



***RMA SECTION 35 REPORT
ON
EFFICIENCY AND
EFFECTIVENESS
OF THE
REGIONAL COASTAL PLAN
FOR THE WEST COAST***

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EXECUTIVE SUMMARY

As required by the Resource Management Amendment Act 2003, the Regional Coastal Plan for the West Coast must be reviewed five years from when it became operative to assess the efficiency and effectiveness of the provisions.

Each main chapter of the Coastal Plan was assessed separately for efficiency and effectiveness. For the purposes of this review efficiency and effectiveness have been assessed in terms of what has been achieved, and best output or outcome for least cost. The issues were considered in terms of whether they are still significant. The review also suggests several Possible Actions for the next five years, in preparation for the full review.

Given the low level of development in the Coastal Marine Area (CMA), very little compliance monitoring or State of the Environment monitoring has been necessary. Information used for the review was therefore mainly from Council's Consents and Incidents files and databases, to indicate what activities are occurring and how their effects are being managed.

Overall, the objectives, policies, rules and other methods that are relevant and are being applied are generally working well to minimise adverse effects and sustainably manage the West Coast's CMA. The Plan relies on consent processes, and this is appropriate given the large coastline and low level of development.

Except for the matter of unblocking certain creek and river mouths, most of the changes suggested are relatively minor, are not immediately or seriously problematic, and are not resulting in significant adverse effects. They can be considered at the time of the full review.

Some of the Other Methods have limited effectiveness in the context of the large West Coast coastline. When full Plan review occurs it would be more efficient to have a general methods chapter for the whole Plan, with a few specific and relevant methods retained in the 'activity' chapters.

The assessment of each chapter found the following main points:

Chapter 5 Coastal Management:

The ecological, cultural, development and recreational Coastal Management Areas are an efficient and effective way of protecting important values from the effects of activities in the coastal marine area. Consent files show that effects on important values in the management areas and elsewhere are taken into account when processing consents and are addressed through consent conditions where necessary. Consultation with the Department of Conservation (DOC) and iwi on all applications works well to identify effects on values within and outside the management areas.

Some of the objectives and policies may not be so efficient or effective because of duplication with similar provisions in Chapters 5, and 6-11, for avoiding, remedying or mitigating adverse effects on important values within and above the mean high water spring (MHWS) mark.

Chapter 6 Cross Boundary Issues:

The provisions for managing cross-boundary effects of activities above and below the CMA seem to be generally effective in terms of the low level of activity occurring to date. No serious or irreversible adverse effects have happened, and where there is a potentially serious risk activities have ceased or been declined. Some minor changes to the regional council consent's staff assessment form and compliance staff incidents recording, as well as guidelines and/or practice notes, will help to keep these provisions effectively implemented.

Some new site-specific cross-boundary issues are identified, namely managing effects from increased coastal subdivision, effects on blue penguin colonies, coastal hazard risk, and cumulative effects of small-scale activities on outstanding landscape values. It is uncertain how serious these issues will become over the next five years under the current provisions. Further monitoring or investigation may be needed, as well as liaising with district councils and other agencies about these issues.

Chapter 7 Public Access and Occupation of Space:

Some of the objectives and policies for maintaining public access and restricting motorised vehicles are being effectively used in the consents process to manage adverse effects. Also, most of the rules appear to be practical and relevant for managing activities affecting public access and occupying coastal space. Objectives, policies and other methods that haven't been applied, or are out of date, or are impractical may need revising at the full review.

Chapter 8 Structures:

Overall, the provisions for structures appear to be working well. There are some aspects of policies and rules which need to be clarified or reconsidered, and several of the policies don't seem to be relevant. A number of permitted activities are provided for in the Plan but very few of these activities actually occur. Since there are relatively few structures in the coastal marine area, few Other Methods are needed.

Chapter 9 Alteration of the Foreshore and Seabed:

Overall, the provisions for disturbance of foreshore and seabed that have been applied appear to be working well, with the Plan's Anticipated Environmental Results (AER's) being achieved. Most of the objectives and policies are still relevant, with provisions for reclamations being untested to date. Rules for large scale sea bed alteration as a restricted coastal activity is also untested, but the discretionary rules are generally working well to manage adverse effects. Permitted small-scale takes of sand, driftwood and stone are efficient as they eliminate the need for consents for small-scale activities, and are likely to be the most common small-scale coastal activity. Some minor changes need to be made to parts of discretionary and permitted rules, to reflect current use and make them clearer.

Unblocking of river mouths in the coastal marine area needs to be dealt with as a priority.

Chapter 10 Discharges:

The objectives for maintaining water quality and managing effects of point-source discharges within five years of the Plan becoming operative have generally been met, along with policies for using mixing zones and water quality standards. These

provisions are proving effective, especially for upgrading sewage effluent discharges in both the Buller and Grey Districts. Cross-boundary effects of upstream/non-point source discharges on specific parts of the coastal marine area are also being managed under other regional plans to achieve a reduction in any adverse effects on coastal water quality (eg Orowaiti lagoon project).

It is difficult to assess the effectiveness of the other policies and rules as over half of these have not been tested, which raises questions about their relevance and necessity. The permitted activities are providing for small-scale activities without undue regulation. There also are a considerable number of other methods which may be out of proportion to the small number, scale of, and issues with, discharges on the West Coast. While the provisions that have been utilised are working well, other provisions may need substantial editing.

Chapter 11 Taking, Use, Damming, Diversion:

The objective, relevant policies and rules are effectively managing adverse effects from these relatively low frequency types of activities. Except for diverting coastal water to unblock creeks, the activities covered in this chapter do not occur a lot on the West Coast and no Other Methods are needed to deal with issues related to them.

Chapter 12 Noise:

The objective and policy are satisfactory for assessing noise effects through the consents process, which is the most effective way of dealing with the small number of noise issues on the West Coast. The Other Methods listed are also used in regulatory processes, and they do not need to be listed as Other Methods. This chapter could be shortened with less explanatory text, or incorporated into another chapter at the full review.

Chapter 13 Exotic Plants:

It is difficult to assess efficiency and effectiveness of the provisions in this chapter as most of them are untested. This chapter is somewhat redundant now the Regional Pest Plant Management Strategy is operative, however it is not inefficient to retain it until the full review.

This chapter could be superseded by the provisions in the PPMS, as the PPMS is due for review in 2010 and this coincides with the Coastal Plan full review. Some small-scale monitoring of pest plants (spartina) in the coastal marine area will help to assess the effectiveness of Chapter 13 for the full review.

Chapter 14 Natural Hazards:

It is uncertain how efficient and effective the relevant objectives and policies in this chapter are. There is some similarity with, and duplication of, provisions in other chapters, raising the question of how necessary this chapter is. The Chapter 14 provisions are useful for ensuring natural hazard-related effects are considered when processing consents.

There is a general reliance on rock walls to provide quick protection to people and property, and this approach is not inappropriate given the rough and changeable nature of the West Coast coastal environment. The effectiveness of other methods such as setback distances for building, planting to stabilise dunes, and education about avoiding building in known hazard areas is uncertain, as they have only

recently been implemented and outcomes will show up over a longer period. Further monitoring of the effectiveness of these other methods may be useful to assess their performance.

Chapters 15-17 cover information required for consent applications, financial contributions, and monitoring and review. These chapters do not need to be assessed for efficiency and effectiveness. However, some brief comments are made about how well these chapters are being applied.

INTRODUCTION

The Regional Coastal Plan for the West Coast (RCP) became operative on 7 February 2001.

Under Section 35(2A) of the Resource Management Amendment Act 2003, regional councils must, at intervals of not more than five years, compile and make available to the public a review of the results of monitoring the efficiency and effectiveness of regional policy statements and plans.

The Regional Council's Annual Plan for 2005/06 had a target to prepare a Section 35 report on the efficiency and effectiveness of the RCP by June 2006. This was extended to September 2006 due to delays earlier in the year when staff worked on the LTCCP.

This report assesses the efficiency and effectiveness of the objectives, policies, methods and Anticipated Environmental Results (AER's) in the RCP. It also assesses whether the Issues in each chapter are still significant for the region.

Efficiency and Effectiveness

The Concise Oxford and Collins Dictionary define efficiency and effectiveness as follows:

"Efficient: rate of useful work done to total energy expended; with the least waste of effort.

Effective: having an effect, bring about, accomplish, actually useable, fit for work; capable of producing a result;"

Since this review is not a full First Schedule review as required after 10 years, it does not involve a comprehensive, detailed cost-benefit analysis of efficiency or effectiveness. It reflects the level of resources and information available for the task. Assessment of efficiency and effectiveness is therefore very general and speculative, and has broadly been assessed in terms of what has been achieved, and best output or outcome for least cost.

Scope of the Review

The review assesses performance of the RCP over the last five years. Section 35 of the RMA does not require a public submission process for this review, however the following key parties were consulted for comments on the RCP:

Ministry for the Environment	Te Runanga O Ngai Tahu
Department of Conservation	Te Runanga O Makaawhio
West Coast Conservation Board	Te Runanga O Ngati Waewae
Marine Protected Areas Forum	Te Tai Poutini Tuna
Maritime Safety Authority	Transit New Zealand
West Coast Fish and Game Council	Ministry of Fisheries
Community and Public Health	Ministry for Economic Development
Blue Penguin Project	Otago Regional Council

Tasman District Council	NIWA
Environment Southland	New Zealand Aquaculture Council
Environment Canterbury	NZ Shipping Federation
New Zealand Marine Transport Association	Buller, Grey, and Westland District Councils
Buller Port Services	Tourism West Coast
Port of Greymouth	Federated Farmers
West Coast Development Trust	Timberlands West Coast
Venture West Coast	Buller Conservation Group
Toll Rail New Zealand/On Track	Maruia Society
Forest & Bird Protection Society West Coast Branch	Trustpower Generation West Coast Limited
Westport Commercial Fishing Association	Talley's Fisheries Ltd
NZ Marine Farming Association Inc	Westfleet Fisherman's Co-op Ltd
Okahu Mussels Ltd C/o McFadden McMeeken Phillips Lawyers	West Coast Commercial Goldminers Association Inc
West Coast Fishermans Association	Solid Energy International
Milburn New Zealand Ltd	Kiwi Association of Sea Kayakers
NZ Minerals Industry Association	West Coast Whitebaiters Association
Hokitika Angling Club	Grey District Angling Club
Westport Deep Sea Fishing School	Buller Setnetters
Westport Scuba Club	Westland Canoe Club
Buller Board Riders	Transit New Zealand
Kahuna Board Riders Club	West Coast Buller Coastguard Association
Blaketown Body Boarding Club	Transpower NZ Ltd
Telecom NZ Ltd	Stuart Robertson
Electronet Services Ltd	

Issues raised by stakeholders were considered and incorporated in the main chapters where applicable. Some of the feedback received was along the lines of a submission on a Plan Change, and/or identified perceived gaps in the Plan but did not provide supporting information, or was not appropriate to this efficiency and effectiveness review.

The review makes suggestions for changes to the Plan, and also considers Possible Future Actions which may need to be done over the next five years, in preparation for the full review. Most of the suggestions for changing, adding or deleting provisions to the document can be done at the time of the full review. These are a matter of course for reviewing the Plan but are included in this report as a reminder. Other possible actions are suggested over the next five years to help achieve the provisions and monitor efficiency and effectiveness of the Plan for the full review.

Information sources

Information for the review was obtained mostly from consent files, Council staff, Council's Incidents and Consents databases, and staff in other agencies. There has generally not been a need for comprehensive monitoring in the coastal marine area given the low level of coastal pressure and development. However, this means there is not a lot of monitoring information to assess efficiency and effectiveness of the Coastal Plan. Consents and Incidents records are therefore used mostly to get information on what activities are occurring and how they are managed. Incidents records are used to give an indication of how well the policies, rules, anticipated

environmental results, and consents are working, the assumption being that a reasonable number of complaints signals breaches of a rule or consent condition, or a problem with implementing these (although in some instances vexatious complaints may skew the results).

Details of consent assessment and incident recording have improved over the last five years, and minor suggestions are made to further improve it. Incidents recording is important to give an indication of new trends and issues which may need dealing with.

Structure of the Report

Each subject chapter of the Coastal Plan is assessed separately, according to the following structure:

- Efficiency and Effectiveness of the chapter provisions overall
- Issues: are these still significant to the region?
- Objectives and Policies: Have these been adequately achieved over the last five years?
- Methods: Tables are included listing the methods for each chapter, and a description and assessment of their implementation, with a brief summary of Method implementation in the main text.
- AER's: Are these being adequately achieved?
- Possible Actions To Be Taken

CHAPTER 5 – COASTAL MANAGEMENT

Efficiency and Effectiveness

The ecological, cultural, development and recreational Coastal Management Areas are an efficient and effective way of protecting important values from the effects of activities in the coastal marine area. There are few non-regulatory methods used to provide protection to these values, so the Plan relies on consents to manage environmental effects. Consent files show that effects on values in the management areas and elsewhere are taken into account when processing consents, and addressed through consent conditions where necessary. Consultation with DOC and iwi on all applications works well to identify effects on values within and outside the management areas.

Some of the objectives and policies may not be so efficient or effective because of duplication. This has occurred with objectives and policies for preserving natural character and avoiding, remedying, mitigating adverse effects on important values. There are similar provisions within Chapter 5, and also in Chapters 6-11. These should be rationalised at the full review.

Assessment of effects on natural character could be better implemented by having further guidance on these matters.

Issues

5.2.1: The coastal marine area is made up of a number of differing types of areas, each with significant values which should be recognised.

This is still a significant issue, as the existing values identified in the Plan need to be recognised by new developments such as subdivisions which may affect them. New values are also being identified, for example, new colonies of blue penguins have recently been found, some of which are near urban areas with increased growth. In the next five years offshore Marine Protection Areas with particular ecosystem values are likely to be identified, and these may need to be recognised in the Plan.

5.2.2: Amenity, cultural, heritage, scenic and ecosystem values occur within the entire coastal marine area. These values may be lost over time, in areas where inappropriate subdivision, use and development occur.

Adverse effects of activities on important values is still a potentially significant issue. Activities may need to be located at places where these values exist for various reasons, because this is where gravel or stone resources are located, or existing property or roads need protection from coastal erosion. In many cases activities and values can co-exist where the impacts on the values are no more than minor. For example, gravel extraction and whitebaiting are not necessarily incompatible if they are managed well. 66 resource consents were granted in the last five years for activities in or near Coastal Management Areas.

Objectives

5.3.1: To recognise and provide for the West Coast's significant coastal values, when considering the use, development and protection of the coastal marine area.

The main mechanism for protecting significant values in the Plan are the Coastal Management Areas. These appear to be working effectively, as further discussed under the Chapter 5 policies. Council is not aware of any significant adverse effects on the values in these areas over the last five years. A random sample of consent files for activities in coastal management areas were viewed to see how this objective was addressed in the staff audits. Most of the files did not refer to this specific objective, but did refer to the relevant coastal management area. This raises the question of how necessary this objective is, since what it aims to achieve is covered by the policies in Chapter 5 which recognise and provide for the coastal management areas and other important values outside these areas. This objective should be reconsidered at the full review.

5.3.2: To avoid, remedy or mitigate adverse effects on the amenity, cultural, heritage, scenic and ecosystem values of the entire coastal marine area.

This is a general objective which appears to be being achieved through the consent process. Management of adverse effects on amenity, cultural, scenic and ecosystem values is further discussed under the Chapter 5 policies and in the activity chapters 7-11. As with Objective 5.3.1, a random sample of consent files were viewed and most did not refer to this objective specifically, but did refer to relevant rules or policies and addressed adverse effects on these values through consent conditions. The three objectives could be incorporated into one objective at the full review, while avoiding any duplication of the policies.

Consent applications are also routinely assessed to check if there are any effects on values that aren't listed in the Schedules. DOC and iwi are sent a list of all consents received, and affected parties can identify values that may be affected. There are very few instances where important values are identified that aren't already listed in the Schedules. The main examples of this are the marine farm proposal at Jackson's Bay which was identified as having a significant visual impact on the landscape around the Bay. The inner Bay is not listed as an Outstanding Natural Feature and Landscape in the Plan. The Court allowed a smaller scale operation to be established to reduce the visual impact, using policies 5.4.2.2 for natural character and 5.4.2.4 for scenic values. Another case is the gravel extraction proposal along the Paroa Beach, which highlighted the existence of previously unknown blue penguin colonies (see Chapter 6 for further discussion on blue penguins). These are larger-scale activities which are more likely to have impacts on important values, and there are few coastal activities of this scale occurring or proposed. It is assumed that permitted activities occurring in or near the Coastal Management Areas are having no more than minor effects.

5.3.3: To recognise the preservation of natural character.

This objective appears to generally be being achieved as most coastal activities are small-scale. There is also a relatively low level of development below the mean high

water spring mark (i.e. within the coastal marine area), and many areas above MHWS mark adjoin conservation land where natural character has some protection under the conservation land status. Some parts of the coastline are inaccessible and unlikely to be developed.

The main example where preservation of natural character was debated was the Jackson Bay marine farm proposal. The Council's decision to decline the consent was based on the conclusion that there would be unmitigable adverse effects on the natural character of the Bay even though it had not been identified as an ONFL. This highlighted the difficulty with objectively assessing effects on these values or standardising them. Three expert landscape assessments were carried out by independent consultants that covered issues relating to the natural character. The proposal was finally granted by the Environment Court at a smaller scale with conditions to reduce the visual impact.

This objective has been given effect to when considering effects of activities, mainly erosion protection walls, in Outstanding Natural Features and Landscape areas. These rock walls are necessary to protect the state highway or private property and have only minor visual impacts, minor effects being allowed in the Resource Management Act. A number of these are located in the Punakaiki/Paparua area, which has areas where the landscape is already modified by roads or dwellings. Rock walls in scenic areas are generally required to be made of material that is locally sourced and blends in with the surrounding environment. Other conditions can include minimising damage to existing vegetation and using existing access. In some situations the rock works have protected aspects of the natural character of an area, for example, some remnant native trees at Bruce Bay, which would otherwise have been washed away.

It is not clear how consistent assessments of effects on natural character are. Policy 9.1 of the RPS and the NZCPS provide some guidelines for assessing effects on natural character. In a sample of consent files viewed, two thirds referred to Policy 9.1 in the RPS, however there is little explanatory comment in the staff audits relating either to Policy 9.1 or how applications are consistent with natural character policies, to assist with monitoring Plan effectiveness. For small-scale activities with no more than minor impacts, it is not necessary to include an in-depth assessment of natural character, although a brief comment based on the NZCPS and RPS policies would be helpful. The soon-to-be released review of the NZCPS may provide further guidance on this matter, which could be incorporated into the Plan at the full review, or an additional explanatory note may also assist applicants and consent officers. The Environment Court decision on the Jackson Bay marine farm has some useful guidelines for assessing natural character.

Policies

The majority of coastal management areas and their values listed in these policies appear to be intact with minimal adverse effects occurring.

5.4.1.1: To recognise the following areas, as identified in Schedule 2.1, as Coastal Protection Areas within the coastal marine area:

CPA 1 Oparara Estuary

CPA 2	<i>Karamea / Otumahana Estuary</i>
CPA 3	<i>Little Wanganui Head and River</i>
CPA 4	<i>Orowaiti Lagoon</i>
CPA 5	<i>Okari Lagoon</i>
CPA 6	<i>Griegs to Nine Mile Bluff</i>
CPA 7	<i>Totara Lagoon</i>
CPA 8	<i>Saltwater Lagoon</i>
CPA 9	<i>Okarito Lagoon</i>
CPA 10	<i>Three Mile Lagoon</i>
CPA 11	<i>Five Mile Lagoon</i>
CPA 12	<i>Open Bay Islands</i>
CPA 13	<i>Cascade River Mouth</i>

5.4.1.2: Priority will be given to avoiding adverse effects on values associated with any Coastal Protection Area when considering the use, development and protection of the coastal marine area.

Policy 5.4.1.2 appears to be being achieved at most sites as there have been few adverse effects on the CPA values from activities in the coastal marine area. Over the last five years 13 incidents in Coastal Protection Areas were recorded. Around half of these were related to dairy effluent and feedpads near river mouths in the coastal marine area. The remainder were a variety of matters including stone and log removal, dumping of garden rubbish and sediment discharge. This is a relatively small number of incidents, and very few have occurred in the last two years. The dairy farm monitoring programme is likely to have helped reduce dairy effluent incidents near Coastal Protection Areas.

There are also 13 current consents granted in Coastal Protection Areas, however only five were granted since the Plan became operative, four for stone removal and creek opening, and one for maintaining a drain. Where ecosystem or cultural values might be affected, DOC or iwi approval is required. These consents were granted as they have minimal effects on the values in the CPA's, and were necessary to avoid damage to adjoining property, or because the activity could only be located where the stone resources are.

All the CPA's are located on or immediately adjoining conservation land, and so have a level of protection through this land status. A Ramsar nomination may be sought for CPA's 8-11 at Three and Five Mile Lagoons, Okarito and Saltwater, and the Nature Heritage Fund may purchase some areas to be put into conservation land. If granted, the Ramsar status can be added to the Schedules at the full review if required.

An investigation was carried out by the Council in 2004/05 to identify significant wetlands on private land throughout the region in terms of section 6 of the RMA. These wetlands will be added into the Land and Riverbed Plan. The Saltwater Creek Lagoon at Paroa was identified in this survey and it has important coastal wetland species. The Guardians of the Paroa-Taramakau Coastal Area Trust have asked the Council to include the Saltwater Creek Lagoon in the Coastal Plan as a CPA, however, other policies and rules in the Plan provide protection by requiring consent assessment for activities which may adversely affect values in the Lagoon.

