
| | |
|---------------------|--|
| To | Sustainability and Wellbeing Committee |
| Report title | Adaptive Management Planning and Port Waikato Erosion |
| Date: | 28 June 2023 |
| Report Author: | Jim Ebenhoh, Planning and Policy Manager |
| Authorised by: | Clive Morgan General Manager Community Growth |

1. Purpose of the report

Te Take moo te puurongo

To inform the Committee of the work that has been undertaken with the Port Waikato community and other stakeholders in the past decade on coastal erosion issues, including the activities of the Port Waikato Resilience Group since 2020.

AND

To seek approval for continued work on long-term adaptive management planning for Port Waikato, and other communities, via a Waikato District Adaptive Management Planning Project, as outlined in the attached Scoping Report.

AND

To seek confirmation of the existing Council position of managed retreat with respect to public assets at Sunset Beach, Port Waikato, with limitations on any investment in physical protection works, along with commitment of ongoing advice and support for private properties affected by erosion at Sunset Beach.

AND

To seek confirmation that the Council does not wish to invoke the emergency works powers of Section 330 of the Resource Management Act 1991 for coastal protection works at Sunset Beach, Port Waikato, for the protection of either private or public property, and will not transfer such powers to another entity.

2. Executive summary

Whakaraapopototanga matua

Coastal erosion at Sunset Beach, Port Waikato is severe and ongoing, and causing significant concern for members of the community. The community is also facing other natural hazards such as the potential for river flooding and land instability. Other communities such as Raglan are also facing coastal erosion issues, or other natural hazards.

This report summarises the current and ongoing coastal erosion issues at Sunset Beach, summarises progress on the Port Waikato Adaptive Management Planning project undertaken with the Port Waikato Resilience Group (PWRG), and the technical advice that Council has received to date regarding causes and potential management options for erosion at Sunset Beach.

Staff recommend that the Council confirms its existing position of managed retreat with respect to public assets at Sunset Beach, Port Waikato. This means that the long-term approach is to relocate facilities rather than defend them, and that any protection works for the carpark and other community facilities would need to be short-term, cost-effective, and culturally and environmentally responsible, with the purpose of attempting to slow erosion while a longer-term relocation / retreat plan is developed.

Related to this, staff recommend that Council re-affirm its position regarding the funding of works to respond to erosion, and that hard/engineered structures at Sunset Beach are not supported based on independent technical advice received.

Staff also recommend that the Council resolves not to invoke the emergency works powers of Section 330 of the Resource Management Act 1991 for coastal protection works at Sunset Beach, Port Waikato, for the protection of either private or public property, and resolves not to transfer such powers to another entity.

Staff recommend that long-term adaptive management planning work continues for Port Waikato, and extends to other communities such as Raglan, via a broader and more robust Waikato District Adaptive Management Planning Project, as outlined in the attached Scoping Report. This will require further investment in effective communications with the community and consideration of how managed retreat could be better enabled and supported for private properties affected by erosion at Port Waikato and elsewhere.

Staff recommend that the Council formally invite the Waikato Regional Council to form a Joint Committee (or Joint Working Party) for the Waikato District Adaptive Management Planning Project, and to facilitate the formation of a Community Panel(s) and/or Community Reference Group(s), as recommended by the attached Scoping Report.

These decisions are collectively considered to be of moderate significance, given their high importance to one community in the district, and eventually to other parts of the District.

Engagement has occurred with the Port Waikato community and key stakeholders such as Waikato Regional Council over several years, including the Port Waikato Resilience Group since 2020.

3. Staff recommendations Tuutohu-aa-kaimahi

That the Sustainability and Wellbeing Committee:

- a. Endorses the ongoing provision of advice to the Port Waikato community on coastal processes and short- and medium-term actions to slow coastal erosion at Sunset Beach.
 - b. Confirms Council's existing position of managed retreat with respect to public assets at Sunset Beach, Port Waikato. This means that the long-term approach is to relocate public facilities rather than defend them, and that any protection works for the carpark and other community facilities would need to be short-term, cost-effective, and culturally and environmentally responsible, with the purpose of potentially slowing erosion while a longer-term relocation / retreat plan is developed.
 - c. Confirms that it accepts the independent expert and peer reviewed advice Council has received to date that the installation of hard structures of any kind to prevent or slow coastal erosion at Sunset Beach is not appropriate and may exacerbate erosion effects.
 - d. Confirms that Council will not directly fund any further sand transfer trials or other physical works aimed at protecting public or private property at Sunset Beach in Port Waikato, in the absence of a targeted rate to fund such works.
 - e. Resolves not to invoke the emergency works powers of Section 330 of the Resource Management Act 1991 for coastal protection works at Sunset Beach, Port Waikato, for the protection of either private or public property, and resolves not to transfer such powers to another entity.
 - f. Confirms it will investigate opportunities to better enable and support managed retreat for private properties affected by erosion at Sunset Beach in Port Waikato, including through the expected Climate Adaptation Act.
 - g. Approves the prioritisation and continuation of work towards a long-term adaptive management plan for the wider Port Waikato community, and for other communities such as Raglan, via a broader and more robust Waikato District Adaptive Management Planning Project, as outlined in the attached Scoping Report.
 - h. Agrees to formally invite the Waikato Regional Council to form a Joint Committee (or Joint Working Party) for the Waikato District Adaptive Management Planning Project, and to facilitate the formation of a Community Panel(s) and/or Community Reference Group(s), as recommended by the attached Scoping Report.
-

4. Background

Koorero whaimaarama

A report to Council in December 2019 provided detailed background on coastal erosion issues at Port Waikato.

