

IN THE ENVIRONMENT COURT
AT AUCKLAND

I TE KŌTI TAIAO O AOTEAROA
KI TĀMAKI MAKĀURAU

Decision [2024] NZEnvC 280

IN THE MATTER OF an appeal under clause 14 of the First
Schedule of the Resource Management
Act 1991

BETWEEN HORONGARARA POINT GROUP
(ENV-2022-AKL-065)

Appellant

AND WAIKATO DISTRICT COUNCIL

Respondent

AND WAIKATO REGIONAL COUNCIL

Section 274 party

Court: Environment Judge S M Tepania sitting alone under s 279 of the
Act

Last case event: 18 October 2024

Date of Order: 8 November 2024

Date of Issue: 8 November 2024

CONSENT DETERMINATION

A: Under section 279(1)(b) of the Resource Management Act 1991, the
Environment Court, by consent, orders that:



Horongarara Point Group v Waikato District Council

- (1) The planning maps are amended in accordance with **Appendix 1** to this determination to show the amended mapping of the High risk coastal erosion area at Horongarara Point; and
 - (2) The appeal in its entirety is otherwise dismissed.
- B: Under section 285 of the Resource Management Act 1991, there is no order as to costs.

REASONS

Introduction

[1] This consent determination relates to an appeal by Horongarara Point Group (**HPG** or **the Appellant**) against parts of the decisions of the Waikato District Council (**Council** or **Respondent**) in respect of the Proposed Waikato District Plan (**PDP**).

Background and original submissions

[2] HPG comprises a group of landowners and residents of the following properties at Horongarara Point on Raglan Harbour (**the Properties**):

- (a) 2B Ryan Road;
- (b) 2C Ryan Road;
- (c) 2D Ryan Road;
- (d) 2E Ryan Road; and
- (e) 0 Ryan Road.

[3] Horongarara Community Group and several residents made identical submissions on the PDP seeking a more accurate assessment of coastal erosion hazards and amendment to the Coastal Erosion Hazard mapping in the notified version of the PDP (which applied to the Properties). The basis for their opposition

was that all of the Properties were identified within the 100m wide rural Coastal Sensitivity Area and detailed assessment had not been undertaken for Te Akau South residential zone.

[4] Following the receipt of numerous submissions on the Coastal Erosion Hazard mapping of the Te Akau South Horongarara Peninsula, the Focus Resource Management Group (**Focus Group**) completed a local scale assessment of coastal hazards for the residential area at Te Akau South (**Focus Group Local Scale Assessment**). This further assessment reduced the width of the Coastal Sensitivity Area (Erosion), however resulted in some residential properties (including the Properties) being affected by the High Risk Coastal Hazard Area (Erosion). Notably, the Focus Group Local Scale Assessment highlighted the limited available information and the potential for site specific field measurements to refine the hazard areas further.¹

[5] During Hearing 27D: Coastal hazards, a submission was made to the Independent Hearings Panel (**IHP**) by Horongarara Community Group and other residents seeking further time to commission a more detailed geotechnical investigation to further refine the coastal hazard mapping in respect of the Properties.²

[6] A Slope Stability Assessment report³ prepared by engineering geologist Michael Carter of Raglan Geotech, was filed on 23 September 2021 (**Raglan Geotech Report 2021**) and recommended that:⁴

- (a) The notified Coastal Sensitivity Area (Erosion) overlay be amended to the extent defined by the Factor of Safety (**FOS**) 1.5 boundary on Figure K.1 in the Raglan Geotech Report 2021; and

¹ Decision Report 29C: Natural hazards and climate change – coastal hazards, at paragraph 4.40 – 4.41.

² Dated 18 May 2021.

³ Slope Stability Assessment Horongarara Point Te Akau South Raglan, Michael Carter, dated 23 September 2021.

⁴ Decision Report 29C: Natural hazards and climate change – coastal hazards, at paragraph 5.17.

- (b) The High Risk Coastal Hazard Area (Erosion) overlay be amended to the extent defined by the FOS 1 boundary displayed in Figure K.1 in the Raglan Geotech Report 2021.

