

30 October 2024

Penny Nelson
Director-General
Department of Conservation
Wellington

Tēnā koe Penny

I am writing on behalf of Council to update you on progress with our coastal adaptation project (“the Takutai Kāpiti Project”, or “the Project”), and to seek your feedback regarding Council’s obligations under the Department’s New Zealand Coastal Policy Statement (NZCPS) to “take a 100-year perspective.”

About the Takutai Kāpiti Project

The Takutai Kāpiti Project (“the Project”) was initiated by Council in recognition of obligations under the New Zealand Coastal Policy Statement and Resource Management Act 1991, and to meet commitments arising from past litigation during previous district plan processes. An independent Coastal Advisory Panel (“the Panel”) chaired by Jim Bolger was tasked with developing coastal adaptation options and making recommendations for Council’s consideration.

In carrying out its work, the Panel followed the “Dynamic Adaptive Pathways Planning” (DAPP) method recommended by the Ministry for the Environment, considering a wide range of technical information as it evaluated potential adaptation pathways for 20 different “management units” along our coastline.¹ The Panel also engaged with coastal communities at several points throughout the process.

The Panel’s Recommendations Report

The Panel’s Recommendations Report was received by Council on 20 June 2024. The recommendations report is available at:

<https://www.kapiticoast.govt.nz/media/d3ih4wwq/takutai-kapiti-coastal-advisory-panel-recommendations-report-final-v1.pdf>

¹ Technical information considered by the Panel included a helpful response from your Department (signed by Ruth Isaac, dated 6 November 2023) to my previous letter to you dated 10 October 2023.

The Panel's recommendations include:

- multiple adaptation pathway options for each of the 20 management units
- putting a Kāpiti Coastal Adaptation Plan in place
- ensuring ongoing community consultation post-Takutai Kāpiti, including further work with communities post-Takutai Kāpiti on signals, triggers and thresholds
- 10 yearly reviews of the pathways
- integrating the Coastal Adaptation Plan with Greater Wellington Regional Council work on rivers, streams and groundwater
- need for formal regular ongoing monitoring
- develop action plans ready for when trigger points are activated
- avoid new development in risk areas and, when the time is right, plan ahead for retreat where necessary
- Council to do more work on the prioritisation of, economic costs, benefits and funding mechanisms for short-term actions across the 20 management units
- Council to take a risk-based approach to its future district plan change on coastal hazards, similar to that adopted by Porirua and Wellington, with constraints on subdivision, use and development according to levels of risk.

Council's response to the Panel's Recommendations Report

Given the significance of the matters addressed in the Panel's Recommendations Report, Council decided further analysis is required before any decisions regarding next steps.

One matter of particular interest to Council are the timeframes over which it should be looking to manage natural hazard risks along our coastline. On page 7 of its Recommendations Report, the Panel noted that:

The New Zealand Coastal Policy Statement 2010 ("NZCPS") requires decision-makers to take a precautionary approach when planning for and making any resource management decisions in the coastal environment. It also requires a 100-year perspective to be used for planning".

Some members of the community expressed concerns about the 100-year timeframe during the Project. Essentially, we understand these concerns are that:

1. **Inherent uncertainty:** the high degree of uncertainty associated with modelling of relative sea level rise (RSLR) scenarios over 100-year or longer timeframes raises real questions about the appropriateness of using it in district plan changes to establish coastal hazard

zones, particularly given the potential impacts of that zoning on affected private property values.

2. **Inconsistency:** timeframes for managing risk in the New Zealand Coastal Policy Statement should be aligned with other regulatory timeframes; for example, the typical “life” of district plan provisions (typically 10-20 years before they are replaced with fully operative next generation provisions) or alternatively the minimum life of structural elements of buildings (50 years).

Council has responded to these concerns and the Panel’s views by resolving to seek feedback from the Department of Conservation. You can find Council’s resolutions relating to the Panel’s Recommendation Report in association with Item 7.1 on the Council meeting agenda for 20 June 2024, available at:

https://kapiticoast.infocouncil.biz/Open/2024/06/CO_20240620_AGN_2689_AT_WEB.htm

Feedback sought from the Department

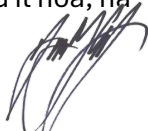
Council wishes to invite the Department:

1. To provide Council with feedback on any aspect of the Panel’s findings which may assist Council in its deliberations about next steps.
2. To provide specific feedback to Council regarding its obligations under the New Zealand Coastal Policy Statement 2010 to “take a 100-year perspective”. Specifically, we seek the Department’s view on whether:
 - a. Council is obliged under the NZCPS to base its coastal hazard zoning in its District Plan on modelling of RSLR over timeframes out to or beyond 100 years, given the concerns noted in this letter; or
 - b. Council has discretion under the NZCPS to consider an alternative approach, such as:
 - i. Shorter timeframes to align with other regulatory timeframes; or
 - ii. A staged approach to establishing coastal hazard zones as the environment changes in reflection of signals, triggers and thresholds established as part of a future Council-adopted Kāpiti Coastal Adaptation Plan.

I appreciate that our inquiry is technical in nature. If your staff would like to discuss the detail in this letter, Kris Pervan (Strategy and Growth Group Manager) is the best contact at the Council on this work. Kris can be contacted via kris.pervan@kapiticoast.govt.nz.

I look forward to your advice, at your earliest convenience.

Nāku it noa, nā



Darren Edwards

Chief Executive

Kāpiti Coast District Council