastal Margin Area of the Rural Zone shall be a 'Discretionary Activity'.

Part 10 Utilities –

Rule 10.4.2(a) in Part 10: Utilities deems all above ground lines and support structures proposed to be located in the Coastal Margin Area shall be a 'Controlled Activity', with control limited to the siting of the lines and support structures, and the height and size of the support structures.

Rule 10.4.3(f) deems all other network utility activities proposed to be located in the Coastal Margin Area shall be a 'Restricted Discretionary Activity', with discretion restricted to the impact of the utility structures on the views of the landscape or the natural character of the coast.

Rule 10.4.3(h) deems coastal protection works to be 'Discretionary Activities'.

Part 14 Assessment Criteria –

Part 14: Resource Consent Assessment Matters includes a list of matters in Section 14.2(14) to be taken into account when assessing an activity which does not comply with the standards in Rule 4.9.9 in respect of exotic tree planting and buildings in the Coastal Margin Area, or for utilities captured by Rule 10.4.3(f) above, as follows:

- a) *Degree to which the exotic tree planting or buildings will adversely affect the natural character of the coastline, including:*
 - i) *the loss of key views or viewpoints; and the loss of accessibility to key views or viewpoints;*
 - ii) *any obscuring of landforms or natural features;*
 - iii) *the loss or modification of the natural landscape pattern; including the loss of underlying landform pattern;*
 - iv) *the loss or obscuring of present vegetation patterns;*
 - v) *the loss of openness and spaciousness of the coastline, and the apparent naturalness of the coastline.*
- b) *The need for tree planting for soil conservation purposes.*

Matters in Section 14.6 Subdivision Assessment Matters include the following matter in subsection 4 'Natural Hazards':

- j) *The likelihood of the proposed subdivision, including the establishment of potential assets such as residential units, being threatened by inundation or coastal erosion.*

3 Approach to Evaluation

3.1 Background Research

In 2017, a high-level scoping exercise was undertaken to determine what aspects of the Operative District Plan were in reasonable shape and identify areas for review and the general approach to be taken to review them⁴.

The District Plan was assessed as being light on the preservation of the natural character of the coastal environment, and the various other values present in that environment, and subsequently there are potential gaps in the policy framework and subsequent rules and performance standards to sustainably manage the coastal environment.

Significantly, the Rural Zone provisions were seen as touching across numerous section 6 'matters of national importance' identified in the Resource Management Act, all within one chapter, and that this

⁴ 'Initial Section 32 Scoping Report – CHB District Plan Review 2017', prepared by Sage Planning HB Ltd, dated 24 August 2017.

has resulted in these matters (such as the natural character of the coastal environment, rivers and lakes (s6a), landscapes and features (s6b), indigenous vegetation and habitats of indigenous fauna (s6c), and public access to the coast, rivers and lakes (s6d)) being given only cursory policy attention, and low level regulatory responses in the Operative District Plan.

Options considered were to retain the status quo (i.e. retain provisions relating to the Coastal Margin within the Rural Zone provisions without amendment), update the Rural Zone provisions, or to draft a new standalone Coastal Zone chapter. A new standalone chapter was recommended.

As part of the District Plan scoping exercise the following background reports and feedback were also noted.

3.1.1 ‘Central Hawke’s Bay Coastal Strategy – Recommendations for future development within the Central Hawke’s Bay Coastal Margin’, Opus International Consultants Ltd, October 2007

Council began addressing the special issues relating to development and settlement of the coastal area in 2000/2001, within an internal report to Council prepared by staff discussing the issues relating to coastal growth. At that time, the demand for houses in the coastal settlements of Kairakau, Pourerere and Blackhead Beaches had increased, and there was increased demand for subdivision of rural coastal farmland for residential (holiday) development. In response to these issues and in recognition of the significance of the District’s coastal area, the Council commissioned the preparation of the ‘Central Hawke’s Bay Coastal Strategy’.

The Coastal Strategy was adopted by Council in 2007, and sought to provide a basis for determining how future development should occur along the Central Hawke’s Bay coast, recognising in particular the development pressures being experienced by existing coastal settlements. That pressure for development at the coast has since noticeably fallen away (although notably, in March 2020, Council approved a 21-lot, large lot residential subdivision at Pourerere).

3.1.2 ‘Coastal Zone Discussion Document – District Plan Review’, CHBDC, November 2013

This document was released for public discussion as part of the rolling District Plan review. It identified and sought feedback from the community on a range of issues relating to Coastal Townships and Identity, Coastal Landscapes, Growth & Services in Coastal Townships, Cultural Issues, Climate Change and Natural Hazards.

27 submissions were received in response to the discussion document, including submissions from Heritage New Zealand, Hawke’s Bay Regional Council and Hawke’s Bay Federated Farmers. The submissions indicated a general acknowledgement of the fragility of the coastal environment; some support for constraining/limiting development in coastal settlements & limiting commercial and industrial activities; providing more regulation around earthworks; recognition/protection of sites of heritage and cultural significance in the coastal environment; and protection of the natural character and amenity of the coastal area.

The submissions displayed a mixed response to the provision for exotic forestry in the coastal area, with some supporting and some opposing this, and some suggesting more native planting should be encouraged in these erosion prone areas.

3.1.3 ‘Central Hawke’s Bay District Council – District Plan Review – Coastal Zone Landscape Assessment’ (Final Draft), Terraforme Landscape Architecture, September 2013

This assessment:

- mapped a revised ‘Coastal Environment Area’;

- identified natural coastal features and amenity landscapes of significance to the district;
- noted the contribution of the estuary environments and associated stream/river outlets, and the dune systems (e.g. Parimahi dunes) to the coastal landscape and natural character of the coastal environment, and a requirement for careful consideration of these areas in the District Plan; and
- the contribution of the coastal settlements to the amenity landscapes.

The report was released as a 'final draft' subject to the outcome of engagement with tangata whenua, stakeholders, and the wider community on the review of the coastal provisions in the District Plan at that time, which was anticipated to result in changes. A final version of this report was not completed.

Since that time, the consultant has moved away from consultancy practice and, ultimately, became unavailable to progress the final draft and take any recommendations through the remainder of the District Plan review process.

3.1.4 'Central Hawke's Bay Blueprint - Appendices for Central Hawke's Bay District Council', Urbanism Plus Ltd, July 2017

In April 2017, Council consulted with the local community on their long term goals for the District. The outcome of this process 'Project Thrive', has informed Council's strategic direction and investment since that time. A key theme identified by the community during this process included 'Nature Friendly' practices.

Feedback strongly indicated that the community placed value on landscape, outdoor environment/land/mountains, sand dunes and natural beauty, as well as iconic rivers, estuary, and especially beaches. Specific feedback relevant to coastal issues included 'lack of protection of natural beauty in the District Plan', 'beach and river preservation seen as Regional Council responsibility', and identified 'connection between community and beach' as something that needed improvement.

3.1.5 'Central Hawke's Bay District Plan Review – A Report on the Efficiency and Effectiveness of the Central Hawke's Bay District Plan', CHBDC, August 2017

This report identified the following issues with the approach in the Operative District Plan in relation to the coastal environment (in summary):

- *Currently the sensitive coastal environment is managed by very light and limited provisions embedded in the Rural Zone. The extent of the regulations extends to only exotic forestry land use and the area of building footprints. Replacement of the Coastal Margin subsection with a specific chapter on the coastal zone will provide for focus on the coastal environment and on the issues and values appropriate to a matter of national importance.*
- *Expansion of the coastal environment in the draft Plan will also allow related issues such as cultural values, landscape and natural landscapes to be assessed and provided for.*
- *The performance standards relating to the coastal townships are currently the same as the rural townships. There may be benefits in adopting different provisions in the Plan for the coastal townships that reflect the coastal setting and the sensitive coastal environment.*
- *Given the status of the coastal environment in the Act as a matter of national importance and the significance to tangata whenua there are valid and compelling rationale for the coastal environment to have a specific chapter in the draft Plan with its own objectives, policies, rules and anticipated environmental results.*

3.1.6 Issues Raised in Staff Interviews (2017)

Feedback from staff about their experiences with the Operative District Plan during interviews for the Initial Scoping Report, only raised one issue of relevance, as follows:

- Natural Hazards (Coastal Erosion and Inundation) – need bigger coastal setbacks in low-lying coastal areas to reflect sea level rise over time and storm surges – CHZ1 and CHZ2 (RCEP) – e.g. Pourerere – pre-emptive planning around that.

3.2 Technical Information and Analysis

3.2.1 ‘Natural Character Assessment of the Central Hawke’s Bay Coastal Environment’, Hudson Associates Landscape Architects, January 2019

During the process of reviewing the District Plan provisions around coastal issues, Council commissioned Hudson Associates to carry out an assessment of the natural character of the District’s coastal environment, and to provide guidance on methods for meeting Council’s section 6 and section 7 responsibilities under the RMA in this respect.

This assessment, and resulting report below, was accepted and formerly adopted by Council and has informed the development of coastal natural character provisions in the Draft District Plan and beyond.

The assessment methodology was based on the NZILA Best Practice Guide 10.1, and the Area-Based Assessment techniques from the Quality Planning website, and involved mapping the physical extent of the coastal environment and the Coastal Environment Sectors based on their distinguishing characteristics, and describing and ranking the characteristics of these sectors on a scale from Very Low to Very High.

Each sector was then evaluated in terms of the components of natural character in the table below.

Components of Natural Character	Factors
Marine (excluding estuaries)	Water surface and body of the CMA along the coastline including surf breaks and landforms (e.g. rocks, reefs, stacks, channels); marine habitats, biota, and natural processes, excluding estuaries and water-bodies above MHWS. <u>Assessment Considers:</u> The degree of modification such as changed landforms, earthworks, dredging and presence of built structures (e.g. moorings, jetties, marine farms, and navigation structures). <i>Note: This area (CMA) is not within the scope of this District wide Assessment. The area below MHWS is within the Regional Council’s jurisdiction.</i>
Landform	Natural coastal landforms such as dunelands, estuary margins, lakes, wetlands, and salt marsh. <u>Assessment Considers:</u> Physical intactness and modifications, such as road cuts, earthworks, reclamation. Excludes built structures.
Vegetation / Habitats	Terrestrial and aquatic vegetation and habitats, including estuarine vegetation. <u>Assessment considers:</u> Vegetation composition, distribution, and health, including the proportion of indigenous/exotic species, intactness of indigenous communities, and restoration potential of indigenous vegetation.
Biodiversity	Terrestrial and aquatic flora and fauna, including biodiversity of estuarine areas. <u>Assessment considers:</u> Expression/appearance of natural processes ranging from dominant to non-existent; and diversity of species and habitat, degree of indigenoussness of flora and fauna.

Natural Systems and Processes	Degree that uninterrupted physical coastal processes, such as wind, aeolian, and tidal processes, continue to shape the coastal landscape. <u>Assessment considers:</u> The expressiveness of coastal processes, and ability of coastal forces to continue to shape the land.
Structures / Settlements	Buildings, roads, carparks, fences, infrastructure such as pylons, masts. Seawalls, jetties, marinas and coastal armouring works. <u>Assessment considers:</u> The extent scale and impact of these elements
Perceptual	Overall appearance and feel of an area (i.e. visual aspects, smell, visual, sounds, sense of wilderness, remoteness, isolation); and also ephemeral human activity, such as recreation, fishing, commercial activities, vehicles, and the presence of horses, people, dogs, boats, and jet skis. <u>Assessment considers:</u> How natural does the location feel and look?

(Source: Boffa Miskell Ltd):

No areas of outstanding natural character were identified. This is due to the amount of landform and land cover modification that has occurred within these areas and includes modifications such as flattening of dunes, farming activities, forestry, vegetation clearance and exotic vegetation colonisation, which all reduce the natural character level from an outstanding natural state.

The outcome of the report was the identification of 8 Coastal Sectors within the coastal environment achieving an overall natural character ranking of High or Very High:

- Huarau – Taupata (High)
- Waimoana – Kairakau (Very High)
- Paonui Point – Pourerere (High and Very High)
- Aramoana – Te Angiangi (High)
- Pohutapapa – Blackhead (High and Very High)
- Pōrangahau (mix of Moderate, High and Very High)
- Mt Pleasant (High and Very High)
- Whangaehu (Very High)

The report also assessed each of the coastal settlements of Kairakau, Mangakuri, Pourerere, Aramoana / Shoal Bay, Blackhead, Porangahau Beach, and Whangaehu as having overall natural character rankings of Moderate-Low.

The remainder of the coastal environment of Central Hawke's Bay District was assessed as having an overall natural character ranking of Moderate.

The identified potential threats to the key natural character values identified for each of the above areas of high natural character were identified as (not all threats are relevant in all cases):

1. significant modification to the landform, such as may occur through mining or major earthworks, or through land drainage
2. buildings, particularly along ridgelines
3. hiding of the underlying rock type or geology through plantation forestry (acknowledging this may also have benefits in terms of erosion control)

The above areas have formed the basis for mapping of, and inclusion of a schedule of, areas of high natural character in the Proposed District Plan, and the key values and threats have been considered in the development of accompanying objectives, policies and methods in the Coastal Environment chapter of the Plan.