In brief, Port Waikato has historically experienced cyclical coastal erosion; that is, there have been times of erosion followed by times of accretion. Council obtained consultant advice in 2014-2016 that led to a subsequent decision to relocate the community hall when erosion reached the recommended 'trigger point' of 7.5 metres from the building.

The community has continued to experience severe coastal erosion which has worsened rapidly in the past few years, particularly affecting public property and private properties at the southern end of Oceanview Road.

Setup and achievements of Port Waikato Resilience Group (PWRG)

A public information session hosted by Council in October 2019 at the Sunset Beach Surf Life Saving Club revealed the community's concern about a perceived lack of action by Council in relation to erosion hazards. Following that meeting, Council staff developed a coordinated approach to communication and activities relating to Port Waikato including carpark maintenance, drainage, public toilets, signage, and guidance on possible consent pathways relating to demolition, rebuild and relocation.

In addition to these immediate responses, Council also recognised the need to embark on a longer-term adaptive management planning process, in partnership with the community and other stakeholders, to develop a resilience strategy for Port Waikato in the face of various natural hazards.

At its 7 December 2019 meeting Council resolved that *"\$50,000 be approved from the Disaster Recovery Fund for independent facilitation and technical advice for an adaptive management planning process with the Port Waikato community, local iwi, other agencies and stakeholders in order to build resilience to natural hazards, noting that additional funding is likely to be required in future years and will also be sought from external sources."*

Dedicated funding for adaptive management planning has been included in the 2021-2031 Long Term Plan (\$70,000 for the first three years, with inflation adjustments) to continue this project and eventually undertake similar projects with other communities.

The adaptive management planning process is summarised in the Co-Design Report approved by Council at its May 2021 meeting. The benefits of this approach include that it makes decisions now based on the best information currently available, while preserving flexibility for future decision-making to take place based on new and/or improved information. Various 'trigger points' can be programmed so that actions can be planned for when a specified event occurs (e.g. erosion to within a certain distance of a building), without needing to know today exactly when that might occur.

Adaptive management planning in the context of coastal erosion and flooding is NOT the same thing as managed retreat; it provides for the full spectrum of options including defence, accommodation (e.g. raised floor levels), retreat, and avoidance (e.g. not allowing subdivision or other intensification of land use in hazard areas). Even managed retreat itself does not mean immediate retreat, abandonment or relocation.

Following the December 2019 Council resolution above, an independent facilitator (Traverse Environmental Ltd) was procured with the agreement of community members, and a Port Waikato Resilience Group (PWRG) was set up including representatives from the Port Waikato Residents and Ratepayers Association, Waikato District Council, Waikato Regional Council, and Department of Conservation.

After a delay arising from the initial 2020 COVID-19 lockdown, the PWRG began meeting regularly, approving terms of reference and an intended work programme which was summarised in the Co-Design report attached to the May 2021 Council report.

The PWRG agreed to the appointment of independent advisors to assist in their work (**Table 1**), in order to ensure that all options that were considered were backed by robust technical expertise.

Table 1: External Technical Advisors supporting the PWRG

| Appointment | Specialty / Experience | Role |
|--|---|---|
| Dr Shaw Mead Managing Director eCoast Limited | <i>Coastal processes</i> | <i>Literature review and summary of options</i> |
| Dr Terry Hume Principal Hume Consulting Limited | <i>Coastal processes</i> | <i>Peer review of eCoast and Nature Based Solutions work</i> |
| Dr Tom Shand Technical Director - Coastal Engineering Tonkin + Taylor | <i>Coastal engineering</i> | <i>Peer review of community erosion management proposal</i> |
| Ken Scarlett Senior Consultant Nature Based Solutions | <i>Various including integrated, nature-based perspective</i> | <i>Technical support and advocacy for community members of PWRG</i> |

In addition to the external technical advisors, the project has been supported with the advice of Waikato Regional Council staff (Community Resilience, Coastal Processes and Management, Policy and Consents teams) as well as Department of Conservation and Coastcare staff.

With the support of technical advisors, the PWRG have achieved the following:

- Commissioning a report on Port Waikato coastal hazards and potential options from eCoast, and a report on groundwater issues and potential impact on erosion from Nature Based Solutions, both peer reviewed by Dr Terry Hume
- Developing a Sunset Beach Interim Erosion Response Plan (IERP) including potential low-cost, no-consent or consentable short-term options, as well as medium-term options with higher costs or consent requirements
- Agreeing to future work on a longer-term adaptive management plan (Resilience Strategy)
- Endorsing the May 2021 Co-Design Report for the project, outlining intended deliverables of the various workstreams referred to above
- Hosting representatives from the Department of Internal Affairs who summarised central government's work on natural hazard adaptation
- Addressing issues relating to carpark design, maintenance and function to minimise stormwater runoff
- Arranging for future installation of fixed-camera monitoring of beach erosion conditions from various locations
- Installation of signage advising people to keep off the eroding sand cliff
- Installation by community of netting to help retain sand on the cliff
- Trialling the transfer of 100 cubic metres (m³) of sand from the beach to the base of the cliff face adjoining the Sunset Beach carpark, to see what benefit is provided for what duration
- Obtaining quotes for larger amounts of sand transfer (e.g. 1000m³), and progressing a resource consent application for sand push ups.
- Peer review of additional proposals from the community for erosion mitigation works.

