

**RC14513 / COASTAL PROTECTION STRUCTURE AND ASSOCIATED ACTIVITIES
SUMMARY STATEMENT OF LUKE FAITHFULL (PLANNING)**

This summary highlights the key matters addressed in my statement of evidence dated 25 July 2025.

1. I confirm that my evidence has been prepared in accordance with the Environment Court's Expert Witness Code of Conduct. It is within my area of expertise (unless otherwise stated), and I have considered all material facts relevant to my opinions.
2. The Glen Isla Protection Society Incorporated (**GIPS**) is applying to the Western Bay of Plenty District Council (**Council**) for resource consent to construct a buried coastal protection structure on dune land in front of waterfront properties at Glen Isla Place, Waihi Beach.
3. The proposed structure is a buried rock revetment wall about 200m long, running parallel to residential boundaries and set back 5-7.6m from property lines. It will be constructed using Andesite rock from a local quarry, buried under at least 0.5m of sand, and revegetated with indigenous dune plants.
4. The proposal is a discretionary activity under the Western Bay of Plenty District Plan (**District Plan**). The Bay of Plenty Regional Council granted resource consent for activities under their jurisdiction in May 2025.
5. Technical evidence from both the Western Bay of Plenty District Council (**Council**) and GIPS supports the need for the structure, particularly for the "Type 1" section in front of properties 12, 14, and 16 Glen Isla Place.
6. Actual and potential adverse effects of the proposal have been assessed across multiple areas. There is general agreement that the effects can be appropriately managed through the implementations of consent conditions including provision of a Construction Management Plan, Avifauna Management Plan, Construction Noise and Vibration Management Plan, Remedial Planting Plan, and monitoring requirements.
7. Positive effects include protection of Council reserve land (a "strategic asset" with ecological and future public access values), enhancement and protection of the dune environment and resilience through dune restoration and planting, and long-term protection for the existing residential development.

8. While the section 42A report recommends declining the application on the basis of inconsistency with the New Zealand Coastal Policy Statement (**NZCPS**), the Regional Policy Statement (**RPS**) and the Regional Coastal Environment Plan, it confirms the proposal is consistent with District Plan objectives and policies, which gives effect to the NZCPS and RPS.
9. Regarding statutory matters, it is my opinion, that:
- **Statutory Framework:** The District Plan is the primary planning instrument, giving effect to the NZCPS, RPS, and RCEP. The proposal aligns with these documents, addressing coastal hazards, natural character, and ecological values.
 - **NZCPS Compliance:** The proposal is consistent with Objective 5 and Policies 24–27, balancing hard and soft protection measures. Managed retreat is not mandatory and is impractical at this time in this context. The structure protects public reserve land, a strategic asset, and enhances ecological resilience.
 - **RPS Alignment:** The proposal incorporates soft engineering measures (dune restoration) and is the best practicable option for addressing coastal hazards. It does not constitute "inappropriate" hazard mitigation.
 - **RCEP Consistency:** The structure has a functional need to be in the coastal environment, minimizes adverse effects, and supports ecological and public benefits. It aligns with Policies CH 9 and CH 10 for coastal hazard management.
 - **Balanced Approach:** The proposal integrates hard and soft protection measures, informed by technical evidence, to address site-specific erosion risks while preserving natural character and biodiversity and appropriately providing for adverse effects.
 - **Precautionary Approach:** Effects are well understood, supported by detailed technical input, and the design promotes resilience, avoiding significant adverse impacts.
 - **Managed retreat:** Managed retreat (as suggested by Council) isn't a realistic or practicable hazard response in this situation, noting its limited implementation in New Zealand to date and when

considering the limitations it has in respect to the GIPS properties (i.e. not applying to all structures / dwellings on the GIPS properties).

10. For the reasons set out in my evidence, I consider that the proposal aligns with relevant statutory documents when properly considered in context.
11. On alternative location - Council's engineer agrees a hard structure is justified but recommends changing the alignment at the southern end of the structure to reduce adverse effects on the coastal environment / processes, suggesting placement at the property boundary. I note there was no commentary from the Council's other advisors on the implications of this change.
12. While maintaining that 5m is the preferred location, the applicant's engineer, proposed a compromise of reducing the distance to at least 1.5m from the boundary. GIPS' technical advisors support the retention of the 5m setback but confirm that effects are comparable if the structure is located closer to, but not on, the boundary.
13. Regarding submitters, no specific technical planning evidence was lodged by any submitters on the Application.
14. As Council did not provide proposed conditions with the section 42A report, GIPS and its technical team developed a set of draft conditions, submitted with the legal submissions. These are based on recommendations from the District Council's technical reviewers (to the extent agreed by GIPS' advisors), examples from recently granted notified consents, and relevant conditions from the Regional Council consent process (e.g., vegetation disturbance and replanting).
15. Subject to any minor amendments arising from the hearing process, I consider the proposed conditions provide a robust and comprehensive framework for management and monitoring, sufficient to ensure the proposal is undertaken in accordance with relevant statutory planning direction, and that potential adverse effects will be no more than minor.
16. Overall, it is my opinion:
 - The proposal is a pragmatic, well-integrated hazard response that balances environmental, social, and statutory considerations.

- It aligns with the statutory framework, ensuring effects are acceptable and consistent with regional and national policy direction.
- The proposed consent conditions, provided as part of Mr Slyfield's Legal Submissions, will ensure potential adverse effects are appropriately managed.
- The 5m setback location is the preferred location. If the Panel considers it necessary when balancing the potential temporal exposure effects and environmental effects, a location closer to the property boundary would be acceptable.