Variation 2 to Proposed TTPP - Coastal Natural Hazards Mapping

Submission form

Clause 6 of Schedule 1, Resource Management Act 1991 (RMA)

Your details:

Are you submitting as an individual, or on behalf of an organisation?

☐ Individual ☑ Organisation

First Name: John Surname: SUTTON

Organisation (if applicable): Neils Beach Special Rating District Committee

Would you gain an advantage in trade competition through this submission ☐Yes ☑ No

If you could gain an advantage in trade competition through this submission please complete the following:

I am/am not directly affected by an effect of the subject matter of the submission that (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.

Postal Address: C/- 475 Clyde-Alexandra Road, RD 1, ALEXANDRA 9391

Email Address: john.allisonsutton@xtra.co.nz

Phone Number: 027 449 2562

Signature: J Sutton Date: 29.07.2024

My submission:

(Include whether you support or oppose the specific provisions or wish to have them amended, and the reasons for your views.)

Refer to attached sheet for submission.

(Please feel free to use additional sheets)

I would like the following decision(s) to be made with respect to this Variation:

Refer to attached sheet for decision requests.

(Please feel free to use additional sheets)

All submitters have the opportunity to present their submission to Commissioners during the hearing process. Please indicate if you wish to speak to your submission

☑ I wish to speak to my submission

☐ I do not wish to speak to my submission

(please note that with this option you will not receive correspondence in relation to the hearings but you can keep up to date on the TTPP website)

If any others making similar submissions wish to be heard:

☑ Yes, I would consider presenting a joint case with them

☐ No, I would prefer to present my own individual case

Enquiries

All queries regarding this variation or the TTPP in general can be addressed to the TTPP Team at info@ttpp.nz, 03 768 0466, or 0508 800 118.

Public information

All information contained in a submission under the Resource Management Act 1991, including names and addresses for service, becomes public information. The content provided in your submission form will be published on the Te Tai o Poutini Plan website and made available to the public.

We collect, use and share your information for the following purposes as directed by Schedule 1of the Resource Management Act 1991:

- Original submission, and the associated address for service, is required (and made public) for:
  - Further submitters to serve their submission on an original submitter
  - TTPP Planning Technician to contact you about making an oral presentation supporting your written submission and/or advising you of the decision of the hearing panel.
- A summary of submissions report is produced following the close of submissions. This report assists the hearings panel and the public to review the submissions made.
- All submission data is required to ensure a sound and accurate consultation and hearings process.

If you wish to update or correct your name or address for service, please contact the TTPP Team on 0508 800 118 or by email at info@ttpp.nz

Validity of Submissions

Please note that submissions may be struck out in whole or in part if authorities (including Council staff, Independent Commissioners or Legal authorities delegated jurisdiction with respect to such decision-making) deem any submission partially or entirely:

- Is frivolous or vexatious in its content;
- Discloses no reasonable or relevant case for a position taken;
- Contains offensive language; and/or
- Is supported only by material that *purports* to be independent expert evidence, but has in fact been prepared by a person who is not independent and/or does not have sufficient specialised knowledge or skill to give expert advice on the matter.

Those hearing submissions may also refuse to take a submission further in whole or in part if believing that there allowing otherwise would be an abuse of the hearing process.

Attachment – Additional Sheet (5 pages) to Variation 2 to Proposed TTPP – Coastal Natural Hazards Mapping
Submission form
As filed by: Neils Beach Special Rating District Committee
(Representing various property owners at Neils Beach, South Westland)

Our Submission:
(Include whether you support or oppose the specific provisions or wish to have them amended, and the reasons for your views.)

1. CHA 26 Neils Beach:- Classification Coastal Severe (Erosion and Inundation)

Much of the Neils Beach township area has been assigned a Natural Hazard classification of Coastal Hazard Severe (Erosion and Inundation.) - (CSEI)

We are opposed to this **Severe** classification, as we do not believe that it is justified, and seek a reconsideration/amendment of this, ie: providing a new classification that supports the future survival of a vibrant community and does not carry the burden of unnecessary penalties for property owners.

Reasons/Explanation:-
While we support in general the use of LIDAR to obtain more accurate data for the identification of areas at risk of erosion or inundation, LIDAR, or the conclusions drawn from it, appear to take a very broad brush approach. Maybe LIDAR is good for finding levels, but does not consider any other mitigating factors.

By way of explanation:-
Hector and Ngakawau have a situation where the sea is actively encroaching upon residences and only those appear to be directly classified CSEI, and the remainder of their villages are not; this is fair enough.

Very unfortunately, these areas face the open sea continually, and have no source of beach rebuild materials coming their way, and we can fully understand the CSEI zoning, including no new build rules in those areas.

Neils Beach is very different and should be treated so. We face the open sea only part of the time, we are sheltered from southerly and westerly winds and seas, enjoying the shelter of Jackson Bay.

We have the Arawhata river "on our doorstep," capable of bringing millions of tons of foreshore rebuilding materials ie: beach nourishment, in times of flood. Consequently we have the ability to rebuild, and the gravel source in the riverbed is virtually unlimited as any inspection would show.