A timeline table summarising this work is attached as Attachment Two to this report.

Technical Advice Received

To date, the PWRG process has been relying on the following reports prepared by Dr Shaw Mead from eCoast:

1. An Overview of Coastal Processes and Drivers of Coastal Hazards: Port Waikato
2. Sand Management Options Investigations for Port Waikato

Both reports have been independently peer reviewed and endorsed by Dr Terry Hume. The following sections summarise key findings.

Coastal Processes Summary

Due to the predominance of south-westerly winds and waves, sediment (sand) transport is generally in a northward direction at Port Waikato.

Pulses in sediment moving up the coast from Taranaki are associated with the large fluctuations in beach levels on the Waikato Region's west coast.

At Port Waikato, there is a relatively small headland interacting with this flow of sand and allowing it to accumulate on Sunset Beach, combined with an energetic wave climate. This results in significant fluctuations in sand levels on the beach.

Recent satellite imagery indicates that up to early 2019, the coast to the south of the Port Waikato headland has also continued to erode. This suggests that there had not been an influx of sand from the south that will be moved north to nourish Sunset Beach and the spit.

Coastal processes are summarised in Figure 1 below.

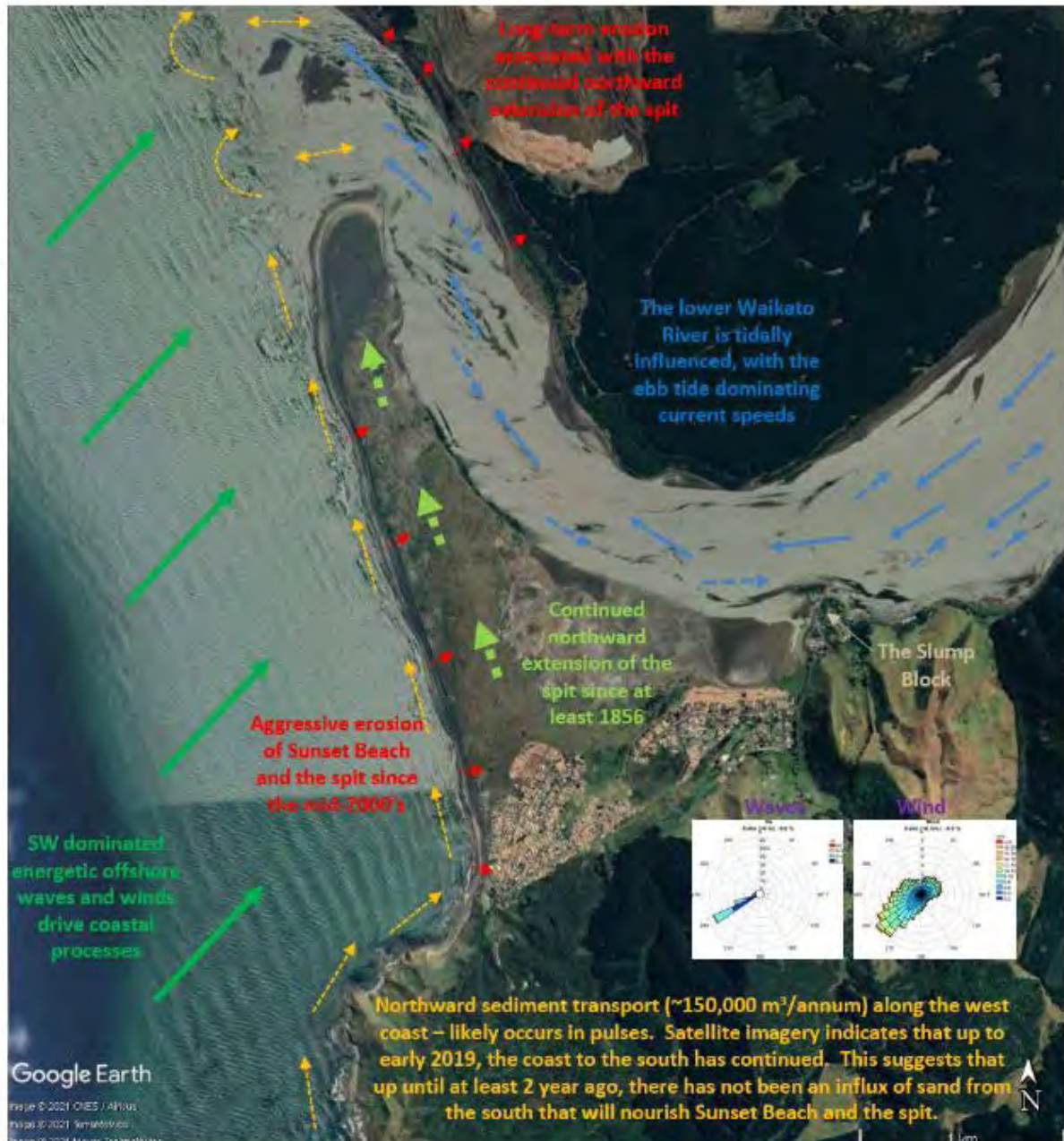


Figure 1: Coastal Processes Summary - Port Waikato

Management Options Summary

The eCoast report presents the following specific recommendations for hazard management options at Port Waikato (note these recommendations are not limited to erosion mitigation):