This assessment is an expert-based approach and did not include consultation with the community or landowners.

3.2.2 ‘Central Hawke’s Bay District – Outstanding Natural Landscape Assessment’, Hudson Associates Landscape Architects, January 2019

In addition to this Natural Character Assessment, Hudson Associates carried out a district-wide assessment of Outstanding Natural Features and Landscapes of the Central Hawke’s Bay District. These two assessments (natural character and landscape) are independent of each other, as they have different assessment criteria.

The landscape assessment covers the entire district, which includes the coastal area addressed by the natural character assessment, while the natural character assessment covers the coastal environment. There is overlap in the factors considered by both, but one essential difference between the two is that Natural Character does not consider associative values, which Landscape does.

This landscape assessment report is covered in more detail in the Section 32 Natural Features and Landscapes Topic Report, however for the purposes of this report, it is relevant to note that the following outstanding natural features were identified within the coastal environment:

- Kairakau
- Pourērere, Aramoana and Blackhead Coastline
- Parimahu Basin
- Pōrangahau Foredunes
- Whangaehu Coastal Cliffs

In addition, the landscape assessment identified one ‘significant amenity feature’ (being a landscape feature worthy of recognition but not reaching the level required to be assessed as outstanding) within the coastal environment, being:

- Pōrangahau Inland Dunes

For all the above landscape features, there were strong associational values assigned for tangata whenua.

3.3 Consultation

3.3.1 Landowner Consultation

Consultation with potentially affected landowners included:

- A district wide mailout letter (April 2019) and accompanying map to all landowners identified as having outstanding or significant natural features/landscapes on their property (including those within the coastal environment), inviting them to meetings with Council staff and consultants to discuss, and/or to provide at the meetings or via email/phone message.
- A series of landowner meetings were held in May 2019 – including Waipawa Municipal Theatre (8 May), Tikokino Hall (9 May), and Porangahau Hall (10 May) – to advise of the implications of having outstanding or significant natural features/landscapes on their property and providing the chance to discuss mapping with Council’s consultant landscape architect. The opportunity to provide written feedback was encouraged.
- Resulting feedback was received and reviewed by Council’s consultant landscape architect, with a small number of follow-up site visits taking place, including two site visits involving outstanding or significant natural features/landscapes in the coastal environment. No changes were made to the identification or mapping of any natural features/landscapes within the coastal environment as a result of the landowner feedback received.

3.3.2 Stakeholder Consultation

Consultation with key stakeholders included:

- A mailout letter to key stakeholders (April 2019), inviting them to meetings with presentations from Council staff and consultants to discuss the implications of identified significant natural areas and identified outstanding and significant natural features/landscapes.
- A mailout letter to key subdivision and development stakeholders (April 2019), inviting them to meetings with presentations from Council staff and consultants to introduction to the draft District Plan and a general understanding of proposed new provisions relating to subdivision and development in both the urban and rural zones (including within the coastal environment, and in coastal settlements).
- A meeting was held on 6 May 2019 at the Waipawa Municipal Theatre to advise of the impending inclusion of, and implications of, significant natural areas and outstanding or significant natural features/landscapes in the District Plan, and providing the chance to discuss with Council's consultant ecologist and consultant landscape architect.
- A meeting was held on 14 May 2019 at the Waipawa Municipal Theatre to advise of the impending changes to subdivision and development in the District Plan, and providing the chance to discuss with Council staff and elected members.

3.3.3 Iwi Consultation

Meetings were held as follows with iwi and hapu to outline (among other District Plan matters) proposed identification of outstanding and significant natural features and landscapes:

- Hui at Taiwhenua o Tamatea (Waipukurau) – John Hudson (Council's Consultant Landscape Architect) presented draft Landscape Assessment for discussion (7 May 2018) – associational values for tangata whenua were discussed, and a field trip with Paul Sciascia, as well as contacting Hawke's Bay historian and author, Mr Pat Parsons, were recommended to the Consultant.
- Field trip – John Hudson met with Paul Sciascia to walk over identified landscape areas around Porangahau/Parimahu (11 May 2018).
- Meeting with Pat Parsons – John Hudson met with Pat Parsons (local historian, author of several publications, and custodian of Maori history) to further develop understanding of the deep associational values of the identified landscapes to tangata whenua (16 May 2018).

The above discussions were instrumental in completing the associational component (both historical and tangata whenua) of the Hudson Associates 'Outstanding Natural Landscape Assessment' final report.

The final report incorporates extensive summaries of the historical and tangata whenua association with the outstanding natural features and landscapes and significant amenity features identified, and Mr Pat Parsons is credited in the report as having contributed generously with his time and expertise.

- Hui to present and seek general feedback on the Draft District Plan, Rongomaraeroa Marae, Porangahau (6 June 2019).
- Hui at Taiwhenua o Tamatea (Waipukurau) to present and seek general feedback on the Draft District Plan (20 June 2019).

3.3.4 Wider Community Consultation

- Public notification of the Draft District Plan, inviting members of the community to attend drop-in meetings, and calling for submissions – 3 June 2019.
- Public drop-in meetings were held to present the Draft District Plan, which included presentation of the proposed provisions addressing the coastal environment:
 - Waipukurau Club – 4 June 2019
 - Ōtane Hall – 11 June 2019
 - Porangahau Hall – 12 June 2019
 - Takapau Hall – 18 June 2019
 - Tikokino Hall – 19 June 2019
 - Waipawa Municipal Theatre – 25 June 2019
- Informal hearings for submitters to present their submissions on the Draft District Plan to the District Plan Committee – 3 February to 21 February 2020.

3.4 Draft District Plan Feedback

3.4.1 Coastal Environment

Seven submitters made 38 submission points on the provisions of the Coastal Environment chapter (formerly Chapter 7) of the Draft District Plan.

The overwhelming majority of submissions on this chapter were from Federated Farmers, Department of Conservation, Forest & Bird, and Hawke's Bay Regional Council (HBRC). Overall, there appears to be general support for the Coastal Environment provisions, with Federated Farmers seeking to ensure provision for legitimate farming activities and clear direction around public access; HBRC seeking additional wording referencing the issue of climate change in relation to activities on the coast; and DOC and Forest & Bird seeking amendments/clarification to better reflect the relevant policies of the NZCPS.

Network Utility submitters made a small number of minor submissions, generally supporting the approach in the Draft Plan that rules for network utilities are addressed altogether in the Network Utilities Chapter (Chapter 15), including rules for network utilities within high natural character areas (HNCs).

Federated Farmers considered that there was no need to identify and map areas of high natural character (HNCs), and that the building rule applying to HNCs in this chapter should be deleted, and instead rely on subdivision provisions to protect the natural character of the coastal environment. Forest and Bird considered the rules too permissive, if HNCs were equivalent to Outstanding Natural Features or Landscapes.

One individual made a couple of submission points, largely supporting the approach in the chapter, but also raising the issue of global warming, sea level rise and storm surges, requesting insertion of an implementation method that Council will proactively work with communities to protect vulnerable settlements from erosion, and that hard protection methods may be needed despite potential impact on the coastal environment. This submitter also wished to see rates relief for covenant protection of coastal cliffs 'retired from grazing' being regenerated into native scrub and coastal flax species.

As a result of feedback to the Draft District Plan, the areas of high natural character (HNCs) were retained as is, but the associated rules removed in their entirety – instead relying on the policy framework in the Coastal Environment chapter, subdivision provisions, and assessment matters for resource consents affecting HNCs (similar to the approach taken for Significant Amenity Features

(SAFs)). This reflected that HNCs are not the equivalent of ONFs/ONLs, and therefore deemed not to necessitate the same level of regulatory response as ONFs/ONLs in the District Plan.

In addition, minor changes to the wording of the Coastal Environment provisions of the Plan were made as a result of feedback on the Draft District Plan, including:

- amending draft issues and associated objectives and policies, to reflect the policy direction of the NZCPS more accurately, in terms of activities in the coastal environment (Policy 6 of the NZCPS), preservation and restoration of natural character and avoiding significant adverse effects on areas of high natural character within the coastal environment (Policies 13 & 14 of the NZCPS), and expectations around public walking access and vehicular access to the coast etc (Policies 19 & 20 NZCPS);
- amending the draft provisions to clarify that landform and land cover modification on the coast is from flattening of dunes, earthworks, drainage of wetlands, vegetation clearance and introduction of buildings and structures, rather than farming and forestry activities per se;
- amending the draft provisions relating to public access to and along the coast, to specifically reference the need to also respect private property;
- amending the wording of draft objectives and policies relating to providing for activities that have a functional need to locate and operate within the coastal environment; and
- insertion of additional text in the draft policies and methods to reference climate change, sea level rise, sea temperature rise and higher probability of extreme weather events, and recognising land use controls in the Regional Coastal Environment Plan restricting buildings and structures within identified coastal hazard zones, and liaison with others in the development of climate change science and research.

Note: there were no submissions to the Draft District Plan specifically applying to subdivision within the coastal environment. The Discretionary Activity status for rural and lifestyle subdivision within the coastal environment (outside of the coastal settlements) therefore remained unchanged following feedback on the Draft District Plan.

3.4.2 Coastal Settlements

Seven submitters made 15 submission points on the provisions of the Coastal Settlements Zone (now known as the Large Lot Residential Zone) of the Draft District Plan.

The majority of submissions related to providing for certain activities across all the Zones, as opposed to aspects exclusively relating to the coastal settlements, such as a network utility seeking reference in the objectives and policies around protecting network utilities, the Ministry of Education seeking specific provision for educational facilities, Fire & Emergency seeking specific provision for emergency service facilities, the New Zealand Defence Force seeking specific provision for temporary military training activities, and the Department of Corrections seeking specific provision for community corrections activities.

Similarly, one of the two remaining submitters made a general submission seeking amendments to clarify the setback standards for buildings from streets and neighbours, and to clarify the standards relating to the duration of temporary events and vehicle crossing requirements.

The final remaining submitter was concerned about increasing pressure on coastal settlements for housing growth, particularly Pourerere, and supported restricting subdivision.

As a result of feedback to the Draft District Plan, only minor changes to the rules and standards in the Coastal Settlement Zone were made, including to specifically reference educational facilities, emergency service facilities, temporary military training activities, and community corrections activities, and other minor changes which have been applied similarly across all the zones.

Note: there were no other submissions to the Draft District Plan specifically applying to subdivision within the coastal settlements or to the extent of the Coastal Settlements Zone boundaries. The Zone extents of the coastal settlements, and the subdivision rules and minimum lot sizes etc for the Coastal Settlements Zone therefore remained unchanged following feedback on the Draft District Plan.

3.5 Decision-Making

A series of presentations, discussion documents and reports have been presented to the District Plan Committee on the coastal environment during the preparation of Draft / Proposed District Plan provisions, as follows:

Meeting	Document	Overview and Direction
24 April 2018	Powerpoint Presentations & Discussion Documents	<ol style="list-style-type: none"> Presented a high level review of approach to the coastal environment, which identified the following strategic imperatives to underpin the coastal review: <ul style="list-style-type: none"> – identify the extent of the coastal environment for Central Hawke’s Bay; – assess and define the natural character of the coastal environment of Central Hawke’s Bay; – identify any outstanding natural features and landscapes, and any significant amenity landscapes within the coastal environment; – identify the sites, landscapes and associations of cultural significance to mana whenua within the coastal environment; – identify areas of historic heritage within the coastal environment; – identify areas of significant indigenous vegetation and significant habitats of indigenous fauna within the coastal environment; – ensure subdivision, use and development is in keeping with the preservation and protection of the natural character of the coastal environment of Central Hawke’s Bay; – encourage enhancement of appropriate recreational opportunities and public access to and along the coast where practicable; – direct inappropriate subdivision, use and development away from areas at risk from coastal hazards and where subject to the adverse effects of climate change (global sea level rise, coastal inundation (flooding), coastal erosion and tsunami); – avoid inappropriate subdivision, use and development on coastal environmental qualities including biodiversity and water quality values, natural and cultural heritage, coastal character, landscapes and natural landform patterns; and – limit the financial impact of subdivision, use and development in the coastal environment on Council infrastructure demands. <p>Presented options and recommended option for addressing integrated management of the District’s coastal environment within the District Plan for the Committee’s consideration. The Committee adopted the recommended approach to develop a new district-wide ‘Coastal Environment’ chapter.</p>