With reference to the 2016 NIWA Report - *River Related Shore erosion at Hokitika and Neils Beach Westland* - (Dr D Murray Hicks) - Murray says Neils Beach will be subject to coastal depletion and rebuilding largely determined by the Arawhata river mouth positioning.

We have just been through one of these cycles where the river mouth had gone north-east/east for some years and beach depletion in front of Neils Beach occurred, which could have caused problems for residences in the township. (See Feb 2022 NIWA Report – *Review of West coast Region Coastal Hazard Areas Version 2* – R Measures and H Rouse, and also Mar 2022 NIWA *Mapping for priority coastal hazard areas in the West coast Region* – C Bosserelle and M Allis) These reports both refer to CHA26 Neils Beach to Jackson Bay commenting on a rapid erosion period at Neils Beach from 2010 to 2015. **However, what these 2022 reports do not say is since the 2010-2015 beach depletion period we have witnessed a fantastic beach rebuild.**

The rebuild is subsequent to a flood where the Arawhata River mouth burst virtually straight out to sea, hence naturally realigning itself from an unfavourable easterly to a very favourable northerly direction; bringing huge amounts of gravel close to Neils Beach. Subsequent north-east wind induced waves gradually moved the gravels along in front of our village.

In 2016 we built a significantly long earth bund using slip material from the Jackson Bay road (consent having been granted by WCRC.) Refer Page 87, Fig 4-37 photo taken 12.08.2021 in Mar 2022 NIWA Report – *Mapping for priority coastal hazard areas in the West Coast Region* – C Bosserelle, M Allis.

We used our Special Rating District funds, co-ordinated and managed the job ourselves. The effect of this structure in trapping windblown sand and assisting the dune rebuild has been significant, with parts of the bund now becoming almost buried by dune rebuild.

This earth bund was one of Dr Murray Hicks recommendations from his NIWA 2016 Report. We find he has been right in everything he said that would happen.

We note that the Mar 2022 NIWA report suggests this sacrificial bund was constructed to *"separate the active beach from the lagoon and low lying inhabited land. The bund is only a stop gap measure to keep nuisance wave events from filling the lagoon and flooding inhabited areas."* This is not actually correct.

Firstly, no one is under any illusion about the power of wave attacks during wild storm events and the limited protection an earth bund could provide during storms. The bund was constructed with a view to encouraging a beach rebuild, in conjunction with a favourable river mouth opening.

Secondly, the lagoon as seen in Fig 4-37, which made a relatively recent appearance on our landscape, from being a normal low lying grassy paddock behind dunes, has subsequently drained itself. It has returned to a low lying vegetated area, except for when ponding occurs during rain events.

It is very disappointing to read in the NIWA Mar 2022 Report *"for these reasons it* (the bund) *is not considered in the presented erosion hazard assessment."*
This appears to suggest the bund is of no consequence as a pro-active mitigating factor for erosion control. This suggestion is incorrect.

As it currently stands several of the descriptors for CHA 26 as contained in the NIWA 2022 Reports, and carried through into the S32 Reports are out of date in respect of the Neils Beach township area eg:

- reporting the township to have approx 15 houses; the count is at least 41 houses.
- suggesting we are currently experiencing a high erosion rate when in fact we are in a dune rebuild stage.

Consequently, with present day visual evidence of a previously stable beach going through a depletion and now in a rebuild process, we feel being classified as Coastal Severe is over-reach.

The classification carries the burden of numerous negative commercial implications.
Commercially the classification will be cited as the authority to add premiums to various fees or charges, without enquiry or discretion as to relative fairness.

2. Request for Additional Permitted Activity – Realignment of River Mouths
For Neils Beach the importance of maintaining the dune we have recently regained is critical.

Another suggestion from the NIWA 2016 Report (Dr Murray Hicks) is to mechanically bring the river mouth back to the south-west should it head off too far, for too long, to the north-east.

Under the current planning regime, to prepare for such a scenario, our Special Rating District committee has asked WCRC to investigate the gaining of a resource consent for river mouth re-alignment works in the future, should it become necessary. We have been informed that a consent may cost up to $50,000, or such other excessive amount.

Making an application does not come with any guarantee of success and would be a very poor use of our Prudent Reserve funds. These funds currently stand at approx $30,000 saved at a rate of $5000pa and are intended for physical works.

It is highly likely that other Special Rating Districts could also benefit by having a river mouth works consent at the ready if/when necessary. Generally such works need to be carried out at very short notice when conditions present. (A case in point could be the recent event that unfolded at Wairoa.)

Hence, in recognition of anticipated issues arising from sea level rise and climate change, and with expert opinion already presented from within NIWA Reports, it would be beneficial to some communities for planning instruments to enable (permit) some sensible mitigation solutions, rather than simply curtail or prohibit activities. (NH-O4, NH-P3)

Therefore it seems logical that a provision for river mouth re-alignment works should be included in the pTTPP as a Permitted Activity for relevant Special Rating Districts or selected areas. We seek this inclusion in the pTTPP. (NC – P2 (a), NC – R1 (j) – maybe a new Permitted Activity as NC-R4 with suitable wording, and covered off in any of the other relevant overlay chapters if necessary – Neils Beach seems to have numerous overlays, eg: SASM 207 – Silent File??)