Council State of the Environment monitoring has identified that water quality in the Orowaiti Lagoon breaches guidelines for contact recreation. This is likely caused by farming in the catchment and septic tank discharges from nearby residential properties. A one year project part-funded by MFE's Sustainable Management Fund was completed in June this year and encouraged landowners in the lower Orowaiti catchment to develop farm management plans to reduce nutrient runoff into the Lagoon and improve the water quality. The District Council is requiring residential properties in that area be connected to the town reticulated sewage system. Council is planning follow-up monitoring of the lagoon and follow-up auditing of the effectiveness of the farm plans over the next 2 – 3 years.

There is uncertainty about whether land uses above the coastal marine area are adversely affecting CPA's. Although no monitoring has been done on the state of the CPA's (except Orowaiti), there are concerns that some low-lying estuarine sites may be being affected by activities in their catchments or around their margins. It is not clear what effects upstream land uses are having on coastal estuaries, and whether land use in these catchments has changed. Downstream effects of land and water use are managed by the Land and Riverbed Plan and the Water Plan, and subdivision and land use by the three District Plans. An investigation of some of these CPA's and their catchments may be useful to inform reviews of all the relevant regional and district plans. If it is shown that activities above the coastal marine area are cumulatively affecting the values in CPA's, a more integrated approach may be needed, for example, doing land management/catchment strategies, a pilot project with one or two CPA's, riparian planting or sediment trap programmes.

5.4.1.3: To recognise the following areas, as identified in Schedule 2.2, as Culturally Significant Areas within the coastal marine area:

<i>CSA 1</i>	<i>Kahurangi Point</i>
<i>CSA 2</i>	<i>Otukoroiti Point</i>
<i>CSA 3</i>	<i>Whakapoai North (Heaphy)</i>
<i>CSA 4</i>	<i>Kohaihai</i>
<i>CSA 5</i>	<i>Whareatea</i>
<i>CSA 6</i>	<i>Omau Bay</i>
<i>CSA 7</i>	<i>Tauranga Bay</i>
<i>CSA 8</i>	<i>Pahautane</i>
<i>CSA 9</i>	<i>Te Miko to Punakaiki</i>
<i>CSA 10</i>	<i>Kararoa (Twelve Mile to Ten Mile)</i>
<i>CSA 11</i>	<i>Rapahoe</i>
<i>CSA 12</i>	<i>Taramakau</i>
<i>CSA 13</i>	<i>Arahura</i>
<i>CSA 14</i>	<i>Mikonui</i>
<i>CSA 15</i>	<i>Okarito</i>
<i>CSA 16</i>	<i>Hunts Beach (south side)</i>
<i>CSA 17</i>	<i>Maori Beach</i>
<i>CSA 18</i>	<i>Heretaniwha</i>
<i>CSA 19</i>	<i>Hapuka (Mussel Point)</i>
<i>CSA 20</i>	<i>Jackson Bay</i>
<i>CSA 21</i>	<i>Jackson Bay</i>
<i>CSA 22</i>	<i>Smoothwater Bay</i>
<i>CSA 23</i>	<i>Homminy Cove</i>
<i>CSA 24</i>	<i>Teer Creek</i>

5.4.1.4: Priority will be given to avoiding adverse effects on values associated with any Culturally Significant Area when considering the use, development and protection of the coastal marine area.

Policy 5.4.1.4 appears to be being achieved. 29 consents were granted in total in CSA's, and 12 of these were granted in the last five years since CSA's were identified in the Coastal Plan. These were for stone and log removal, opening creek mouths, mining, coastal protection works, track upgrade and a mussel farm. The relevant iwi gave their written approval to these activities through the consent process, so it is assumed that their values are not adversely affected by these activities. A standard condition is attached for the consent holder to cease work and advise local iwi if any Maori artefact or human bones are discovered, to protect iwi values. As in CPA's, some activities such as erosion protection works were necessary to avoid damage to adjoining property, or gravel extraction granted because the activity could only be located where the resources are. The marine farm at Jacksons Bay requires sheltered water, of which there are few suitable locations on the West Coast.

18 incidents were recorded in CSA's in the last five years. Of these, four were to do with sewage effluent discharges, six related to gravel extraction and rock removal, and the remainder were various dumping, earthworks and water quality matters. Most of these occurred between 2001 and 2003, with only three in the last two years. This indicates that incidents in these areas are reducing. These were all responded to and there were no significant, lasting adverse effects.

It is noted in the RPS review (Pgs 17, 18) that the two West Coast Runanga are very under-resourced which has limited how much they can be practically involved in assessing consents and plans. It is not clear how much this has affected protection of their values and important sites. The Runanga will be in a better position to assess the effectiveness of the Plan provisions in another five years when iwi management plans are in place.

5.4.1.5: To recognise the following areas, as identified in Schedule 2.3, as Coastal Development Areas within the coastal marine area:

CDA1	Buller River Mouth
CDA2	Grey River Mouth
CDA 3	Jackson Bay Wharf
CDA 4	Ngakawau
CDA 5	Rapahoe

5.4.1.6 (a) Priority will be given to the need to provide for the values and uses associated with existing development in any Coastal Development Area, when considering the use, development and protection of the coastal marine area.

(b) Particular regard will be had to the values and uses associated with the proposed development in CDA5 when considering the use, development and protection of the coastal marine area.

These policies are largely untested, as only three consents were sought in the last five years for activities within CDA's. These were for depositing clean fill at Rapahoe,

and erosion control/coastal protection works around the Grey River mouth. The consents were all relatively small-scale extensions of existing consents with only minor effects on public access and natural character. There were no significant works or adverse effects. The small number of consents reflects the generally low level of new development in the CDA's and on the Coast overall. The policies may be implemented more in the next five years when there will be more development in the Grey port area for shipping coal from the Pike River mine, which may result in increased dredging and maintenance of port structures in the CMA.

The list in Policy 5.4.1.5 may need to be revised at the full review. With respect to Policy 5.4.1.6(b), CD4 at Granity and CD5 at Rapahoe are sites with potential for future port-type development, primarily for coal shipping or barging. These have not been utilised yet, and their inclusion and Policy 5.4.1.6(b) could be reconsidered.

The aquaculture legislation now requires that aquaculture is prohibited unless it is provided for in Aquaculture Management Areas (AMA's) in Coastal Plans. The Jackson Bay marine farm has become an AMA by default under the new provisions and can be added to the Schedule 2 maps at the full review. The West Coast Development Trust intends to carry out a study on the feasibility of marine farming on the West Coast, to identify whether there are opportunities for development of aquaculture. This may help inform the identification of other potential AMA's. The marine protected areas process will also help to determine suitable and compatible sites for aquaculture, if needed.

5.4.1.7: To recognise the following areas, as identified in Schedule 2.4, as Coastal Recreation Areas:

<i>CRA 1</i>	<i>Heaphy Track</i>
<i>CRA 2</i>	<i>North Beach</i>
<i>CRA 3</i>	<i>Lower Buller River</i>
<i>CRA 4</i>	<i>Carters Beach</i>
<i>CRA 5</i>	<i>Tauranga Bay</i>
<i>CRA 6</i>	<i>Punakaiki/Pororari Beach</i>
<i>CRA 7</i>	<i>Rapahoe Beach to Point Elizabeth</i>
<i>CRA 8</i>	<i>Cobden Beach</i>
<i>CRA 9</i>	<i>Lower Grey River</i>
<i>CRA 10</i>	<i>Blaketown Beach to Karoro</i>
<i>CRA 11</i>	<i>Beach on north side Hokitika River</i>
<i>CRA 12</i>	<i>Lower Hokitika River</i>
<i>CRA 13</i>	<i>Harihari Coastal Walk</i>
<i>CRA 14</i>	<i>Okarito Lagoon</i>
<i>CRA 15</i>	<i>Gillespies Beach</i>
<i>CRA 16</i>	<i>Bruce Bay</i>
<i>CRA 17</i>	<i>Ship Creek</i>
<i>CRA 18</i>	<i>Jackson Bay</i>

5.4.1.8: Priority will be given to the need to provide for and protect the recreational values associated with the Coastal Recreation Areas when considering the use, development and protection of the coastal marine area.

Policy 5.4.1.8 appears to be being achieved. 33 consents have been granted in CRA's, 10 of these in the last five years. They were mainly for sand/stone removal, mining and erosion protection (7), and marine farming, sewage discharge, earthworks and diversion. Some examples of these consents were viewed, and they noted that adverse effects on recreational values were no more than minor. Conditions included limiting activities to work hours on weekdays excluding public holidays, that sand must be spread out over the beach and large holes filled and levelled when the activity is finished, and public access is not to be impeded unless necessary for safety reasons. One popular recreational beach area had a condition that excluded stone removal during the peak public use season from November to January.

29 incidents were recorded in the last five years in CRA's. These included effects on water quality e.g. dead sheep (5), dairy, sewage and other discharges (10); and various other stone removal, earthworks and dumping incidents. The second highest number of incidents in coastal management areas occurred in CRA's. This may be attributed to recreational activities being located in or near areas of demand for development i.e. urban settlements, tourist attractions or farmland, and also the accessibility of these beaches. The number of incidents in CRA's has decreased over the last five years, from 10 in 2001 to two in 2005, a positive indication that recreational values are being protected.

As a result of the Icon Mining proposal for gravel extraction along the Paroa beach, the Guardians of the Paroa-Taramakau Coastal Area Trust have asked the Council that this section of beach be made a Coastal Recreation Area in the Coastal Plan. Evidence of recreational use was presented at the Icon Mining consent hearing by way of an informal survey of use conducted by Trust members. New subdivision and residential development in the Paroa area means that the beach is being increasingly used for walking, fishing, nature watching, and swimming, amongst other activities.

The Trust made a presentation to Council on this matter on 9 May 2006, asking that a Plan Change be done before the full review to make this section of beach a CRA and exclude gravel extraction. The Trust is concerned that without classification as a CRA the area will be vulnerable to the effects of increased demand for gravel extraction over the next five years.

It is outside the scope of this review to make a recommendation on whether the beach should be made a CRA and included in the Plan in the short term. A section 32 analysis of the appropriateness, costs, benefits, and risks of applying CRA status or not to the beach is first required under the Resource Management Act. The survey of recreational use gives some useful information, however further consideration of these matters is needed. In the meantime, Objective 5.3.2 and Policy 5.4.2.4 have been shown to effectively provide protection for important values identified outside the current coastal management areas.

General Coastal Marine Area Policies

5.4.2.1: To take into account the values associated with adjoining management areas when considering an activity in the coastal marine area.

This is done routinely as part of consent processing. Staff are not aware of any adverse effects on adjoining coastal management areas occurring from activities in another coastal management area. The maps in Schedule 2 are useful for showing where there are adjoining coastal management areas which might be affected by a proposed consent activity. This flags who else might be a party affected by a proposal whose written approval is needed or who needs to be consulted with.

5.4.2.2: To recognise and provide for the following elements which contribute to the natural character of the coastal marine area:

- (a) Natural coastal processes,***
- (b) Water quality,***
- (c) Landscapes, seascapes, landforms and***
- (d) Coastal ecosystems.***

This is generally being achieved as discussed under Objective 5.3.3, and issues with assessing impacts on natural character is also discussed under Policy 6.4.1.2. This policy may need further qualification, as the tests may differ between relatively undeveloped areas of coastline, compared with developed coastal areas.

The policy is the same as Policy 6.4.2.3 except that it applies to natural character in the coastal marine area. In reality, assessment of effects of a proposal in the coastal marine area will usually incorporate assessing effects above the MHWS mark as the two areas are interconnected. It may be more efficient to have one policy covering effects on natural character within and adjacent to the coastal marine area.

5.4.2.3: The WCRC will have regard to the cumulative effects of activities in the coastal marine area.

While all consents are assessed in terms of cumulative effects, this policy has been applied mainly to mining, gravel extraction and stone removal. These activities tend to locate in similar areas where the resource exists, so cumulative effects may occur in the future in specific locations. This was an issue that was highlighted in the DTec report in the Icon beach mining consent application. No coastal consents have been declined yet due to cumulative adverse effects, and Council is not aware of any imminent serious problems.

As discussed under Objective 8.3.2, there is not a proliferation of structures in the coastal marine area at present, however this may need to be monitored over the next 2-5 years if more rock protection works are sought as coastal subdivisions and other land is built on, or as a result of sea level rise and/or coastal hazard events.

5.4.2.4: To have particular regard to the amenity, cultural, heritage, scenic and ecosystem values associated with the coastal marine area when considering subdivision, use or development in the area.

This policy is being given effect to in the consents process. Refer to comments under Objective 5.3.2. Affected parties and organisations such as DOC or iwi can identify if there are any values that staff are unaware of but which may be affected by a proposal. West Coast DOC staff have some local knowledge of historic as well as ecological values.

This policy is similar to Objective 5.3.2, and the Explanation includes some of the matters of national importance from the NZCPS policies for preserving natural character. There appears to be some overlap with several policies relating to scenic values and natural character. Policies 5.4.2.2, 5.4.2.4 and 5.4.2.5 could be blended to make two distinct policies listing important values, and elements of natural character to be provided for.

With respect to cultural values, inclusion of the Poutini Ngai Tahu Statutory Acknowledgement Areas and nohoanga sites in the Coastal Plan is working well to protect the Runanga values. Effects of activities on these areas is assessed in the consent process.

Te Runanga O Ngati Waewae commented that they are concerned about effects on landscape values. It is not clear if this is a general concern throughout the region or whether it refers to specific areas. Effects on landscape values is discussed in Chapter 6 under Outstanding Natural Features and Landscapes.

It is uncertain what the future implications of the Resource Management (Foreshore and Seabed) Amendment Act 2004 are on the West Coast. The Act enables iwi or any group of New Zealanders meeting the Act's criteria to have exclusive use and occupation of the foreshore and seabed, by obtaining a customary rights order or territorial customary rights. Plans cannot permit activities that are likely to have significant adverse effects on a recognised customary right. Council is not aware of Poutini Ngai Tahu seeking either of these rights in the near future, but it would be timely for Poutini Ngai Tahu to acknowledge if they will seek a customary rights order or territorial customary rights (and/or lodge a foreshore and seabed reserve management plan) at least six months prior to the full review. Council can then assess if any permitted activities or other provisions will affect these rights and need to be changed.

Council is not aware of coastal marine area activities significantly adversely affecting historic or archaeological sites below the MHWS mark. There are very few recorded sites in the coastal marine area. The NZAA West Coast file keeper advises the only known ones are the wreck of the SS Lawrence S at the Mokihinui River mouth and township remains, for example, Brighton at Fox River (e-mail, 6/5/06). New shipwreck items may be washed ashore or uncovered accidentally. The NZAA and HPT are advised of notified consent applications, and a standard condition has been added to consents for larger-scale activities, for example, Transit's rock wall at Bruce Bay, for the consent holder to notify HPT or the NZAA of accidental discovery of historic items.

5.4.2.5: The WCRC will have particular regard to the avoidance, remediation or mitigation of adverse effects on archaeological sites and historic places.

This is discussed under Objective 5.3.2 and Other Method 5.6.1.1.

The 2003 RMA amendments make protection of historic heritage a Section 6 matter of national importance that must be recognised and provided for. There is no clear indication as to whether regional councils will need to give greater weight to historic protection above what they already do.

5.4.2.6: To take into account the status of any land and areas under the Conservation Act 1987 and other land and areas administered by the Department of Conservation, as shown in the West Coast Conservation Management Strategy approved pursuant to section 17F of the Conservation Act 1987, when deciding resource consents.

As already mentioned, DOC is notified of all consents as affected party and/or landowner. Currently Policy 4.1.1 of the NZCPS requires identification of DOC land in the Coastal Plan, however the usefulness of this is questioned and it may change in the NZCPS review. The reference to the Conservation Management Strategy may not be appropriate as the West Coast Strategy is not yet finalised.

A general comment on the Chapter 5 policies is that while they are being given effect to in the consents process in terms of considering effects of a proposed activity on important values, in the sample of consent files looked at for this review, little reference is made in staff audits to the general chapter 5 policies. This reflects the minor nature of most of the coastal consents, which were processed as non-notified with no more than minor environmental effects.

The other reason why Chapter 5 policies are not referred to much in staff audits is that the matters have already been addressed under policies in the activity chapters, and these are referred to in staff audits, so the chapter 5 policies are repetitive. These general coastal marine area policies are similar to policies in the activity chapters for occupation, structures, alteration, and disturbance. At the full review some rationalisation could be done with these general policies and similar policies in the activity chapters, to avoid duplication.

A general comment about some of the Explanations and PRA's is that they do not add much value to or clarification of the Issues, Objectives or Policies, as they mainly repeat what is already in the provision. These may need to be shortened and revised/rewritten at the full review. This is also relevant in other chapters.

Other Methods

Table 5 summarises implementation of the Other Methods. Most of the objectives and policies are actioned through regulatory consents, and there are few non-regulatory methods used. This may be appropriate given the relatively low level of development and use in the coastal marine area. Some of the Possible Future Actions below could be considered as new methods for inclusion in the Plan at the full review. Consideration could also be given at the full review to leaving them out altogether, as under the RMA Amendment Act 2003 it is now not mandatory to have Other Methods in regional plans. The inclusion of specific projects in the LTCCP might be a more effective way to ensure these tasks are completed.

With respect to Method 5.6.1.1, the Principal Reasons for Adopting states that there are a number of historic and archaeological sites along the coastline, however there are few below MHWS mark. The NZAA and HPT are not notified of all CMA consent applications, however there has generally not been a need to because of the few sites which may be affected. While it is not expected that any significant historic sites are overlooked or affected by activities because of this, some improvements could be made. Since there is only a small number in the CMA, registered sites could be included in the Coastal Plan in a Schedule, and historic artefacts could be added to

the staff assessment checklist. It would also be useful for consents staff to have copies of the District Plan maps showing historic sites near the MHWS mark, in case these are affected by CMA activities.

Anticipated Environmental Results

5.7.1: The values associated with areas identified within the Coastal Protection Areas are protected, and enhanced where appropriate.

5.7.2: The values associated with areas identified within the Culturally Significant Areas are protected, and enhanced where appropriate.

5.7.3: Structures, facilities and associated infrastructure required by the recreational and commercial activities occurring in Coastal Development Areas are recognised and provided for.

5.7.4: Natural character of the coastal environment is preserved.

5.7.5: Amenity, cultural, heritage, scenic and ecosystem values which are important to the region are protected.

5.7.6: The values associated with areas identified within the Coastal Recreation Areas are provided for and protected, and enhanced where appropriate.

Although there is no comprehensive compliance monitoring done of coastal consents, the Incidents and Consents records indicate that the values in most of the coastal management areas appear to be being protected or provided for at a sustainable level, and the policies and rules are generally working well. There is uncertainty about some coastal estuaries and lagoons, as the Regional Council and DOC have no formal monitoring programmes to fully assess the state of these areas (except for the Orowaiti Lagoon). In some areas upstream or adjoining land uses may be impacting some CPA's.

Maintenance in the port areas has occurred without unnecessary restrictions. Facilities and the level of activity in the two main ports and at Jacksons Bay have remained relatively constant. No activities have had to be closed down due to significant adverse effects.

Recreational activities have been able to continue relatively unimpeded, the groynes on the Hokitika beach being the main limitation on public access although these will have steps over them when they are constructed. Council has not received any complaints about adverse effects of consent activities on recreational uses.

Regarding AER 5.7.4, while this is difficult to measure, natural character along a considerable length of the West Coast coastline is being preserved, especially in remote areas with no development. The Jackson Bay marine farm is not yet constructed. There has not been large-scale growth or development in highly scenic areas with existing development such as Punakaiki, Okarito or Bruce Bay, however a number of small-scale activities such as erosion protection works have been carried

out in these areas, and cumulative effects of these and any future works may need to be monitored and the plan amended accordingly.

Possible Future Actions

Assess implications of the reviewed NZCPS on the Coastal Plan, particularly any guidance on assessing natural character. Also check for any changes to Policy 4.1.1 of the NZCPS.

Investigate feasibility of AMA's.

Consider adding standard conditions to consents for accidental discovery of historic or archaeological items, and protection of blue penguin colonies and habitat.

Add brief comment in the staff assessment audits on effects on natural character, based on the NZCPS policies, and reference to Chapter 5 and 6 objectives and policies, to assist with monitoring Plan effectiveness.

Add heritage to the staff assessment checklist for consent applications.

Consider outcomes of Orowaiti Lagoon project which is investigating effects of upstream/catchment land use on some of the CPA estuaries and lagoons, and whether there is a need for other integrated management projects such as doing land management/catchment strategies.

Assess the continued value of existing coastal management areas and the potential for new management areas to be required.

Ensure both Runanga are consulted and have input into identifying Aquaculture Management Areas.

Update the text of Chapter to explain the new boundary of the rohe of the two Runanga, and clauses S15 and 1, 2, and 3 from the Ngai Tahu Claims Settlement Act.

Consider developing a Memorandum of Understanding with details of how to monitor efficiency and effectiveness of the Poutini Ngai Tahu provisions in the Coastal Plan.

Arrange for consents staff to have a list of significant historic and archaeological sites in the coastal marine area, and copies of the District Plan maps showing historic sites near the MHWS mark.