		<ol style="list-style-type: none"> Presented draft introduction, issue, objectives, and policies for the new 'Coastal Environment' chapter for the Committee's consideration. Presented draft introduction, issue, objectives, and policies for the 'Coastal Settlements Zone' for the Committee's consideration. Presented re-drafted introduction, issue, objectives, policies, reasons, and methods for the Subdivision chapter for the Committee's consideration.
30 May 2018	Powerpoint Presentations & Discussion Documents	<ol style="list-style-type: none"> Presented amended draft objectives and policies for the new 'Coastal Environment' chapter for the Committee's consideration, and identified the key threats to areas of high natural character. Presented draft rules and standards for the 'Coastal Settlement Zone' for the Committee's consideration Presented re-drafted rules and standards for the Subdivision chapter for the Committee's consideration.
27 June 2018	Powerpoint Presentation & Discussion Document	<ol style="list-style-type: none"> Presented the findings of Hudson Associates Ltd's 'Natural Character Assessment of the Central Hawke's Bay Coastal Environment' (dated 20 June 2018 – final version, January 2019). Presented schedule of areas of high natural character based on outcome of Hudson Associates assessment. Presented completed draft chapters for final adoption by the Committee: <ul style="list-style-type: none"> new Coastal Environment chapter new Coastal Settlements chapter revised Subdivision chapter
9 April 2019	Draft District Plan	Recommendation to Council to adopt full Draft District Plan for public notification.
10 April 2019	Draft District Plan	Draft District Plan adopted by Council for public notification.
3 - 20 February 2020	District Plan Committee Hearing of informal submissions on the Draft District Plan	<p>Hearing of submissions specifically relating to subdivision (18 February 2020).</p> <p>Hearing of submissions specifically relating to coastal environment, indigenous biodiversity, and landscape values (20 February 2020).</p>
16 March 2020	Recommendation Report on informal submissions	Report presented to District Plan Committee addressing informal submissions relating to coastal environment and subdivision provisions, with recommendations for amendments.
17 March 2020	Recommendation Report on informal submissions	Report presented to District Plan Committee addressing informal submissions relating to the Coastal Settlements Zone, with recommendations for amendments.
15 December 2020	National Planning Standards version of District Plan	<p>Presented draft Proposed District Plan in National Planning Standards format, including:</p> <ul style="list-style-type: none"> Part 2 General District-Wide Matters, CE – Coastal Environment chapter Part 3 Area-Specific Matters, Zones, LLRZ – Large Lot Residential Zone chapter (<i>formerly Coastal Settlements Zone in the Draft District Plan, and Townships Zone in the Operative District Plan</i>) Part 2 District-Wide Matters, SUB – Subdivision chapter

28 April 2020	Proposed District Plan	Proposed District Plan presented to District Plan Committee for final adoption by the Committee. Recommendation to Council to adopt Proposed District Plan for public notification.
27 May 2020	Proposed District Plan	Proposed District Plan adopted by Council for public notification.

3.5.1 Reference to Other Relevant Evaluations

This section 32 topic report should be read in conjunction with the following other evaluations:

- Section 32 Overview Report
- Section 32 Natural Environment – Natural Features and Landscapes Report
- Section 32 Natural Environment – Ecosystems and Indigenous Biodiversity Report
- Section 32 Rural Environment Report
- Section 32 Tangata Whenua Report
- Section 32 Historical Heritage Report

3.6 Resource Management Issues

The table below details the resource management issues of relevance to the coastal environment identified in the District Plan:

<p>Operative District Plan</p> <p><i>There are <u>no</u> issues specifically applying to the coastal environment within the Operative District Plan.</i></p> <p><i>This does not reflect the various matters of national importance applying to the coastal environment contained in section 6 of the RMA. Thus, the following new issues are proposed:</i></p>
<p>Proposed District Plan</p> <p><u>Coastal Environment:</u></p> <p>CE-I1 Preservation of the Natural Character of the Coastal Environment Inappropriate subdivision, use, and development can adversely affect the natural character of the coastal environment, particularly in those areas identified as having high natural character.</p> <p><u>Public Access:</u></p> <p>PA-I1 Limited Public Access to Lakes, Rivers, and the Coast Lack of practical and safe public access to and along the coast can restrict cultural practices and recreational opportunities within the coastal environment. Conversely, provision of public access in inappropriate locations can adversely affect other recognised values within the coastal environment.</p> <p><u>Natural Features and Landscapes:</u></p> <p>NFL-I1 Loss of Landscape Values The loss of those values that contribute to the unique characteristics of the District's landscape as a result of inappropriate subdivision, land use or development.</p> <p><u>Ecosystems and Indigenous Biodiversity:</u></p> <p>ECO-I1 Loss of Significant Indigenous Vegetation and Significant Habitats of Indigenous Fauna Loss of the District's indigenous vegetation, habitats of indigenous fauna and indigenous biodiversity from threats of modification, damage, or destruction through inappropriate subdivision, use and development.</p> <p><u>Large Lot Residential Zone (Coastal Settlements):</u></p> <p>LLRZ-I1 Amenity and Character</p>

Maintaining the special identity, character, and heritage of the coastal settlements, including the ‘remote’ feel, characterised by a lack of urban kerb and channel on roadways, large sections with single dwellings, and absence of business activities.

LLRZ-I2 Coastal Hazards and Climate Change

The coastal fringe, including coastal settlements, is susceptible to natural hazards including coastal erosion and coastal inundation and the effects of storm surge, sea level rise and tsunami.

LLRZ-I3 Access to the Coast

Public access to and along the Central Hawke’s Bay District Coast is highly valued for coastal recreation and camping opportunities and needs to be maintained and enhanced.

LLRZ-I4 Servicing

Servicing of the coastal settlements varies. There is on-site servicing in some settlements, Council reticulated water and wastewater at Te Paerahi, Council non-potable water at Pourerere, and Council potable water supply at Kairakau. Kairakau also has a private community wastewater system which is not mandatory to join.

4 Evaluation of Proposed Objectives

Section 32(1)(a) requires an evaluation to examine the extent to which the objectives proposed are the most appropriate way to achieve the purpose of the RMA.

There are fourteen (14) objectives proposed for the District Plan relating to the coastal environment – three objectives in the Coastal Environment chapter; one in the Public Access chapter; two in the Natural Features and Landscapes chapter; two in the Ecosystems and Indigenous Biodiversity chapter; four in the Large Lot Residential Zone (Coastal) chapter, and two in the Subdivision chapter.

The following evaluates the extent to which those twelve proposed objectives are the most appropriate way to achieve the purpose of the RMA with respect to the sustainable management of the coastal environment and the issues identified in the previous section:

Proposed Objectives

Coastal Environment:

CE-O1 – Preservation of the natural character of the coastal environment of Central Hawke’s Bay, comprising the following distinctive landform of:

1. rugged eroding grey mudstone cliffs;
2. steep limestone outcrops;
3. remnant dunelands and associated interdunal wetlands, small lakes and associated vegetation;
4. wide sweeping beaches; and
5. small settlements, recessed into bays, adjoining a number of sheltered beaches

CE-O2 – Protection of the natural character of the coastal environment of Central Hawke’s Bay from inappropriate subdivision, use and development, and identify and promote opportunities for restoration or rehabilitation

CE-O3 – Activities that have a functional need to locate in the coastal environment are provided for, where they do not compromise other significant values in the coastal environment

Public Access:

PA-O1 – Practical and safe public access to and along the margins of lakes and rivers and the coast is provided in a way that respects private property and does not result in adverse effects on natural character, landscape, indigenous biodiversity, historic heritage or cultural values

Natural Features & Landscapes:

NFL-O1 – Outstanding natural features and landscapes that are important to the identity of the District are retained and protected from inappropriate subdivision, use and development

NFL-O2 – The qualities and values of significant amenity features identified within the District are recognised and provided for, and considered when undertaking new subdivision, use and development

Ecosystems & Indigenous Biodiversity:

ECO-O1 – Protect the District’s areas of significant indigenous vegetation and/or significant habitats of indigenous fauna, particularly those within wetlands, braided rivers, and coastal margins, from activities that may adversely affect them

ECO-O2 – Maintain indigenous biodiversity within Central Hawke’s Bay District

Large Lot Residential Zone (Coastal):

LLRZ-O1 – To ensure that the identity, character, and heritage values of the coastal settlements are maintained and enhanced

LLRZ-O2 – To enable certain small-scale community and recreation facilities, and physical infrastructure, including educational facilities, and network utilities, to be located in the coastal settlements in a way which maintains and enhances the character and amenity of these settlements while providing for the social, and cultural wellbeing of people in the community, as well as their health and safety

LLRZ-O3 – To avoid the extension, alteration, and construction of buildings on those parts of the coastal environment which are most at risk from erosion and inundation

LLRZ-O4 – To facilitate public access to, and enjoyment of, the District’s coast and its margins in a manner that protects the natural character values of the coastal environment

Subdivision:

SUB-O1 - Subdivision of land that is consistent with the objectives and policies of the relevant zones and district-wide matters in the District Plan, including those relating to:

1. ...
2. the protection of areas identified as Outstanding Natural Landscapes and Features, Significant Natural Areas, areas of significant indigenous vegetation and significant habitats of indigenous fauna, and High Natural Character Areas from the adverse effects of inappropriate subdivision...
3. the protection of historic heritage from the adverse effects of inappropriate subdivision...
4. managing adverse effects of inappropriate subdivision on Significant Amenity Features that contribute to the character and amenity values of the areas...
5. managing adverse effects of inappropriate subdivision on the maintenance and enhancement of public access to and along the coast and the margins of lakes and rivers...
6. ...

SUB-O3 – The provision of appropriate services to subdivided lots, in anticipation of the likely effects of land use activities on those lots, so as to ensure the health and safety of people and communities, and the maintenance or enhancement of amenity values.

SUB-O5 – Avoidance of subdivision in localities where there is a significant risk from natural hazards, unless these can be mitigated without significant adverse effects on the environment.

Comment	<p>These objectives respond directly to the resource management issues of relevance to the coastal environment identified in the Proposed District Plan.</p> <p>The objectives recognise the numerous values of the coastal environment and what is sought to be achieved in relation to these values.</p>
Appropriateness (relevance, usefulness, achievability, reasonableness)	<p><u>Coastal Environment</u></p> <p>Proposed Objectives CE-O1, CE-O2 and CE-O3 respond to Issue CE-I1.</p> <p>Objectives CE-O1 and CE-O2 implicitly respond to section 6(a) of the RMA in relation to the preservation of the natural character of the coastal environment which is a matter of national importance that must be recognised and provided for. Objective CE-O1 references the set of landform features that were assessed as collectively contributing to the unique natural character of the coastal environment of Central Hawke’s Bay.</p> <p>These objectives also give effect to Objective 2 and Policies 6, 13 & 14 of the NZCPS, and OBJ 4 of the RPS. Objective CE-O3 specifically gives effect to Policy 6 (clauses 1(a), (b) & (e)) of the NZCPS, and OBJ 32 & OBJ 33 of the RPS.</p>

These objectives are also consistent with the objectives and policies in Chapter 2 (Natural Character) of the RCEP.

Public Access

Proposed Objectives PA-O1 and LLRZ-O4 respond to Issues PA-I1 and LLRZ-I3.

Objectives PA-O1 and LLRZ-O4 implicitly respond to the matter of national importance in section 6(d) of the RMA in relation to the maintenance and enhancement of public access to and along the coastal marine area, both in the coastal environment generally (PA-O1) and specifically in the coastal settlement areas which provide the vast majority of public access points to the coast in Central Hawke's Bay (LLRZ-O4).

These objectives also give effect to Objectives 3 & 4 and Policies 19 & 20 of the NZCPS, and OBJ 5 of the RPS, and are consistent with the objectives and policies in Chapter 5 (Public Access to and along the Coast) of the RCEP.

Natural Features and Landscapes

Proposed Objectives NFL-O1 and NFL-O2 contribute to Issue CE-I1.

Objective NFL-O1 implicitly responds to section 6(b) of the RMA in relation to the protection of the 5 x Outstanding Natural Features (ONF) identified within the coastal environment which must be recognised and provided for as a matter of national importance.

Objective NFL-O2 implicitly responds to section 7(c) of the RMA, in having regard to the maintenance and enhancement of amenity values associated with the Significant Amenity Feature (SAF) identified within the coastal environment in the Proposed District Plan.

These objectives also give effect to Objectives 2 & 3 and Policies 6 & 15 of the NZCPS, and OBJ 4 & OBJ 7 of the RPS, and are consistent with the objectives and policies in Chapter 3 (Outstanding Natural Features and Landscapes) of the RCEP.

Ecosystems and Indigenous Biodiversity

Proposed Objectives ECO-O1 and ECO-O2 contribute to Issue CE-I1.

Objectives ECO-O1 & ECO-O2 implicitly respond to section 6(c) of the RMA in relation to the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna located within the coastal environment which must be recognised and provided for as a matter of national importance.

Objective ECO-O2 also implicitly responds to section 31(1)(b)(iii) of the RMA, which states that a territorial authority has a specific role in the maintenance of indigenous biological diversity in order to give effect to the RMA.

These objectives also give effect to Objectives 2 & 3 and Policies 6 (clause 1(j)) & 15 of the NZCPS, and OBJ 4 & OBJ 15 of the RPS, and are consistent with the objectives and policies in Chapter 4 (Indigenous Species and Habitats) of the RCEP.