- Re-establishing native dune species (i.e., spinifex and pingao), once an accretionary phase begins.
- Building brush fascines to capture wind-blown sand to increase the sand reservoir and, create a wider beach/buffer; once an accretionary phase begins.
- Providing for stormwater management and relocation of stormwater infrastructure.
- Undertaking sand management in the form of transferring sand from one part of the spit to another. For example, back-passing material from inside the spit north of Sunset Beach to renourish the beach.
- Creating a raised buffer zone along the northern and eastern parts of the township to increase resilience to inundation due to SLR and CC.
- Increase beach space for coastal processes – e.g. naturalisation of the carpark to provide a wider buffer zone.

The report also presents and assesses a range of other management options. Notably, options involving the placement of a hard structure at Sunset Beach (e.g groynes, rock revetment, sea wall, breakwater etc) are not recommended by eCoast, for the following reasons:

- High visual impact and large footprint.
- Hard-structure induced foreshore and beach lowering due to reflection (rocks are far more reflective than a sloping beach) and end-effect erosion.
- Decreased beach accessibility.
- Potential health and safety concerns for beach users.
- Structure influencing nearshore coastal dynamics.
- Potential long-term loss of sandy beach.
- Very expensive at this site.

These concerns re: hard protective structures are similar to those raised by GHD in its 2014 -2016 reports for Council in relation to erosion of the carpark and the since-relocated community hall and surf lifesaving tower.

Nature Based Solutions

Further reporting prepared by Nature Based Solutions focuses on the effects of stormwater as an exacerbating influence of erosion at Sunset Beach due to top-down erosion (stormwater flowing down the dune face) and dune saturation (through groundwater influenced by stormwater).

This report has been peer reviewed, also by Dr Terry Hume, however the final report incorporating peer review comments has not been received.

Of note is Dr Hume's view, expressed through the peer review process, that there is research to suggest that saturated beaches and dunes erode more quickly and that stormwater management may assist. However, Dr Hume's view is that this may only provide a minor benefit at Port Waikato where the major issue is the supply of sand from the south.

PWRG continues to work with Watercare and WDC to mitigate any effects of stormwater on dune and beach integrity and resilience to erosion.

Summary of technical advice

Sunset Beach at Port Waikato exists in a highly dynamic and energetic coastal environment. The lack of supply of new sand into the system from the south has been identified as the primary driver of erosion.

Recommended actions to respond to these issues revolve around soft-engineering (sand nourishment, planting) and managed retreat. Hard structures are not recommended, due to the high-energy wave environment, the impact of these structures on the environment and the potential exacerbation of erosion such structures cause.

5. Discussion and analysis Taataritanga me ngaa tohutohu

Current challenges at Port Waikato

Significant erosion events have occurred episodically in association with storm events including most recently in February 2023 during Cyclone Gabrielle. These storm events, in combination with weather and tide cycles and a lack of supply of new sand into the coastal system at Port Waikato have contributed to an overall trend of erosion at Sunset Beach.

Figure 2 below was developed by a member of the PWRG to assist with understanding and communicating the impacts of erosion over the last 10 years.

The image shows the approximate edge of the dune at various time periods from 2002 to 2022 (the black lines are manual measurements taken by the PWRG member).

The PWRG member notes that in the period May 2022 to May 2023 there has been no observed erosion of the dune ridges from 11 to 31 Ocean view Road, however there has been a further approximately 6 metres of erosion losses from the beach access, the carpark and 3, 5 & 7 Oceanview Road.



Figure 2: Erosion at Sunset Beach

The ongoing erosion has continued to drive community concern, and ongoing calls for Council to take action to respond. Beach access has been lost or compromised on multiple occasions (then reinstated), and multiple houses at the southern end of Oceanview Road have already been removed or relocated on-site.

Current agreed work programme for Port Waikato Resilience Group

The PWRG continues to work on an agreed action plan that aligns with the eCoast advice. This focuses on sand push ups (to provide sacrificial sand to temporarily protect property before storm events), brush fascines (to capture wind-blown sand) and subsequent planting (to stabilise dune remnants).

In terms of the sand push-ups, Council is funding a resource consent application for up to 1000m³ at a time, to be implemented by private property owners at their cost (estimated as approximately \$30,000 per 1000m³). The Port Waikato Residents and Ratepayers Association (PWRRRA) have previously agreed to hold the resource consent once issued by Waikato Regional Council, and to seek funding to implement the pushups. The consent application is nearly complete but requires further consultation with mana whenua before lodgement. That specific consultation is pending a wider discussion between Council and mana whenua on a range of matters including the relationship itself.

With most of the community members of the PWRG being located on Oceanview Road, and thus currently or potentially imminently impacted by coastal erosion, the community members of PWRG have understandably been largely focused on short- to medium-term options to slow erosion. This has so far made it impractical to advance to long-term adaptive management planning. With short-term options being limited, however, there is less for PWRG to discuss without moving to longer-term options. The attached scoping report for a refreshed, expanded Waikato District Adaptive Management Planning project is designed to assist with injecting momentum and clear structure and governance into the work that has been occurring with the PWRG.