[7] Given the highly technical nature of the Raglan Geotech Report 2021, the IHP requested that Council arrange for that report to be peer reviewed. The peer review by Tonkin & Taylor⁵ (**T&T Peer Review 2021**) identified several matters to be addressed by Raglan Geotech and recommended that the extents of the High Risk Coastal Hazard (Erosion) Area and the Coastal Sensitivity Area (Erosion) should be retained as recommended in the section 42A report. The recommendation in the section 42A report was to locate the boundaries as per the Focus Group Local Scale Assessment.⁶

[8] On 17 November 2021 the IHP issued a direction to the Horongarara Community Group submitters and offered the opportunity for Mr Carter, of Raglan Geotech Limited, to respond to the T&T Peer Review 2021.

[9] Mr Carter provided a response to the T&T Peer Review 2021 on 30 November 2021 (**Raglan Geotech Response 2021**) and Mr Andrew Wilson, on behalf of the submitters, also provided a separate response on 2 December 2021. The Raglan Geotech Response 2021 set out areas of disagreement with the T&T Peer Review 2021 and recommended that the T&T Peer Review 2021 be disregarded.⁷

Decision

[10] Given the divergence between the expert reviews, the IHP relied on the recommendation of the section 42A report and thus retained the mapping as recommended. It is noted by the IHP in Decision Report 29C: Natural hazards and climate change – coastal hazards that time was a limiting factor in terms of potentially resolving the matter as part of the decision. In recognition of the limited timing, the

⁵ Tonkin & Taylor Ltd, *Specific review of the Horongarara Slope Stability Assessment, Raglan Geotech*, dated 23 September 2021.

⁶ Section 42A Report – Hearing 27D: Coastal Hazards dated 31 March 2021 at paragraph 479.

⁷ Response by Raglan Geotech to Tonkin and Taylor Specific Peer Review (27 09 2021) of the Horongarara Slope Stability Assessment, Raglan Geotech (23 09 2021), Michael Carter, dated 28 November 2021, sections 10, 11 and 12.

IHP suggested that the submitters and Council continue working together on the unresolved matters.⁸

[11] The effect of the mapping adopted in the decisions version of the PDP is that portions of the Properties fall within the High Risk coastal erosion area and are subject to rules NH-R36 to NH-R52. Within the mapped High Risk coastal erosion area, permitted activities include minor new structures (NH-R36 and NH-R37) and activities associated with maintenance or repair of existing protection structures, telecommunications and electricity (NH-R39 to NH-R42). New or upgraded hard protection structures (NH-R43) are restricted discretionary activities. All other subdivision, uses and development within the High Risk coastal erosion area are discretionary or non-complying activities, and the policy direction of the PDP (e.g. NH-P1) is to avoid use and new development in the High Risk coastal erosion area.

Appeal

[12] On 23 February 2022, HPG lodged an appeal against the decisions version of the PDP seeking the following relief:

- (a) The Raglan Geotech Report 2021 be accepted as fit for purpose for the Properties; and
- (b) The extent of the Coastal Hazard (Erosion) mapping be redefined to match those recommended in Figure K1 of the Raglan Geotech Report 2021.

[13] The appeal has been assigned to Topic 17: Natural hazards and climate change and this consent determination resolves the appeal in its entirety.

[14] Waikato Regional Council (**WRC**) gave notice of an intention to become a party to the appeal under s 274 of the Act. WRC's s 274 notice acknowledged that there may be some need for refinement of the natural hazards mapping, including the High Risk Coastal Hazard Area (Erosion) and held a neutral position on the submissions that requested amendments to the mapping. WRC's concern was to

⁸ Decision Report 29C: Natural hazards and climate change – coastal hazards, at paragraph 5.21.

ensure that any amended mapping gave effect to the Waikato Regional Policy Statement.