Table 5
Assessment of the Implementation of Methods in the
Coastal Management chapter

Methods	Assessment of Implementation
<p>5.6.1.1 The WCRC will notify the New Zealand Archaeological Association of all applications for coastal permits which are likely to adversely affect any archaeological sites and historic places identified in the New Zealand Archaeological database.</p>	<p>This is partially being implemented as the NZAA is routinely advised of notified consent applications, but Council staff do not necessarily know if there are potentially affected historic sites as they do not have a list of coastal marine area sites. The NZAA database on the website does not provide specific information on the location of such sites. This Method needs to be revised.</p>
<p>5.6.1.2 The WCRC may participate in the establishment of marine reserves, taiapure and maataitai reserves to the extent that they relate to the Council's coastal management functions.</p>	<p>Staff and Councillors are participating in The Marine Protected Areas Forum organised by DOC to discuss the establishment of Marine Protected Areas. No taiapure or maataitai reserves identified so far.</p>
<p>5.6.1.3 The WCRC may support the establishment of marine reserves where it considers that they are an appropriate method to achieve Objectives 5.3.</p>	<p>This Method is similar to Method 5.6.1.2 and the repetition is unnecessary.</p>

CHAPTER 6 - CROSS BOUNDARY ISSUES

Efficiency and Effectiveness

The provisions for managing cross-boundary effects of activities above and below the CMA seem to be generally effective so far in terms of the level of activity occurring. No serious or irreversible adverse effects have happened, and where there is a potentially serious risk activities have ceased or been declined. Some minor changes to the regional council consents staff assessment form and compliance staff incidents recording will help to keep these provisions effectively implemented. Additionally, there is some duplication/repetition of policies dealing with effects above and below the MHWS mark. These could be made more efficient and effective by rationalising them, possibly with similar provisions in Chapter 5.

Some new site-specific issues are being raised, namely managing effects from increased coastal subdivision, effects on blue penguin colonies, coastal hazard risk, and cumulative effects of small-scale activities on ONFL values. These issues tend to be site specific rather than necessarily throughout the whole coastal area. It is uncertain how serious these issues will become over the next five years under the current provisions. In order for the Plan to continue to be effective further work needs to be done, such as monitoring or investigating some activities or locations, liaising with district councils and other agencies about these issues, and developing guidelines or practice notes for interpreting and applying the Plan provisions.

Issues

6.2.1 Activities or processes on one side of the line of mean high water springs may affect areas, values and activities on the other side of the line.

6.2.2 Areas of outstanding natural features and landscapes and sites used by marine mammals and birds, which are above the line of mean high water springs, need to be recognised and provided for in the management of the coastal marine area.

6.2.3 Coastal processes operating in the coastal marine area can affect land areas above the line of mean high water springs.

These issues are still relevant as can be seen in discussions further on about effects on landscape values, blue penguins and coastal hazards. One of the main new coastal issues is impacts of an increased demand for subdivision of coastal property. The following table shows the numbers of new coastal lots created since 2000 (Westland figures are approximate).

District	2000	2001	2002	2003	2004	2005	2006
Buller	37	9	9	9	61	28	<i>Not available</i>
Grey	10	4	13	18	73	114	<i>5 (and several large ones to come e.g. 86 lots at Rapahoe)</i>
Westland	<i>Not available</i>	<i>Not available</i>	<i>Not available</i>	22	16	15	11

This has potential future implications in terms of coastal water quality being affected by sewage disposal, modifying existing habitat, and property damage from coastal hazards if all the new lots are built on. If coastal land is developed, especially in hazard-prone areas, there may be increased demand for rock walls. There is now conclusive evidence that sea level is rising. Development of coastal subdivisions and their effects may need to be monitored in the next five years to determine if this needs to be addressed in the Coastal Plan and/or the RPS as a new issue.

Conversely, most activities in the coastal marine area are on the foreshore near the MHWS mark and may have effects above this line, for example:

- discharges, rubbish dumped, or stormwater flows carried back upstream in estuaries or waterways by incoming tides and affecting water quality or land use above MHWS mark;
- earthworks/mining, structures or gravel extraction which can cause changes to river or creek flows, especially around their mouths, and result in or exacerbate erosion, inundation, ponding, backflows or flooding of coastal land, or erosion of foredunes;
- odour, noise, dust from sewage discharges, gravel extraction, beach mining.

Objectives

6.3.1: To avoid, remedy or mitigate, cross boundary adverse effects arising from activities in the coastal marine area.

This objective appears to be being achieved. There have been very few incidents of the above type in the last five years. Adjoining landowners or occupiers who may be affected by a coastal activity are contacted for their approval, and there are generally few objections received on small-scale consent applications. Staff assessment of consent applications includes assessing effects above the coastal marine area. Conditions are attached to consents, for example, requiring noise to be kept within certain decibel limits, and no weekend work to be done. Noise effects are usually short term while diggers are operating. Refer to further discussion about noise effects in Chapter 12.

There has been an issue of a public perception that gravel extraction on the Blaketown beach is causing erosion and increasing the risk of inundation of adjoining residences. NIWA has investigated and produced a brochure explaining the actual situation with the beach.

6.3.2: To avoid, remedy or mitigate cross boundary effects on the coastal marine area from activities adjacent to the coastal marine area through other regional plans and liaison with the appropriate district council.

This objective has limited effect in the Coastal Plan as it cannot be implemented through the consents process, and would be better given effect to in other regional plans. Council's Discharge to Land Plan, Land and Riverbed Plan and Water Plan have conditions on permitted rules to limit discharges to land, groundwater takes, earthworks and vegetation clearance within certain distances from the coastal marine area. These appear to be being reasonably effective for managing effects of new individual landward activities on the CMA. Approximately 29 incidents occurred above the coastal marine area with effects that carried down below the MHWS mark. These were mainly dairy and sewage effluent discharges (11), earthworks (8), coastal wetland/lagoon disturbance (4) and leachate from landfills or private domestic dumps (3). As mentioned already, dairy effluent discharges are being dealt with. It is difficult to establish from the Incidents records whether these incidents were acts of ignorance or deliberate breaches of the plan rules. There may be a need to raise the profile of the plans so people are aware that they need to check the rules and avoid cross-boundary effects.

There is some uncertainty about whether older septic tank discharges in coastal locations are affecting coastal water quality. Consideration could be given to whether this needs to be investigated.

With respect to liaising with District Councils, this is also generally working well, mainly through consent processes and regular Manager and CEO meetings. There is some uncertainty about effects of coastal subdivision on blue penguin colonies and landscape values when the new lots are built on. Refer to the discussion on effects on these values under Policies 6.4.1.1 and 6.4.1.2. This is an issue that may need to be monitored, in liaison with the District Councils.

Policies

Policy 6.4.1.1: Priority will be given to avoiding adverse effects on the habitat of any marine mammal or bird in any of the following Marine Mammal and Bird sites (listed in Schedule 3.1), and movement of those marine mammals and birds between the coastal marine area and the following Marine Mammal and Bird sites which are above the line of mean high water springs:

MMB 1	<i>Toropuihi to Wekakura Point</i>
MMB 2	<i>Kongahu Point</i>
MMB 3	<i>Three Steeples and Black Reef</i>
MMB 4	<i>Wall Island and adjacent coast</i>
MMB 5	<i>North End of Nine Mile Beach (Buller)</i>
MMB 6	<i>Charleston</i>
MMB 7	<i>South of Deep Creek</i>
MMB 8	<i>Seal Island to Perpendicular Point</i>
MMB 9	<i>Dolomite Point</i>
MMB 10	<i>North Barrytown Flats</i>

MMB 11	<i>Shag Rock, Big Rock and Point Elizabeth</i>
MMB 12	<i>Wanganui Bluff</i>
MMB 13	<i>Abut Head</i>
MMB 14	<i>Okarito Bluffs</i>
MMB 15	<i>Galway Point to Gillespies Point</i>
MMB 16	<i>Heretaniwha Point</i>
MMB 17	<i>Butress Point</i>
MMB 18	<i>Hanata Island</i>
MMB 19	<i>Titira Head</i>
MMB 20	<i>Awataikato Point</i>
MMB 21	<i>Abbey Rocks</i>
MMB 22	<i>Otumotu Point</i>
MMB 23	<i>Murphy Beach</i>
MMB 24	<i>Arnott Point</i>
MMB 25	<i>Seal Point</i>
MMB 26	<i>Open Bay Islands</i>
MMB 27	<i>Jackson Head</i>
MMB 28	<i>Stafford Bay to Cascade Point</i>
MMB 29	<i>Halfway Bluff</i>
MMB 30	<i>Cascade Bay</i>
MMB 31	<i>Browne Island</i>
MMB 32	<i>North of Gorge River</i>

Policy 6.4.1.1 appears to be being achieved, although this is by default as it is largely untested. Only two consents were issued in the last five years in or near MMB sites, for maintenance of a seawall at Pahautane (MMB8), and an aerial 1080 drop bordering the coastline from Tititira Head to the Moeraki River (MMB's 19-22). DOC gave their approval to the seawall, presumably because no effects would occur on native species. The 1080 drop was by DOC on adjoining conservation land, and monitoring has not shown any adverse effects such as bykill of penguins or seals. A third consent was applied for to develop a coastal walking track to the southern end of the Pancake Rocks walkway (MMB9), but this is on hold.

Six incidents were recorded between 2001-2005 in or near MMB sites. These incidents involved track formation, sand removal, diggers in a wetland, and gravel extraction. Two incidents were unfounded when investigated, one was compliant, one had no action recorded, and two involved unauthorised activities which ceased upon investigation. There appears to be no significant adverse effects on species at the MMB sites as there is no record of this in the Incidents database.

The small number of consents and incidents most likely reflects that a considerable number of the MMB's are in remote areas at the northern and southern ends of the region, and are less likely to be affected by human activity.

Marine Protected Areas:

Over the last year the West Coast Marine Protection Forum has been considering possible sites in the coastal marine area that are eligible for Marine Protected Area (MPA) status. MPA's have significant ecological/habitat/ecosystem values. Some areas in West Coast coastal water will be recommended as MPA's (and also possibly marine reserves), but these have not yet been made public. The Forum has also considered suitable protection mechanisms for MPA's, for example, including them in

the Coastal Plan as a type of coastal management area with any relevant supporting objectives, policies, rules or methods. The current provisions may provide some protection but it is difficult to know how effective these are without knowing the actual MPA's. Council will need to consider whether the activities requiring enforcement are within the scope of its' functions. Once the MPA's are decided on, it is likely to take some time to determine whether provisions need to go in the Plan. The time taken for this process may end up co-inciding with the 10 year review, eliminating the need for an earlier Plan Change.

Little Blue Penguins:

The West Coast Blue Penguin Project has recently identified further colonies of penguins between the Mokihinui and Taramakau Rivers. The penguins have been re-classified as threatened and in a state of gradual decline. Their main threats are dogs/cats, stoats, horses, wekas, vehicles and coastal development. Five colonies are already listed in the Plan (MMB sites 4, 5, 6, 8, and 26), and the West Coast Penguin Group is seeking protection of additional colonies. Further research is needed to clarify the range of colonies and their habitat, and this information may be available by the time of the full review.

Investigation is also needed into what are the most effective ways of protecting the birds. As with MPA's, one option is to include additional colonies in the Coastal Plan as MMB sites. Provisions may also be needed in the Land and Riverbed Plan to protect penguin burrows which are located more than 50 metres inland from the MHWS mark from earthworks or vegetation disturbance, but the extent of these burrows needs to be determined. Since most of the threats to the penguins are land-based, another option may be to seek that District Plans deal with this issue in relation to subdivision consents.

Impacts of coastal subdivision, including effects on blue penguins, should be discussed with the District Councils, to enable sufficient investigation to be done for full reviews of district and regional plans.

If sufficient information on important blue penguin colonies is clarified before the time of the Plan's full review, the West Coast Blue Penguin Group could seek private or Sustainable Management Fund funding to request an earlier private plan change to include these sites in the Coastal Plan, or ask the Council to initiate a publicly funded plan change subject to public funding being available.

Policy 6.4.1.2: Priority will be given to the need to provide for and protect the values associated with the following Outstanding Natural Features and Landscapes, as identified in Schedule 3.2, when considering the use, development and protection of the coastal marine area:

ONFL 1	<i>Kahurangi Point to Kohaihai River</i>
ONFL 2	<i>Little Wanganui to Gentle Annie Point</i>
ONFL 3	<i>Cape Foulwind</i>
ONFL 4	<i>Parsons Hill to Razorback Point</i>
ONFL 5	<i>Seventeen Mile Bluff to Motukeikei Rocks</i>
ONFL 6	<i>Point Elizabeth</i>
ONFL 7	<i>Waitahi Bluff to Otorokua Point</i>
ONFL 8	<i>Hunt Beach to Waita River</i>

ONFL 9***West Jackson Bay to Awarua Point***

Overall, the policy seems to be working. All ONFL's are on or adjoining conservation land. 36 consents were granted in ONFL's, 13 of these in the last five years. These consents were mostly small-scale, for coastal protection works (7), stone removal (4), and river mouth bed disturbance (2). Five were in the Paparoa National Park area, two along the Heaphy Track, and the remainder were scattered south of the Waiho River to Jacksons Bay. They were assessed as not having more than minor adverse impacts on the adjoining scenic values. DOC gave their approval to all applications, and conditions were attached including to use rock that is sourced locally and is consistent with the surrounding environment, and that damage to surrounding vegetation is minimised.

15 incidents were recorded in ONFL's in the last five years, but only three were confirmed as unauthorised activities with potential effects. These involved erosion protection works, river channel and realignment works, and gravel extraction, in the Woodpecker Bay/Fox River area and Okarito River mouth. As with incidents in MMB's, there appears to be no significant adverse effects on ONFL values. The remaining incidents were either unverified (couldn't find evidence of an incident occurring), complying, dealt with by another agency, recorded as no further action taken or records were incomplete.

Some problems have arisen with applying this policy in ONFL's where there is existing development. For example, in the Punakaiki and Bruce Bay areas there are parcels of private developed land, and rock protection works. There are no guidelines in the Coastal Plan to assess effects on these scenic areas, so some classification of impacts on landscapes with, for example, a low, medium or high level of modification might be useful. It needs to be made clear in the plan that less significance should be placed on maintaining and protecting the landscape values of ONFL's where there is already existing development, and a proposal is not inconsistent with that existing development. Landscape values include the physical environment, and this needs to be made clear.

There appears to be inconsistency between the Coastal Plan and the District Plans with respect to the ONFL's. The scenic values in the ONFL's listed in the Coastal Plan are above the MHWS mark, however these areas are not included in all the District Plans. Policy 6.4.1.2 only applies to activities in the CMA that may affect ONFL values. This means there is the potential for effects of activities above the CMA on the coastal ONFL's to be overlooked or interpreted differently. Without consistency between the regional and district plans on assessing effects of activities on coastal landscapes, this policy may have limited effectiveness. There is possibly a gap in the District Plans' policy framework for subdivision and/or land use consents to deal with cross-boundary landscape effects (two District Plans had effects on landscape as an assessment matter for discretionary subdivisions). There may also be inconsistency with applying/interpreting the policies and assessment matters between councils. A policy may be needed in the RPS about dealing with cross-boundary landscape effects on the CMA from coastal land use or subdivision, where landscape (and seascape) values are experienced within the CMA, for example, when viewed from the beach. These matters should be discussed with the District Council's to get a more consistent approach with applying the policies for ONFL's, and to consider what might be a suitable policy in the RPS.

Policy 6.4.1.3: To recognise the following coastal hazard areas, as identified in Schedule 3.3:

<i>CHA 1</i>	<i>Oparara River to Little Wanganui River</i>
<i>CHA 2</i>	<i>Gentle Annie Point to Miko</i>
<i>CHA 3</i>	<i>Dean Stream to Orowaiti River</i>
<i>CHA 4</i>	<i>Tauranga Bay</i>
<i>CHA 5</i>	<i>Nine Mile Beach (Buller) and Little Beach</i>
<i>CHA 6</i>	<i>Woodpecker Bay</i>
<i>CHA 7</i>	<i>Punakaiki Village (Pororari River) beach</i>
<i>CHA 8</i>	<i>Punakaiki River beach</i>
<i>CHA 9</i>	<i>Barrytown Beach</i>
<i>CHA 10</i>	<i>17 Mile to Motukiekie Rocks</i>
<i>CHA 11</i>	<i>Rapahoe</i>
<i>CHA 12</i>	<i>Cobden Beach to Karoro</i>
<i>CHA 13</i>	<i>Beach south of Taramakau River</i>
<i>CHA 14</i>	<i>Arahura River to Hokitika River</i>
<i>CHA 15</i>	<i>Okarito</i>
<i>CHA 16</i>	<i>South west end Hunts Beach</i>
<i>CHA 17</i>	<i>Bruce Bay</i>
<i>CHA 18</i>	<i>Okuru River to Waiatoto River</i>

The CHA's are being given recognition in consents processes, although the consistency of assessment requires more auditing. Of a total 69 coastal permits issued in CHA'S, 26 were issued in the last five years. These were for stone removal (12), protection works (6), beach mining (3), earthworks (3), and various other activities. These activities are located in CHA's as this is where stone or mineral resources are, or existing dwellings or property were there before the Plan came into effect and now need protection walls or groynes. A random sample of consent files were viewed to see how effects of the activity on hazard risk were addressed. Most of these consents were small-scale, and effects on hazard risk were assessed as no more than minor. Half the files noted the activity was in a CHA, but very few commented on the Chapter 6 objectives and policies. Nevertheless, a range of conditions were attached to minimise erosion risk, and as a precautionary principle. Examples of these are given in the activity chapters.

Some issues have arisen with implementing this policy for some stone removal applications in or near CHA's. Assessing effects of stone takes on hazard risk is a complex issue, and it can be difficult to separate hazard effects caused by natural processes and human activities. It is also hard to accurately estimate the contribution of new gravel material deposited onto beaches by rivers. Some rivers haven't had a major flood for several years, and there is also uncertainty about how gravel takes in rivers affects coastal stone takes. Because of these complexities a sufficient assessment of effects and the cost of compliance monitoring can make obtaining consent beyond the reach of small-scale operators. However, small-scale takes are likely to have less impact. Bigger operations 'carry' more uncertainty in terms of environmental effects, and the Icon mining proposal is a good example of this (see comments below on declining the application). One option may be to monitor cumulative effects of gravel and stone takes in or adjacent to CHA's to identify if it is necessary to regulate extraction differently in the future. One authorised gravel take in a CHA was stopped due to the resource not being

replenished on the beach, and has resumed since further beach profiles were done and monitoring is continuing.

A Plan Change was done in 2004 to extend CHA 14 at Hokitika another 1.4km south, in conjunction with changes to permitted stone removal provisions, in response to concerns about this activity and ongoing dune erosion. There is now more certainty that the reduced permitted take volume will only have minor effects and should not contribute to beach erosion.

There does not appear to be due recognition by the public generally of the hazard risk in CHA's. Approximately 29 of the 57 incidents recorded involved earthworks (7), gravel removal (6), stone removal (6), creek diversion (3), and dumping (7). Around 11 incidents were breaches of either rules or consent conditions. (About one third of the remaining incidents were unverified, complying or had no adverse effects, and for another one third there was no action recorded in the Incidents database. Completing incidents records would assist with monitoring Plan effectiveness). The highest number of incidents in a coastal management area occurred in CHAs. The high proportion of incidents in CHAs is not because they cover the largest proportion of the coastline, as they do not, but may be because most of them are located adjacent to developed areas. Although no serious effects resulted from these incidents, it might be useful to do some education on coastal hazards and the Plan rules, and the need for caution with activities in these areas.

Some new coastal hazard areas may need to be added to Policy 6.4.1.3 at the full review. Erosion has been noted along Carters Beach, Paroa-Taramakau beach, and between the Hokitika and Mikonui Rivers. These areas will need to be further investigated, including whether current permitted activities pose a hazard risk. NIWA are currently surveying the state of the New Zealand coastline to identify areas of erosion and accretion, including the West Coast region. This information should be available for the full review. Until that information is available the hazard status of the areas listed in Policy 6.4.1.3 stands.

The Guardians of the Paroa-Taramakau Coastal Area Trust seek that the Paroa beach be included as a Coastal Hazard Area in the Coastal Plan. The Icon Mining consent application for gravel extraction on the Paroa beach was declined on the basis that there was insufficient information to give certainty that the proposed gravel extraction would not significantly exacerbate the existing risk of coastal erosion or inundation. The comments made in Chapter 5 regarding the Trust's request for the Paroa beach to be made a Coastal Recreation Area in the Coastal Plan also apply to their request for Coastal Hazard Area status. Adding this area as a CHA needs to be considered in a separate process to this five year Plan review.

General Cross Boundary Management Policies

Policy 6.4.2.1: To recognise the action of coastal processes within the coastal marine area which could have the potential for adverse effects on adjacent land.

This policy is being given effect to in the consents process, where most applications for erosion protection works are granted. These works minimise the impacts of erosion on adjoining land. The policy is also achieved through emergency works

provisions in the RMA which enable Transit to do urgent drop-out repairs on the State Highway when it is affected by high seas. Keeping the road network open is vitally important, and a number of retrospective consents are granted for emergency road repairs. (See comments under Objective 8.3.4 for simplifying processing of consents for State Highway drop-out repairs).

There is growing recognition amongst West Coast councils of how coastal hazards and sea level rise might affect increased demand for coastal property. During the RPS review in 2005, two of the District Councils asked for guidance in the RPS on appropriate planning timeframes for subdivisions or buildings on land in the coastal environment. There is concern about what is an appropriate standard. At its May 2005 meeting, the Regional Council considered the District Council's request, and questioned whether a standardised regional setback was appropriate. The NIWA coastal erosion and accretion survey may provide useful information about the hazard state of our coastline, which can then guide what action is appropriate to address the District Council's concern.