Alternative proposals put forward to PWRG

Alongside the agreed formal work programme of the PWRG, other proposals have been put forward from the community and considered by the PWRG over the past two years.

Sandbags

Last year a proposal was advanced by members of the PWRG for sandbags and beach nourishment at Sunset Beach to combat erosion (Figure below).

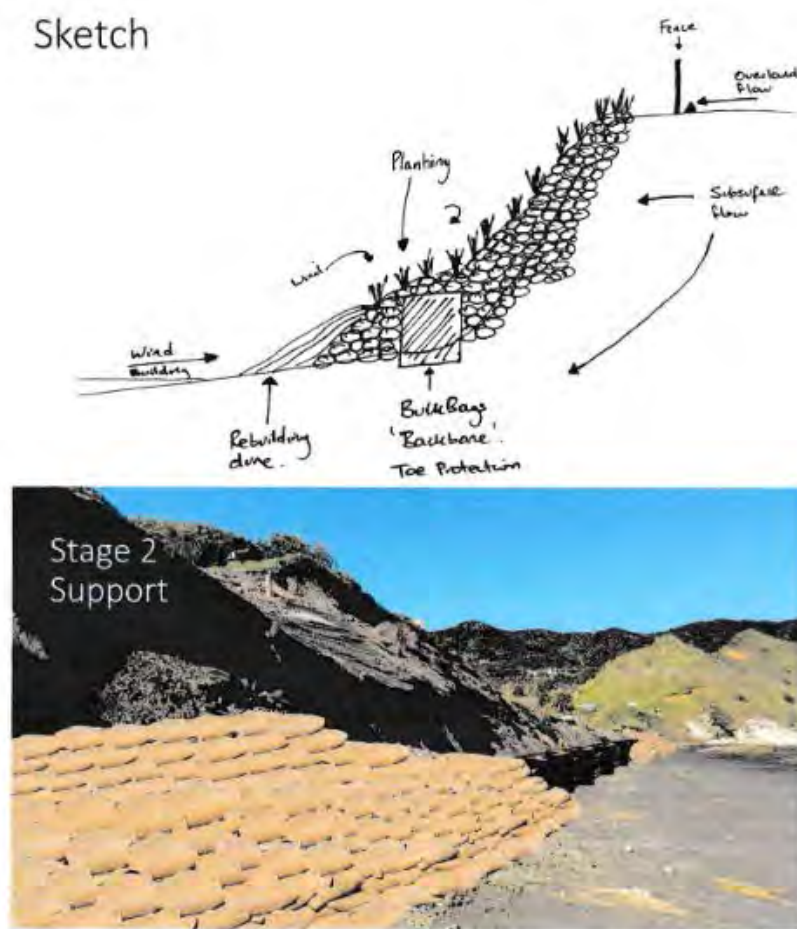


Figure 2.1: Sketch and visualisation of the sand-bag aspects of the concept (NBS, 2021)

While the proposal did not align with eCoast advice, Waikato Regional Council agreed to cover the costs of an independent technical peer review by Tonkin and Taylor to determine feasibility; however, the peer review was not favourable. Key risks were that the sandbags would fail, increase erosion (as it would effectively be a sea wall when exposed to wave action), and would be expensive to install. The proposal was not advanced further beyond peer review.

Wooden piles

The second proposal was for the installation of piles at the edge of the carpark to allow sand nourishment to occur via trucks backing up to a reinforced edge. Various sources of sand for the nourishment were investigated including clean sand from Pacific Steel.

This proposal was the subject of an unsuccessful application under the Three Waters Reform's Better Off Funding programme.

The design for the proposal has not been peer reviewed by Tonkin and Taylor, however it is likely that similar concerns would be presented in the event that the piles become exposed to wave action.

Rocks (under Emergency Works Provisions)

The third proposal and current request is for Council to place rocks at the base of the dune using the emergency provisions of s.330 of the Resource Management Act 1991.

Council staff have prepared advice for the community on how and when s.330 may be used and its limitations.

In summary, while the RMA does allow for emergency works of this kind to be done initially without a resource consent, there are specific triggers for 'emergencies' which may not be met in this situation. Additionally, it does not remove the need for resource consent entirely, which must be sought retrospectively. Whether or not the placement of rocks in this way would gain consent from WRC is unknown.

More significantly, the advice from eCoast is that a hard structure / rock revetment is not recommended for this location, given the potential for edge effects (where erosion is increased where the rock structure ends), increased erosion of the beach in front of the rocks due to wave refraction, impacts on natural character, and other considerations.

Overall, while rocks could be placed using s.330, this measure is not supported by the technical advice received by Council to date and may be challenging to retrospectively gain resource consent as a result.

These alternative proposals have taken time and resources away from the primary response agreed through the PWRG, however Council staff have sought to engage pragmatically and support with technical reviews.

It is clear that some members of the PWRG and residents on Oceanview Road are becoming increasingly concerned about ongoing erosion and are looking for solutions to be urgently deployed.

At this stage, and based on the advice from eCoast, Dr Terry Hume, Tonkin and Taylor, and Waikato Regional Council staff, while Sunset Beach is in an erosion cycle there is very little in the way of practical defensive solutions to coastal erosion at Sunset Beach that Council can support and fund.

