

DRAFT COASTAL STRUCTURES POLICY 2020



Policy type	Council		
Authorised by	Council		
First adopted	26 October 2006	Minute reference	M06/109.4
Revisions/amendments	<i>Add years</i>	Minute references	
Review date	This policy will be reviewed in three years or when required.		

1. PURPOSE

- 1.1 To guide decision-making on the current and future management of Council-owned or administered coastal structures.
- 1.2 To ensure planned management of all Council-owned and managed coastal structures along the coast and in the inner harbour is responsive to current and future coastal effects.

2. SCOPE

- 2.1 The policy applies primarily to the management of coastal structures on Council-owned or administered land in the inner harbour and coast. The boundary of the inner harbour and coast extends along any stream or river to the first bridge.
- 2.2 Nothing in this policy should be taken as overriding district or regional plans produced under the Resource Management Act 1991.

3. DEFINITIONS

Term	Definition
Activity	Has the same meaning as in the Local Government Act 2002 and “activities” has a corresponding meaning.
Coastal effects	Refers to any one or more of the following: inundation, storm surge, degradation of the coastal structure, or erosion of the coastal structure’s footings.
Coastal erosion	A long-term trend of shoreline retreat and/or loss of beach sediment volume over several decades.
Council	Refers to Tauranga City Council - the elected member body representing Tauranga City.

Coastal structures	Any building, equipment, device, or other facility made by people and which is fixed to land, including council-owned or administered land adjacent to the foreshore and coastal marine area, land covered by water and the airspace above land in or adjacent to the coastal marine area and above mean high water springs. This includes wharves, jetties, seawalls, buildings, or structures built on wharves or jetties, moorings, ramps, rafts, pipelines, breakwaters, groynes and other wave attenuation devices, and cables and transmission lines laid on, over (including in the air space above) or under the foreshore or seabed.
Esplanade reserve	Has the same meaning as in section 229 of the Resource Management Act 1991.
Hard protection structures	Includes a seawall, rock revetment, groyne, breakwater, stop bank, structure retaining wall or comparable structure or modification to the seabed, foreshore or coastal land that has the primary purpose or effect of protecting Council-owned or administered land and activities from a coastal hazard, including erosion.
Private or commercial benefit	a benefit which relates to non-Council activities, assets or land
Responsibility	Is to accept ownership of a coastal structure and the implications of ownership including compliance with legislative, financial, asset management, managerial, and operational requirements.
Significance	Has the same meaning as in the Local Government Act 2002.
Other structures	Refers to coastal structures with primarily a recreational or amenity benefit that do not serve to protect land from coastal erosion or coastal effects. This includes wharves, jetties, buildings, ramps, or other structures built on wharves or jetties.
Soft protection	includes a range of options, such as beach replenishment or nourishment, planting or dune care, intended to work with natural processes rather than against them to protect an activity from a coastal hazard, including erosion.

4. PRINCIPLES

- 4.1 The role of Council is to manage the effects of coastal erosion and coastal effects on Council-owned or administered land and activities.
- 4.2 Planning effectively for the future management of coastal structures requires consideration of the interests of both current and future communities, and the impact of climate change and coastal effects.
- 4.3 The purpose of a hard or soft protection structure is to protect an existing or future Council activity or level of service from coastal effects and not to guard against future potential sea level rise by or in itself.

- 4.4 It is appropriate for Council to reduce the number of hard protection structures, and evaluate the continued existence and maintenance, of all coastal structures in its management. There may be instances where Council decides to remove coastal structures, including hard protection structures protecting Council-owned or administered land and activities from erosion or coastal effects.
- 4.5 Council has no general obligation to protect private land from the encroachment of the sea, by way of naturally occurring coastal erosion or otherwise.