One area where this policy could potentially be improved is in relation to the term "adjacent". It usually only applies to effects on land immediately adjoining the coastal marine area site, and it does not appear to cover 'down-current' effects of activities. This is where there may be an erosion effect, for example, cutting into dunes or land further along the coastline, which has resulted from a change in wave action on a new rock protection wall, or foreshore alteration from a stone removal activity. Perhaps the Explanation can be amended at the full review to clarify the matter.

Policy 6.4.2.2: Regard will be had to the effects of any activity in the coastal marine area on any values associated with areas located on the landward side of the line of mean high water springs, and to the provisions of any relevant regional or district plan or the Conservation Management Strategy.

To implement this policy a copy of Regional Council consent applications are sent to the relevant District Council if they might have land use effects, and DOC and iwi are advised of all proposals. This system works well, although very few coastal permits also need land use consent from the District Councils. This policy seems to cover matters that are covered in Policies 5.4.2.4-5.4.2.6. Comments made under Policy 5.4.2.6 about the Conservation Management Strategy apply here. These policies could be amalgamated to avoid duplication.

Policy 6.4.2.3: To recognise and provide for the following elements which contribute to the natural character adjacent to the coastal marine area:

- (a) Natural coastal processes;***
- (b) Water quality;***
- (c) Landscapes, seascapes, landforms; and***
- (d) Coastal ecosystems.***

How this policy is being implemented, and the problems with assessing impacts on natural character, has been discussed under Objective 5.3.3. and Policy 6.4.1.2. This policy is also the same as Policy 5.4.2.2 except that it applies to natural character adjacent to the coastal marine area, and the comments made under Policy 5.4.2.2

apply here. In reality, assessment of effects of a proposal in the coastal marine area will usually incorporate assessing effects above the MHWS mark as the two areas are interconnected. It may be more efficient to have one policy covering effects on natural character within and adjacent to the coastal marine area.

Policy 6.4.2.4: Priority will be given to avoiding adverse effects on the habitat of marine birds adjacent to any Coastal Protection Areas (listed in Schedule 2.1) and the habitat of protected marine bird and marine mammals adjacent to the entire coastal marine area.

This policy appears to be being achieved, although it appears there are few consents affecting marine birds and mammals at sites outside the listed areas. The Icon Mining proposal and the Jackson Bay marine farm are the only two cases staff are aware of where DOC has opposed the proposal because of potentially significant impacts on species (in these cases blue penguins and Hector dolphins respectively).

In practice, assessment of effects of an activity within the CMA on marine mammal and birds will usually incorporate assessing effects above the MHWS mark as well as below it, as the two areas are often interconnected. It may be more efficient to combine this policy with Policy 6.4.1.1 and have one policy covering effects within and outside MMB's.

Other Methods:

Table 6 provides a summary of implementation of the Other Methods. Further liaison will occur about the developing coastal subdivision, landscape and blue penguin impacts, and coastal hazard risk/sea level rise issues as the regional and district plans near their full review times.

Anticipated Environmental Results:

6.7.1: The coastal marine area and related parts of the coastal environment are managed in an integrated manner.

This has generally occurred through the various regional plans. Updated direction through the RPS would enhance integration between councils to address cross-boundary matters through a range of regulatory and non-regulatory tools.

6.7.2: The natural character of the coastal environment is preserved.

The comments made under AER 5.7.4 apply here.

6.7.3: Sites of importance to marine mammals or birds above the line of mean high water springs are not adversely affected by activities occurring within the coastal marine area.

This outcome is being achieved through Policies 6.4.1.1 and 6.4.2.4.

6.7.4: Outstanding natural features and landscapes above the line of mean high water springs are not adversely affected by activities occurring within the coastal marine area.

Effects of small-scale activities on ONFL's are no more than minor, however the potential for cumulative effects in some areas, for example, the Punakaiki/Paparoa and Bruce Bay areas, may need to be monitored. The comments under Policy 6.4.1.2 about the difficulty with assessing effects on landscape values in already modified areas apply here.

6.7.5: Existing coastal hazard areas and the nature of the coastal hazard are not exacerbated by activities occurring within the coastal marine area.

As discussed under Policy 6.4.1.3 it can be difficult to assess whether erosion is from natural processes and what is contributed by coastal activities. More investigation and/or guidelines may be needed on this. There does not appear to be significant, large-scale erosion obviously caused by current activities.

Possible Future Actions

Consider investigating whether existing septic tanks are affecting coastal water quality.

Include a brief comment in the Incidents database about effects on the coastal management areas, to assist with monitoring Plan effectiveness.

Reassess the values for the ONFL's listed in Schedule 3.2 at the full review to give a more specific description of each area, including defining the extent out to sea and inland of each landscape area, and consider if any regulatory controls are needed to manage effects on the ONFL values.

Discuss with the District Council's about achieving a more consistent approach with applying the Coastal Plan policies for ONFL's, and/or including a policy in the RPS about assessing effects of land use and subdivision on coastal ONFL's.

Consider monitoring cumulative effects of gravel and stone takes in or near CHA's to identify if it is necessary to regulate extraction differently in the future.

Consider public education on coastal hazards, Coastal Hazard Areas, the Plan rules, and the need for caution with activities in these areas.

Consider monitoring cumulative effects of coastal activities on landscape values in certain ONFL's such as the Punakaiki/Paparoa area or Bruce Bay.

Table 6
Assessment of the Implementation of Methods in the
Cross Boundary Issues Chapter

Methods	Assessment of Implementation
<p>6.6.1.1 To hold joint hearings, where appropriate, with the relevant territorial authority when considering applications for resource consents for:</p> <ul style="list-style-type: none"> (a) Reclamations of the coastal marine area; or (b) Structures having a connection to the shoreline and which have a need for land based facilities requiring a consent from the relevant territorial authority; or (c) Activities within the coastal marine area which require land based facilities; or (d) Disturbance of land; or (e) Removal of natural material. 	<p>No consents have been sought for reclamations, or structures requiring land-based facilities. One joint hearing was held, with the Westland District Council for the two erosion protection groynes on the Hokitika Beach which extended above the MHWS mark.</p> <p>The RMA allows for joint consent hearings to be held, so this method is not necessary to be included in the Plan. It could be deleted at the full review, although it gives some guidance as to when joint hearings would be appropriate.</p>
<p>6.6.1.2 To liaise with the relevant territorial authority with responsibility for areas adjacent to the coastal marine area over:</p> <ul style="list-style-type: none"> (a) Issues of concern that cross the line of mean high water springs; and (b) The inclusion of appropriate mechanisms within the district plans to take account of cross boundary issues, particularly in areas adjacent to areas described in <u>Schedules 2 and 3</u> of this Plan. 	<p>(a) Liaison has occurred over consent applications for subdivisions regarding effluent and stormwater disposal and hazard risk. The Regional Council has made submissions when appropriate.</p> <p>Coastal hazards were discussed at the Planners Liaison Group meeting in May 2005 (refer to this under Coastal Hazard Area comments, in this chapter of the report). Council followed up a request for a regional coastal hazard standard by participating in a NIWA national coastal hazard research project, identifying the state of the NZ coastline with respect to erosion and accretion.</p> <p>(b) The coastal management areas in the Coastal Plan were not finalised at the time of making submissions on the Proposed Buller and Westland District Plans in 1995, so it was not practical to raise these matters in submissions at that time. The submission on the Grey Plan lodged in 2000 sought more specific reference to the CMA's but this wasn't incorporated into the District Plan.</p> <p>No critical issues have arisen to warrant implementing this method by seeking an earlier Plan Change to any of the District</p>

	<p>Plans. Policies 4.7.6.1 and 4.7.6.2 in the Buller Plan and Policy 7.4 in the Grey Plan are generally relevant for protecting sensitive coastal environments from the effects of land use activities, although the Grey Plan omits reference to coastal recreation areas. In the Westland Plan section 4.10 policies and method (b) protect values similar to those in the Coastal Plan coastal management areas.</p> <p>This Method can be implemented for the 10 year review of the Buller District Plan, however the Method will be reviewed <i>before</i> the time for making submissions on the 10 year reviews of the Grey and Westland Plans, which are due in 2012 and 2015 respectively.</p>
<p>6.6.1.3 To liaise with the adjacent regional council and unitary authority with responsibility for areas adjacent to the West Coast coastal marine area over cross boundary issues of concern within the coastal marine area.</p>	<p>This would occur on an as needed basis, and there have been no circumstances where this was considered necessary. The northern and southern ends of the coastal marine area are very isolated with virtually no demand for use or development. They also both adjoin national parks.</p>
<p>6.6.1.4 To liaise with landowners and other land management agencies adjacent to the coastal marine area on matters of coastal management that could affect them or be affected by them.</p>	<p>This is done in the consent process where adjoining landowners and other agencies are contacted as affected parties. Applicants are required to obtain written approval of affected parties for the consent to be non-notified. This is a standard procedure in consent processing and may not be necessary to have in the Plan.</p> <p>Other liaison is done as and when necessary. This has included with iwi and district councils/Crown Public Health on water quality in food gathering and bathing beach areas, and Rating District landowners about coastal erosion and protection works.</p>
<p>6.6.2.1 The WCRC may consider the transfer of its functions, powers or duties, in accordance with section 33 of the Act, where it is satisfied that the transfer is desirable on all of the following grounds: (a) The authority to which the</p>	<p>No functions have been transferred in the last five years to manage effects of activities in the coastal marine area. (In the late 1990's functions for processing building consents in the coastal marine area in the Buller District were transferred to the Buller District Council,</p>

<p>transfer is made represents the appropriate community of interest relating to the exercise or performance of the function, power or duty;</p> <p>(b) Efficiency;</p> <p>(c) Technical or special capability or expertise of the public authority to which the transfer is made.</p>	<p>to enable them to deal with structures for the proposed Granity coal jetty, which hasn't eventuated). Transfer of functions is provided for in the RMA, and doesn't need to be a Method in the Plan.</p>
<p>6.6.3.1 The WCRC will ensure that regional plans are developed in a consistent manner so that potential cross boundary issues are recognised and taken into account.</p>	<p>The Discharge to Land Plan, Land and Riverbed Plan, and Water Plan have provisions to manage effects of activities on the coastal marine area. For example, there are conditions on rules for setback distances from the MHWS mark for earthworks, discharges, and groundwater takes. Cumulative effects of land use on coastal estuaries and lagoons is discussed under the section on Coastal Protection Areas in Chapter 5. Now that the Plans are completed, this method could be deleted.</p>
<p>6.6.3.2 The WCRC will consider the effects of activities on the coastal marine area when preparing Regional Plans which control activities outside the coastal marine area.</p>	<p>This Method is similar to Method 6.6.3.1 above, and the repetition is unnecessary. It could be deleted.</p>

CHAPTER 7 - PUBLIC ACCESS AND OCCUPATION OF SPACE

Efficiency and Effectiveness

Some of the objectives and policies for maintaining public access and restricting motorised vehicles are being effectively used in the consents process to manage adverse effects. Also, most of the rules appear to be practical and relevant for managing activities affecting public access and occupying coastal space.

Consent files do not contain a lot of assessment about the effects of space occupation. There appears to be a focus on access, and this may be justified given that other effects such as continued availability of space is generally not an issue on the West Coast at present.

Several of the objectives, policies and other methods either haven't been applied, are out of date, or are impractical. Objectives and policies that haven't been applied may not necessarily be ineffective, but it raises the question of how necessary they are.

While the provisions in this Plan are not immediately or seriously problematic, this chapter may need quite a bit of revising at the full review.

Issues:

7.2.1 Public access to large parts of the coast is limited and it is important that public access to and along the coastal marine area is maintained and where possible enhanced.

7.2.2 Some activities in the coastal marine area require occupation of space and may result in a reduction in public access to and along the coastal marine area.

7.2.3 Public access may need to be restricted in order to protect public health and safety.

7.2.4 Public access to areas of the coastal marine area may damage areas of importance to the regional community including, but not limited to:

- (a) Sites of Poutini Ngai Tahu cultural and spiritual value;***
- (b) Areas of significant indigenous vegetation and significant habitats of indigenous fauna, including whitebait habitat and Marine Mammal and Bird sites;***
- (c) Coastal Protection Areas;***
- (d) Outstanding Natural Features and Landscapes.***

7.2.5 Motorised vehicle use within the coastal marine area may adversely affect habitats, flora and fauna, coastal processes, and pose a danger to the public.

These issues are mostly still potentially significant. 18 consents were granted in the last five years, mostly for erosion protection works. Public access on beaches can be

restricted by these structures during construction, where heavy machinery is operating, or where vehicles are being driven along the beach.

A potential new issue that may affect access is the new Foreshore and Seabed legislation, but this will not arise unless the two Runanga or other groups make a customary rights claim.

OBJECTIVES:

7.3.1 To maintain and as far as practical enhance public access to and along the coastal marine area.

This objective appears to be being achieved through conditions on resource consents. Mining, gravel extraction and stone removal consents include conditions, for example, that an activity does not unnecessarily impede public access except for health or safety reasons, that an activity is restricted to normal working hours on weekdays to avoid high use times of weekends and public holidays, or that an activity cannot operate between November and January (peak Summer use period). Large-scale structures such as the Hokitika groyne have a condition requiring ramps or steps to be installed to maintain access. Erosion protection walls generally do not have conditions about maintaining public access. Although they require a consent for occupation there are few rock walls that significantly restrict public access.

Only two consents were required in the last five years for activities that temporarily restricted access, where an old accessway was removed and a new one was formed, and an existing heavily used walkway at Dolomite Point was upgraded.

In some cases public access has been enhanced by rock walls. For example, rock protection works at Fox River and Bruce Bay and the rock wall at the Punakaiki Beach have improved access to the beach. The requirement to enhance public access to the CMA comes from the NZCPS, and it is appropriate that this is qualified in the Coastal Plan with "as far as practical".

Additionally, DOC have maintained 18 walkways in the coastal environment (approximately four have sections within the CMA), upgraded six coastal access areas, and plan upgrades to another five in the near future.

Council has had no recorded complaints of access being impeded.

7.3.2: To recognise that some activities require exclusive occupation of the coastal marine area.

This objective has been achieved in terms of granting consents for rock protection walls. Exclusive occupation is understood from the "Principal reasons for adopting" to mean a permanent loss of space available for occupation by others in the coastal marine area. Rock protection works take up space permanently, but are necessary to protect property and public roads. There does not appear to be any significant loss of important values or opportunity for other activities in the space taken up by rock protection walls. They do not restrict access to or along the beach, as they are parallel with the beach rather than at right angles to it and often make access to the beach easier by providing a relatively steady slope of large boulders to climb down.

While this objective is implemented by granting consents for exclusive occupation, the objective was not referred to in the sample of consent files viewed (most files referred to Objective 7.3.1).

7.3.3 To protect significant coastal values from the adverse effects of public access.

This objective has hardly been implemented and may not be practical. It appears to be more a DOC role as DOC would restrict public access to CPA's and MMB's over adjoining conservation land. Council can only achieve this objective where a consent is sought in or near coastal management areas which may affect the values in these areas, and where restricting public access is relevant to the consent. This objective may need changing at the full review.

7.3.4: To restrict motorised vehicle use within the coastal marine area where that use adversely affects: habitats; water quality, flora and fauna; dynamic coastal processes; or poses a danger to the safety of the public.

This objective is being achieved mainly through consents for stone removal and gravel extraction. Conditions are added so that vehicles collecting stones are limited to using existing public access points. This is to protect dunes and native fauna from damage, which indirectly protects against dune erosion and increased inundation risk. Other conditions include that vehicles used on the beach are limited to farm bikes (for decorative stone removal), vehicle movements are kept to a minimum, and vehicles must be driven in a safe manner.

Policies:

7.4.1: For activities seeking the right to occupy land of the Crown, in order to determine if the activity requires exclusive occupation consideration will be given to the reasons for seeking that exclusive occupation, and to any other practicable alternatives.

The policy has been given effect to in terms of rock protection walls being necessary to protect property and roads against coastal hazards. Transit New Zealand applications include a consideration of alternatives such as abandoning or relocating roads, or road repairs. Options such as planting or relocating roads and buildings at most of the consented sites is either ineffective or too expensive, given the adjoining steep terrain in many places, and several of the rock wall consents were retrospective for State Highway emergency drop-out repairs. Having said this, the Rapahoe coastal section of State Highway will be relocated inland in the future to avoid the need for ongoing coastal protection works. There may be other sections of the State Highway which will need to be moved in the longer term.

Consents for private rock protection walls generally did not include consideration of alternatives. Including a comment on this matter would help to assess effectiveness of this occupation policy.

The policy is complicated, and it could be simplified at the full review.

This policy is required by Policy 4.1.6 of the NZCPS, and it may be appropriate to seek a change to this in the NZCPS review, for example, so it only applies to large-scale occupations which could have potentially significant impacts on loss of space.

7.4.2: Public access to and along the margins of the coastal marine area will only be restricted where necessary:

- (a) To avoid, remedy or mitigate adverse effects on sites of Poutini Ngai Tahu cultural and spiritual value; or***
- (b) To avoid, remedy or mitigate adverse effects on areas of significant indigenous vegetation and significant habitats of indigenous fauna, including whitebait habitat and Marine Mammal and Bird sites; or***
- (c) To avoid, remedy or mitigate adverse effects on Coastal Protection Areas or Outstanding Natural Features and Landscape areas; or***
- (d) To protect public health or safety; or***
- (e) To ensure a level of security consistent with the purposes of a resource consent; or***
- (f) In exceptional circumstances sufficient to justify the restriction.***

There appear to be very few, if any, consents where this policy has been applied. A sample of consent files were viewed, and none had conditions restricting public access. The comments made under Objective 7.3.3 apply here. Clause (d) of this policy doesn't appear to have been given effect to on consents for occupation. Presumably restricting public access for safety reasons during construction of rock walls is a matter covered by OSH and is not further dealt with in resource consents for this reason. Conditions on mining and gravel/stone removal consents such as not impeding access except to ensure public safety, and limiting operations to low use times can indirectly both restrict and maintain public access.

There are several problems with this policy. The term "to and along the margins...." is vague and it is not clear what the extent of "margins" is. The policy could not be implemented to restrict access to margins above the MHWS mark as this is not the Regional Council's jurisdiction, and the policy would probably be improved by deleting the word "margin".

With respect to clauses (e) and (f), there doesn't appear to be any consents where these clauses were applied so these have been largely untested. The term "exceptional" in clause (f) comes from Policy 3.5.1 of the NZCPS. Council could submit to have this term deleted or changed when the NZCPS is reviewed, as there are no guidelines on interpreting what is exceptional.

7.4.3: Public access to or along the coastal marine area may be restricted to provide for public activities and events which require a degree of occupation for short periods.

Public events are permitted by Rule 7.5.1.1, which allows for public access to be restricted for short periods. No consents have been sought in the last five years. The policy does not give much further guidance if a consent was required for an event. The policy may need to be reworded or deleted at the full review.

7.4.4: Alternative forms of access or compensation may be required to offset the loss of public access resulting from an activity in the coastal marine area.

This policy has been implemented mainly on larger-scale consents in the coastal marine area, for example, the Hokitika rock groyne. There are no big structures built as yet on West Coast beaches that significantly impede access. While this policy is largely untested, it may be relevant for future projects that result in loss of access.

7.4.5: The creation of esplanade reserves or strips, and access strips in subdivisions adjacent to the coastal marine area will be encouraged where they do not already exist, and they will be required on reclamations unless it is demonstrated that the requirement is not practicable for the reasons outlined in Policy 7.4.2.

This policy is relevant to District Council functions, as esplanade reserves must be set aside on subdivisions under the RMA. Additionally, Council has not received any applications for reclamations. The usefulness of this policy is questioned, and it should be discussed with the District Councils at the full review.

7.4.6: Motorised vehicle use will be restricted within the coastal marine area where that use adversely affects habitats, water quality, flora and fauna or coastal processes.

This policy is implemented through the consents process and is very similar to Objective 7.3.4. Refer to comments under this Objective. Council has heard of concerns with 4 wheel drive vehicles accessing the beach via dunes at certain places and leaving a cut through the dune barrier. The concern is the effects that might have on erosion during high sea events. However this activity is on the dry side of MHS and therefore beyond the influence of the coastal plan.

7.4.7: Motorised vehicle users will be discouraged from driving vehicles on the foreshore in a manner that poses a danger to the safety of the public.

This policy appears to apply to non-consent related vehicle use on beaches. Dangerous vehicle use within the CMA doesn't appear to be much of a problem in terms of incidents, as a very small number of complaints (three) were received in the last five years, at Mokihinui, Carters Beach and Tauranga Bay, all unrelated to consent activities. The policy is difficult to police and enforce, and little can be done other than give a verbal warning. The policy should be reconsidered at the full review. It could be added as an Other Method or combined with Method 7.6.2.1, subject to clarifying that it relates to non-consent-related incidents.