In our case this provision would enable scarce SRD funds to be spent on mitigation works (bunds, bund maintenance, mouth re-alignments, plantings etc) rather than diverted towards physically ineffectual consenting processes and documentation.

If the pTTPP is to include a map overlay classifying Neils Beach as Coastal Hazard Severe (Erosion and Inundation) and the pTTPP is not the appropriate West Coast planning document to provide for such a Permitted Activity as discussed above, (river bed vs riparian margin?) then please enable this by seeking a Permitted Activity status from the appropriate planning document or authority (WCRC – Coastal Plan?) It is all connected. Councils have already received expert advice from NIWA Report 2016, (Dr Murray Hicks) which should be adequate expert opinion in support.

3. Driftwood on Beaches (Gathering of – relative to dune restoration)

Drift wood and logs play an important part of dune recoveries, forming natural bunds trapping sand etc to help reduce the risk of inundation.

Local people also need to get their firewood from somewhere.

The current rule (WCRC Coastal Plan, rule 9.5.2.2.) states gathering driftwood it is a permitted activity as long as wood is not taken from above the mean high water springs mark ie: this excludes the dune area.

Unfortunately for those communities trying to rebuild dunes, the dune area is where most of the wood appears to get taken from because the boundary between the two zones is subjective to interpretation by the gatherer. It seems the rule is not well known, or understood, or is unclear and unenforceable. Consequently it doesn't work as a coastal erosion mitigation tool. (See also WCRC pRCP 2016 Rule 16 – writer not sure of pRCP Rule 16 current status.)

For Neils Beach please consider making a new rule that designates a specific driftwood collection area, where it is a permitted activity and with the dune area included. (Alternatively a relevant driftwood collection exclusion zone.) This would allow the more sensitive areas in front of houses and properties to be properly protected for dune rebuild. In our case the collection area would be an area from the beach entrance somewhat east of the airstrip along to the Arawhata river mouth.

WCDC has been asked by our Special Rating District Committee to supply descriptive signage for a beach area to be protected from driftwood gathering, giving the reasoning ie: Dune Recovery Area. To be effective it is imperative the signs carry authority/support by way of WCRC and WCDC logos.

Along with assistance from WCRC and WCDC, we have to date been proactive and successful in protecting the existing Neils Beach properties from erosion. We would hope/anticipate that positive relationship continues.

Request for decisions:-

We would like the following decision(s) to be made with respect to this Variation:

1. Neils Beach Zoning Coastal Severe (Erosion and Inundation):-

As discussed above we seek the rezoning of Neils Beach from Coastal Hazard Severe (Erosion and Inundation) to a softer category that signals the natural hazard risk, but carries much less connotation that we are about to fall foul of the elements. There are no properties currently at risk, the foreshore has significantly rebuilt since 2015 and there is no reason to condemn any of our village. (Refer WCRC pRCP Schedule 3C, CHA 26, Medium – *Erosion is threatening parts of the road* (between Neils Beach and Jackson Bay) *and runway. There is a buffer before houses are affected by erosion*.)

All that this CSEI zoning is likely to do is drive people away from the community, due to the unwarranted burden of a range of negative commercial factors such as:-

- not being able to afford insurance, if you can get insurance all
- devaluing properties without reason, reducing capital
- making properties unsaleable
- not being able to get bank loans
- gouging the rating base for both WCRC and WDC, necessitating significant rate increases
- finally, ... creating a slum.

Is this our future in South Westland? We would prefer planning support, rather than burdens, for the future survival of small vibrant West Coast communities, where there is no imminent risk of severe erosion or inundation.

2. Periodic Reviews for areas classified as CSEI:-

We understand the responsibilities of councils and that it makes sense to prevent subdivision and new builds in areas likely to be eroded or flooded in the near future.

However we struggle with the 100yr concept and while that might be statutory, and prudent for long term planning, it results in condemning properties that are currently not at risk. We ask if pTTPP could make provision for more realistic shorter term periodic CSEI or CAEI reviews, condemning only those properties affected and not entire villages like has been done at Neils Beach.

We acknowledge that WCRC commissioned a review ie: NIWA Feb 2022 *Review of West Coast Region Coastal Hazard Areas – Version 2* – R Measures and H Rouse, however it is our view Neils Beach CHA26 has not been re-examined in thorough manner.

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Rather the Report conclusion is that it is *"UNCLEAR to what extent the current erosion is part of short-term variability due to river mouth processes or a longer-term trend (eg: driven by waning sediment supplies or sea-level rise)"*

Is this lack of clarity really enough basis to apply a highly conservative, precautionary approach to classify an entire village area as CSEI? And in our case is this Feb 2022 NIWA review fair? We think not.

3. River mouth re-alignment works for Special Rating Districts – Permitted Activity:-

As discussed above we request the pTTPP includes a Permitted Activity provision for river mouth re-alignment works, for relevant Special Rating Districts (or selected relevant areas) to enable critical timely natural hazard mitigation if/when necessary.

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