Agreement reached

[15] In accordance with the IHP's suggestion, following the filing of the appeal, HPG and the Respondent with their respective geotechnical experts⁹ and planners¹⁰ entered into direct discussions regarding the extent of the Coastal Hazard (Erosion) mapping for the Properties over an extended period of time. It is noted that in March 2024, HPG narrowed the appeal advising that it was only interested in the High Risk coastal erosion area and no longer wished to amend the Coastal Sensitivity Area (Erosion).

[16] During negotiations, T&T issued several requests for further information in response to the earlier Raglan Geotechnical reports and these were fully responded to by Raglan Geotech in a report titled Raglan Geotech RFI Response dated August 2024 (**Raglan Geotech Report 2024**). The key issue that required resolution was how the site investigation and slope stability analysis were applied in Raglan Geotech's assessment. Following the provision of the Raglan Geotech Report 2024, the respective experts have now reached agreement that the High Risk coastal erosion area as mapped in the PDP decisions version can be modified based on the mapping and supporting information provided by Raglan Geotech.

[17] The spatial data was then provided to Council who applied this to the GIS mapping to delineate the area. Using the "High hazard (erosion) boundary" line defined by Raglan Geotech in Figure A.6 of the Raglan Geotech Report 2024, Council has amended the PDP planning maps to relocate the High risk coastal erosion area at Horongarara Point. It is noted that the original natural curved "High hazard (erosion) boundary" line defined by Raglan Geotech has been changed to a series of conservatively straight lines and angles on, or on the landward side of, the proposed High risk coastal erosion area so as to align with property boundaries in terms of surveying. In addition, where the realigned High risk coastal erosion area lies within

⁹ Michael Carter – Raglan Geotech for HPG and Hamish McEwan, Tonkin & Taylor for Council

¹⁰ Gavin McCullagh for Council.

the Council owned coastal esplanade which is undeveloped public land, the mapped line has been adjusted to align with the nearest property boundary. This is to eliminate any confusion about the extent of the area in which the hazard is to be avoided.

[18] Following the agreement reached between HPG and Council, the Raglan Geotech Report 2024 (being Mr Carter’s geotechnical response to T&T) and the proposed mapping were provided to WRC’s coastal expert, Dr Phil Mourot, for review. Dr Mourot provided a memorandum dated 26 August 2024 in which he advised that the proposed amendment fully complied with the Ministry for the Environment’s Coastal Hazards and Climate Change guidance for local government 2017 (revised in 2024) and accurately delineates the High risk coastal erosion area boundary based on site-specific investigations and the latest available information.¹¹

[19] The amendments to the PDP planning maps with respect to the agreed mapping of the High risk coastal erosion area at Horongarara Point is shown in **Appendix 1** to this determination.

Section 32AA evaluation

[20] Section 32AA of the Act requires a further evaluation of any changes to the proposed plan change since the initial s 32 evaluation report and the Decision. Council has prepared a standalone s 32AA evaluation, which is attached as **Appendix 2** to this determination.

[21] In summary, the s 32AA assessment concludes that:

- (a) The proposed amendment to the High risk coastal erosion area mapping is limited to a very small portion of the Waikato District coastline within Raglan Harbour;
- (b) The amendments proposed to the mapping will reduce, and for the properties at 2B and 2C Ryan Road significantly reduce, the extent of the High risk coastal erosion area overlay on the Properties, with the Coastal Sensitivity Area (Erosion) applying instead. This better enables

¹¹ Memo from Dr Phil Mourot to WRC, ‘Review of the updated High Risk Coastal Erosion area boundary at Horongarara Point’, dated 26 August 2024 at [4].

future development on the Properties, as most development within the Coastal Sensitivity Area (Erosion) is Restricted Discretionary (rather than the Non-Complying status applying to most development in the High risk coastal erosion area) under rule NH-R33. Due to this, there are major financial implications for the Properties. The proposed amendments are therefore considered no more than medium in significance;