Rules:

7.5.1.1: Any activity or event which restricts or excludes public access from land of the Crown within the foreshore is a permitted activity provided:

- (a) The restriction or exclusion is for a period not exceeding three days in any 6 month period; and***
- (b) The restriction or exclusion is for a public activity or event; and***

- (c) In the case of exclusion of access, the exclusion is limited to an area of 2 hectares or less; and**
- (d) The disturbance of the foreshore is confined within the perimeter of the area of occupation and when completed the foreshore or seabed is smoothed flat with no visible depressions greater than 50cm in depth; and the area is left in a tidy state; and**
- (e) The activity or event does not occur in a coastal protection area; and**
- (f) There is no disturbance to salt marsh vegetation; and**
- (g) The activity or event does not include the use of vehicles other than for:

 - (i) The purposes of search and rescue operations; or**
 - (ii) The launching of vessels; or**
 - (iii) Other emergency situations.****
- (h) Public notice of the activity or event stating the time and area of restriction or occupation is first given in a local newspaper at least seven days beforehand.**

Permitted status is appropriate for these activities, given the low frequency and scale of effects on public access. The horse-racing at Rapahoe and golf game at Hokitika are the only two known regular events that this rule applies to.

7.5.1.2: Any use or activity occupying Crown land within the coastal marine area on 30 September 1991 which is not authorised to occupy that land by any deemed coastal permit under section 384 of the Act, is a permitted activity for a period of two years from the date the Plan is operative.

This Rule appears to be out of date now as the timeframe has passed, and can be deleted. See comments below under Other Methods about the related Method 7.6.3.1.

7.5.1.3: The occupation of the coastal marine area by any structure which is identified as a permitted activity by Rule 8.5.1.1, 8.5.1.2, 8.5.2.1, or 8.5.2.2, is a permitted activity.

There does not appear to be any issues arising from implementation of this Rule. Refer to discussion under Rule 8.5.2.2 about the need for the terms "lawfully existing" to be added to Rule 8.5.2.2.

7.5.1.4: Any activity involving occupation of the coastal marine area is a discretionary activity and a restricted coastal activity if it:

- (a) Would exclude or effectively exclude public access from areas of the coastal marine area over 10 hectares (except where such exclusion is required in commercial port areas for reasons of public safety or security); or**
- (b) Would exclude or effectively exclude the public from more than 316 metres along the length of the foreshore; or**
- (c) Would involve occupation or use of areas greater than 50 hectares of the coastal marine area and such occupation or use would restrict public access to or through such areas.**

The only consent processed under this rule is the Jackson Bay marine farm. This rule is appropriate for considering activities of this scale.

7.5.1.5: Except as provided for by 7.5.1.1 - 7.5.1.4 any activity involving occupation of land of the Crown within the coastal marine area is a discretionary activity.

It is uncertain how appropriate this rule is for occupations. A question has been raised regarding inconsistency between the controlled activity status for drop-out repairs under Rule 8.5.1.5, and discretionary rules for disturbance (rule 9.5.3.7), deposition (9.5.4.2), and occupation under this rule for drop-out repairs. Restricted discretionary status may be more appropriate for some occupations that have related controlled activity rules applying, where the effects are likely to be no more than minor. Alternatively, Rules 9.5.3.7, 9.5.4.2 and 7.5.1.5 could have a note added that disturbance, deposition and occupation are controlled activities when done in relation to Rule 8.5.1.5. Options should be investigated before the full review.

Other Methods:

Table 7 summarises implementation of the Other Methods. Consultation and liaison is effectively being implemented through the consents and complaints processes. However, most of the Methods either haven't been implemented or are out of date. Liaison with other agencies about non-consent related vehicles on beaches appears to be of limited use. The small number of occasions when it has been done has resulted in little action from other agencies, although in these instances the dangerous driving ceased. The matter continues to be an issue for a number of councils. Method 7.6.2.2 regarding information on access for visitors appears impractical.

The first two methods for iwi consultation and iwi management plans are repeated in Chapters 7-13. At the full review the Other Methods could be revised into one chapter for the whole Plan, to avoid repetition of these two methods.

Anticipated Environmental Results:

7.7.1: Public access to and along the coastal marine area is maintained and where possible enhanced.

This outcome is being achieved as discussed under Objective 7.3.1.

7.7.2: Sites of:

- (a) Poutini Ngai Tahu cultural and spiritual value; or***
- (b) Areas of significant indigenous vegetation and significant habitats of indigenous fauna, including whitebait habitat and Marine Mammal and Bird sites; or***
- (c) Coastal Protection Areas or Outstanding Natural Features and Landscape areas; are protected where practicable.***

Presumably this AER is intended to mean that the values listed will be protected from the adverse effects of public access and occupation, although this is not made clear. With respect to public access, the AER may be linked to Objective 7.3.3 and Policy 7.4.2 and is not relevant for the West Coast as public access is not adversely affecting these values. Regarding effects of occupation, important values appear to be being protected. Several rock walls have been within CSA's, CPA's, MMB's and ONFL's, with no more than minor effects on these values, and no significant impacts or loss of these values has occurred. Protecting important values from the effects of occupation appears to be similar to effects of structures, and these are discussed under Chapters 5, 6 and 8.

7.7.3: Activities which may restrict public access are able to occur where appropriate.

This is occurring; refer to comments under Objective 7.3.2, and Policies 7.4.2 and 7.4.4.

7.7.4: Habitats, flora and fauna or coastal processes and the health and safety of the public are protected, from the adverse effects of motor vehicle use within the coastal marine area.

This is occurring; refer to comments under Policy 7.3.4.

Possible Future Actions:

Include a brief comment in staff audits about effects on availability of space for occupation.

Add "occupation" to the staff consent assessment checklist, to ensure effects of proposed occupations on loss and availability of space are assessed.

Investigate if restricted discretionary or controlled status may be more appropriate for some disturbances, depositions, or occupations that have related controlled activity rules applying, for example, drop-out repairs, where the effects are likely to be no more than minor.

Table 7
Assessment of the Implementation of Methods in the
Public Access and Occupation of Space chapter

Methods	Assessment of Implementation
<p>7.6.1.1 To consult with Poutini Ngai Tahu through papatipu Runanga by ensuring that Runanga are provided schedules of all non-notified resource consent applications and full copies of notified resource consent applications received by Council and are given the opportunity to comment. To also consult with individual tangata whenua who may be directly affected by a proposed activity.</p>	<p>The two Runanga and TRONT are sent copies of notified consent applications, and this system works well. A list of all consents is sent weekly to the respective Runanga.</p>
<p>7.6.1.2 Recognise and take account of Iwi Management Plans, as a basis for consultation with Poutini Ngai Tahu.</p>	<p>It may be appropriate to incorporate parts of the Pounamu Management Plan into the Coastal Plan at the full review, as pounamu resources may exist in some southern areas such as Big Bay and Barn Bay, and be affected by occupation activities. No other West Coast Iwi Management Plans have been prepared yet.</p>
<p>7.6.2.1 The Council will liaise with Poutini Ngai Tahu, the Department of Conservation, district councils, and with appropriate landowners over the methods to restrict or discourage vehicle access on foreshore areas in order to implement Policy 7.4.6 and Policy 7.4.7.</p>	<p>Relevant agencies are liaised with when processing consents involving vehicle use, as and when necessary. Restricting vehicle access is addressed in consent conditions. Reference to Policy 7.4.6 doesn't need to be in this Method. Council has liaised with the relevant District Council on the small number of dangerous driving incidences on beaches in the last five years. This Method is implemented as and when necessary.</p>
<p>7.6.2.2 The WCRC will consider, in conjunction with territorial local authorities and other organisations, including conservation, recreational and community groups as appropriate, identifying, and making available information on areas:</p> <ul style="list-style-type: none"> (a) Where the public have the right of access to the coastal marine area; and (b) Where it is desirable that physical access to and along the coastal marine area to the public be enhanced; and (c) Where it is desirable that access to the coastal marine area be 	<p>This Method hasn't been implemented as it is unknown what the demand for such information might be, given there are multiple access sites that are reasonably obvious to the motorist. Council receives few requests for information about the location of beach access. DOC have a programme to maintain key visitor access points to the coast at popular sites adjoining conservation land. Locals know where accesses are, but some are not clear for visitors. More signage may be useful for tourists, however this is more a role for Tourism West Coast.</p>

<p>provided for use by people with disabilities.</p> <p>(d) Where motor vehicle access is restricted.</p>	
<p>7.6.3.1 To compile an inventory of all occupations of Crown land in the coastal marine area, and to establish the current status of that occupation within one year of the date that this Plan becomes operative.</p>	<p>This Method appears to be linked to Rule 7.5.1.2 and is now out of date. The original intention was to identify which existing occupations needed to be authorised as a result of the new Coastal Plan provisions. An analysis showed that only structures at Jackson Bay needed authorising. This Method could be deleted at the full review.</p>

CHAPTER 8 - STRUCTURES

Efficiency and Effectiveness

Overall, the provisions for structures appear to be working well when they are applied, although structures are not a common activity in the coastal marine area (mainly rock protection walls), and whitebait stands are only temporary. There are some aspects of policies and rules which need to be clarified or reconsidered, and several of the policies don't seem to be relevant. Since there are relatively few structures in the coastal marine area, few Other Methods are needed. Implementing the other actions suggested will improve effectiveness of the Chapter 8 provisions.

A number of permitted activities are provided for in the Plan but very few actually occur, and it is uncertain whether there will be more in the next five years. The inclusion of these permitted rules in the Plan is efficient and effective as it eliminates the need for consents for small-scale activities. No adverse effects have been reported as a result of the exercise of these rules.

Issues

8.2.1 Structures in the coastal marine area may adversely affect sites of cultural significance within and adjacent to the coastal marine area.

Structures in CSA's could potentially adversely affect sites of cultural significance, although only two consents were issued for structures in CSA's in the last five years, and one was for a temporary whitebait stand. This issue could be amalgamated with other issues into one issue listing important coastal values that may be affected by activities, including recreational use.

8.2.2 Structures in the coastal marine area are sometimes used for activities which could be located outside the coastal marine area while some activities have no practicable alternative other than to locate in the coastal marine area.

The first part of this issue doesn't appear to be relevant on the West Coast. It presumably refers to structures such as restaurants, and there is no demand for these structures. Most structures in the coastal marine area could not be located elsewhere. The Explanation refers to keeping the number of structures to a minimum, however there are only a very small number of structures in the CMA. This issue may need to be revised at the full review.

8.2.3 Structures in the coastal marine area may adversely affect the natural character of the coastal marine area through sporadic development in undeveloped or semi-developed areas.

This issue is still potentially significant because 17 consents for structures were granted in the last five years, seven of these in ONFL's. Erosion protection works can be sporadic by nature as they are needed wherever erosion randomly threatens adjoining property. Effects of structures on natural character and landscape values has been discussed under Objectives 5.3.3 and 8.3.2, and Policy 6.4.1.2.

This may become more of an issue if marine farming develops in West Coast waters.

8.2.4 Structures in the coastal marine area may adversely affect ecosystem values within and adjacent to the coastal marine area.

As with Issue 8.2.1, while there may be potentially significant effects from structures on ecosystem values, this does not appear to have been much of a problem over the last five years. Excluding whitebait stands, only two consents were granted for rock walls in CPA's (RC01354 and RC03339). Potential effects of structures on important coastal values could perhaps be joined together into one issue.

Of the 658 consents granted for whitebait stands in 2002/03, 43 of these were in CPA's, mostly on the Little Wanganui River and the Orowaiti Lagoon.

Issues 8.2.1, 8.2.3 and 8.2.4 could be combined to list values that structures may adversely affect.

8.2.5 Structures may cause undesired changes to the coastal processes acting upon the foreshore or seabed.

This is still relevant given the dynamic nature of the West Coast coastline.

8.2.6 Structures in the coastal marine area may be adversely affected by possible sea level rise and other natural hazards.

This is still a relevant issue given that sea level rise is a confirmed phenomenon, and storm events and king tides will continue to occur. The newly constructed rock wall at Bruce Bay to protect the State Highway has recently had some rock dislodged in high seas.

OBJECTIVES

8.3.1 To recognise and provide for the values associated with the following areas when considering structures in the coastal marine area:

- (a) Coastal Protection Areas; and***
- (b) Culturally Significant Areas; and***
- (c) Coastal Recreation Areas; and***
- (d) Coastal Development Areas; and***
- (e) Outstanding Natural Features and Landscapes; and***
- (f) Marine Mammal and Bird Sites.***

This is being achieved through the consent process for most structures. Twelve consents for structures were granted in coastal management areas in the last five years (excluding whitebait stands). In the sample of consent files viewed, the staff assessments all made reference to either the coastal management area and/or Objective 8.3.1. Most of the structures were considered to have no more than minor effects as they were small-scale. The two larger rock walls at Bruce Bay and the Hokitika Beach had conditions attached to minimize effects, for example, using locally sourced material to reduce the visual impact on the landscape, and providing access over the Hokitika beach groynes for recreational beach users. Managing

effects of activities on values in the coastal management areas has also been discussed under objectives and policies in Chapters 5 and 6.

With respect to whitebait stands in coastal management areas, a sample of these consent files showed no reference to the management area or Objective 8.3.1. Apart from this, the objective is being achieved by granting 27 consents for whitebait stands in CRA 12 in the Hokitika River, as whitebait fishing is one of the recreational values that this area provides for. 43 consents were granted for stands in CPA3 and CPA4 on the Little Wanganui River and Orowaiti Lagoon. These would only be granted on the basis that there were no more than minor adverse environmental effects, this being the case because the stands are small-scale, low disturbance and temporary. They are also closely monitored in the fishing season for compliance.

This objective is already addressed by the Chapter 5 objectives and policies, and this overlap should be considered at the full review.

8.3.2 To preserve the natural character of the West Coast's coastal environment as far as practicable from the adverse effects associated with structures.

This objective is being achieved, as discussed under Objectives 5.3.3 and Policies 5.4.2.2 and 6.4.2.3 in this report. These comments also apply to effects of structures on natural character. 17 consents were granted in the last five years for new structures (excluding whitebait stands), three quarters of these being for rock protection works, the remainder were a stand-off pad, footbridge, and a ford. There is not a proliferation of structures in the coastal marine area at present, however the number, size and extent of these may need to be monitored over the next 2-5 years, as referred to in section 17.2 of the Plan, if more rock protection works are sought as coastal subdivisions are built on, or as a result of sea level rise or coastal hazard events.

Whitebait stands are considered to not have a significant adverse impact on natural character, as they are temporary and must be taken down under the Whitebait Regulations at the end of the season. Some might consider that they add to or are a part of the character of the West Coast coastline.

8.3.3 To minimise structures for activities which do not require a coastal marine area location.

This objective does not seem relevant and has not been tested, as there is no demand for activities on the West Coast that don't require a coastal location. For example, no consents have been sought for restaurants over the beach, or reclamations for beach-front motels, which are the types of activities that do not necessarily require a coastal location. The rugged nature of the West Coast coastline may preclude these types of activities, making the effectiveness of this objective questionable. The Principal Reasons for Adopting explains that this objective is to give effect to section 6(a) of the RMA which requires the preservation of the natural character of the coastal marine area. This is already provided for in Objective 8.3.2. The Fourth Schedule of the RMA requires consideration of alternative locations for consent applications, so this objective could be deleted.

8.3.4 To take into account the effects of coastal processes when considering structures in the coastal marine area.

This objective is being achieved in terms of considering “end” or “edge” effects through the consent process, that is, effects of structures further along the foreshore. For example, when processing a consent application for a rock wall, effects of the wall on changes in wave action which may cause erosion further along the coast are taken into account as best they can be estimated. Having said this, it can be difficult to differentiate between what is an effect of a structure and what is a natural process, and some monitoring of up-drift effects may need to be done. Most of the sample of consent files viewed considered effects on coastal processes. In most cases deflection of wave energy resulting in erosion or instability along other parts of the foreshore was considered to be nil or minor for small to medium-sized structures. Where there was some uncertainty for larger rock walls at Bruce Bay and the Hokitika Beach groynes, beach profile and photo monitoring and reporting was required.

The need for rock protection works to protect the State Highway from coastal erosion and inundation is likely to be an ongoing occurrence, particularly in response to storm events, but it is vitally important that the State Highway be kept open. Processing consents for small-scale structures could therefore be made more streamlined, for example, by establishing a protocol with DOC and Transit. However, large-scale works done under emergency provisions must be treated differently to new works done as Restricted Coastal Activities. More extensive rock protection works are ‘captured’ by the criteria for Restricted Coastal Activities, but while this process is appropriate for new, preventative protection works, it becomes problematic for applications for retrospective consents for works that have been constructed under the emergency provisions of the RMA. Emergency works should not be treated as a Restricted Coastal Activity. This should be recognised in the NZCPS and then reflected in the Coastal Plan.

Policies

8.4.1 New and existing structures will be required to be maintained in a structurally sound and tidy state, and should blend as far as is practicable with the adjoining landscape to minimise the visual impact of that structure on the natural character of the area.

This policy is being effectively applied for consents for new structures. Usually either a standard condition is added to consents for rock walls to be kept in good order, and any repairs or maintenance must not change the wall dimensions, or the application states they will maintain the structure and a standard condition is attached that works will be carried out in accordance with the application. A condition is also attached for structures in or near ONFL’s, for example the Punakaiki area, that material for rock walls shall be consistent with the material and natural character of the surrounding area.

Council has not received any complaints about untidy structures that were existing when the Plan became operative. If there is no condition on consents for keeping pre-2001 structures in a sound and tidy state, the policy may be difficult to enforce.

The term "existing" in this policy may not be practical and should be deleted at the full review.

The Explanation does not add any value to this Policy but simply repeats it.

8.4.2 When undertaking coastal management functions (including the processing of resource consent applications) with regard to structures within the coastal marine area, consideration will be given to the discharge of contaminants, disposal of wastes, the reticulation of water and other required services associated with the structure.

This policy appears to apply to serviced facilities located in the coastal marine area, for example, a restaurant or yacht marina. Council has not received any applications for such a structure and do not expect to get any because of the generally wild, rugged and dynamic nature of the West Coast coastline. If any such applications were received, effects of the proposal such as discharges and infrastructure/service requirements would be considered as a matter of course. This policy may not be relevant for the West Coast and should be reconsidered at the full review.

8.4.3 The possibility of sea level rise should be taken into account when designing and building new structures in the coastal marine area, including the provision of adequate freeboard.

The only application that commented on sea level rise was in a report accompanying Transit's Bruce Bay rock wall (RC05115).

Sea level rise does not appear to be given consideration in most small-scale applications for structures, although it may not be relevant for some structures. The maximum term for coastal consents is 35 years, while some consents for structures may have shorter terms. It is uncertain whether sea level rise may or may not have an impact over 35 years or whatever timeframe is placed on the consent. It is acknowledged that rock walls can usually only be built as high as the adjoining land or road. However, since sea level rise is a confirmed phenomena, it may be useful to prepare a practice note for consents staff on estimated sea level rise at different timeframes in the next 35 years, to guide staff on whether the design of a proposed rock wall is adequate to cope with sea level rise, and whether this policy needs to be taken into account.

It is not necessary to consider sea level rise for temporary structures such as whitebait stands, so the policy could be amended at the full review to refer to "permanent" structures.

8.4.4 To require the removal of any structure that is redundant, or abandoned, or unauthorised, or structurally unsafe.

Removal of unauthorised whitebait stands has occurred as a compliance function to enforce Rule 8.5.1.6 which requires consent for a whitebait stand. In the last five years staff can recall requiring two unauthorised stands in the coastal marine area near Charleston to be removed. There is a standard condition on whitebait consents for removal of stands within two weeks after the end of the season, and this is generally complied with. Structural safety is a Building Act matter, and doesn't need to be in the policy. Issues with removal of structures is not a pressing matter at

present, so the policy should be considered and changed at the full review. Refer also to comments under Method 8.6.3.1.

8.4.5 Structures will only be allowed to locate in the coastal marine area where there are no practicable alternatives to locate the structure elsewhere.

This policy follows on from Objective 8.3.3 and the same comments apply here.

8.4.6 When issuing consents for whitebait stands, WCRC will be consistent with the "Policy on Management of Whitebait Stands".

This policy is being implemented as no new coastal permits for whitebait stands are being granted. The "Policy on Management of Whitebait Stands" has a schedule which limits the number of coastal permits for stands on certain rivers. The reference to the "Policy on Management of Whitebait Stands" needs to include the version of the document, that is, the 2004/05 version. This amendment can be made at the full review.

8.4.7 The importance of navigation aids for the safety of shipping is recognised.

This policy applies to any new navigational structures which would need a consent, although no consents have been granted in the last five years for new navigational aids. This is still a proactive policy worth retaining. The Explanation or Principal Reasons for Adopting should be amended to clarify the policy.

8.4.8 To consider the beneficial effects of structures which require location in the coastal marine area.

In a sample of consent files viewed some did and some didn't note this policy. Except for this, it has been applied as part of the general consideration of positive and negative effects of activities. The positive effects of rock protection walls are clearly protection of adjoining land and roads from erosion and inundation. Since the Act already provides for consideration of positive effects this policy is somewhat unnecessary, however it is a good balancing policy recognising that although there may be adverse effects, structures also have benefits, for example, the Grey and Buller River tipheads.

Rules:

8.5.1.1: The erection, placement or removal of a maimai that is fixed in, on, under, or over any land in the coastal marine area is a permitted activity provided:

- (a) The disturbance of the foreshore or seabed is confined to within the perimeter of the structure, and after completing the activity the foreshore or seabed is smoothed over to leave a depression no deeper than 0.5 metres; and***
- (b) The structure is a maximum size of ten square metres; and***

- (c) The structure is no higher than 2.5 metres above mean high water spring; and**
- (d) The structure is open piled; and**
- (e) The structure is at least 90 metres from any adjacent maimai; and**
- (f) The structure is erected or placed at any time from pegging day through to the end of the duckshooting season; and**
- (g) The structure is removed within one week following the end of the duckshooting season.**

8.5.1.2: Notwithstanding other rules to the contrary, the erection or placement of a telecommunication or radiocommunication facility on an existing structure, and the associated occupation of space, in the coastal marine area is a permitted activity, provided the following standards are met:

- (a) With respect to radiocommunication antenna facilities, they are less than or equal to 1.8 metres in diameter; and**
- (b) With respect to other telecommunication or radiocommunication facilities, they are:**
 - (i) Less than or equal to 2.0 m² in floor area; and**
 - (ii) Less than or equal to 1.8 metres in height.**

8.5.1.3: Notwithstanding other rules to the contrary, the erection or placement of a telecommunication or radiocommunication facility on an existing structure, and the associated occupation of space, in the coastal marine area, that does not comply with Rule 8.5.1.2, is a controlled activity.