Large Lot Residential Zone (Coastal)

As outlined, the Large Lot Residential Zone encompasses the existing coastal settlements in the District (with the exception of Whangaehu and Shoal Bay developments, which are managed via resource consents with an underlying rural zoning). The Large Lot Residential zoned settlements are where residential and small scale community facilities are directed to within the coastal environment and where development would be acceptable, with the underlying General Rural Zone provisions limiting such development across the remainder of the coastal environment. This approach contributes to the consolidation of the existing settlements and avoidance or mitigation of sprawling or sporadic patterns of settlement in the coastal environment, in line with Policy 6, clauses 1(c) & (f) of the NZCPS.

Proposed Objectives LLRZ-O1 and LLRZ-O2 respond to Issues LLRZ-I1 and LLRZ-I4. Proposed Objective LLRZ-O3 & SUB-O5 respond to Issue LLRZ-I2.

Objectives LLRZ-O1 and LLRZ-O2 respond more generally to section 5 and section 7(c) & (f) RMA matters, and section 31 of the RMA in terms of the functions of territorial authorities in achieving integrated management. These objectives give effect to

	<p>Objectives 2 & 6 and Policies 6 and 18 of the NZCPS, and OBJ 32 - OBJ 33B of the RPS, and are consistent with the objectives and policies in Chapter 2 (Natural Character), Chapter 6 (Relationship of Maori to the Coast) & Chapter 7 (Historic Heritage) of the RCEP.</p> <p>Objective LLRZ-O3 implicitly responds to section 6(h) of the RMA in relation to the management of significant risks from natural hazards within the coastal environment which must be recognised and provided for as a matter of national importance, and indirectly to section 7(i) in having regard for the effects of climate change. Objective LLRZ-O3 also implicitly responds to section 31(1)(b)(i) which states that a territorial authority has a specific role in the avoidance of natural hazards.</p> <p>This objective also gives effect to Objective 5 and Policy 25 of the NZCPS, and OBJ 8 & OBJ 31 of the RPS, and is consistent with the objectives and policies in Chapter 15 (Coastal Hazards) of the RCEP.</p> <p><u>Subdivision</u></p> <p>With respect to the coastal environment, proposed Objective SUB-O1 responds in part to Issues CE-I1, PA-I1, NFL-I1, ECO-I1, and Issues LLRZ-I1 & LLRZ-I3. Objective SUB-O3 responds in part to Issue LLRZ-I4.</p> <p><u>Summary</u></p> <p>Given the above, the proposed suite of objectives is deemed appropriate in terms of achieving the purpose of the RMA in terms of the sustainable management of natural and physical resources in the coastal environment and preserving its natural character.</p> <p>These objectives are in line with Council's functions under section 31 of the RMA, including establishment of objectives to achieve integrated management of the effects of the use, development, and protection of land and associated natural and physical resources of the District, and give effect to relevant Part 2 matters, the NZCPS, and relevant matters in the RPS, and is not inconsistent with the RCEP.</p>
Other Alternatives Considered	<p>Maintaining the status quo – being retention of the following objective addressing coastal environment matters in the Operative District Plan:</p> <p><u>Part 4 Rural Zone</u></p> <p>Objective 4.4.1(2) 'The margins of wetlands, rivers, lakes and the coast are managed in order to preserve the natural character of these environments and the margins of identified river catchments are managed to enhance water quality'</p>
Preferred Option & Reasons	<p>The proposed suite of objectives is the preferred option.</p> <p>The proposed objectives comprehensively address the preservation of the natural character of the coastal environment (including natural features and significant indigenous vegetation and significant habitats of indigenous fauna within the coastal environment) and the maintenance and enhancement of public access to the coast, and have been shown above to give effect to the NZCPS and RPS, and be consistent with the provisions of the RCEP.</p> <p>They have been through a thorough review process, including scrutiny by Council's District Plan Committee, and were subject to a publicly notified Draft District Plan process involving presentation and consideration of informal submissions which resulted in amendments.</p> <p>Conversely, the objectives in the Operative District Plan have remained the same since 2003 and were developed prior to the adoption of the most current, applicable, higher level statutory documents – being the NZCPS (2010), and the Hawke's Bay Regional Resource Management Plan (incorporating the RPS) (2006), and the Hawke's Bay Regional Coastal Environment Plan (2014).</p> <p>As a result, the proposed objectives respond to the most recent higher level statutory documents and address the identified resource management issues more comprehensively than the corresponding solitary objective contained in the Operative District Plan.</p>

	Therefore, this suite of objectives is deemed the most appropriate way to achieve sustainable management of the natural and physical resources (the purpose of the RMA) as it relates to the coastal environment.
--	---

5 Evaluation of Proposed Provisions (Policies & Methods)

Section 32(1)(b) requires an evaluation of whether the proposed provisions are the most appropriate way to achieve the objectives by identifying other reasonably practicable options, assessing the efficiency and effectiveness of the provisions in achieving the objectives, and summarising the reasons for deciding on the provisions.

The assessment must identify and assess the benefits and costs of environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including opportunities for economic growth and employment. The assessment must, if practicable, quantify the benefits and costs and assess the risk of acting or not acting if there is uncertain or insufficient information available about the subject matter.

5.1 Identification of Other Reasonably Practicable Options

The other options considered reasonably practicable for achieving the above objectives of the Proposed District Plan in relation to coastal environment matters, are:

- Retaining the Status Quo – rely on the policies and methods currently contained in the Operative District Plan.
- Stringent Regulatory Approach – regulate all activities within the coastal environment.
- Non-Regulatory Approach – include policies around preserving the natural character of the coastal environment, maintaining and enhancing public access to and along the coastal marine area etc, but rely only on non-regulatory methods (no rules or standards).

5.1.1 Evaluation of Option 1 – Status Quo

The status quo in the Operative District Plan involves:

1. Retaining the current location and extent of the Coastal Margin Area on the Planning Maps, with an underlying Rural zoning.
2. Retaining the same zoning policies and provisions for the coastal settlements (Kairakau, Mangakuri, Pourerere, Blackhead and Te Paerahi) as exist for the rural settlements (Ōtane, Tikokino, Takapau, Ongaonga, Porangahau).
3. Retaining the existing handful of policies incorporating references to the coast across various chapters (two addressing public access including to the coast, three addressing natural hazards including hazards at the coast and coastal protection works, and one addressing natural character including the coast).
4. Retaining the existing rules requiring resource consent for the following within the Coastal Margin Area:
 - subdivision (Discretionary Activity – Rule 9.9.4(ii))
 - coastal protection works (Discretionary Activity – Utilities Rule 10.4.3(h))
 - utilities (Controlled or Restricted Discretionary Activities – Utilities Rule 10.4.2(a)(i), and Rule 10.4.3(f) with discretion restricted to *‘the impact of the utility structures on the views of the landscape or the natural character of the coast’*)
 - exotic tree planting greater than 1000m² per site in any 5-year period (Restricted Discretionary Activity – Rural Zone Performance Standard 4.9.9(i))

- building(s) greater than 200m² total gross floor area per site (Restricted Discretionary Activity – Rural Zone Performance Standard 4.9.9(ii)), and retaining the current matters for discretion relating to non-compliance with Rural Zone Performance Standard 4.9.9 above, restricted to the following (Assessment Matter 14.2(14)):
 - a) *Degree to which the exotic tree planting or buildings will adversely affect the natural character of the coastline, including:*
 - i) *the loss of key views or viewpoints; and the loss of accessibility to key views or viewpoints;*
 - ii) *any obscuring of landforms or natural features;*
 - iii) *the loss or modification of the natural landscape pattern; including the loss of underlying landform pattern;*
 - iv) *the loss or obscuring of present vegetation patterns;*
 - v) *the loss of openness and spaciousness of the coastline, and the apparent naturalness of the coastline.*
 - b) *The need for tree planting for soil conservation purposes.*

In terms of defining the location and extent of the Coastal Margin Area, the current Coastal Margin Area differs from that adopted on the maps within the RCEP for the Hawke's Bay Region. Having two different physical extents applying to the coastal environment landward of MHWS is administratively inefficient, and is not wholly consistent with the RCEP. This makes the current Coastal Margin Area in the Operative District Plan inefficient, ineffective, and therefore inappropriate.

From the summary of provisions above, it is also clear that the sensitive coastal environment is managed in the Operative District Plan by very light and limited provisions. The policies of the Operative District Plan provide little guidance for decision-makers in terms of the specific natural character values within the District's coastal environment that require protection, and the extent of regulation only extends to subdivision, coastal protection works, utilities, exotic forestry land use and building footprint, often with the ability to apply only limited discretion.

Whilst retaining the status quo would be efficient and economically beneficial in terms of administrative simplicity and cost savings associated with minimal regulation for plan users, it could lead to environmental and cultural 'costs' through affording only relatively low-level protection for the natural character of the coastal environment and the many sites and areas of significance (both natural and cultural) that lie within it. Given the status of the preservation of the coastal environment in the RMA as a matter of national importance, and subsequent further interpretation and direction in the 2010 NZCPS and 2014 RCEP, this approach is now extremely dated and is unlikely to be effective in terms of current expectations around best practice.

In addition, there is no differentiation in the existing 'Township Zone' provisions in the Operative District Plan to reflect the unique amenity and character of the coastal settlements in the District, or in terms of their contribution to the natural character of the coastal environment or their role in the provision of public access to the coast. Feedback from the community during the development of the 2007 Coastal Strategy, on the 2013 Coastal Discussion Document, during Project Thrive in 2017, and on the 2019 Draft District Plan, confirms that this is not acceptable to the community (nor politically). Again, the status of the coastal environment in the RMA and policy framework outlined in the NZCPS and RCEP confirm that this option is dated and is unlikely to be effective in terms of current expectations around best practice and in terms of achieving the proposed objectives adopted for the coastal settlements in the Proposed District Plan.

For the above reasons, this option is not considered effective and is therefore not the most appropriate way to achieve the proposed objectives.

5.1.2 Evaluation of Option 2 – Stringent Regulatory Approach

The stringent regulatory approach involves:

1. Mapping the location and extent of the coastal environment (landward of MHWS) on the Planning Maps.
2. A zone specifically for the coastal settlements in the District (Kairakau, Mangakuri, Pourerere, Blackhead and Te Paerahi).
3. A set of clear policies applying to the coastal environment (addressing, amongst other things, the preservation of the natural character of the coastal environment, the maintenance and enhancement of public access to and along the coastal marine area, and the management of significant risks from natural hazards within the coastal environment).
4. Blanket rule(s) requiring resource consent for any activity within the coastal environment with full discretion, enabling all activities to be assessed on a case-by-case basis.

A generic ‘discretionary’ activity status for all activities within the coastal environment may be effective in achieving the proposed objectives and is easily understood, but is highly inefficient as it imposes significant costs (in time and money) associated with having to apply for resource consent (including potential costs of obtaining accompanying expert assessments) regardless of the scale or significance of potential effects on the environment. It also imposes significant demand on scarce Council staff resources to process a high volume of applications, which may not be practical or feasible for a small local authority such as Central Hawke’s Bay District Council.

In theory, ‘any activity’ could include those that are generally anticipated and accepted as part of the coastal environment (i.e. directional signs, restoration and pest control, rural activities and accessory buildings, recreation activities etc, or residential activities and community facilities within the coastal settlements etc). This approach creates a high level of uncertainty and lack of flexibility for land developers and the community in terms of understanding what activities are likely to be acceptable or not.

The success of this option would likely rely heavily on the provision of substantial and clear guidance for plan users within the policy framework outlining the natural character values of the coastal environment specific to the District that are to be protected etc.

For the above reasons, whilst this option is likely very effective and simple to apply, it is not efficient and imposes significant social and economic costs (both in time and monetary costs) on subdivision, use and development, regardless of the scale and significance of adverse effects on the environment. This is likely to be unacceptable to the community, as well as politically unacceptable. Therefore, this option is not considered the most appropriate way to achieve the proposed objectives.

5.1.3 Evaluation of Option 3 – Non-Regulatory Approach

The non-regulatory approach involves:

1. Mapping the location and extent of the coastal environment (landward of MHWS) on the Planning Maps.
2. Reliance on underlying zone rules only (General Rural Zone and Settlement Zone), for activities within the coastal environment and coastal settlements (i.e. no specific rules pertaining to activities within the coastal environment), with a reliance on non-regulatory methods such as information sharing and advocacy in order to promote consideration of natural character and public access values etc associated with subdivision, use and development activities.

Reliance on non-regulatory methods to achieve the proposed objectives for the coastal environment would reduce compliance costs associated with subdivision, land use and development, but imposes additional economic and social costs on Council staff and resources. There are considerable costs to

engaging meaningfully with the community and finding ways to effectively promote the preservation of the natural character of the coastal environment (alongside the protection of other significant environmental and cultural values evident within the coastal environment).