- (c) The objective of the proposal, to map the coastal erosion hazard based on a peer reviewed slope stability assessment of the coastal area adjacent to the Properties, is the most appropriate to achieve the purpose of the Act on the following basis:
 - (i) The amended mapping will enable the owners of the Properties to provide for their social and economic well-being by better facilitating the development of their properties in areas that are not at high risk of hazards, whilst providing for their health and safety by accurately identifying the areas at high risk of hazards where development should be avoided (section 5(2));
 - (ii) The amended mapping recognises and provides for the following matters of national importance:
 1. preservation of the natural character of the coastal environment and the protection of it from inappropriate subdivision use and development (section 6(a)); and
 2. the management of significant risks from natural hazards (section 6(h));
 - (iii) The technical analysis supporting the amended mapping has had particular regard to the effects of climate change on coastal erosion at Horongarara Point (section 7(i));

- (d) Option 2 (the agreed amendment to the mapping) was the preferred option as opposed to the status quo (the mapping in the decisions version of the PDP) as:
- (i) Accurate assessment and mapping of the High risk coastal erosion area provides certainty for the owners of the Properties in undertaking future development, subject to the PDP;
 - (ii) The amended mapping supports the safety of people and property by effectively managing development adjacent to an area of coastal erosion hazards;
 - (iii) While the amendment to the mapping is small in scale, it does provide an easier pathway for future development on the Properties; and
 - (iv) There has been an appropriate level of investigation as to the effects of the amended mapping, including consideration by geotechnical experts for Council, the Appellant and WRC.

Consideration

[22] In making this order the Court has read and considered:

- (a) The notice of appeal dated 23 February 2022; and
- (b) The joint memorandum of the parties in support of draft consent orders dated 18 October 2024.

[23] The Court is making this order under section 279(1) of the Act, such order being by consent, rather than representing a decision or determination on the merits. The Court understands for present purposes that:

- (a) All parties to the proceedings have executed the memorandum requesting this order; and
- (b) All parties are satisfied that all matters proposed for the Court's endorsement fall within the Court's jurisdiction, and conform to the

relevant requirements and objectives of the Act including, in particular, Part 2.

[24] The Court is satisfied that the changes sought are within the scope of the Appellant's submission and appeal.

Order

[25] The Court orders, by consent, that:

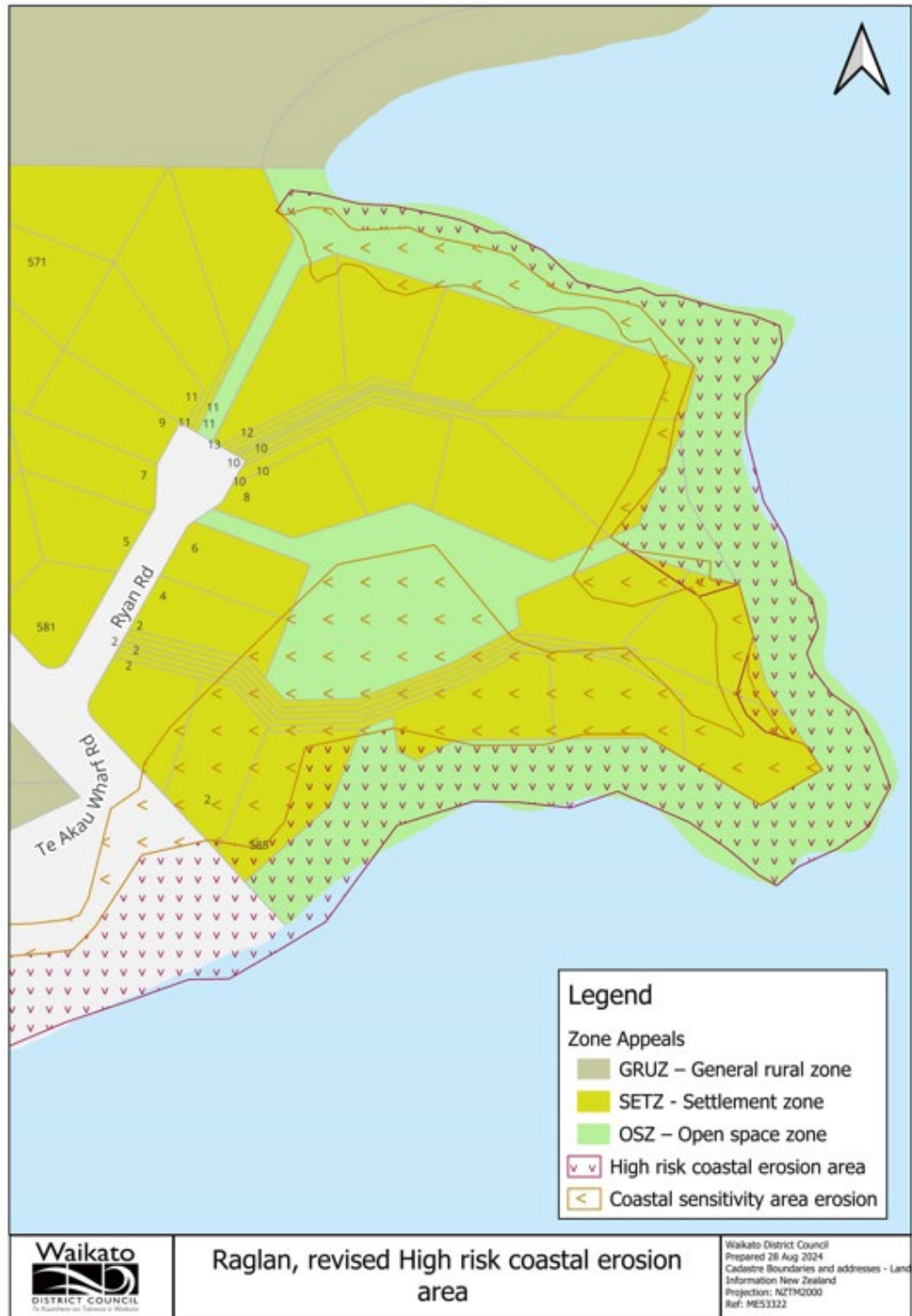
- (a) The planning maps are amended in accordance with **Appendix 1** to this determination to show the amended mapping of the High risk coastal erosion area at Horongarara Point;
- (b) The appeal in its entirety is otherwise dismissed; and
- (c) There is no order as to costs.



S M Tepania
Environment Judge



**Appendix 1: Amended mapping of the High risk coastal erosion area at
Horongarara Point**



Appendix 2

October 2024

Section 32AA Assessment

For resolution of appeals by

Horongarara Point Group (ENV-2022-AKL-000065)

Overview

This s32AA evaluation report addresses relevant statutory tests under the Resource Management Act 1991 (**RMA**) as they relate to the appeal from Horongarara Point Group¹ on the Proposed Waikato District Plan (**PDP**).

The appeal seeks to amend the mapping of the High risk coastal erosion area as it applies to the coast adjoining the following properties at 2B, 2C, 2D, 2E & 0 Ryan Rd, Te Akau South and adjoining recreation reserve legally described as Lot 39 DPS 11465 (**the Properties**). The objective of the appeal is to map the coastal erosion hazard based on a peer reviewed slope stability assessment of the area. The appeal does not propose any new objectives, policies or rules and does not propose amendment of any objectives, policies and rules in the PDP decisions version. The appeal only seeks to amend the mapping of the coastal hazards in the PDP as it relates to the Properties.

This evaluation report addresses the following relevant tests:

- the extent to which the objectives of the proposal are the most appropriate way to achieve the purpose of the RMA (s32(1)(a)); and
- the relevant method is the most appropriate way to achieve the objectives, having regard to their efficiency and effectiveness (s32(1)(b)) and considering:
 - the scale and significance of the proposed method;
 - the benefits and costs of the proposed method; and
 - the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the method.