8.5.1.4: Notwithstanding other rules to the contrary, the placement of a submarine or sub-aqueous cable on the seabed and under the foreshore and the associated occupation of space, in the coastal marine area is a controlled activity provided:

- (a) The cable is located outside any estuary, lagoon or river within the coastal marine area as defined in Schedule 1, and outside any parts of Culturally Significant Areas that are waahi tapu.**

Council is not aware of any of these permitted activities occurring, and has not received any applications for the above controlled activities. These rules are therefore untested for their efficiency and effectiveness.

Council hasn't received any complaints about maimai's, and is not aware of many erected in the coastal marine area. If so, these would mainly be in estuaries or river mouths.

8.5.1.5: Drop out repairs of the State Highway network are a controlled activity.

Controlled status for these protection works appears to be working well, as drop out repairs are important to keep the state highway safe and open. Adverse effects of these walls are no more than minor and can be adequately controlled by consent

conditions. Council has recognised the strategic importance of the State Highway as a lifeline in terms of transport and civil defence planning.

Where drop out repairs are necessary in scenic areas, they have a minor impact on the landscape. However, keeping the State Highway open outweighs the minor visual impacts, and this is consistent with the Act. This explains the seeming inconsistency between large drop-out repairs which are processed as controlled activities, compared to private rock protection walls which are a discretionary activity but may have potentially similar effects. Monitoring the number, size and extent of rock walls will help future assessment of the effectiveness of this controlled rule and the discretionary rules.

A question has been raised regarding inconsistency of status between Rule 8.5.1.5 and discretionary rules for disturbance and occupation for drop-out repairs. Refer to Rule 7.5.1.5 for discussion about this.

The current rule could be expanded at the full review to include conditions when the drop out repairs are carried out under the emergency provisions.

8.5.1.6: The erection or placement of a whitebait stand in, on, under, or over any land in the coastal marine area is a discretionary activity.

Discretionary activity status for whitebait stands is not an efficient rule, as it is too onerous for these small-scale, low impact, temporary structures. The numbers of stands in the coastal marine area is constant so there are not likely to be increasing effects as a result of these stands. This rule needs to be made consistent with its equivalent rule in the Proposed Land and Riverbed Plan which is restricted discretionary. When the consents for stands are renewed in 2007/08, it would be useful for staff comments to be made in the consent files on effects of the stands in the coastal marine area, and particularly those in coastal management areas, as well as noting consistency with objectives and policies in the Coastal Plan.

The question of whether coastal consents for whitebait stands should be a controlled activity can be considered at the full review, and should take into account what are the environmental effects, and whether any consents have been declined in the previous 10 years.

8.5.1.7: Any activity involving the erection or placement of a structure or structures in the coastal marine area is a discretionary activity and a restricted coastal activity if:

- (a) It would impound or effectively contain 4 hectares or more of the coastal marine area, excluding submarine or sub-aqueous cable, or floating or open piled structures which can be demonstrated to not impede water flows; or***
- (b) It is solid (or presents a significant barrier to water or sediment movement) and when established on the foreshore or seabed would extend 300 metres or more in length more or less parallel to the line of mean high water springs (including separate structures which total 300 metres or more contiguous), excluding submarine***

- or sub-aqueous cable, or floating or open piled structures which can be demonstrated not to have adverse effects; or*
- (c) It is solid (or presents a significant barrier to water or sediment movement), and it is sited obliquely or perpendicular in horizontal projection to the line of mean high water springs, and is in horizontal projection 100 metres or more in length), excluding submarine or sub-aqueous cable; or*
 - (d) It is for the storage or containment of any petroleum, petroleum products, or contaminants, in quantities greater than 50,000 litres.*

There have been very few consents granted for structures as restricted coastal activities. The most recent was the rock wall at Bruce Bay which totalled 310 metres in length.

8.5.1.8: Except as provided for by 8.5.1.1 to 8.5.1.4, any activity involving the erection or placement of a structure or structures in, on, under, or over any land in the coastal marine area is a discretionary activity.

This rule has been effective in enabling assessment of effects of structures to be done, and suitable conditions added to avoid, remedy or mitigate adverse effects.

8.5.2.1: The maintenance, alteration, replacement or reconstruction of any navigational aid is a permitted activity provided:

- (a) Written notice of the proposed extension, alteration, replacement or reconstruction is given to the WCRC; and*
- (b) The lighting does not conflict with designated aircraft flight paths.*

This rule is appropriate for allowing minor changes to navigational aids in the Buller and Grey River coastal marine areas. The only maintenance done was to change light bulbs and batteries, and the new bulbs satisfied condition (b), although they did not warrant giving written notice to Council (pers comm, Harbourmasters, 21/9/06).

8.5.2.2: The maintenance, alteration, replacement or reconstruction of a structure, or part of a structure, that is fixed in, on, under, or over any land in the coastal marine area, other than as specified in 8.5.2.1, is a permitted activity provided:

- (a) It does not result in a change to the overall dimensions or outline of the structure; and it does not significantly change the use of the structure; and*
- (b) The disturbance of the foreshore or seabed is confined to within the perimeter of the structure; and*
- (c) The maintenance, alteration, replacement or reconstruction involves materials that are the same or similar in colour to the existing materials; and*
- (d) No contaminants are discharged into the coastal marine area (this excludes diesel fumes); and*
- (e) The activity does not result in increased impedance to water flow; and*

(f) Written notice of the proposed maintenance, alteration, replacement or reconstruction is given to the WCRC.

The term "lawfully existing" needs to be added to the first part of this rule. It currently provides for works on structures that may not necessarily be legally authorised. This has implications for Rule 7.5.1.3 which permits occupation of permitted structures and associated works.

Condition (b) of this rule is inconsistent with condition (b) of corresponding Rule 9.5.3.2 for the maximum area around a structure which can be disturbed as part of carrying out repairs or maintenance. This is discussed under rule 9.5.3.2 in Chapter 9 of this report.

A question has been raised that maintenance of a structure is permitted under this rule, but diverting water to do the maintenance is a discretionary activity. This matter is discussed under Rule 11.5.3.2.

Maintenance blasting of structures could be considered as a permitted activity at the full review. It currently requires consent but has standard conditions attached which could be conditions of a permitted activity.

8.5.2.3: Except as provided for by 8.5.2.1 or 8.5.2.2, any maintenance, extension, alteration, replacement or reconstruction of an existing structure, or part of an existing structure, that is fixed in, on, under, or over any land in the coastal marine area is a discretionary activity.

8.5.3.1: The demolition or removal of any floating or open piled structure or any part of a floating or open piled structure that is fixed in, on, under, or over any land in the coastal marine area is a permitted activity provided:

- (a) The disturbance of the foreshore or seabed is confined to within the perimeter of the structure, and after completing the activity, where practicable, the foreshore or seabed is smoothed over to leave a depression no deeper than 0.5 metres; and***
- (b) It results in the complete removal of the structure, as far as practicable, from the coastal marine area; and***
- (c) The structure is no longer required, abandoned, unauthorised or unsafe; and***
- (d) All material removed or demolished from the structure is removed from the coastal marine area; and***
- (e) Prior written notice of the proposed demolition or removal is given to the WCRC; and***
- (f) The structure is not a historic structure, or its demolition or removal does not disturb adjacent historic sites listed in the New Zealand Historic Places Trust Register for the West Coast.***

8.5.3.2: Except as provided for by 8.5.3.1, any demolition or removal of any structure or any part of a structure that is fixed in, on, under, or over any land in the coastal marine area is a discretionary activity.

Council is not aware of any of these permitted activities occurring, except for the two unauthorised whitebait stands in Charleston. It is assumed removing these two stands met rule 8.5.3.1 conditions. No consents were sought for demolition or removal of a structure.

Other Methods

Table 8 provides a summary of implementation of the Other Methods. Most of these are regulatory-type methods which are part of routine good practice procedures in consent processing, for example, consulting with iwi, notifying MSA, and holding joint hearings. These are achieving the objectives and policies when used, but don't necessarily need to be listed as other methods since they are provided for in the Act. They are working well when implemented, although some are not utilised often, for example, bonds, so their effectiveness is partly untested.

The requirement to remove whitebait stands at the end of the season is effectively being implemented. Now this is a condition of consent, and no new stands are allowed, this method probably doesn't need to be listed.

Annual pre-season checking of whitebait stand locations, and monitoring and responding to complaints during the season is done by Council staff. This work is effective in ensuring compliance, although it is not listed in the Other Methods. This should be considered at the full review.

Anticipated Environmental Results

8.7.1: Inappropriate subdivision, use and development in the coastal marine area will be avoided.

8.7.2: Subdivision, use or development in areas of the coastal marine area already developed, where appropriate.

These two AER's do not specifically refer to structures, but inappropriate structures in the coastal marine area have been avoided. Only four incidents were recorded about structures in the last five years (excluding whitebait stands). These AER's are very general and could be made more specific at the full review.

8.7.3: Structures in the coastal marine area are adequately designed and built to withstand natural hazard events.

This is difficult to measure as coastal hazard events are harder to calculate than river flood flows, taking into account the combination of tides, wind and wave movement with coastal sediment and gravel flows and location features. As a general rule, all applications have an engineering assessment done, and rock walls are designed to last around 50 years. It is expected that they will need minor ongoing maintenance. Protection walls constructed in the last five years are so far intact, and satisfactorily protecting land and roads.

8.7.4: Water and sediment movement is not adversely affected.

This AER is unclear but appears to apply to structures that are perpendicular to longitudinal drift. All rock protection works except one are parallel to the beach, and Council is not aware of significant adverse effects on water and sediment movement from these structures. The groynes on the Hokitika beach are perpendicular, and it is anticipated that there will be minimal adverse "end" effects, and positive effects of accretion. The AER could be clarified at the full review.

8.7.5: Water quality is not adversely affected.

Although water quality has not been monitored at structure sites, a standard condition is attached to consents that no spillages of fuel or hazardous substances occurs into coastal water, and no refuelling or fuel storage occurs in the coastal marine area. Council has not received any complaints about water quality being adversely affected by structures. The relevance of this AER is questionable, and it could be reconsidered at the full review.

8.7.6: Structures are maintained in a sound and tidy state.

Council has not received any complaints about rock walls becoming untidy. It is in the adjoining landowners interests to ensure that any rock dislodged by high seas is replaced to provide ongoing protection of adjacent land.

8.7.7: Structures and required services associated with the structures are managed in an integrated manner.

This outcome has not occurred as no structures have been erected which needed infrastructure servicing. This AER is related to Policy 8.4.2, and the same comments apply here.

8.7.8: Redundant; or abandoned; or unauthorised; or structurally unsafe; or temporary structures required for seasonal use; are removed.

Apart from two whitebait stands, no other structures have needed to be removed.

8.7.9: Ships navigational safety is provided for.

No maritime accidents or collisions have occurred in coastal waters near the shoreline as a result of structures affecting navigation safety.

Possible Future Actions

Consider monitoring the number, size and extent of structures over the next 2-5 years if more rock protection works are sought as coastal subdivisions are built on, or as a result of sea level rise or coastal hazard events.

Prepare a practice note for consents staff on estimated sea level rise at different timeframes in the next 35 years, to guide staff on whether the design of a proposed rock wall is adequate to cope with sea level rise.

Consider establishing a protocol with DOC and Transit to streamline processing of consents for rock protection walls to repair drop outs of the State Highway.

Attach a condition to consents for structures requiring removal of the structure if it becomes redundant, unless it has significant heritage value.

When the consents for whitebait stands are renewed in 2007/08, include a staff assessment comment in the consent file on effects of the stands in the coastal marine area, and particularly those in coastal management areas, as well as noting consistency with objectives and policies in the Plan.

Table 8
Assessment of the Implementation of Methods in the
Structures chapter

Methods	Assessment of Implementation
<p>8.6.1.1 To consult with Poutini Ngai Tahu through papatipu Runanga by ensuring that Runanga are provided schedules of all non-notified resource consent applications and full copies of notified resource consent applications received by Council and are given the opportunity to comment. To also consult with individual tangata whenua who may be directly affected by a proposed activity.</p>	<p>The two Runanga and TRONT are sent copies of notified consent applications, and this system works well. A list of all consents is sent weekly to the respective Runanga.</p>
<p>8.6.1.2 Recognise and take account of Iwi Management Plans, as a basis for consultation with Poutini Ngai Tahu.</p>	<p>It may be appropriate to incorporate parts of the Pounamu Management Plan into the Coastal Plan at the full review, as pounamu resources may exist in some southern areas such as Big Bay and Barn Bay, and be affected by structures. A standard condition is added to consents, to stop work and contact iwi about accidental discovery of any taonga, including pounamu. No other West Coast Iwi Management Plans have been prepared yet.</p>
<p>8.6.2.1 To hold joint hearing, where appropriate, with adjacent territorial authorities where resource consent applications for structures below mean high water springs either require land based facilities or cross the mean high water springs boundary.</p>	<p>A joint hearing was held for consents for two rock protection groynes on the Hokitika beach. The RMA allows for joint consent hearings to be held, so this method is not necessary to be included in the Plan. It is similar to clause (b) of Method 6.6.1.1 and is repetitive, and could be deleted at the full review.</p>
<p>8.6.2.2 In accordance with Section 395 (1) of the Act, all proposals for the construction of a structure in the coastal marine area will need to be referred to the Maritime Safety Authority for a report on navigation related matters, prior to consent being granted.</p>	<p>Done when necessary. Not many structures are erected in the coastal marine area that would extend into navigable water and potentially affect vessel navigation. Since this is a requirement of the Act it would be done through the consent process. It would be more useful to include a brief note about the Section 395 requirement on the staff assessment form for coastal activities, rather than as an Other Method where it</p>

	might be overlooked.
8.6.3.1 The Regional Council will direct structure owners to remove structures in the coastal marine area which are: redundant; or abandoned; or unauthorised; or structurally unsafe. The WCRC will liaise with the owner of the structure in order to determine if a structure is redundant.	<p>This has occurred mainly with a small number of whitebait stands. Conditions are attached to consents for stands to be removed within a certain timeframe when the whitebait season has finished. Staff advise there are few incidences of non-compliance or damage.</p> <p>An expired consent for a structure for a pipe outfall at Karamea was investigated in 2003 and the consent renewed.</p> <p>Apart from whitebait stands, this Method may not be practical to implement, for example, with rock protection works, which would be costly to remove. If this is a matter that can be dealt with as a consent condition, the Method should be reconsidered at the full review. Refer also to Policy 8.4.4.</p>
8.6.3.2 Where a structure is redundant; or abandoned; or unauthorised; or structurally unsafe and the owner cannot be identified or located, the WCRC will, if necessary, remove the structure.	This would be done if and when necessary, but Council staff have not had to do it in the last five years.
8.6.4.1 To provide information on appropriate design criteria for new and existing structures within the coastal marine area in order to minimise any adverse visual impact of those structures.	<p>Conditions have been put on some rock protection works consents requiring them to be constructed of the same material and character of that in the surrounding environment, to minimise visual impact.</p> <p>Providing design guidance doesn't usually occur with whitebait stands as they are a temporary structure. This Method does not seem very relevant and can be dealt with in the consents process. It could be deleted at the full review.</p>
8.6.4.2 To notify the Minister of Transport, or the authority the Minister delegates powers to, and the Hydrographic Office of the Royal New Zealand Navy of any new structure or works, including the removal of a structure, within the coastal marine area, allowed by the WCRC, at the time any permission is given.	<p>Done when necessary. Few changes have occurred with structures in CMA waters. This Method is similar to Method 10.1.13 in the RPS. The review of the NZCPS recommends that the corresponding Policy 3.2.9 in the NZCPS be revoked as anyone erecting a structure or altering the nature of the CMA is now required to notify LINZ about the construction, and Maritime New Zealand are mapping all coastal structures. This Method should be made consistent with any changes to the</p>

	NZCPS at the time of the full Plan review.
8.6.5.1 WCRC will consider the use of bonds on all structures to:	
(a) Ensure that adequate provision is made to remove any structure that is redundant, or abandoned, or unauthorised, or structurally unsafe; and	Bonds have been applied to large-scale structures, that is, the Granity jetty and the Jackson Bay marine farm. Neither of these have been constructed yet.
(b) To carry out restoration of the site if necessary.	Bonds would not be relevant for "all" structures.

CHAPTER 9 - ALTERATION OF THE FORESHORE AND SEABED

Efficiency and Effectiveness

Overall, the provisions for disturbance of foreshore and seabed that have been applied appear to be working well, with the AER's being achieved. Most of the objectives and policies are still relevant, with provisions for reclamations being untested. Two of the policies may be unnecessary, as well as some of the Other Methods. Rules for large scale alterations as restricted coastal activities are also untested, but the discretionary rules are generally working well to manage adverse effects. Permitted small-scale takes of sand, driftwood, and stone are efficient as they eliminate the need for consents for small-scale activities, and are likely to be the most common small-scale coastal activity. Some minor changes need to be made to parts of discretionary and permitted rules, to improve them to reflect current use and make them clearer.

Unblocking of river mouths in the coastal marine area needs to be dealt with as a priority.

Issues

9.2.1: Alteration of the foreshore and seabed may destroy or disturb sites of cultural significance within or adjacent to the coastal marine area.

9.2.2: Alteration of the foreshore or seabed may adversely affect ecosystems and/or public amenity values within or adjacent to the coastal marine area.

9.2.3: Alteration of the seabed or foreshore may adversely affect the natural character of the coastal environment.

9.2.1-9.2.3: These are still significant issues as activities which may alter the foreshore such as beach mining, gravel extraction, deposition and stone removal can adversely affect the values listed if not carried out appropriately. Approximately 44 consents were granted in the last five years for alteration activities. 39 incidents relating to alterations were recorded, six for illegal dumping and the remainder for stone removal, earthworks, log removal and vegetation clearance.

These issues could be rolled into one. The Explanations to Issues 9.2.2 and 9.2.3 refer to reclamations however these statements are not relevant as there have been no reclamations in the coastal marine area in the last five years. These could be changed at the full review to refer to other more relevant examples.

9.2.4: Alteration of the foreshore or seabed may alter coastal processes.

This has been the main issue when dealing with mining, gravel extraction, deposition and stone removal activities. Removal or deposition of materials can potentially affect coastal erosion and instability.

9.2.5: Reclamations alter the seabed and foreshore and result in new land areas above the line of mean high water springs.

This issue has not been relevant over the last five years as no consents for reclamations were sought. The lack of structures such as marinas, harbours or restaurants means there is no demand for reclamation. The dynamic nature of the open West Coast coastline with ongoing erosion and aggradation is generally not conducive to stable reclamations, however this does not preclude that there may be future demand, for example, in sheltered lagoons. The two existing reclamations are the tipheads at the mouths of the Buller and Grey Rivers, and there has been gradual accretion along the coastlines immediately in the vicinity of these structures. It is not clear if there are any significant issues with these structures as reclamations, but the Issue will be reconsidered at the full review.

Backfilling for rock protection works is not reclamation as the purpose is not to create new land but protect existing land. This should be noted in the Explanation.

9.2.6: Minor disturbances of the foreshore and seabed are often associated with activities in the coastal marine area. Provision should be made for such activities where the adverse effects are minor.

This issue is no longer relevant, as permitted activities have been provided for over the last five years without any serious problems occurring. It is not an issue as such, and it can be deleted at the full review.

Objectives

9.3.1: To recognise and provide for the values associated with the following areas when considering any alteration to the foreshore or seabed within the coastal marine area:

- (a) Coastal Protection Areas; and***
- (b) Culturally Significant Areas; and***
- (c) Coastal Recreation Areas; and***
- (d) Coastal Development Areas; and***
- (e) Outstanding Natural Features and Landscapes; and***
- (f) Marine Mammal and Bird Sites.***

This objective is being achieved through the consents process. A sample of consent files viewed showed that most of them noted this Objective and the coastal management area. Effects on the relevant values were managed by obtaining written approval of iwi or DOC, and/or adding conditions to minimise effects, such as having a buffer between the area of operation and the coastal management area, limiting hours of operation to avoid peak public use times, no works to be done during spawning season or whitebaiting season, no spillage of fuel into coastal water, no refuelling or lubricating machinery in water, having clean machinery before it enters water, and removal of machinery when completed. There does not appear to be any incidents related to breaches of consent conditions that adversely affected the values listed in the objective.

This objective duplicates similar objectives and policies in Chapter 5 and 6, and this matter should be considered at the full review.

9.3.2: To preserve the natural character of the coastal marine area as far as practicable from the adverse effects associated with any alteration of the foreshore or seabed.

This objective appears to be being achieved. Over half the alteration activities are takes of sand, stone, and gravel. These activities are less likely to significantly affect natural character as any changes to the foreshore are usually required in conditions to be reinstated, for example, dips or hollows are to be filled in, and tidal action tends to naturally reinstate any minor digging up of the lower foreshore. Any sand, gravel, or stones that are removed are in most cases replenished by natural processes. Conditions are also added for no digging of dunes.