Proposed Council response and forward planning

As summarised above, Council has previously taken a stance of managed retreat with respect to public assets at Sunset Beach. It confirmed this in a Council decision in December 2021 not to fund the protection of public and private properties at Sunset Beach – due to environmental and regulatory issues with most protection options, and ensuring the entire district does not fund the protection of property in a localised area. The wording of the December 2021 resolution was:

“Council confirms it will not directly fund any further sand transfer trials or other physical works aimed at protecting public or private property at Sunset Beach in Port Waikato.”

No new information or technical advice has been received to suggest that this Council position on managed retreat or the funding of private protection works should change.

At the same time, it must be acknowledged that community anxiety and concern are only increasing with each erosion event. Some members of the PWRG are losing patience with the process and asking Council to take urgent action to protect Sunset Beach – both public and private land.

In this context, it is important that Council communicates clearly and provides as much certainty as possible, e.g. on what it will and will not support, as well as the technical, financial, environmental, cultural and legislative rationale for the Council position.

Assuming Council’s position remains in favour of managed retreat, there is currently a lack of clear guidance and process to achieve that, leaving the community without certainty of process, timeframes etc. While the forthcoming Climate Adaptation Act (CAA) is expected to assist, this could still be some time away, and the Act may still be silent with regard to detailed implementation and funding tools for managed retreat.

Bearing these communication challenges in mind, the following is recommended:

- Public open information session(s) for the entire Port Waikato community
 - Dedicated website / page with reports, summary information etc on Port Waikato erosion and resilience
 - Direct advice and support where possible for properties potentially facing retreat / relocation
 - Policy investigations on managed retreat options (based on legislation and work in other jurisdictions) - to inform long-term adaptive management planning
-

In the meantime, it is recommended that Council:

- Does not invoke the Emergency Works provisions of the RMA (due to triggers not being met, and uncertainty re: likelihood of retrospective consent)
- Does not invest in hard protection structures (for reasons outlined in technical advice cited in this report, consistent with previous Council positions)
- Continues to work towards securing resource consent for larger-scale sand push ups (underway) – with implementation to be funded privately or via targeted rate
- Continues to promote wind-blown sand trapping and subsequent planting for dune stabilisation

At the same time, it is recommended that Council continue to develop a long-term resilience strategy (adaptive management plan) for Port Waikato – as part of a wider District programme – as per the Scoping Report attached as Attachment One. A refreshed, expanded Waikato District Adaptive Management Planning project is designed to assist with injecting momentum and clear structure and governance into the work that has been occurring with the PWRG.

5.1 Options

Ngaa koowhiringa

Staff have assessed that there are multiple options for the Committee to consider with regard to the recommendations of this report. This assessment reflects the level of significance (see paragraph 6.1) and the fact that some of the recommendations can be grouped together as a package.

With regard to recommendation (a), to provide ongoing advice to the Port Waikato community on coastal processes and short/medium term actions to slow erosion, staff assume this is not controversial. The alternative ‘do-nothing’ option of not providing advice would undermine community goodwill with the community and miss opportunities to pass on information as staff become aware of latest guidance, trends, etc.

With regard to recommendation (b), confirming Council’s position of managed retreat with respect to public assets at Sunset Beach, there are essentially two options: to confirm the position or to resile from it, which would indicate that the Council is promoting defensive measures as its primary strategy for the carpark, community hub and other public assets at Sunset Beach. The advantages of the recommended confirmation of existing position (managed retreat) are that it is consistent with extensive technical advice, government and regional guidance, and Council’s previous decisions. It is likely to be more cost-effective than the alternative of defensive measures, and can be done in a proactive way before public facilities are more significantly threatened. Managed retreat allows for short-term, nature-based protection measures such as wind-blown sand capture and replanting, but recognises that ultimately these measures are only potentially slowing erosion and at best delaying relocation. The alternative of defensive action as a primary strategy is, according to peer reviewed technical advice, not likely to be sustainable over time. In the dynamic coastal environment of Sunset Beach, the protective measures necessary to make a meaningful difference to erosion long-term are likely to face considerable challenges in relation to effectiveness, affordability, environmental and cultural considerations, and consentability. Defensive action may be initially perceived

favourably by immediately affected property owners, but if there are 'end effects', other environmental impacts including lowering of the beach, or cost implications for ratepayers across Port Waikato and beyond, this favourable perception may not extend widely. The favourable perception may also fade for coastal property owners as any protection structures inevitably fail and require costly maintenance.

With regard to recommendation (c), accepting the independent expert and peer reviewed advice Council has received to date that the installation of hard structures of any kind to prevent or slow coastal erosion at Sunset Beach is not appropriate and may exacerbate erosion effects, there is nothing to indicate that there is a significant difference of opinion among coastal hazard and coastal engineering experts. To choose an alternative option, e.g. rejecting expert, peer-reviewed advice received to date, would either require a decision to be made in the absence of expert advice, or finding an expert who supports the installation of hard structures at Sunset Beach. While hard structures have been consented and successfully deployed in places such as South Dunedin, advice from the experts behind those projects have cautioned against their transferability to the dynamic West Coast environment.