Some accepted activities that are appropriately permitted under the zone rules could have potentially significant adverse effects when occurring within a coastal setting, such as sporadic residential development along the coastline, or major earthworks, or commercial or industrial activity. Without specific rules applying to activities in the coastal environment in place, there is little ability to prevent or halt significant adverse effects on the coastal environment from developing and accruing over time. This may undermine public confidence in the ability of the District Plan (and Council) to respond to subdivision and development pressures on the coast, as they arise. Therefore, this option is potentially ineffective in achieving the proposed objectives.

Given the status of the coastal environment in the RMA and policy framework outlined in the NZCPS and RCEP, a non-regulatory approach is unlikely to be sufficiently effective in terms of current expectations around best practice and in terms of achieving the proposed objectives adopted for the coastal environment and coastal settlements in the Proposed District Plan.

For the above reasons, whilst this option is administratively efficient (both in time and monetary costs) for subdivision, use and development, it is likely ineffective and could result in potentially significant adverse effects on the environment, with the subsequent potential social, economic, and cultural costs that a degraded environment could have on people and communities. This is likely to be unacceptable to the community, as well as politically unacceptable. Therefore, this option is not considered the most appropriate way to achieve the proposed objectives.

5.1.4 Summary

The evaluation above concludes that the current approach in the Operative District Plan is not compliant with the RMA, NZCPS or RCEP, and is not effective in achieving the proposed objectives in the Proposed District Plan. Similarly, a non-regulatory approach that applies the underlying rural and settlement zoning to the coastal environment, and only addresses coastal environment matters through information sharing and advocacy, is also not effective in achieving the proposed objectives. Both these options could lead to loss or degradation of natural character values or other significant values present within the coastal environment.

A fully regulatory approach that requires a resource consent for any activity within the coastal environment, whilst somewhat effective, imposes significant economic costs and uncertainty on plan users as well as pressure on Council staff resources. It also applies the same level of regulation regardless of scale and significance of potential effects on the environment. Such a stringent regulatory approach is likely unacceptable, both to the community and politically.

The preferred approach is one that imposes regulation sparingly, in a way that achieves the objectives of the Proposed District Plan and gives effect to the NZCPS, without imposing unnecessary red tape for activities that are deemed appropriate within the coastal environment or where the scale and significance of effects are likely to be low.

5.2 Evaluation of Proposed Policies and Methods

Building on the approach to evaluation in Section 3 of this report, including background research, analysis and technical assessments, and iterative process including public feedback on informal submissions to the Draft District Plan, this section of the report provides a summary evaluation of the proposed provisions in terms of assessing their efficiency and effectiveness in achieving the objectives.

In undertaking this assessment, the emphasis is on the issue(s), and the policies and methods proposed to achieve the objective(s) surrounding the issue(s).

As per section 32(1)(c), the evaluation below contains a level of detail that corresponds to the scale and significance of the effects that are anticipated from the implementation of the provisions.

5.2.1 Preservation of Natural Character – Coastal Environment

Issue(s)	<p>CE-I1 Preservation of the Natural Character of the Coastal Environment</p> <p>Inappropriate subdivision, use, and development can adversely affect the natural character of the coastal environment, particularly in those areas identified as having high natural character.</p> <p>Explanation</p> <p>The Central Hawke’s Bay coast forms part of a unique and extensive landscape and its natural character is typically due to a combination of its underlying geology, topography and pastoral landcover. Significant modification to the landform, such as may occur through mining or major earthworks, could threaten the aesthetic coherence of the coastline.</p> <p>The highest degree of natural character (greatest naturalness) occurs where there is least modification. The amount of landform and land cover modification that has occurred along the Central Hawke’s Bay coast, including modifications such as flattening of dunes and other landform modification through earthworks, drainage of wetlands, and general vegetation clearance and exotic vegetation colonisation, as well as the introduction of buildings and structures, have all reduced the natural character level from an outstanding natural state.</p> <p>Whilst no areas of outstanding natural character have been identified, much of the District’s coastline is considered to have high to very high natural character values. The natural character value in the cliff areas is largely due to the expressive formative landform processes and high perceptual values of the exposed underlying geology, while the natural character value in the dune area is due to the remaining dune landform and inter-dunal vegetation patterns and absence of built structures/elements. The coastal settlements are considered to have moderate or low natural character (albeit they have their own ‘special character’).</p> <p>The natural character of the coastal environment can be adversely affected through the effects of coastal subdivision, use and development.</p> <p>Policy 13 of the NZCPS 2010 states that natural character is not the same as natural features and landscapes or amenity values, and may include matters such as:</p> <ul style="list-style-type: none"> – natural elements, processes and patterns; – biophysical, ecological, geological and geomorphological aspects; – natural landforms such as headlands, peninsulas, cliffs, dunes, wetlands, reefs, freshwater springs and surf breaks; – the natural movement of water and sediment; – the natural darkness of the night sky; – places or areas that are wild or scenic; – natural character ranging from pristine to modified; and – experiential attributes, including the sounds and smell of the sea; and their context or setting.
----------	--

	<p>The extent to which development impacts on natural character will depend on how modified the environment currently is, and how well the development has been designed to accommodate elements of natural character (including coastal processes) and mitigate adverse impacts. The risk of incremental loss of natural character as a result of coastal land development and other activities in the coast can be high.</p> <p>Some of the impacts that development can have on the natural character of the coast are:</p> <ul style="list-style-type: none">– modification of natural landforms through earthworks;– removal of indigenous vegetation;– destruction of important indigenous habitats such as wetlands, dunes and riparian margins;– disruption of natural drainage patterns;– disruption of natural coastal processes including through activities such as beach replenishment, reclamations and coastal structures;– increased sediment runoff from land clearance and earthworks;– buildings and structures which are singly or cumulatively visually intrusive or dominant within the landscape; and– disrupting natural patterns through inappropriate planting of non-indigenous local species. <p>However, the preservation of the natural character of the coastal environment does not preclude use and development in appropriate places and forms, and within appropriate limits. Some uses and developments which depend upon the use of natural and physical resources in the coastal environment are important to the social, economic, and cultural wellbeing of people and communities, such as public infrastructure and some public facilities. Also, functionally, some uses and developments can only be located on the coast or in the coastal marine area.</p> <p>Policy 6 of the NZCPS 2010 recognises that the provision of infrastructure, the supply and transport of energy including the generation and transmission of electricity, and the extraction of minerals, are activities important to the well-being of people and communities, provided they do not compromise the other values of the coastal environment.</p> <p>Further, in preserving the natural character of the coastal environment, subdivision, use and development activities that restore or rehabilitate natural character should be promoted where practicable, particularly in areas where the coastal environment is degraded.</p>	
Associated Objective(s)	CE-O1, CE-O2, CE-O3, NFL-O1, NFL-O2, ECO-O1, ECO-O2, SUB-O1	
Proposed Suite of Provisions	Effectiveness and Efficiency	
	Benefits	Costs
<p>Policies:</p> <p>CE-P1 To identify and map the coastal environment area of Central Hawke’s Bay consistent with the Hawke’s Bay Regional Coastal Environment Plan.</p> <p>CE-P2 To avoid significant adverse effects and avoid, remedy or mitigate other adverse effects on the natural character of the coastal environment area (particularly in the areas of high natural character identified on the Planning Maps and in CE-SCHED7); including adverse effects resulting from the following activities:</p> <ol style="list-style-type: none">1. drainage of coastal flats and wetlands;2. earthworks within dunes and coastal escarpments;3. buildings outside of the Large Lot Residential Zone (Coastal) within the coastal environment;4. plantation forestry; and	<p>Environmental:</p> <p>Environmental benefits in terms of maintaining and enhancing the natural character of the coastal environment are anticipated from the identification of the coastal environment (replicating the landward component of the coastal environment within the Hawke’s Bay Regional Coastal Environment Plan) and describing the natural character of the coastal environment of Central Hawke’s Bay District, and in particular the identification of areas of high (and very high)</p>	<p>Environmental:</p> <p>Potential environmental costs arising due to activities which fall within the ‘permitted’ envelope set by the activity rules and standards. It is considered that the preferred rules and standards will ensure that any such costs are at most minor.</p>

	<p>5. use of vehicles on beaches and adjacent public land; particularly where these have been identified as a threat to the values of a particular area of high natural character.</p>	<p>natural character, as identified in the Hudson Associates 'Natural Character Assessment' report (noting there were no areas identified in that report as having 'outstanding' natural character').</p>	
CE-P3	<p>To avoid sprawling or sporadic subdivision and development in the coastal environment area.</p>		
CE-P4	<p>To manage the activities that can occur in the coastal environment area, including:</p>	<p>The proposed policies address avoidance of significant adverse effects on the identified areas of high natural character (HNCs), and avoidance, remediation, or mitigation of other adverse effects in line with the direction in the NZCPS, which underpins preservation of the natural character of the coastal environment.</p>	
	<ol style="list-style-type: none"> 1. expansion and consolidation of existing coastal settlements; 2. the scale, location, design and use of structures, buildings and infrastructure; 3. earthworks; and 4. subdivision. 		
CE-P5	<p>To recognise that there are activities which have a functional need to locate and operate within the coastal environment, and provide for those activities in appropriate places.</p>	<p>Whilst no specific rules are contained in the CE – Coastal Environment chapter itself, the proposed methods refer to provisions (including rules) in the ECO – Ecosystems and Indigenous Biodiversity, NFL – Natural Features and Landscapes, TW – Tangata Whenua (Ngā Tangata Whenua o Tamatea), HH – Historic Heritage, SASM – Sites and Areas of Significance to Māori, as managing adverse effects on those aspects/features of the coastal environment that have been identified in the Hudson report as contributing to its natural character.</p>	
CE-P6	<p>To require that proposed activities within the coastal environment area demonstrate that the activity is located appropriately, having regard to:</p> <ol style="list-style-type: none"> 1. the particular natural character, ecological, historical or recreational values of the area; 2. the extent to which the values of the area are sensitive or vulnerable to change; 3. opportunities to restore or rehabilitate the particular values of the coastal environment of the area; 4. the presence of any natural hazards and whether the activity will exacerbate the hazard and/or be vulnerable to it; 5. the impacts of climate change; 6. appropriate opportunities for public access and recreation; and 7. the extent to which any adverse effects are avoided, remedied or mitigated. 		
CE-P7	<p>To require that proposed activities within the coastal environment area minimise any adverse effects by:</p> <ol style="list-style-type: none"> 1. ensuring the scale, location and design of any built form or land modification is appropriate in the location; 2. integrating natural processes, landform and topography into the design of the activity, including the use of naturally occurring building platforms; 3. limiting the prominence or visibility of built form; and 4. limiting buildings and structures where the area is subject to the impacts of climate change and the related impacts of sea level rise, sea temperature rise and higher probability of extreme weather events; and 5. restoring or rehabilitating the landscape, including planting using local coastal plant communities. 	<p>In addition, the subdivision rules continue to make all subdivision in the coastal environment a Discretionary Activity (as is currently the case in the Operative District Plan), in recognition that the coastal environment is sensitive to inappropriate subdivision. A Discretionary Activity status enables due consideration of adverse effects on the coastal environment and natural character on a case-by-case basis. Proposed policies CE-P1 to CE-P8 will improve and strengthen guidance for plan users in this respect.</p>	
CE-P8	<p>To encourage restoration and rehabilitation of natural character, indigenous vegetation and habitats, landscape features, dunes and other natural coastal features or processes.</p>	<p>The EW – Earthworks provisions also apply permitted earthworks volumes specific to the coastal environment and HNC areas in particular</p>	