5. POLICY STATEMENT

5.1 General approach to coastal structures

- 5.1.1 Council will consider the significance of the area to mana whenua in determining options for managing coastal effects and coastal structures.
- 5.1.2 Council will consider the ability of the wider community to fund the whole of life costs of a coastal structure when determining if a new coastal structure is required.
- 5.1.3 Council does not accept responsibility for coastal structures with primarily a private or commercial benefit.
- 5.1.4 In general, Council does not fund, build, or maintain coastal structures where the primary benefit is promotion of private or commercial interests, or the protection of private property or commercial interests.
- 5.1.5 If a coastal structure which is for private or commercial benefit is located on esplanade reserve, Council may allow it to remain in situ unless it is deemed unsafe, was constructed without permission, impedes public access, or otherwise interferes with the purpose of esplanade reserves as outlined in section 229 of the Resource Management Act 1991.
- 5.1.6 The existence or maintenance of a Council coastal protection structure is not a guarantee or representation by Council that the structure will remain in place or continue to be maintained. Decisions about future management will be made in accordance with this policy.

5.2 Policy on hard protection structures that protect Council-owned or administered land and activities

- 5.2.1 Council will maintain hard and soft protection structures where necessary to protect three waters infrastructure.
- 5.2.2 Council will prioritise the protection of transport infrastructure that is most essential for the long-term functioning of the transport network. Council may, in some instances, decide not to maintain hard protection structures supporting transportation infrastructure.
- 5.2.3 Council will consider the significance of the activity protected by a hard protection structure prior to deciding to remove, install, maintain, or renew a hard protection structure.
- 5.2.4 Any decision to remove, install, maintain, or renew a hard protection structure will include consideration of whether the activity can exist without a hard protection structure. This could include relocating the activity (managed retreat) or prioritising soft protection measures. Council will also consider the criteria at schedule one of this policy when determining management options for hard protection structures.
- 5.2.5 Council will prioritise the protection of esplanade reserves that provide, or have the potential to provide, continued public access around the coast.

5.3 Policy on coastal structures that protect private property or commercial interests

- 5.3.1 No new protection structures with a primarily private or commercial benefit are permitted on Council-owned or administered land.
- 5.3.2 Where it has been determined that the existing hard protection structure does not protect a significant activity or asset or where the primary benefit is the protection of private property or commercial interests, Council may enter into maintenance or ownership agreements with affected private property owners.
- 5.3.3 Hard protection structures maintained under clause 5.3.2 of this policy must be maintained to an approved standard at the cost of the private landowner, be consistent with current council policy and not impede public access or otherwise interfere with the purpose of the reserve. Where a private landowner enters into an agreement to maintain a hard protection structure, this will be recorded on the property title.

Note: Landowners are required to obtain all necessary consents, including possible resource consent from the Bay of Plenty Regional Council, building consent from Tauranga City Council, and approval from Council prior to maintenance of any hard protection structures on Council-owned or administered land.

A Council-owned or administered protection structure is not considered "adequate provision" for the purposes of obtaining a building consent under Section 71 of the Building Act 2004.

5.4 Policy on other structures

- 5.4.1 Any decision to remove, install, maintain, or renew other structures will include consideration of the significance of the structure and the criteria at schedule one to this policy.
- 5.4.2 Council does not permit other structures with a primarily private or commercial benefit to be constructed on Council-owned or administered land.

6. RELEVANT DELEGATIONS

- 6.1 The Chief Executive or their delegate is responsible for the implementation of this policy.

7. REFERENCES AND RELEVANT LEGISLATION

- 7.1 Building Act 2004
Heritage New Zealand Pouhere Taonga Act 2004
Local Government Act 2002
Resource Management Act 1991
Bay of Plenty Regional Coastal Environment Plan

8. ASSOCIATED POLICIES/PROCEDURES

- 8.1 Encroachments onto Reserves Policy
Community, Private and Commercial Use of Council-Administered Land Policy

9. SCHEDULES

Schedule one: Criteria to be considered as part of decisions on coastal structures management, including soft protection options

Criteria
Funding availability and priorities
The purpose of the reserve, particularly if it is an esplanade reserve acquired for public access
Effectiveness of the coastal structure in preventing erosion (does not apply to other structures)
Effects of the coastal structure on the environment
Effects of the coastal structure on historic heritage sites and values
Health and Safety
Community views
Alternative options to hard protection structures (does not apply to other structures).