Recommendation (d), confirming that Council will not directly fund any further sand transfer trials or other physical works aimed at protecting public or private property at Sunset Beach in Port Waikato, in the absence of a targeted rate to fund such works, this is essentially the same as the previous Council resolution from December 2021 quoted earlier in this report. The main difference is that it adds the phrase 'in the absence of a targeted rate to fund such works.' This allows for the possibility of Council supporting some physical works as long as the funding mechanism was suitable to target the beneficiaries of said works. While it may initially seem contrary to recommendation (c) which says Council will not fund hard protection structures, it is consistent if the physical works are 'soft solutions' such as sand push-ups, wind-blown sand capture, plantings, etc. An alternative option is for Council to agree to fund physical works from the general rates, but the disadvantage is that this would make the entire district pay for localised works which would primarily benefit a small number of private property owners, or (in the case of public assets) a relatively small part of the community.

With regard to recommendation (e), not invoking the RMA's emergency works powers or transferring these to another entity, this is supported by legal advice relating to the triggers for such powers. The project for which the community has requested the use of these powers (i.e. a rock wall) is also likely to face significant hurdles for the retrospective resource consent required from the Waikato Regional Council, because of the likely environmental impacts resulting. The alternative option of involving the emergency works powers would raise legal and financial risks around the potential outcome of the WRC failing to issue retrospective consent and requiring removal of any emergency works.

With regard to recommendation (f), investigating opportunities to better enable and support managed retreat for private properties affected by erosion at Sunset Beach in Port Waikato, this is a low-cost option based on research and discussion with local, regional and central government colleagues (and potentially the insurance industry).

There is no obvious reason why an alternative option of not doing this investigation would be chosen, unless Council wished to distance itself from the concept of managed retreat altogether. Even if it did, government direction is likely to continue to steer local government towards consideration of managed retreat in areas such as Sunset Beach, and it would be remiss of Council to not proactively explore what local options might exist for the Port Waikato community.

With regard to recommendation (g), continuing work towards a long-term adaptive management plan for the wider Port Waikato community, and for other communities such as Raglan, via a broader and more robust Waikato District Adaptive Management Planning Project, this is the recommendation of the attached Scoping Report and is supported by Waikato Regional Council and Waikato District Council staff. It recognises the need for a long-term focus for communities such as Port Waikato, and that other communities such as Raglan also need this attention. The alternative of focusing only on the short- and medium-term might have the advantage of waiting for the Climate Adaptation Act to be released, but as this legislation has been delayed repeatedly, it is possible that communities could be waiting a while longer, or the Act may not contain the required detail to outline a clear way forward. In any case, altering this recommendation to pause until the Climate Adaptation Act is released would be more advisable than resiling from long-term adaptive management planning on a permanent basis. The other alternative of maintaining a sole focus on Port Waikato (and not beginning to work with Raglan or other communities facing natural hazards) might initially seem beneficial for Port Waikato, but it would likely miss the opportunities of greater learning through parallel work in different communities, and it would also be hard to justify why communities such as Raglan would remain on the 'back burner.'

With regard to the final recommendation (h), agreeing to formally invite the Waikato Regional Council to form a Joint Committee (or Joint Working Party) for the Waikato District Adaptive Management Planning Project, and to facilitate the formation of a Community Panel(s) and/or Community Reference Group(s), this is the recommendation of the attached Scoping Report. There are pros and cons in the Scoping Report for the governance options reflected in the recommendation, but initially this recommendation is worded flexibly above to allow for discussion at the political level between Waikato District Council and Waikato Regional Council. The reason for this recommendation in general is to strengthen the governance and project structure, with the district and regional councils side-by-side, reflecting their shared responsibilities around hazard management and community wellbeing.

5.2 Financial considerations

Whaiwhakaaro puutea

There are no material financial considerations associated with the recommendations of this report. Funding for the adaptive management planning activity is included in the 2021-2031 Long Term Plan and will be revisited for the 2024-2034 Long Term Plan.

If Council did wish to fund physical works, contrary to the recommendations of this report, there would be financial implications. A targeted rate could be considered for any 'soft solutions' but this has administrative as well as financial implications that would need to be considered.

5.3 Legal considerations **Whaiwhakaaro-aa-ture**

Staff confirm that staff recommendations comply with the Council's legal and policy requirements. Legal advice has been sought and received with regard to the use of the Section 330 emergency works powers of the Resource Management Act 1991. The New Zealand Coastal Policy Statement also provides legislative backing for the general positioning of this report.

5.4 Strategy and policy considerations **Whaiwhakaaro whakamaaherehere kaupapa here**

The report and recommendations are consistent with the Council's policies, plans and prior decisions. The Council's Climate Response and Resilience Policy, and Climate Action Plan, are key among these, as is the Council's District Plan which seeks to avoid development in hazard-prone areas.

5.5 Maaori and cultural considerations **Whaiwhakaaro Maaori me oona tikanga**

Relevant mana whenua in the Port Waikato area (Te Puaha o Waikato) have been part of the Port Waikato Resilience Group, through Nga Uri o Ngaati Tahinga as the mandated iwi authority for the wider area, with six marae as part of that collective. There have also been discussions with Ngaati Karewa, Ngaati Tahinga Trust (with authority over a significant subset of land at Port Waikato including the campground). Discussions are still in progress regarding particular aspects of the PWRG's work such as the proposed sand push-up resource consent application. A wider discussion around the Council's relationship with mana whenua, and integration of discussions around various Council projects in the Port Waikato area, is occurring.