This objective also duplicates similar objectives and policies in Chapter 5 and 6, and this matter should be considered at the full review.

9.3.3: To take into account the effects on coastal processes when considering activities which alter the foreshore or seabed in the coastal marine area.

A sample of consent files viewed showed that this objective is being achieved. A number of stone removal consents have been granted in CHA's. Effects on natural hazards were considered in the staff assessment to be no more than minor, and this is also the case for disturbances in other non-CHA's. Conditions are added such as using existing accesses only, not taking stone from the crest of dunes and only between the low and high tide area, limits on size of stone and volume per kilometre taken, and recording volumes and reporting takes to Council.

In some cases, applicants seeking consents for removal of stone or other material from a CHA have amended their applications after discussions with consent staff. This approach is considered sensible as the resulting amendments have reduced the potential effects of the activity and subsequent information requirements.

The information sent in by consent holders on volumes of takes will need to be collated and analysed before the full review, to help monitor and review effects of takes on the foreshore. Comments made in Chapter 6 about effects of activities on natural hazard risk also apply here.

9.3.4: To provide for activities which disturb the foreshore or seabed, where the adverse effects of such disturbances are minor.

This objective is no longer relevant, as it presumably applies to permitted activities, so the objective wouldn't be considered in the consents process. The permitted rules provide for activities with minor effects, and the objective can be deleted at the full review (unless it is needed to serve as a basis for those permitted rules).

Policies

9.4.1: The area to be disturbed during any operation altering the foreshore or seabed will be limited as far as practicable to the area necessary to carry out that operation.

Consents have a standard condition limiting the area to be disturbed to what is shown in the application, and when necessary, that the activity shall only occur between the points shown on an attached map. For stone removal covering a large area in total but only sections of beach are disturbed, a consent is attached for the consent holder to record the GPS co-ordinates of the boundaries of the area covered by the consent.

9.4.2: The integrity of natural features such as beaches, sand dunes, wetlands, and barrier islands, will be maintained and enhanced where practicable.

This policy is being achieved through conditions on consents, for example, for no excavation or disturbance to the crest of dunes, or within a certain distance of dunes, and for remaining sand and shingle to be evenly spread out over the foreshore. Some consent applications proposed a buffer between, for example, important wetlands (CPA's) and the area to be disturbed.

9.4.3: The ability of natural features, such as beaches, sand dunes, wetlands, and barrier islands, to protect areas above mean high water springs will be maintained and enhanced where practicable.

This policy appears to duplicate Policy 9.4.2 in that they are aiming to achieve the same thing, that is, maintaining natural features where practicable.

9.4.4: The material used to create and form a reclamation, or material located on a reclamation in the coastal marine area, will not include contaminants which are likely to, or have the potential to, adversely affect the coastal marine area, except where measures are put in place to avoid, remedy or mitigate any adverse effect.

9.4.4 and 9.4.6: These policies are untested as no consents have been sought for reclamations.

9.4.5: For the following activities, consideration will be given to the reasons for undertaking the activity in the coastal marine area, and to any other available alternatives to what the applicant seeks to do:

- (a) Any reclamation; or***
- (b) The removal of sand, shingle, stones, driftwood or other natural materials for commercial purposes; or***
- (c) Any deposition of material.***

All activities in the West Coast coastal marine area need to be in this area for various reasons. This policy appears to be unnecessary. It may be being given effect to

informally in the consents process, for example, when applicants discuss their applications with staff and amend them to reduce adverse effects.

There has been some confusion over the difference between a discrete activity and the effects of that activity, and whether or not a component of the activity should be considered a separate, 'discrete' activity in itself. For example, where gravel is taken away, screened, and then unwanted material returned to the coastal marine area, this deposition is considered to be a separate activity. If the screening and returning of material to the beach is all done at the same site, this may be classed as an effect of the extraction activity. It may be useful to add a note to the Explanation of this rule that separate consents may be needed for extraction and deposition.

9.4.6: To encourage new reclamations within the coastal marine area to have adequate freeboard to allow for possible sea level rise.

This policy is untested as no consents have been sought or granted for new reclamations in the last five years. It is difficult to estimate how much sea level will rise. See also comments under Policy 8.4.3 with respect to sea level rise.

9.4.7: Alterations of the foreshore and seabed should blend as far as is practicable with the adjoining landscape to minimise the visual impact of the alteration on the character of the area.

This policy is generally working well as visual impacts of disturbance are addressed in consent conditions. Such conditions include smoothing over depressions, spreading out deposited material evenly over the altered area, and only extracting material between the low and high tide areas. Comments under Objective 9.3.2 also apply here. Effects of alterations from mining and gravel extraction tend to be temporary and washed away by tides.

9.4.8: When considering alterations to the foreshore or seabed within the coastal marine area, consideration will be given to the discharge of contaminants, disposal of wastes and any other required services or facilities that may have adverse environmental effects.

The only matter that this policy has been applied to so far is refuelling of machinery. A standard condition is attached to consents for no fuel or other hazardous substances to enter coastal water, no refuelling or lubrication to be done in coastal water, and no fuel to be stored in the coastal marine area.

Rules

9.5.1 Reclamation or draining of the foreshore or seabed

9.5.1.1: Any activity involving the reclamation of foreshore or seabed is a discretionary activity and restricted coastal activity if:

- (a) It equals or exceeds 1 hectare; or***
- (b) It extends 100 metres or more in any direction; or***

- (c) ***It is an incremental reclamation connected to, or part of, another reclamation which;***
- (i) ***Was commenced or received a resource consent after 5 May 1994, and***
 - (ii) ***The sum of the existing and proposed reclamations exceed the dimensions in (a) or (b).***

This rule is from the NZCPS and may change as a result of the review. Clause (c) (i) is now irrelevant – this date relates to when the NZCPS became operative, however this date has now passed and any reclamation that meets the criteria in this rule would be a restricted coastal activity.

9.5.1.2: Except as provided for by Rule 9.5.1.1, any activity involving the reclamation or draining of foreshore or seabed, for the purpose of reclamation, is a discretionary activity.

As mentioned already, no consents have been sought under these rules so they remain untested.

9.5.2: Removal of sand, shingle, driftwood or other natural material from the coastal marine area

9.5.2.1: The removal of sand, shingle and stones from the coastal marine area, is a permitted activity provided:

- (a) ***No more than 1 cubic metre of material in total is removed by any single person in any one year period; and***
- (b) ***The removal does not occur within any estuary or lagoon, within a Coastal Hazard Area, or within 50 metres of any Coastal Hazard Areas identified in Schedule 3.3; and***
- (c) ***Removal does not take place within 20 metres of an existing structure; and***
- (d) ***The removal is undertaken by non-mechanical means; and***
- (e) ***Stones are no more than 250mm in diameter.***

A minor plan change in 2003 reduced the maximum permitted volume of material that could be taken from five to one cubic metre. Other minor changes to conditions were made. The rule was changed because council was receiving a number of complaints about the rule not being clear in relation to decorative stone removal, and concern about potential erosion effects of five cubic metre takes of decorative stone. This was a relatively new activity occurring as a result of market demand for flat, smooth, oval stones. Reducing the maximum volume of a permitted take is intended to give greater certainty of only minor effects occurring.

It is unclear how effective in practice the change to the rule is. Few changes have occurred with numbers or scale of consents before and after the rule changed, with most consents being for larger volumes, for example between 20-100 cubic metres. The number of recorded incidents has halved, although most of these before and after the rule change related to the Hokitika beach area south of the river mouth. In this area, several consents were granted for stone removal in a Coastal Hazard Area

with one consent holder sub-letting his allocated volume to other small-scale stone pickers. Adjoining landowners have been concerned about dune erosion and stone removal contributing to this, and these have been addressed to some extent by Compliance investigations and liaison with the complainants. Some of the Incidents records for stone removal complaints are incomplete, however.

Staff have commented that the key with this activity is not so much the volume taken but the location. The potential for adverse effects such as erosion or instability increases if the material is taken in close proximity to other takes, higher up the foreshore near sand dunes, or near structures. It is less likely to affect dune erosion and stability if the stone is taken further below the MHWS mark. Consideration should be given at the full review to adding a condition to this effect.

With respect to condition (b), another comment was that the boundaries of CHA's are not clear, so it can be difficult to determine if a take is "in" a CHA or "within 50 metres" of a CHA. This should be investigated for the full review.

Council has had several enquiries over the last five years about whether this rule applies to seaweed removal, due to the reference to "natural material". The rule doesn't apply to seaweed as this is managed under the Fisheries Act 1996. A note in the Explanation to this effect may be helpful.

9.5.2.2: The removal of driftwood from open beach foreshore and river mouth foreshore is a permitted activity.

The rule appears to be generally efficient and effective. The number of consents required for relatively small-scale driftwood takes has reduced from eight consents prior to 2001, compared with one granted after the Plan became operative. Council has received very few complaints about driftwood removal, and are not aware of any erosion or instability problems occurring as a result of permitted driftwood takes.

Council has had several enquiries about driftwood removal, including someone wanting to take container loads of it. There is no limit on permitted volume of driftwood that can be taken. Driftwood may contribute to beach stability but generally not to the same extent as sand, stone and shingle.

The rule only applies to driftwood removal below the MHWS mark. Often a considerable amount of driftwood is near or above MHWS. Driftwood up around the MHWS mark gives protection to the back of the beach, and it is preferable to take driftwood from the lower foreshore, further away from dunes to avoid erosion or instability. However, the Plan cannot regulate activities above MHWS.

Some incidents and consents have been about log removal, raising the question of whether this rule applies. It could be useful at the full review to include a definition, note or Explanation that the rule also applies to logs.

9.5.2.3: Notwithstanding 9.5.2.2 and excluding maintenance dredging, the removal of sand, shingle, driftwood or other natural material from the coastal marine area in any 12 month period is a discretionary activity and restricted coastal activity if:

- (a) It is in volumes greater than 50,000 cubic metres; or***

- (b) It is extracted from areas equal to or greater than 4 hectares; or**
- (c) It extends 1,000 metres or more over foreshore and seabed.**

The main problem with applying this rule has been with respect to clause (c). Council has had several applications for stone removal that cover a length of beach greater than one kilometre in total, for example, between the Mikonui and Waitaha Rivers, but material will not be taken from the whole length of beach, only patches where the stones are deposited, and these will vary over time with tidal action. For these consents, clause (c) has been applied to mean the sum total of areas estimated to be disturbed must be over one kilometre to be a restricted coastal activity. Clause (c) should be made clearer by adding that removal is contiguous over a one kilometre area, however these volumes and areas are set in the NZCPS. As with Rule 9.5.1.1 they may change as a result of the imminent NZCPS review. These volumes and areas are large, and no consents have been sought on the West Coast under this rule.

9.5.2.4: Except as provided for by 9.5.2.1 9.5.2.2, or 9.5.2.3 the removal of sand, shingle, driftwood or other natural material from the coastal marine area is a discretionary activity.

Most takes of material have been processed under this rule, and it appears to be working well. This rule is appropriate for enabling assessment of effects of a range and mix of materials on different types of beaches with varying hazard risks. The average sand, stone or shingle take granted in consents is around 50 cum. The consent granted for log removal was required as the take was from a river mouth, not from open beach or river mouth foreshore. As discussed under Rule 9.5.2.2 there is no maximum volume for a permitted take of driftwood, and this matter may need further consideration in the future if it becomes more of an issue.

9.5.3 Disturbance

9.5.3.1: Clearing a blocked outfall pipe or culvert is a permitted activity provided:

- (a) Any material that is moved is not removed from the coastal marine area; and***
- (b) The disturbance is limited to the extent necessary to clear the blockage; and***
- (c) No contaminants (excluding exhaust fumes) are released into the coastal marine area from equipment being used for the clearance operation on any area of foreshore or seabed; and***
- (d) All equipment is removed from the site on completion of the clearance operation; and***
- (e) Sediment moved from the blocked pipe or culvert shall be placed on the foreshore, where practicable adjacent to the area of extraction, and smoothed over so that it is no higher than one metre above the normal surrounding foreshore level; and***
- (f) Prior notification is given to the WCRC where practicable***

Council has not received any complaints about non-compliance with this permitted rule, or any problems with the rule.

The Plan does not currently provide for unblocking of stream or river mouths in the coastal marine area. This is a common occurrence on smaller waterways but there are no rules in the Plan addressing it. Blockages occur when wave action builds up foreshore material around waterway mouths, resulting in backing up of freshwater on adjacent land, and ponding or flooding. This is only an issue where there is adjoining private or productive land such as farmland. When stream mouths become blocked and water backs up, the mouth needs to be unblocked quickly to alleviate flooding and damage to property. At present, consent is needed to open blocked creek mouths, which takes time to process (unless roads are affected and the emergency provisions can be used). It is likely that creek mouths are often unblocked informally, without a consent being obtained or Council knowing about it, because blockages are a frequent occurrence on the West Coast.

It may be appropriate to make unblocking of river or stream mouths and open drain mouths a permitted activity. This could apply to waterways identified in a schedule in the Plan where the effects are known to be no more than minor. Such creeks would be ones that can be opened without significantly changing the coastal dynamics. This should be addressed in the Plan sooner rather than later to avoid unnecessary regulatory costs over the next five years. Refer also to Method 9.6.1.3 for developing protocols for unblocking river mouths, which has not been implemented. These options should be further investigated in terms of timing and costs and other RMA section 32 matters.

9.5.3.2: When undertaking maintenance or minor alterations to a coastal structure, clearing the structure of natural material and associated disturbance of the foreshore or seabed is a permitted activity provided:

- (a) Any natural material that is moved is not removed from the coastal marine area; and***
- (b) Any disturbance of the foreshore and seabed is confined to within three metres of the perimeter of the structure; and***
- (c) Any disturbance of the foreshore and seabed is smoothed over on completion of the clearance and a depression no greater than 0.5 metres lower than the surrounding foreshore and seabed is left; and***
- (d) The natural material cleared from a structure is spread evenly over the foreshore no further than 50 metres from the structure; and***
- (e) The structure has a current coastal permit or is provided for by a rule.***

From the Incidents records, it appears that Council has not received any valid complaints relating to breaches of this rule. We therefore assume that this rule is working well. It would be useful if any complaints that were validated as non-compliances of a rule in the Plan had the relevant rule noted in the Incidents database.

Clause (b) of this rule with the three metre maximum disturbance area may not be practical for maintenance or repairs on rock protection walls. Maintenance work could commonly involve an area larger than three metres for machinery to

manoeuvre in. Additionally, there is potential inconsistency between conditions (b) and (d). Condition (b) may need to be amended to specify what type of disturbance it applies to, for example, excavating, drilling or tunnelling.

Additionally, condition (b) of Rule 8.5.2.2 is inconsistent with the corresponding condition for this Rule, because it only permits maintenance, alteration, replacement, or reconstruction of a structure provided that disturbance of the foreshore or seabed is confined to within the perimeter of the structure. This is inconsistent with clause (b) of Rule 9.5.3.2, and should be corrected. With respect to structures that need an additional consent for disturbance or occupation, maintenance could be excluded from these rules, and dealt with in consent conditions. On consents for rock walls, for example, a condition is commonly added for machinery activity to be kept to a minimum. The discrepancy with the two conditions does not appear to be much of a problem, and could be resolved at the full review.

9.5.3.3: Notwithstanding other rules in this Plan to the contrary, disturbance of the foreshore or seabed in order to bury dead whales or other dead marine mammals or dead stock that has washed ashore is a permitted activity provided it occurs on open coastal beach.

This rule is generally working well based on enquiries received about dead marine mammals. It could be improved by adding a condition to the effect that burial should be as close as possible to the low tide mark, so it won't be uncovered quickly by coastal processes.

9.5.3.4: Disturbance of the foreshore using a shovel and riffle box for the purpose of gold mining is a permitted activity.

This rule is also generally working well, however Council has received a few enquiries about beach mining using other non-mechanical means which are not covered by the rule. There are new types of hand-held mining equipment which have no more than minor effects but require consent because they are not covered by this rule. The rule could be improved by changing it to allow for other types of small-scale equipment but still refer to use of a shovel and only gold to be removed, as this dictates the scale of disturbance that can be permitted.

It may be useful if a note was added to this Rule referring to the rules for coastal water takes, and freshwater takes covered by the Water Management Plan. Most small-scale beach mining activities involve water flowing through the equipment.

9.5.3.5: Disturbance of the foreshore or seabed from placement of a submarine or sub-aqueous cable on the seabed and under the foreshore in the coastal marine area is a controlled activity provided:

(a) The cable is located outside any estuaries, lagoons or rivers within the coastal marine area as defined in Schedule 1, and outside any part of Culturally Significant Areas that are waahi tapu.

Staff are not aware of this rule being used in the last five years. The only situation where it might be applied is across rivers within the coastal marine area. We are not aware of any cables across harbours.

9.5.3.6: Any disturbance of foreshore or seabed in the coastal marine area, in any 12 month period, and excluding maintenance dredging, is a discretionary activity and restricted coastal activity if:

- (a) It is in volumes greater than 50,000 cubic metres; or**
- (b) Material is extracted from areas equal to or greater than 4 hectares; or**
- (c) It extends 1,000 metres or more over foreshore and seabed.**

These dimensions are the same as in Rule 9.5.2.3 for removal of beach material, and the comments made under Rule 9.5.2.3 apply here, including comments about the NZCPS.

9.5.3.7: Except as provided for by 9.5.3.1 to 9.5.3.6 any disturbance of foreshore or seabed is a discretionary activity.

This rule is appropriate and working well to assess effects on a case by case basis, taking into account the scale and sensitivity of the receiving environment. It allows suitable conditions to be attached to address adverse effects, including where there is uncertainty and precaution needed. Examples of conditions are discussed under the objectives and policies.

A question has been raised regarding inconsistency of status between the controlled rule 8.5.1.5 for drop-out repairs and discretionary rules for disturbance (9.5.3.7), deposition (9.5.4.2), and occupation (7.5.1.5) which may apply for drop-out repairs. Refer to Rule 7.5.1.5 for discussion about this.

9.5.4: Deposition of sand, shingle, or other natural material

9.5.4.1: Any activity involving the depositing of any material on the foreshore or seabed in quantities greater than 50,000 cubic metres in any 12 month period in the coastal marine area is a discretionary activity and a restricted coastal activity.

This rule is specified in the NZCPS, and is untested as no consents were granted for this scale of deposition in the last five years.

9.5.4.2: Except as provided for by 9.5.4.1, any activity involving the deposition of sand, shingle, or other natural material in the coastal marine area is a discretionary activity.

Five consents were granted under this rule. Discretionary status was appropriate to individually assess effects of each activity.

A general comment is that the discretionary rules should come before the discretionary and restricted coastal activity rules in the Plan. This applies to Rules 9.5.1.1. and 9.5.1.2, 9.5.2.3 and 9.5.2.4, 9.5.3.6 and 9.5.3.7, and 9.5.4.1 and 9.5.4.2.

Other Methods

Table 9 is a summary of implementation of the Other Methods in Chapter 9 of the Coastal Plan. Iwi consultation is working well, but most of the other methods have hardly been implemented. Some of them do not need to be in the Plan as they are already provided for in the Act, or are repetitive or not relevant. Three of them relate to reclamations, which Council has not processed any consents for over the last five years, so their effectiveness is untested.

Anticipated Environmental Results

9.7.1: The natural character of the coastal environment is preserved to the fullest extent practicable.

This outcome is generally being achieved. The comments made under Objective 9.3.2 apply here. It is unclear what "to the fullest extent practicable" means and how it might be measured. This term should be reconsidered at the full review.

9.7.2: Coastal processes are not adversely affected.

This outcome appears to be being achieved. As mentioned previously, gravel extraction at Blaketown was stopped to allow the beach to be replenished, and has now resumed under closer monitoring. Any cumulative effects of stone and gravel removal, for example, from the beach south of the Hokitika River mouth, will be considered when the information on volumes taken is collated and analysed for the full review. Comments under Policy 6.4.1.3, Objective 9.3.3 and Policy 9.4.2 also apply here.

9.7.3: Reclamations do not contaminate the environment.

This outcome has not occurred as no reclamations have been done.

9.7.4: Water quality is not adversely affected.

This outcome is being achieved. The open West Coast seas have a high dilution factor for any sediment disturbances. Additionally, standard conditions are attached to consents for no leakages of fuel or hazardous substances into coastal water, and no refuelling to be done within 20 metres of the CMA. Conditions are also added to dredging consents for suitable dispersal.

9.7.5: The integrity of natural features, such as beaches, sand dunes, wetlands, barrier islands, and their ability to protect areas above mean high water springs from coastal processes, is maintained and where practicable enhanced.

Comments made under Policy 9.4.2 apply here, and also comments under Objectives 9.3.2 and 9.3.3, as maintaining the integrity of natural features relates to preserving natural character and minimising coastal hazard risk.

9.7.6: Ships navigational safety is provided for.

This is being done by notifying Maritime New Zealand of any coastal alterations that may affect navigational safety, albeit there are very few.

Possible Future Actions

Collate and analyse the information sent in by consent holders on volumes of sand, stone and shingle takes, and review existing aerial photographs of extraction areas, before the full review of the Plan.

Investigate the need to identify boundaries of Coastal Hazard Areas.

Further investigate adding a rule and a schedule in the Plan, or developing protocols or other methods for unblocking certain river and open drain mouths, in terms of timing and costs and RMA section 32 matters.

Note in the Incidents database any complaints that are validated as non-compliances of a rule in the Plan, that is, include reference to the rule.