<p>Policies NFL-P1 to NFL-P4, and NFL-P6 to NFL-P8</p> <p>Policies ECO-P1 to ECO-P9</p> <p>Policies SUB-P1, SUB-P2, SUB-P6, SUB-P7, SUB-P8, SUB-P9, SUB-P12, and SUB-P15</p> <p><u>Methods:</u></p> <p>CE-M1 Mapping the Coastal Environment Area</p> <p>Mapping the extent of the coastal environment on the planning maps.</p> <p>CE-M2 Identification and Mapping the Natural Character of the Coastal Environment</p> <p>Identifying and describing the values associated with areas of high natural character (HNCs) in CE-SCHED7 and identifying them on the Planning Maps.</p> <p>CE-M3 District Plan Provisions</p> <ol style="list-style-type: none"> 1. SUB – Subdivision: subdivision of land within the coastal environment, and/or containing an identified area of high natural character, is a discretionary activity, with assessment matters in terms of those coastal and high natural character values. <i>Rules SUB-R1, SUB-R4, & SUB-R5 and Assessment Matters SUB-AM16</i> 2. EW – Earthworks, and NFL – Natural Features & Landforms: specific rules and standards controlling earthworks in the coastal environment and identified areas of high natural character in the coastal environment (HNCs), and controlling earthworks and built form in the District's ONFs (some of which present a significant overlap with identified HNCs), and accompanying assessment matters for assessing resource consent applications. <i>Rule NFL-R1 and Standards EW-S2, EW-S3, & EW-S7</i> 3. ECO – Ecosystems and Indigenous Biodiversity: rules and performance standards relating to Significant Natural Areas (SNAs) and the clearance of significant indigenous vegetation or significant habitats of indigenous fauna, which will also act to protect against loss of indigenous vegetation cover in identified HNCs containing such vegetation. <i>Rules ECO-R2 to ECO-R6</i> 4. SASM – Sites and Areas of Significance to Māori: rules and standards protecting wāhi tapu, wāhi taonga and sites and areas of significance to Māori, which will also assist with protecting those associational values attributed by tangata whenua to identified HNCs. <i>Rules SASM-R3, SASM-R4, SASM-R5, & SASM-R6</i> 	<p>(EW-S2(1), EW-S2(2), EW-S2(5), EW-S2(6) & EW-S2(7), and EW-S2(12) in relation to earthworks in the coastal settlements). Also, the earthworks provisions apply specific permitted vertical extent thresholds for earthworks within HNC areas (EW-S3(1)), and in particular HNC2 (Waimoana-Kairakau) and HNC6 (Porangahau) (EW-S3(2)).</p> <p>The proposed methods also recognise the complementary role of the Regional Plans in managing the adverse effects of activities in the coastal environment (particularly in relation to protection of coastal wetlands, pest management, and managing land use within identified coastal hazard zones) as well as the role of protection mechanisms such as covenants, and incentives such as potential for partial rates relief.</p> <p>The NES-PF also enables consideration of aspects of plantation forestry on outstanding natural features and landscapes, including those outstanding natural features identified within the coastal environment.</p> <p>The boundaries of the LLRZ – Large Lot Residential Zone (Coastal) replicate the corresponding 'Township Zone' boundaries in the Operative District Plan, thereby limiting potential growth of the existing coastal settlements, which also helps preserve the natural character of the coastal environment.</p> <p>Inclusion of appropriate matters of discretion where restricted discretionary status is applied, will ensure potential adverse effects can be addressed.</p>	
<p>CE-M4 Hawke's Bay Regional Resource Management Plan and Hawke's Bay Regional Coastal Environment Plan</p> <p>Hawke's Bay Regional Resource Management Plan and Regional Coastal Environment Plan rules and performance standards controlling drainage of wetlands and inundation/damming of rivers, as well as landuse controls restricting buildings and structures within identified coastal hazard zones.</p>	<p>Economic:</p> <p>As the provisions continue to enable 'appropriate' activities commensurate with the level of natural character in an area, the economic benefit of such activities is enabled.</p>	<p>Economic:</p> <p>Some rural landowners with land identified as an area of High Natural Character may experience regulatory costs for any earthworks, where greater than a permitted standard (similarly for</p>

CE-M5	Hawke's Bay Regional Pest Management Plan and Biosecurity Act 1993 Control of animal and plant pests affecting indigenous vegetation cover across the District through rules and implementation methods in the Hawke's Bay Regional Council's 'Regional Pest Management Plan' and through enforcement of the Biosecurity Act 1993.	Economic benefits will arise from the protection of high natural character values, due to the importance of these values to local and regional tourism. Provisions which provide District-wide consistency, and which are clear, will ensure the cost of compliance is minimised.	ONF/SNA/SASMs etc within the coastal environment). Some rural landowners may perceive an opportunity cost where a development expectation is held for the land within an identified area of High Natural Character.
CE-M6	Other Protection Mechanisms Other protection mechanisms, such as the protection of public reserve land under the Conservation Act 1987 and Reserves Act 1977, retiring land under QEII covenant, and protection through Ngā Whenua Rāhui kawenata (covenants) on Māori-owned land. Such areas could be subject to partial rates relief or other assistance.	Social: Existing areas exhibiting high natural character within the coastal environment that are already accessible to the public will be protected and continue to support enjoyment of coastal character bringing social benefits to the Central Hawke's Bay community and to visitors.	Social: There are no obvious social costs associated with the proposed provisions.
CE-M7	Education, Advocacy, and Information Sharing Promoting education, advocacy and information sharing to raise community awareness of the attributes and values of the District's important natural character areas including their contribution to community identity, and the need to have regard to them when undertaking subdivision, use and development activities.		
CE-M8	Liaison and Collaboration Liaising and collaborating with landowners, interest groups and agencies with an interest in protecting, maintaining, or enhancing the District's high natural character areas in the coastal environment. Liaising with others to develop, or utilising existing, climate change science and research to understand the relevant risks and adaptation, mitigation, or avoidance responses.	Cultural: The coastal environment has significant cultural value to tangata whenua and the Central Hawke's Bay community generally, which will be better recognised and provided for through the proposed provisions.	Cultural: There are no obvious cultural costs associated with the proposed provisions.
NFL-M3	Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 Afforestation (new plantation forestry) within an outstanding natural feature or landscape is a Restricted Discretionary Activity pursuant to the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.		
Opportunities for economic growth and employment			
The provisions enable 'appropriate' activities to continue to occur commensurate with the degree of natural character in an area. This includes farming activities. In addition, the appropriate protection of natural character is important for local and regional tourism opportunities.			
Summary of efficiency and effectiveness of the provisions in achieving the objectives			
Overall, it is considered that the proposed provisions will be both an effective and efficient means of achieving proposed Objectives CE-O1, CE-O2, and CE-O3, and contributing towards achieving proposed Objectives NFL-O1, NFL-O2, ECO-O1, ECO-O2, and SUB-O1. The proposed policies and methods give appropriate scope for decision makers to ensure that natural character is effectively preserved. The proposed methods have been targeted so that they address only potentially 'inappropriate' activities, taking into account the assessment of threats in the Hudson Associates 'Natural Character Assessment of the Coastal Environment'. It is considered that the significant environmental, social, and cultural benefits of the proposed provisions outweigh any potential costs to directly impacted landowners and developers.			

5.2.2 Public Access – to and along the Coastal Marine Area

Issue(s)	<p>PA-I1 Limited Public Access to Lakes, Rivers, and the Coast Lack of practical and safe public access to and along the coast can restrict cultural practices and recreational opportunities within the coastal environment. Conversely, provision of public access in inappropriate locations can adversely affect other recognised values within the coastal environment.</p> <p>LLRZ-I3 Access to the Coast Public access to and along the Central Hawke’s Bay District Coast is highly valued for coastal recreation and camping opportunities and needs to be maintained and enhanced.</p>	
Associated Objective(s)	PA-O1, LLRZ-O4	
Proposed Suite of Provisions	Effectiveness and Efficiency	
	Benefits	Costs
<p>Policies:</p> <p>PA-P3 To encourage the provision of appropriate opportunities for public access within the coastal environment when subdividing land adjacent to the coastal marine area.</p> <p>PA-P4 To ensure that where new access to the coast is to be provided, that it is practical and safe, and is constructed to avoid, remedy or mitigate damage to:</p> <ol style="list-style-type: none"> 1. dunes, estuaries and other sensitive natural areas or habitats; 2. geological systems or processes; 3. ecological systems or to indigenous flora and fauna; 4. historical heritage; and 5. sites and areas of significance to tangata whenua. <p>LLRZ-P7 Recognise and provide for existing recreational activities within existing coastal settlements that do not have detrimental effects on the coastal environment.</p> <p>LLRZ-P8 Ensure use, subdivision and development within existing coastal settlements provides for, or enhances, public access to and along the coast. Access should only be restricted for the following reasons:</p> <ol style="list-style-type: none"> 1. to protect natural habitats; 2. to protect historic heritage features and areas; or 3. to protect public health and safety. <p>SUB-P10 To provide pedestrian and amenity linkages where useful linkages can be achieved or further developed.</p> <p>Methods:</p> <p>PA-M1 Identification and Mapping of Priority Waterbodies</p>	<p>Environmental:</p> <p>There are some potential environmental benefits resulting from directing public access to appropriate locations, away from sensitive coastal ecosystems and habitats, and where esplanade reserves/strips or access strips may provide some buffering of riparian areas from the potential adverse effects of adjoining activities.</p> <p>Economic:</p> <p>There are no obvious economic benefits associated with the proposed provisions.</p> <p>Social:</p> <p>The proposed provisions encourage and facilitate opportunities for public access to and along the coast and the further development of pedestrian and amenity linkages, which will support a vibrant</p>	<p>Environmental:</p> <p>There are no obvious environmental costs associated with the proposed provisions.</p> <p>Economic:</p> <p>There are no obvious economic costs associated with the provisions in the Proposed Plan in this regard, beyond what is already provided for in the RMA and the Operative District Plan in terms of the ability to take (or waive the taking of) esplanade reserves, strips etc.</p> <p>Social:</p> <p>There are no obvious social costs associated with the proposed provisions.</p>

<p>Identifying priority areas on the Planning Maps where esplanade reserves, esplanade strips or access strips are desirable to maintain and enhance public access.</p> <p>PA-M2 Subdivision Assessment Matters for Esplanade Reserves, Esplanade Strips or Access Strips</p> <p>Assessment matters for determining whether the taking of esplanade reserves are required to be vested in Council on subdivision, and the situation and condition under which Council may reduce or waive the requirement to provide esplanade reserves.</p> <p><i>Assessment Matters SUB-AM9</i></p> <p>PA-M3 Advocacy and Liaison</p> <p>Directly negotiating with landowners, as appropriate, to encourage them to voluntarily establish public access to and along the coast or priority waterbodies.</p> <p>PA-M4 Annual Plan</p> <p>Provision through the Annual Plan for the maintenance and enhancement of public amenities, such as access to the coast and to various waterbodies, from public open space reserves.</p>	<p>local and visitor recreation experience, but in a way that also respects private property.</p> <p>Cultural:</p> <p>The proposed provisions encourage provision of appropriate opportunities for public access to and along the coast, which may lead to improved access to the coast for cultural practices e.g. gathering of kaimoana, associated with sites and areas of significance located along the coast etc, but in a way that also respects private property.</p>	<p>Cultural:</p> <p>There are no obvious cultural costs associated with the proposed provisions.</p>
Opportunities for economic growth and employment		
<p>There are negligible opportunities for economic growth and employment as a result of these proposed provisions.</p>		
Summary of efficiency and effectiveness of the provisions in achieving the objectives		
<p>The proposed provisions are considered effective and efficient in achieving proposed Objectives PA-O1 and LLRZ-O4 in relation to encouraging and facilitating the maintenance and enhancement of public access to and along the coastal marine area in a way that respects private property. Subdivision and development is the trigger for assessing and making decisions on esplanade reserves, strips and access strips. Notwithstanding the reliance on private development, when development is proposed the policies, methods and rules provide discretion as to when public access to the coast (via water bodies) and along the coast (the foreshore) should be created.</p>		

5.2.3 Amenity and Character – Coastal Settlements (Large Lot Residential Zone)

Issue(s)	LLRZ-I1 Amenity and Character Maintaining the special identity, character, and heritage of the coastal settlements, including the ‘remote’ feel, characterised by a lack of urban kerb and channel on roadways, large sections with single dwellings, and absence of business activities.	
Associated Objective(s)	LLRZ-O1, LLRZ-O2, SUB-O1	
Proposed Suite of Provisions	Effectiveness and Efficiency	
	Benefits	Costs
Policies: LLRZ-P1 Through the Large Lot Residential Zone (Coastal), recognise and provide for existing coastal settlements that serve an important social and recreational function and have a distinct character related to their coastal location. LLRZ-P2 Allow for use and development that maintains or enhances the identity, character and heritage values of the Large Lot Residential Zone (Coastal). LLRZ-P3 Provide building density controls for coastal settlements which promote an open appearance. LLRZ-P4 Provide for limited small-scale, non-residential activities within coastal settlements that directly support the well-being of the coastal communities and their visitors. LLRZ-P5 Subdivision, use and development in the Large Lot Residential Zone (Coastal) will retain the existing built character of the coastal settlements including the building density, height and setbacks. SUB-P1 To establish standards for minimum lot sizes for each zone in the District. SUB-P4 To integrate subdivision with the existing land transport network in an efficient manner which reflects expected traffic levels and the safe and convenient management of vehicles and pedestrians. SUB-P8 To encourage innovative subdivision design consistent with the maintenance of amenity values. SUB-P9 To encourage the incorporation of public open space and plantings within subdivision design for amenity purposes. SUB-P10 To provide pedestrian and amenity linkages where useful linkages can be achieved or further developed. SUB-P11 To ensure that roads provided within subdivision sites are suitable for the activities likely to establish within the subdivision and are compatible with the design and construction standards of roads in the District which the site is required to be connected to. SUB-P12 To avoid or mitigate any adverse visual and physical effects of subdivision and development on the environment, including the appropriate	Environmental: The Large Lot Residential Zone reflects the boundaries of the coastal settlements currently exhibited in the Operative District Plan. However, the proposed provisions better reflect the types of activities that are present in these coastal settlements (being primarily residential in scale e.g. residential units, home business, small-scale visitor accommodation, and community facilities), rather than the full range of mixed-use activities permitted under the Township Zone provisions in the Operative District Plan that currently apply to these coastal settlements (which provides for a level of commercial and industrial activities not currently present or anticipated in the coastal settlements). Therefore, the existing special character and amenity of the coastal settlements within the proposed Large Format Residential Zone will be better protected. In addition, the proposed minimum net site area for the Large Lot Residential Zone under the subdivision standards (SUB-S1) is the same as in the Operative District Plan, except for Mangakuri Beach.	Environmental: No obvious environmental costs associated with the proposed provisions.