5.6 Climate response and resilience considerations **Whaiwhakaaro-aa-taiao**

The decisions sought by, and matters covered in, this report are consistent with the Council's [Climate Response and Resilience Policy](#) and [Climate Action Plan](#). Coastal erosion at Sunset Beach is cyclical, but sea level rise and greater storm intensity is exacerbating the erosion. Climate change is also creating issues at Raglan and other communities to which the Waikato District Adaptive Management Planning project is planned to extend.

5.7 Risks Tuuraru

There are considerable risks involved in both action and inaction with regard to coastal erosion and other natural hazards.

Council's Strategic Risk Register includes the following:

Climate Resilience: Council experiences significant public scrutiny and or financial impact caused by Council being unable to effectively support Communities to adapt to climate impacts.

Council's Risk Register also includes operational risks around damages to public infrastructure arising from climate change, and community impacts from storm surge at coastal and river locations.

These risks have political, financial, legal, environmental and cultural dimensions. Risks have been considered with respect to all the recommendations of this report, and referenced where appropriate in the Options analysis.

The recommendations of this report are considered to be in keeping with the Council's risk framework.

6. Significance and engagement assessment Aromatawai paahekoheko

6.1 Significance Te Hiranga

The decisions and matters of this report are assessed as of moderate significance, in accordance with the Council's [Significance and Engagement Policy](#).

The following criteria are particularly relevant in determining the level of significance for this matter:

- The likely impact on present and future interests of the community, recognising Maaori Tikanga (culture values) and their relationship to land and water. The project work that is the subject of this report and the recommended decisions have long-term consequences for all sectors of the community including mana whenua, and the recommendation is to expand this work beyond Port Waikato.
 - The community interest is likely to be high, at least in the Port Waikato area, given the prominence of Sunset Beach and its erosion issues for that community.
 - The likely consequences are controversial; there will be some members of the Port Waikato community who will be disappointed if Council accepts the recommendations of this report and does not invoke emergency works, support hard protection structures, and/or resile from its previous stance of managed retreat for public assets, and there will be other community members disappointed if Council takes the opposite positions.
-

6.2 Engagement

Te Whakatuutakitaki

Considerable engagement has occurred with the Port Waikato community on coastal erosion issues over the past decade. The work by GHD involved community consultation on options for relocation of the Sunset Beach carpark and community hall. Since 2020, the Port Waikato Resilience Group has provided an opportunity for collaboration between community members, Councils, Department of Conservation, mana whenua, etc. Public meetings and external communications have kept the wider community informed. Council also helped Port Waikato develop its Local Area Blueprint in 2022.

The goal is for the recommendations of the attached Scoping Report to be adopted, which will trigger further engagement at the various levels below, including (hopefully) empowerment, as the community is able to shape its own destiny with regard to natural hazards.

| Highest level of engagement | Inform | Consult | Involve | Collaborate | Empower |
|---|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <i>Tick the appropriate box/boxes and specify what it involves by providing a brief explanation of the tools which will be used to engage (refer to the project engagement plan if applicable).</i> | For the purpose of this report, 'collaboration' is the level that best reflects the work to date. This does not indicate that all PWRG or community members are supportive of the recommendations in this report, but they have been involved in most of the work referenced in the report, and have collaborated on most of the achievements highlighted. | | | | |

State below which external stakeholders have been or will be engaged with:

| Planned | In Progress | Complete | |
|--------------------------|-------------------------------------|--------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Internal |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Community Boards/Community Committees |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Waikato-Tainui/Local iwi and hapuu |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Affected Communities |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Affected Businesses [|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Other (Please Specify): Regional Council, Department of Conservation |

7. Next steps Ahu whakamua

If the recommendations are approved, the appropriate actions will be taken to advance each of them. This will include direct communication with the Port Waikato Resilience Group, and external communications to the wider community via the Council website, media release, etc. Conversations will occur with Waikato Regional Council elected members with regard to the recommended governance options.

8. Confirmation of statutory compliance Te Whakatuuturutanga aa-ture

As required by the Local Government Act 2002, staff confirm the following:

| | |
|---|---|
| The report fits with Council's role and Committee's Terms of Reference and Delegations. | Confirmed |
| The report contains sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages (<i>Section 5.1</i>). | Confirmed |
| Staff assessment of the level of significance of the issues in the report after consideration of the Council's Significance and Engagement Policy (<i>Section 6.1</i>). | Moderate |
| The report contains adequate consideration of the views and preferences of affected and interested persons taking account of any proposed or previous community engagement and assessed level of significance (<i>Section 6.2</i>). | Confirmed |
| The report considers impact on Maaori (<i>Section 5.5</i>) | Confirmed |
| The report and recommendations are consistent with Council's plans and policies (<i>Section 5.4</i>). | Confirmed, particularly Climate Action Plan |
| The report and recommendations comply with Council's legal duties and responsibilities (<i>Section 5.3</i>). | Confirmed |

9. Attachments Ngaa taapirihanga

Attachment 1 – Scoping Report for Waikato District Adaptive Management Planning

Attachment 2 – Summary timeline of Port Waikato Resilience Group activities