Scale and significance of the proposal

A s32AA evaluation must be undertaken with a level of detail that corresponds to the scale and significance of the changes proposed. The scale and significance of the proposal has been determined by a qualitative assessment of relevant factors, as recorded in **Attachment 1**. In summary, the scale and significance of the proposed zoning is assessed as medium for the following reasons:

- the proposal addresses a relevant resource management issue relating to the Council's relevant RMA functions;
- the proposal will help protect life and property by accurate mapping of a high risk natural hazard area;
- relative to the decisions version of the PDP, the proposal amounts to a minor shift in anticipated outcomes for natural hazard management. The amendments proposed

¹ Horongarara Point Group Appeal ENV-2022-AKL-000065

to the mapping will reduce the extent of the High risk coastal erosion area overlay on the Properties, with the Coastal Sensitivity Area (Erosion) applying instead. This better enables future development on those properties, as most development within the Coastal Sensitivity Area (Erosion) is Restricted Discretionary under rule NH-R33 (rather than the Non-Complying status applying to most development in the High risk coastal erosion area);

- the proposed amendment to the High risk coastal erosion area mapping is limited to a very small portion of the Waikato District coastline within Raglan Harbour. This is a small scale change;
- the proposal is not likely to be of interest to iwi;
- the proposal has major financial implications for the Properties, as it removes a regulatory constraint that would have effectively prevented appropriate development on the identified properties; and
- there is a high level of information available to inform decision-making and a corresponding low risk of acting.

While the scale of the changes is minor, the fact that it concerns a high risk natural hazard makes the amendment medium in significance. Consequently, a high-level evaluation of the proposal has been identified as appropriate for the purposes of this report.

Appropriateness of Objectives, Policies and Methods

Achieving the purpose of the RMA

Council must evaluate, in accordance with s32 of the RMA, the extent to which each proposed objective is the most appropriate way to achieve the purpose of the RMA. In this case, there are no proposed changes to objectives, but s32 clarifies that “objectives” can mean the purpose of the proposal.² The purpose of the proposal is to map the coastal erosion hazard based on a more accurate identification of slope stability assessment for the Properties.

Section 5 of the RMA

The objective of the proposal will assist in achieving section 5(2)(c) of the RMA. The proposed mapping amendments will enable the owners of the Properties to provide for their social and economic well-being by better facilitating the development of their properties in areas that are not at high risk of hazards, while providing for their health and safety by accurately identifying the areas at high risk of hazards where development should

² RMA s32(6).

be avoided.

Section 6 of the RMA

The proposed amendment to the mapping of the high risk coastal erosion area in the locale of the Properties recognises and provides for the following matters of national importance under section 6 of the RMA:

- (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; and
- (h) the management of significant risks from natural hazards.

The amendment does not affect the PDP's protections of the natural character of the coastal environment, and more accurately identifies areas of significant natural hazards where risks need to be managed accordingly.

Section 7 of the RMA

The technical analysis which supports the mapping of the coastal hazards affecting the Properties has had particular regard to the effects of climate change on coastal erosion at this location (section 7(i) of the RMA) when defining the area subject to high risk of coastal erosion.

Section 8 RMA

The proposed amendments primarily affect five private properties and are unlikely to be of interest to iwi. It is noted that iwi are not a section 274 party to the appeal.

Having assessed the objectives of the proposal against Part 2 of the RMA, it is considered that the proposed mapping is the most appropriate way to achieve the purpose of the RMA.

Evaluation of Provisions

Section 32 assessments must determine whether the proposed provisions are the most appropriate way to achieve the proposed objectives. This must include the identification of alternatives, and cost benefit analysis of the economic, social, environmental and cultural effects of the provisions including whether opportunities for economic growth and employment are reduced or increased. The risk of acting or not acting where uncertain information exists must also be considered.

To reflect a more accurate extent of the coastal erosion hazard based on a peer reviewed slope stability assessment, a discrete amendment is proposed to the mapping of the High risk coastal erosion area on and near the Properties.

The following broad options have been identified:

Option 1 – Decisions version: Retain the mapping of High risk coastal erosion area as contained in the decisions version of the PDP. This option places significant portions of the Properties within the High risk coastal erosion area. Within this area, much of the development that might normally be expected to occur will have a non-complying activity status and difficulties obtaining resource consent.

Option 2 – Amend the mapping of the High risk coastal erosion area based on the recommendation of the Raglan Geotech Report 2024.