<p>underground reticulation of energy and telecommunication lines in order to protect the visual amenities of the area.</p> <p>SUB-P15 To ensure that earthworks associated with constructing vehicle access, building platforms or services on land being subdivided will not detract from the visual amenities of the area, or have significant adverse environmental effects, such as dust, or result in the modification, damage or destruction of heritage items, archaeological sites or sites and areas of significance to Māori, cause natural hazards, or increase the risk of natural hazards occurring.</p> <p>Methods:</p> <p>LLRZ – Large Lot Residential Zone:</p> <ol style="list-style-type: none"> 1. Rules LLRZ-R1 to LLRZ-R9 provide for residential activities, home businesses, small-scale visitor accommodation, small-scale community facilities, and routine primary production activities as Permitted Activities in the coastal settlements (subject to compliance with relevant Zone Standards). 2. Rules LLRZ-R10 to LLRZ-R15 subject all other activities to a resource consent application process for consideration on a case-by-case basis. 3. Standard LLRZ-S1 limits the number of residential and visitor accommodation units, and imposes a minimum net site area. 4. Standards LLRZ-S2 to LLRZ-S7 control bulk and location aspects such as height, height in relation to boundaries, setbacks etc. 5. Standard LLRZ-S8 limits hours of operation for all activities other than residential and visitor accommodation to 7am to 10pm. 6. Standard LLRZ-S9 limits storage of heavy vehicles on a site to one. 7. Standard LLRZ-S10 imposes screening requirements on outdoor storage and service areas. 8. Standard LLRZ-S11 imposes electricity safety distances within the vicinity of overhead electric lines. 9. Standards LLRZ-S12 to LLRZ-S15 impose requirements for access, parking and loading, light, noise, and specific requirements in relation to relocated buildings. 10. Assessment Matters LLRZ-AM1 to LLRZ-AM11 outline matters Council will consider when assessing applications. <p>SUB – Subdivision:</p> <ol style="list-style-type: none"> 1. Rules SUB-R1, SUB-R2, SUB-R3, SUB-R4, and SUB-R6, control subdivision in the coastal settlements subject to compliance with relevant Subdivision Standards. 2. Standard SUB-S1(6) & (7) imposes a minimum net site area for coastal settlements – 800m² where public sewerage reticulation is available, 1000m² where not available, and 1500m² specifically for Mangakuri Beach. 3. Standards SUB-S4 to SUB-S9 impose requirements for building platforms, water supply, wastewater disposal, stormwater disposal, property access and where the road frontage is subject to a road widening designation. 	<p>Mangakuri Beach is not connected to a reticulated wastewater network. The minimum net site area is proposed to increase from 1000m² applying in the Operative District Plan, to 1500m². This will have the benefit of ensuring that the size of lots in new subdivisions within Mangakuri Beach are generally consistent with the size of existing lots in the settlement, and the associated character and amenity.</p>	
	<p>Economic:</p> <p>The community and developers will have certainty and consistency in relation to the types, scale and form of activities and development that can be carried out in the Large Lot Residential Zone.</p> <p>Relocated buildings now permitted subject to compliance with Permitted Activity standards. This will reduce costs for the community and developers as resource consents (Discretionary Activity) will no longer be required.</p>	<p>Economic:</p> <p>Potential economic costs for landowners associated with the proposed increase in minimum net site area in Mangakuri which will reduce the number of new lots that may be subdivided in that settlement. This is not case for the other settlements, which have retained the current minimum lot sizes for subdivision in the Operative District Plan.</p> <p>With the realignment of activity rules and standards proposed in applying Large Lot Residential zoning to the District’s coastal settlements, some previously permitted activities (commercial/industrial) will now require resource consent under the new provisions. This may have economic costs for landowners in terms of options for development of their land. However, this is likely to be minor in reality, given that such activities have tended not to locate in the coastal settlements to-date, which suggests there is little to no demand.</p>
	<p>Social:</p> <p>The community and developers will have certainty and consistency in relation to the types, scale and form of activities and development that can be carried out in the Large Lot Residential Zone. The</p>	<p>Social:</p> <p>No obvious social costs associated with the proposed provisions.</p>

<p>4. Assessment Matters SUB-AM1 to SUB-AM6, SUB-AM8, SUB-AM9, SUB-AM10, SUB-AM14, and SUB-AM15 outline general matters Council will consider when assessing applications.</p> <p>5. Assessment Matter SUB-AM16 outline specific matters Council will consider when assessing applications for subdivision in the coastal environment (which incorporates coastal settlements).</p>	<p>proposed Large Lot Residential zoning will better support the existing character and amenity of the coastal settlements than the existing Township Zone under the Operative District Plan.</p> <p>The proposed increase in the minimum lot size for subdivisions in Mangakuri Beach will support the community's desire to retain the existing low density character and amenity of the beach settlement.</p>	
	<p>Cultural:</p> <p>No obvious cultural benefits associated with the proposed provisions.</p>	<p>Cultural:</p> <p>No obvious cultural costs associated with the proposed provisions.</p>
<p>Opportunities for economic growth and employment</p>		
<p>The proposed provisions do not present any additional opportunities for economic growth or employment.</p>		
<p>Summary of efficiency and effectiveness of the provisions in achieving the objectives</p>		
<p>The proposed policies and methods are considered efficient and effective in addressing the issues identified and generally provide an efficient way to achieve LLRZ-O1 and LLRZ-O2, as well as contributing to SUB-O1. The primary benefits of the methods are that they generally provide for the types of activities and low density development currently exhibited by these coastal settlements, such that amenity levels within the proposed Large Lot Residential Zone that are highly prized by the locals and visitors alike, will be maintained and potentially enhanced. In relation to Mangakuri Beach, the change to the minimum lot size for subdivision is the most appropriate way to achieve continuity of the character and amenity of the settlement.</p>		

5.2.4 Coastal Hazards and Climate Change – Coastal Settlements (Large Lot Residential Zone)

Issue(s)	LLRZ-I2 Coastal Hazards and Climate Change The coastal fringe, including coastal settlements, is susceptible to natural hazards including coastal erosion and coastal inundation including storm surge, sea level rise and tsunami. While the effects of coastal hazards are mainly addressed through the Hawke's Bay Regional Coastal Environment Plan, confinement of residential development to the coastal settlements seeks to minimise any increase in the risk of coastal hazards.	
Associated Objective(s)	LLRZ-O3, SUB-O5	
Proposed Suite of Provisions	Effectiveness and Efficiency	
	Benefits	Costs
Policies: LLRZ-P6 Control land use and subdivision activities in the coastal settlements where coastal hazards may potentially put communities, resources, buildings and people at risk. EW-P1 To avoid, remedy or mitigate the adverse effects of earthworks which: 1. create new or exacerbate existing natural hazards, particularly flood events, or cause adverse effects on natural coastal processes; and 2. result in adverse effects on the stability of land, structures or buildings. SUB-P13 To ensure that land being subdivided, including any potential structure on that land, is not subject to significant risk of material damage by the effects of natural hazards, including flooding, inundation, erosion, subsidence or slippage and earthquake faults. SUB-P14 To ensure that any mitigation measures used to manage significant risk from natural hazards (including coastal hazards such as storm surge, tsunami and coastal inundation) do not have significant adverse effects on the environment. SUB-P15 To ensure that earthworks associated with constructing vehicle access, building platforms or services on land being subdivided will not detract from the visual amenities of the area, or have significant adverse environmental effects, such as dust, or result in the modification, damage or destruction of heritage items, archaeological sites or sites and areas of significance to Māori, cause natural hazards, or increase the risk of natural hazards occurring.	Environmental: The proposed policies and methods (being the NH – Natural Hazards chapter (buildings accommodating new or expanded vulnerable activities within the identified Tsunami Hazard Area are a Restricted Discretionary Activity) and EW – Earthworks chapter provisions (permitted earthworks are limited to 50m ³ to 2.5m vertical extent in the Large Lot Residential Zone), as well as adopting the zone boundaries currently applying to the corresponding 'Township Zone' boundaries in the Operative District Plan, and the coastal hazard zone provisions in the Hawke's Bay Regional Coastal Environment Plan, act collectively to minimise increase in the risk of coastal hazards on people and property. This has associated benefits for the environment.	Environmental: Provision for natural hazard mitigation activities as Permitted Activities in the NH – Natural Hazards chapter could allow some potential adverse effects on natural coastal processes and on the natural character of the coastal environment. However, this is likely to be minor as such activities are only Permitted Activities where they are carried out by or on behalf of a local authority, network utility operator or a requiring authority exercising its powers, functions and duties under the RMA, Soil Conservation and Rivers Control Act 1941, Land Drainage Act 1908, or Local Government Act 2002 (otherwise they are a Discretionary Activity).
Methods: LLRZ – Large Lot Residential Zone: 1. Method LLRZ-M1 Other Provisions in the District Plan	Economic: No obvious economic benefits associated with the proposed provisions.	Economic: Regulatory consenting costs for landowners/developers for some activities and development within the Tsunami Hazard Area (that do not apply under the Operative District Plan) where applicants want to undertake an

<p>Other sections in the District Plan contain additional policies, rules and standards applying to activities in the Large Lot Residential Zone within the coastal environment: ...</p> <p>4. NH – Natural Hazards – includes rules applying in areas specifically identified as subject to natural hazards. ...</p>		<p>activity that does not comply with the permitted activity rules. This may include the cost of procuring expert advice, as well as the cost of consent processing.</p>
<p>EW – Earthworks:</p> <ol style="list-style-type: none"> Rules EW-R1 & EW-R7 provide for earthworks as a Permitted Activity, subject to compliance with Standards. Standard EW-S1(2) limits earthworks on land in the coastal settlements to land with a slope less than 22° above horizontal. Standard EW-S2(12) limits extent of earthworks within the coastal settlements to 50m³ per site in any 12-month period. Standard EW-S3(4) limits vertical extent of earthworks within the coastal settlements to 2.5 metres. Assessment Matter EW-AM1 Land Disturbance and Vegetation Clearance <ol style="list-style-type: none"> The effects of land disturbance and vegetation clearance will be assessed in terms of their effects on: ... <ol style="list-style-type: none"> Soil erosion and stability. ... In making an assessment, the following factors will be considered: ... <ol style="list-style-type: none"> The potential or increased risk of hazards from the activity, including potential risk to people or the community. ... Effect on flow paths and floodways. ... 	<p>Social:</p> <p>The proposed provisions better manage risk associated with new or expanded vulnerable activities (e.g. visitor accommodation, marae, camping grounds, emergency service facilities etc) locating within the Tsunami Hazard Area, which has social benefits in terms of better protecting people and communities from the potentially catastrophic impacts of near-source tsunami inundation events.</p>	<p>Social:</p> <p>The proposed provisions managing buildings associated with establishing or expanding vulnerable activities in the coastal settlements, could potentially limit their establishment and local presence, which may have social costs in terms of the provision of community facilities and services to these coastal settlements.</p>
<p>NH – Natural Hazards:</p> <ol style="list-style-type: none"> Rules NH-R1 and NH-R2 provide for natural hazard mitigation activities and for any buildings (other than those accommodating ‘vulnerable activities’) as a Permitted Activity in the identified Tsunami Hazard Area. Rule NH-R3 requires resource consent to be obtained for any new, or intensification of, ‘vulnerable activities’ within the Tsunami Hazard Area as a Restricted Discretionary Activity. Assessment Matters NH-AM1 Availability of Alternative Sites for the Activity, NH-AM2 Mitigation, NH-AM3 Financial Considerations, NH-AM4 Natural Hazards, and NH-AM6 Effects on Other Land Uses and Adjoining Properties. Method NH-M1 Planning Maps: Planning Maps identify known Flood Hazard Areas (river flood), Fault Avoidance Areas (including active faultlines and fault avoidance zones) and Tsunami Hazard Areas (near-source tsunami inundation extents). The Hawke’s Bay Regional Coastal Environment Plan also maps Coastal Hazard Zones. Method NH-M4 Regional Plans: Rules controlling land use and buildings in identified Coastal Hazard Zones. Method NH-M5 Building Act 2004: The Building Act requires Council to take into account natural hazards when processing building consents, and a building consent cannot be granted in some circumstances. Again, this is not restricted to those particular hazards identified on the District Plan Planning Maps. 	<p>Cultural:</p> <p>No obvious cultural benefits associated with the proposed provisions.</p>	<p>Cultural:</p> <p>No obvious cultural costs associated with the proposed provisions.</p>