The preferred option is Option 2 because it is based on a more robust and technically sound assessment of the extent of coastal hazard on the Properties.

Benefits and Costs

Option 2 Adoption of the proposed amendment to mapping of the High risk coastal erosion area on and near the Properties.	
Costs	Benefits
Environmental costs Nil.	Environmental benefits Nil.
Economic costs Preparation of the amendment to the mapping has required significant investment by the property owners on a detailed slope stability assessment for their properties.	Economic benefits Accurate assessment and mapping of the High risk coastal erosion area provides certainty for the owners of the Properties in undertaking future development subject to the PDP.
Social costs There are no social costs.	Social benefits Supports the safety of people and property by effective management of development adjacent to an area of coastal erosion hazards.
Cultural costs There are no cultural costs.	Cultural benefits There are no cultural benefits.

Opportunities for economic growth

The proposed amendment is small in scale, however it does provide an easier pathway for future development on the Properties.

Opportunities for employment

Not able to be identified.

Certainty and sufficiency of information

The proposal has been subject to an appropriate level of investigation as to the effects of the amended mapping, including consideration by geotechnical experts for Council and the Appellant. There are no material gaps in the knowledge base that give rise to any need for a risk assessment.

Effectiveness and efficiency**Effectiveness**

The policy and rules in the decisions version of the PDP provide for effective management of coastal erosion hazards for new subdivision and development. However, the coastal hazards mapped in the vicinity of the Properties have been identified during the submissions and hearing processes³ as not being based on a sufficiently rigorous assessment of the erosion hazard.

The proposed amendment is based on a detailed slope stability assessment that has been confirmed by peer review.⁴ This provides for more accurate mapping of the hazard and provides better information to inform the appropriateness of future development proposals.

Because of the more accurate assessment of the coastal erosion hazard, the amended mapping will be effective at managing adverse effects arising from development whilst not unnecessarily constraining development on the Properties.

Efficiency

The proposed amendment to the mapping results in the bulk of the Properties being within the Coastal sensitivity area (Erosion) and not within the High risk coastal erosion area.

This will mean most activities which would have fallen under the High risk coastal erosion area rules (NH-R36 to NH-R52) as Discretionary or Non-Complying activities, would now be considered under the Coastal sensitivity area (Erosion) rules (NH-R27 to NH-R35)⁵ which are generally Permitted or Restricted Discretionary activities.

This clearly delivers a more efficient approach to future development for the Properties.

Overall evaluation

Option 2 is the most appropriate option to achieve the relevant PDP objectives and the objectives of the proposal. It is anticipated to provide an increased benefit in contrast to Option 1 (the status quo).

³ Review of Waikato District Coastal Hazard Assessment, Tonkin + Taylor, 18 December 2019, p3.

⁴ Horongarara Point Appeal Review: Closeout letter, Tonkin + Taylor, 12 August 2024.

⁵ Waikato PDP Part 2-15 Natural hazards and climate change.

The proposed amendments have been considered by technical experts for the Council, the Appellant and the s274 party to ensure that the areas at high risk of coastal erosion have been accurately assessed in the area affected by the appeal. The High risk coastal erosion area as mapped in the decisions version of the PDP has been determined to be overly conservative on the Properties. This unnecessarily constrained the property owners in the future use and development of their properties. It also potentially added to their insurance costs.

An overly conservative approach to the hazard in this location did not provide a corresponding increase in the safety of people or property.

The amended provisions will help achieve the following PDP objectives:

- NH-O1 High risk natural hazards areas;
- NH-O2 Areas at risk from natural hazards;
- NH-O3 Awareness of natural hazard risks; and
- NH-O4 Climate change.

Accurately mapping the High risk coastal erosion area based on detailed geotechnical analysis expressed in the Raglan Geotech Report 2024 ensures that the high risk areas are avoided and developments in areas at natural hazard risk are subject to site specific analysis supported by technical information. It also ensures that the owners of the Properties are fully aware of the hazard.