<p>7. Method NH-M6 LIM/PIM: LIMs and PIMs that are issued by the Council will indicate if an area is subject to a known natural hazard, so that the property owner can take this into account when considering future development on the site, including the possible need for site-specific investigations to be conducted...</p> <p>8. Method NH-M7 Guidelines: Guidelines that are relevant to address the effects of natural hazards, for example:</p> <ol style="list-style-type: none"> 1. 'Planning for development of land on or close to active faults' (July 2003), Ministry for the Environment. 2. 'Guidelines for assessing planning policy and consent requirements for landslide prone land' (2007), GNS Science. 3. 'Planning and engineering guidance for potentially liquefaction-prone land' (September 2017), Earthquake Commission, Ministry of Business, Innovation and Employment & Ministry for the Environment. 4. 'Coastal hazards and climate change: Guidance for local government' (December 2017), Ministry for the Environment. <p>9. Method NH-M8 Information and Monitoring Exchange: Contributing to research and investigation carried out by Hawke's Bay Regional Council and other experts in natural hazard planning, to increase knowledge of natural hazards.</p> <p>10. Method NH-M9 Community Awareness, Education & Engagement: Advising and informing the community of potential natural hazards and how to be prepared for civil defence emergencies; and in conjunction with the Hawke's Bay CDEM Group, ensuring that emergency response and recovery procedures are in place in the event of a natural disaster.</p> <p>11. Method NH-M10 Hawke's Bay Civil Defence Emergency Management Group Plan: The Council is a member of the Hawke's Bay CDEM Group and will therefore refer to the CDEM Group Plan as part of its role in comprehensive emergency management across the Region.</p> <p>SUB – Subdivision:</p> <ol style="list-style-type: none"> 1. Method SUB-M1 Other Provisions in the District Plan: Implementation of objectives and policies of the relevant zones and district-wide activities in the District Plan, including those set out in the following sections of the District Plan: ... <ol style="list-style-type: none"> 5. NH – Natural Hazards ... 11. EW – Earthworks. 2. Method SUB-M5 Natural Hazard Information: Natural hazard information, such as the Council's natural hazard database on the GIS system, the natural hazards historical database and ongoing consultation and information sharing with the Hawke's Bay Regional Council, including via the Hawke's Bay Hazard Information Portal (http://www.hbemergency.govt.nz/hazards/portal). 3. Assessment Matter SUB-AM4 Natural Hazards: 		
--	--	--

- | | | |
|---|--|--|
| <ol style="list-style-type: none"> 1. Whether the land, or any potential structure on that land, will be subject to material damage by erosion, falling debris, subsidence, slippage or inundation or other natural hazard event from any source. 2. Whether there are any methods/measures available to overcome or reduce the risk of any hazard(s), and whether these methods/measures may have adverse effects on the environment. 3. Adequacy of access during and after natural hazard events. 4. In assessing the above matters, the Council will have regard to the following: <ol style="list-style-type: none"> a. Any information held on the Council's Natural Hazard registers and the Hawke's Bay Hazards Information Portal; b. Information obtained by suitably qualified experts, whose investigations are supplied for subdivision applications; and c. The objectives, policies, and methods in the NH – Natural Hazards chapter of the District Plan. | | |
|---|--|--|

Opportunities for economic growth and employment

The proposed provisions do not present any additional opportunities for economic growth or employment.

Summary of efficiency and effectiveness of the provisions in achieving the objectives

The proposed policies and methods (being the NH – Natural Hazards chapter and EW – Earthworks chapter provisions), as well as the retention of current zone boundaries for the coastal settlements (no provision for expansion), will be efficient and effective in achieving proposed Objectives LLRZ-O3 and SUB-O5, in that they act to avoid the extension, alteration, and construction of buildings on those parts of the coastal environment which are most at risk from near-source tsunami inundation, in conjunction with the Coastal Hazard Zone provisions for land use and buildings in the Hawke's Bay Regional Coastal Environment Plan which addresses coastal erosion and inundation, and other methods outside of the District Plan.

5.2.5 Servicing – Coastal Settlements (Large Lot Residential Zone)

Issue(s)	LLRZ-I4 Servicing Servicing of the coastal settlements varies. There is on-site servicing in some settlements, Council reticulated water and wastewater at Te Paerahi, Council non-potable water at Pourerere, and Council potable water supply at Kairakau. Kairakau also has a private community wastewater system which is not mandatory to join.	
Associated Objective(s)	LLRZ-O2, SUB-O3	
Proposed Suite of Provisions	Effectiveness and Efficiency	
	Benefits	Costs
<p>Policies:</p> <p>LLRZ-P9 Ensure all land use activities, development and subdivision provide a suitable on-site wastewater treatment and disposal system, stormwater systems, and water supply unless an approved alternative system is available.</p> <p>SUB-P6 To ensure upon subdivision or development, that all new lots or buildings are provided with a connection to a reticulated water supply, reticulated public sewerage system, and a reticulated stormwater system, where such adequate reticulated systems are available.</p> <p>SUB-P7 To ensure that where sites are not connected to a public water supply, wastewater disposal or stormwater disposal system, suitable provision can be made on each lot for an alternative water supply or method of wastewater disposal or stormwater disposal, which can protect the health and safety of residents and avoid any significant adverse effects on the environment.</p> <p>SUB-P8 To encourage innovative subdivision design consistent with the maintenance of amenity values.</p> <p>SUB-P11 To ensure that roads provided within subdivision sites are suitable for the activities likely to establish within the subdivision and are compatible with the design and construction standards of roads in the District which the site is required to be connected to.</p> <p>Methods:</p> <p>LLRZ – Large Lot Residential Zone:</p> <ol style="list-style-type: none"> 1. Assessment Matters LLRZ-AM1 and LLRZ-AM11 outline matters Council will consider when assessing applications, specifically any effects of servicing where sewerage reticulation is not available, and the design of infrastructure to ensure it is fully capable of servicing the activity. <p>SUB – Subdivision:</p>	<p>Environmental:</p> <p>The proposed provisions (in combination with the requirements of the Hawke’s Bay Regional Coastal Environment Plan) will have environmental benefits in terms of ensuring water, wastewater and stormwater is appropriately managed, and avoids adverse effects on land and water, as well as the health and wellbeing of people and communities and ecosystems. There is little change from the Operative District Plan in this respect.</p> <p>Economic:</p> <p>Appropriate servicing enables people to develop their properties in line with the activities permitted in the Large Lot Residential Zone, which has economic benefits. There is little change from the Operative District Plan in this respect.</p> <p>Social:</p> <p>No obvious social benefits associated with the proposed provisions, as there is little change from the Operative District Plan in this respect.</p> <p>Cultural:</p>	<p>Environmental:</p> <p>No obvious environmental costs associated with the proposed provisions.</p> <p>Economic:</p> <p>No obvious economic costs associated with the proposed provisions, as there is little change to the Operative District Plan in this respect.</p> <p>Social:</p> <p>No obvious social costs associated with the proposed provisions, as there is little change from the Operative District Plan in this respect.</p> <p>Cultural:</p>

<ol style="list-style-type: none"> 1. Rules SUB-R1, SUB-R2, SUB-R3, SUB-R4, and SUB-R6, control subdivision in the coastal settlements subject to compliance with relevant Subdivision Standards. 2. Standard SUB-S1(6) & (7) imposes a minimum net site area for coastal settlements – 800m² where public sewerage reticulation is available, 1000m² where not available, and 1500m² specifically for Mangakuri Beach. 3. Standards SUB-S4 to SUB-S9 impose requirements for building platforms, water supply, wastewater disposal, stormwater disposal, property access and where the road frontage is subject to a road widening designation. 4. Assessment Matters SUB-AM1 to SUB-AM6, and SUB-AM10 outline the servicing and easement matters Council will consider when assessing subdivision applications. 	No obvious cultural benefits associated with the proposed provisions, as there is little change from the Operative District Plan in this respect.	No obvious cultural costs associated with the proposed provisions, as there is little change from the Operative District Plan in this respect.
Opportunities for economic growth and employment		
The proposed provisions do not present any additional opportunities for economic growth or employment.		
Summary of efficiency and effectiveness of the provisions in achieving the objectives		
The proposed policies and methods will be efficient and effective in achieving proposed Objectives LLRZ-O2 and SUB-O3, in that they continue to ensure appropriate and environmentally-sustainable servicing of the District's coastal settlements, in conjunction with the provisions controlling water takes and discharges to land and water in the Hawke's Bay Regional Coastal Environment Plan.		

5.3 Adequacy of Information and Risks of Acting or Not Acting

Section 32(2)(c) states that an evaluation report must assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.

The extent of the coastal environment, its associated natural character, and the location, extent and values associated with the District's areas of high natural character (HNCs) in the Proposed Plan, are clearly set out in the 'Natural Character Assessment of the Central Hawke's Bay Coastal Environment'. The natural character assessment was carried out by a suitably qualified and experienced landscape expert, and the methodology applied reflects current best practice.

For most matters relating to the coastal environment, the Council has sufficient information about the subject matter of the provisions. Therefore, there is no assessment of risk associated with acting or not acting in respect of these associated provisions in the Proposed District Plan.

5.4 Quantification

Section 32(2)(b) requires that if practicable the benefits and costs of a proposal are quantified.

Exact quantification of the costs and benefits was not considered practicable, given the application of the provisions across the District and the differing circumstances that will apply through the life of the Plan. Any attempt at quantifying the costs and benefits would therefore be speculative and would not provide any real assistance in assessing the proposed provisions.

5.5 Summary

Given the evaluation above, the proposed provisions (policies and methods) are deemed the most appropriate way to achieve the objectives relative to the other reasonably practicable options considered.

The proposed provisions were adopted because they provide for the preservation of the natural character of the coastal environment in line with section 6(a) of the RMA, give greater effect to the NZCPS and the Hawke's Bay Regional Coastal Environment Plan, as well as respond to section 7(c) matters around maintenance and enhancement of the character and amenity of the existing coastal settlements.

The proposed policies and methods give effect to the NZCPS and section 6(a) and 7(c) matters in a way that achieves the proposed objectives, through:

- adopting the same landward Coastal Environment extent as that adopted in the higher order, Hawke's Bay Regional Coastal Environment Plan;
- incorporating a CE – Coastal Environment chapter with policies and methods specifically addressing the preservation of natural character in the coastal environment etc;
- identifying areas of high natural character in the Central Hawke's Bay coastal environment on the Planning Maps and in a dedicated schedule (CE-SCHED7);
- retaining Discretionary Activity status for subdivisions in the Coastal Environment in the SUB – Subdivision chapter;
- applying specific permitted earthworks thresholds to the coastal environment and to the identified high natural character areas in the EW – Earthworks chapter;
- policies promoting public access to and along the coastal marine area in the PA – Public Access chapter;
- adopting a distinctive Large Lot Residential Zone for the coastal settlements in the District, with subdivision provisions and zone rules and standards that better reflect their bach settlement/large lot residential character (density, bulk and location, setback requirements etc), and limiting commercial and industrial activities in these coastal settlements;

- identifying near source tsunami inundation extent (Tsunami Hazard Area) on the Planning Maps, and provisions in the NH – Natural Hazards chapter limiting the establishment/expansion of vulnerable activities within the Tsunami Hazard Area (in addition to the land use provisions in the Regional Coastal Environment Plan addressing identified coastal hazard zones).

On balance, the evaluation indicates that the benefits of the proposed District Plan provisions far outweigh the costs.

6 Overall Summary and Conclusion

This evaluation has been undertaken in accordance with section 32 of the RMA to examine the extent to which the proposed objectives in the Proposed District Plan are the most appropriate way to achieve the purpose of the RMA, and whether the provisions (policies and methods) are the most appropriate way to achieve the objectives, with respect to the coastal environment.

The evaluation identifies other reasonably practicable options, assesses the efficiency and effectiveness of the selected suite of provisions (including benefits and costs and opportunities for economic growth and employment), and contains a level of detail that corresponds to the scale and significance of the effects anticipated from their implementation.

The evaluation demonstrates that the proposed objectives and supporting provisions are the most appropriate, as:

- The proposed objectives better address the identified resource management issues for Central Hawke’s Bay’s identified coastal environment, assessed natural character, and identified areas of high natural character, and better respond to higher order statutory documents adopted after the current District Plan was made operative in 2003 (including the NZCPS 2010, and the 2006 Hawke’s Bay Regional Policy Statement and 2014 Hawke’s Bay Regional Coastal Environment Plan).
- The proposed policies and methods give greater effect to the NZCPS (particularly in terms of identifying the natural character of the District’s coastal environment, public access to and along the coast, responding to coastal hazards etc), and better reflect the distinctive character and amenity of the coastal settlements through applying a Large Lot Residential zoning over these settlements (reflecting their predominantly residential nature with detached houses on larger lots), which contribute to the achievement of the proposed objectives.

REFERENCES

'Natural Character Assessment of the Central Hawke's Bay Coastal Environment', Hudson Associates Landscape Architects, January 2019