Conclusion

It is agreed by the parties that the proposal is the most appropriate way to achieve the purpose of the RMA. In addition, the proposed amendment to mapping of the High risk coastal erosion area at Horongarara Point satisfies the concerns raised in the appeal and is the most appropriate way to achieve the objectives of the proposal and the relevant PDP objectives because:

- a) in the High risk coastal erosion area, the risks associated with natural hazards on people, property and infrastructure from subdivision, use and development of land are avoided;
- b) any future development on the Properties will be subject to the appropriate PDP rules for subdivision and development either in a Coastal sensitivity area (Erosion) or in the High risk coastal erosion area; and
- c) the agreed amendments give effect to the Waikato Regional Policy Statement as they are consistent with:
 - Objective HAZ-O1;
 - Policy HAZ-P1;
 - Policy HAZ-P2; and
 - Policy CE-P1.
- d) the agreed amendments give effect to the New Zealand Coastal Policy Statement as

they are consistent with:

- Objective 5; and
- Objective 6.

ATTACHMENT 1 – Scale and Significance Assessment

The matrix below has been used to inform the assessment of the proposal's scale and significance.

<i>Criteria</i>	<i>Scale/Significance</i>			<i>Comment</i>
	<i>Low</i>	<i>Medium</i>	<i>High</i>	
Addresses a resource management issue		X		<ul style="list-style-type: none"> The proposal relates to Council's functions. The proposal relates to natural hazard management and coastal management.
Addresses a matter that relates to human health or the protection of life and property		X		<ul style="list-style-type: none"> This matter relates to the determination of the High risk coastal erosion area adjacent to settlement at Horongarara Point. Accurate identification of the extent of the hazard enables better decision making in managing risk to people and property.
Degree of shift from the status quo	X			<ul style="list-style-type: none"> This change is low in scale as it affects only six properties. The change is significant for the five private property owners. The amendments proposed to the mapping will reduce the extent of the High risk coastal erosion area overlay on the Properties, with the Coastal Sensitivity Area (Erosion) applying instead. This better enables future development on those properties, as most development within the Coastal Sensitivity Area (Erosion) is Restricted Discretionary under rule NH-R33 (rather than the Non-Complying status applying to most development in the High risk coastal erosion area). The extent of the High risk coastal erosion area is also amended on one area of land owned by Waikato District Council. That change is unlikely to have much impact, as the land is in the Open Space zone without likelihood of development. The change is low in significance for the overall operation of the PDP.
Who and how many will be affected/ geographical scale of effect/s	X			<ul style="list-style-type: none"> The change affects a small number of people, being five private properties and an area of land owned by Council at Horongarara Point.

Degree of impact on or interest from iwi/ Māori	X			<ul style="list-style-type: none"> The change primarily affects a small number of private properties at Horongarara Point.
Degree of likely community interest	X			<ul style="list-style-type: none"> There is a low level of community interest. This is a change based on an updated technical analysis of a coastal hazard in a limited area.
Likelihood of resulting in major financial impact on households / community due to compliance or administrative costs			X	<ul style="list-style-type: none"> This decision has major financial implications for the households affected by this change. Correct identification of the extent of the High risk coastal erosion area removes a regulatory constraint that would have effectively prevented appropriate development on the identified properties. Future development will still be subject to site specific assessment of the coastal erosion hazard.
Implications for servicing and transport networks	X			<ul style="list-style-type: none"> Nil.
Type of effect/s	X			<ul style="list-style-type: none"> Nil.
Likelihood of significantly reducing development opportunities or land use options	X			<ul style="list-style-type: none"> Low likelihood of significantly reducing development opportunities or land use options. Development on the affected properties will still be subject to rules regarding development in a Coastal sensitivity area (Erosion). It is still possible that site specific assessment of the coastal erosion hazard may not support development of the site or all of the site.
Degree of risk and uncertainty	X			<ul style="list-style-type: none"> Low degree of risk. This change has been based on robust technical assessment and peer review by experts.
OVERALL ASSESSMENT			X	For the above reasons, the proposal is assessed as having a medium overall scale and significance.