Table 9
Assessment of the Implementation of Methods in the
Alteration of the Foreshore and Seabed chapter

Methods	Assessment of Implementation
<p>9.6.1.1 To consult with Poutini Ngai Tahu through papatipu Runanga by ensuring that Runanga are provided schedules of all non-notified resource consent applications and full copies of notified resource consent applications received by Council and are given the opportunity to comment. To also consult with individual tangata whenua who may be directly affected by a proposed activity.</p>	<p>The two Runanga and TRONT are sent copies of notified consent applications, and this system works well. A list of all consents is sent weekly to the respective Runanga.</p>
<p>9.6.1.2 Recognise and take account of Iwi Management Plans, as a basis for consultation with Poutini Ngai Tahu.</p>	<p>It may be appropriate to incorporate parts of the Pounamu Management Plan into the Coastal Plan at the full review, as pounamu resources may exist in some southern areas such as Big Bay and Barn Bay, and be affected by alterations. A standard condition is added to consents, to stop work and contact iwi about accidental discovery of any taonga, including pounamu. No other West Coast Iwi Management Plans have been prepared yet.</p>
<p>9.6.1.3 To promote consultation and the establishment of protocols between the agencies which have the responsibility for unblocking river mouths and tidal inlets, and the Department of Conservation and West Coast Fish and Game Council and Ministry of Fisheries.</p>	<p>Some protocols have been developed with the Grey District Council for unblocking stream mouths in the CMA where it adjoins urban areas, as part of the agreement with WCRC regarding urban/rural waterway management. Otherwise, this method hasn't been implemented but some action should be taken soon to better manage this activity. An improved process for opening river mouths would avoid confusion over roles and unnecessary delays, and provide a more efficient response to these situations.</p> <p>The suggestion to add a rule in the Plan permitting unblocking of specified river mouths is discussed under Rule 9.5.3.1, and this needs to be further investigated in conjunction with protocols, as management options for unblocking river mouths.</p>

<p>9.6.1.4 To promote consultation with other agencies, such as the Ministry of Fisheries, who have a role in managing the West Coast's fishery resource.</p>	<p>Not sure why this method is included. It appears to be in conjunction with Method 9.6.1.3 but the Ministry of Fisheries is already listed under method 9.6.1.3 to be consulted with. It doesn't specify what the consultation would be about. The Ministry would be contacted as an affected party about any consent proposal adversely affecting fish resources. This Method is repetitive and could be deleted.</p>
<p>9.6.1.5 In accordance with Section 395 (1) of the Act, all proposals for the construction of a reclamation, undertaking of any harbour works or removal of any sand, shingle or other natural material in the coastal marine area will need to be referred to the Maritime Safety Authority for a report on navigation related matters, prior to consent being granted.</p>	<p>This Method is not necessary or appropriate. Not all applications affect navigation safety, for example, rock walls that are parallel to the coastline and do not extend out into navigable waters. Only notified consents with potentially more than minor effects are sent to Maritime New Zealand, and this appears to be a satisfactory arrangement with them. Considering MNZ as an affected party is already included on the consents staff audit checklist, which is a more appropriate way of addressing this part of the Act. The Method should be deleted as methods are not referred to when processing consents.</p>
<p>9.6.2.1 To hold joint hearings with the appropriate territorial authority regarding the use and location of any reclamation and the effects the reclamation may have on the coastal environment.</p>	<p>No consents have been sought in the last five years for reclamation. The RMA allows for joint consent hearings to be held, so this method is not necessary to be included in the Plan.</p>
<p>9.6.3.1 To provide information on appropriate facing materials for the appearance of reclamations in different areas of the coastal marine area.</p>	<p>No consents have been sought in the last five years for reclamation. This Method would most likely be implemented through the consent process, and does not need to be listed as an Other Method.</p>
<p>9.6.3.2 To notify the Minister of Transport, or the authority the Minister delegates powers to, and the Hydrographic Office of the Royal New Zealand Navy of any new reclamation or works and other disturbances of the seabed within the coastal marine area authorised by the WCRC at the time any authorisation is given.</p>	<p>Done as and when necessary, as a routine part of processing consents. There are very few instances when disturbance affects navigation safety. This method is similar to Method 8.6.4.2 of the Coastal Plan, and Method 10.1.13 in the RPS. Very few permanent changes have occurred with disturbances of the foreshore and seabed in the last five</p>

	years that would affect navigation safety and need to be mapped on hydrographic records. This Method should be reconsidered at the time of the full Plan review.

CHAPTER 10 - DISCHARGES

Efficiency and Effectiveness

The objectives for maintaining water quality and managing effects of point-source discharges within five years of the Plan becoming operative have generally been met, along with policies for using mixing zones and water quality standards. These provisions are proving effective, especially for upgrading sewage effluent discharges which is occurring in both the Buller and Grey Districts. Cross-boundary effects of upstream/non-point source discharges on specific parts of the coastal marine area are occurring, and these need ongoing management under other regional plans to achieve a reduction in any adverse effects on coastal water quality.

It is difficult to assess the effectiveness of the other policies and rules. Six out of the nine policies, and nine out of the 16 rules, have not been tested, which raises questions about their relevance and necessity. Only two of the rules appear to have been utilised for consents. The performance of permitted activities is uncertain as they are not monitored, however they are providing for small-scale activities without undue regulation so in this way they are effective. While the provisions that have been utilised are working well, other provisions may need substantial editing.

There are a considerable number of other methods which may be out of proportion to the number and scale of discharges and issues with discharges on the West Coast. Some of the Other Methods for promotion and education have limited effectiveness in the context of the large West Coast coastline. A general method for the whole Plan for education may be more streamlined, and then education can be done to target issues as they arise. The Other Methods could be rationalized at the full review.

Issues

10.2.1: Some discharges and disposal practices cause cultural concern.

This is still a significant issue for iwi, as discussed in chapter 10, page 56 of the RPS review. For the RPS review, iwi advised that discharges of sewage effluent were a main concern for them at certain shoreline sites, but it hasn't been made clear where these sites are. The term "disposal practices" is unclear and could be deleted.

10.2.2: Discharges into the coastal marine area can exceed the assimilative capacity of particular areas and reduce the life supporting capacity of coastal waters.

It is uncertain how much of an issue this is. Council is not aware of any reduction to the life supporting capacity of coastal waters, as there are few point-source discharges into enclosed bays with limited tidal flush and shallow water on the West Coast. Contamination of the Arahura mussel beds has not resulted in the shellfish dying, although the 2001 investigation showed that the level of contamination predominantly from the Hokitika River, as well as the Arahura River and other smaller creeks in the vicinity, was not significantly mitigated by dilution from the

rivers or sea at the northern end of the mussel beds. Effects of non-point source discharges on the coastal marine area is discussed under Chapter 6 of this report.

10.2.3: Discharges into the coastal marine area can affect peoples' health and result in decreased recreational and commercial opportunities for the West Coast's citizens.

This is still a significant issue with regards to bathing beach water quality at a few locations. Again, as discussed in the RPS review on page 60, water quality monitoring of bathing beaches over the last five years shows that at times the contact recreation standards were exceeded. Contamination of the Arahura mussel beds has had significant implications for local iwi.

10.2.4: Spills of contaminants into the coastal marine area can have significant adverse effects on the natural and physical resources of the coast.

This is a potentially significant issue, although there have been few incidents in the last five years and none that have resulted in serious impacts to the shoreline.

10.2.5: The discharge of contaminants directly into the coastal marine area may, in some cases, have greater adverse effects than a discharge to other receiving environments.

It is uncertain if this is a significant issue on the West Coast. There are very few point-source discharges in total, with around half being long term pre-operative-Plan discharges. None of the discharges granted since 2001 are having greater adverse effects discharging into the coastal marine area than discharging to other environments. This issue may not be necessary as considering alternative receiving environments is a requirement of s88 of the Act when processing consent applications. It should be reconsidered at the full review.

10.2.6: There is a lack of knowledge about the current state of the West Coast's coastal water quality.

This may not necessarily be a significant issue. The level of monitoring done over the last five years is considered appropriate to the level of use. State of the Environment monitoring is beginning to build up a picture of water quality at bathing beaches. Page 62 of the RPS review states that monitoring may need to be done in future at sites with adjoining land development, if there is an increase in coastal building or land use and subsequent increase in on-site sewage effluent discharges to land. This issue may need to be changed at the full review.

Objectives

10.3.1: To maintain existing water quality within the coastal marine area and to achieve water quality within the coastal marine area that is, in appropriate areas, suitable for contact recreation and the eating of shellfish, within five years of the date this Plan becomes operative.

This objective is difficult to measure to determine if it is being achieved. The West Coast coastal marine area has a huge assimilative capacity, and even in a relatively small area water quality may vary depending on sea and weather conditions and where a sample is taken from. The objective should be amended at the full review to target the quality of the discharge, which should be within acceptable standards in order not to degrade the quality of the receiving water after reasonable mixing.

It is considered that coastal water quality out to the 12 mile limit is being maintained because of the high dilution factor and lack of discharges. Council has not been advised by the fishing industry or other agencies such as Maritime New Zealand, New Zealand Navy or deep sea vessel users of any significant problems with open sea water quality or unauthorised discharges.

This objective appears to be being achieved in relation to all point-source discharges into the coastal marine area except one. The Arahura mussel bed investigation showed that the mussels were not likely to be contaminated by the Hokitika town sewage effluent discharge to the south. Other discharges do not appear to be significantly adversely affecting coastal water quality, to make it unsuitable for contact recreation or shellfish gathering. These discharge sites are not at places suitable or safe for swimming and do not affect other known shellfish beds on the West Coast. Two sewage effluent discharges and one silt discharge are in Coastal Recreation Areas but are not adversely affecting these values; the sewage effluent discharges are treated and discharged subsurface or into the tidal/foreshore area and not onto the beach surface. The coal fines discharge is also treated.

The Greymouth town sewage effluent outfall at Blaketown into the Grey River is in the coastal marine area and is in the process of being upgraded. Consent was granted in 2003 for this discharge to be treated with milliscreening and UV disinfection. The Stage 1 treatment plant must be completed and operating within four years of issue of consent, and the contract to divert the Blaketown discharge is presently 60% complete (pers comm, M Sutherland, 31/8/06).

The overflow discharge from the Seaview site is currently being monitored. This is an occasional discharge of stormwater and sewage effluent from the foredune onto surrounding beach, which may or may not enter the coastal marine area. It is unlikely that this discharge has significant adverse impacts on coastal water quality.

Although this objective does not apply to land-based non-point source discharges, it is noted that the water quality standards referred to in the objective are not being met in some coastal waters. The bathing beach monitoring results showed exceedances at Orowaiti Lagoon, and Buller and Grey River mouth beaches where swimming and surfing occur. Contaminants affecting water quality at these sites come from either the Westport or Greymouth town sewage discharges (which are now being upgraded), or non-point source farm and septic tank effluent discharges to the Orowaiti Lagoon (also being addressed). Crown Public Health advise (pers comm, C Bergin 25/7/06) that the Arahura mussel beds are still unsafe. The main source of contamination of the Arahura mussel beds appears to be farm discharges affecting waterways (not a discharge to the CMA). The Harris Creek catchment of the Hokitika River is subject to a new 'farm plan' project to manage farm nutrient runoff.

It is uncertain whether water quality at other shellfish beds on the West Coast is being affected by land-based non-point source discharges such as agricultural

effluent, as funding of public health monitoring of these mussel beds stopped in 2003 (pers comm, C Bergin, 25/7/06).

Incidental discharges into the coastal marine area have been effectively dealt with to minimise impacts on water quality. There were six verified incidents of discharges, four of these were dairy effluent related, one involved domestic waste and one was a dead sheep on the beach. Dairy effluent discharges have been assessed and mitigated as part of the dairy shed compliance monitoring programme. An abatement notice was served on the domestic waste problem and the site was cleaned up with no more waste entering the nearby lagoon.

There are 12 Sites Associated with Hazardous Substances in the coastal marine area, all classified as "verified history of hazardous activity or industry". Most of the sites are historic or decommissioned in more recent times, with no obvious discharges or environmental impacts associated with them.

The five year timeframe in this Objective is now out of date, and the Objective will need to be revised at the full review.

10.3.2: To take into account public health, community (including commercial, cultural and recreation values) and biological values associated with the coastal marine area when considering the discharge of contaminants into the coastal marine area.

This objective is being achieved through the consents process for the five discharges granted in the last five years. Effects of discharges of sand and silt, seabed sediment, coal dust and treated sewage effluent on public health, cultural, marine biology and recreational values were assessed and found to be no more than minor. Conditions are attached including to maintain public access along the beach, erect warning signs of public health risk from swimming, limits on contaminant levels and suspended solids in the discharge, mixing zones, no accumulation of effluent on the seabed in the mixing zone, no change in water colour or visual clarity or any significant adverse effects on aquatic life, monitoring and reporting on water quality, and monitoring effects on marine life and seabed disturbance.

10.3.3: To safeguard the life supporting capacity of the coastal marine area.

This objective is generally being met, as there are no more than minor adverse effects occurring from the point-source discharges into the coastal marine area. There are no discharges large enough to significantly damage the ecology of the receiving environment. There is a considerable tidal flush, mostly open coastline and enough littoral drift and wave action to give a high mixing and dilution factor.

10.3.4: To maintain and, where appropriate, enhance water quality in:

- (a) Coastal Protection Areas; and***
- (b) Culturally Significant Areas; and***
- (c) Coastal Recreational Areas; and***
- (d) Areas adjacent to Marine Mammal and Bird Sites; and***

- (e) Areas where there is direct discharge containing human sewage; and**
- (f) Areas where there is a direct discharge of contaminants from commercial, industrial or trade activities.**

This objective appears to be being met for discharges into coastal management areas. The gravel washing discharge at Blaketown Beach is into CRA10, the sand and sediment discharge from hobby mining at Tauranga Bay is in CRA5 and CSA7, and the Karoro sewage effluent discharge is into CRA10. None of the discharges are reducing water quality to the extent of significantly adversely affecting the adjoining cultural or recreational values. Iwi were consulted about the hobby mining discharge but did not have any concerns.

Regarding clause (e), as mentioned above, the Blaketown outfall is being upgraded. The rest of the Westport and Greymouth town sewage discharges are not directly into the CMA as the discharge points are upstream although there is cross-boundary drift. Once the new secondary treatment systems for the town discharges are constructed and operating, this should improve the water quality in the adjoining CMA.

With respect to clause (f) there are no direct discharges from commercial, industrial or trade premises into the coastal marine area. A stormwater and sprinkler discharge containing coal fines from the Greymouth wharf is outside the CMA, and any cross-boundary drift would be well diluted in the Grey River flows. Similar coal fine discharges have occurred from the Westport wharf but these were short-term and consents have expired.

10.3.5: To consider the adverse effects associated with a discharge of contaminants directly to the coastal marine area relative to the adverse effects associated with the discharge of the same material to other receiving environments.

None of the discharges have a greater adverse effect on the coastal marine area than other receiving environments. For most of the discharges, this would be considerably more costly, and discharging to land or freshwater could have potentially more adverse impacts. Comments made under Issue 10.2.5 also apply here, that is, the objective may not be necessary as considering alternative receiving environments is a requirement of s88 of the Act when processing consent applications. The objective should be reconsidered at the full review.

10.3.6: To reduce the potential for spills or leakages of hazardous substances and hazardous wastes into the coastal marine area.

This objective is being achieved through the consents process. The two discharges involving machinery have standard conditions attached for no refuelling or lubrication of machinery in coastal water or where any spills or leakages may enter water. Council has not received any complaints about hazardous substance spills to the CMA or leakages from consented activities.

Policies

10.4.1: To not allow point source discharge of contaminants into the coastal marine area where that discharge would, beyond an effective mixing zone, result in a lowering of the existing water quality in the receiving waters.

10.4.2: To require an effective mixing zone for discharges of water or contaminants into the coastal marine area which takes account of:

- (a) The sensitivity of the receiving environment; and***
- (b) The particular discharge, including contaminant type, concentration, and volume; and***
- (c) The physical processes acting on the area of discharge; and***
- (d) The community uses and values, including the values of Poutini Ngai Tahu, associated with the area affected by the discharge, and***
- (e) The ecosystem values associated with the area.***

Policies 10.4.1 and 10.4.2:

No point-source discharge consents have been declined under Policy 10.4.1. The gravel washing discharge, Karoro sewage effluent discharge, and coal fines discharge have a condition for a mixing zone varying from 80-200 metres. Other conditions are also attached with limits on contaminant levels, odour, colour, visual clarity, turbidity, total suspended solids, and effects on aquatic life. Monitoring of the Karoro and coal dust discharge shows there is no lowering of water quality beyond the mixing zones. The sand and sediment discharge from the Tauranga Bay hobby mining does not need a mixing zone because the small scale of the discharge is adequately dispersed in tidal and wave action. The seabed prospecting also did not need a mixing zone because of the small-scale of bed disturbance and the high dilution. The Blaketown gravel washing discharge should be achieving dilution in the specified mixing zone because of the small rate of discharge, and the contaminant is absorbed quickly into the surf. There is no condition for a mixing zone on the current Hokitika sewage pond effluent discharge consent, but a new consent is currently being sought and such a condition may be considered. There is also no mixing zone condition on the stormwater and sewage effluent discharge from the Seaview site, and this is being monitored (see discussion on review of discharge consents under "Other Methods").

10.4.3: To not include intertidal areas within the mixing zones of particular discharges unless the discharge is treated so as to reduce the contaminant loading to an extent that any adverse effects on any intertidal areas can be shown to be minor.

This policy appears to be largely untested as it would only apply to large-scale discharges with long outfall pipes extending beyond the intertidal area. There are no discharges of this scale on the West Coast, and the sea conditions are too rough for long outfalls. The four coastal discharges granted in the last five years appear to discharge into the intertidal zone, however sand and sediment discharges do not need treating, and the coal fine and Karoro (and Hokitika) sewage effluent discharges are treated.

10.4.4: To restrict the discharge of human sewage or wastes into any enclosed waters, marine reserve, taiapure or maataitai reserve area where that discharge would adversely affect the values associated with the area.

This policy has not been applied as there are no point-source sewage effluent discharges into the areas listed, and there are no marine reserves, taiapure or maataitai identified in the Plan. The policy should be reconsidered at the full review in terms of whether it is relevant and necessary, because these matters would be dealt with routinely through the consultation process with affected parties on consent applications.

10.4.5: The discharge of a contaminant (either by itself or in combination with other discharges) directly into the coastal marine area will only be allowed where:

- (a) It can be shown that the adverse effects of the discharge to any area, other than the coastal marine area, would create greater adverse effect than the discharge to the coastal marine area; or**
- (b) There are no practicable alternatives to the discharge occurring to the coastal marine area; and**
- (c) The discharge is of a standard which will achieve a water quality standard suitable for contact recreation and shellfish gathering in areas defined by Objective 10.3.1, within five years of this Plan becoming operative.**

Clauses (a) and (b) have been discussed under Issue 10.2.5 and Objective 10.3.5. Clause (c) has been discussed under Objective 10.3.1 and is being met.

The rule could be clarified by adding that it applies to point-source discharges, and by deleting the last part of clause (c) at the full review.

10.4.6: To mitigate the adverse effects associated with spills, into or within, the coastal marine area, of contaminants harmful or hazardous to marine ecosystems and community values.

This policy is untested as there have been no significant marine spills in the last five years on the West Coast, except where vessels have sunk and in these cases there have been no effects on nearby shorelines. The terms "where practicable" could be added to the rule, as it may not be practical to mitigate spills in rough sea conditions.

10.4.7: To not allow the storage, use or disposal of any nuclear material or the transportation of nuclear material (other than nuclear material to be used for medical or research purposes) or the storage, use or disposal of hazardous wastes, within the coastal marine area.

This policy is untested and is not practical as Council cannot enforce a ban on transporting nuclear material in the coastal marine area. The Maritime Transport Act 1994 bans the discharge, dumping and storing of radioactive, toxic and hazardous waste into New Zealand waters. The Resource Management (Marine Pollution)

Regulations 1998 also prohibit regional coastal plans from including a rule allowing a consent to be applied for, for the dumping of waste in the coastal marine area. No enquiries have been received about storing, using or disposing of hazardous wastes in the coastal marine area. The policy should be reconsidered at the full review.

10.4.8: The storage of contaminants, including hazardous substances, within the coastal marine area, that have the potential to create adverse effects on the coastal marine area will be discouraged and will only be considered where appropriate safety measures and contingency plans have been developed to avoid, remedy or mitigate any adverse effect.

This policy has also been untested and should be reconsidered at the full review. As with the hazardous waste part of Policy 10.4.7, it would be unlikely that Council would receive an application of this nature so these policies may not be very relevant, and could be covered by a general discretionary activity rule. These policies are more applicable to harbour activities in the coastal marine area, which do not apply on the West Coast.

10.4.9: The use of hazardous substances within the coastal marine area will only be allowed where that use is necessary for:

- (a) The control of plant pests; or***
- (b) The control of pollution spills; or***
- (c) The fuelling of ships and machinery permanently located within the coastal marine area;***
- (d) The maintenance of ships and structures and no discharge to the coastal marine area occurs.***

Again this policy has been untested. "Use" of hazardous substances is an activity that Council may not be able to manage as we can only require consent for discharges. If the policy remains at the full review, "use" should be replaced with "discharge".

Rules

10.5.1 Discharge of litter

10.5.1.1: The discharge of litter within the coastal marine area is a prohibited activity.

This rule is valid in principle but not practical as it is difficult for Council to enforce. Council regularly removes dead animals from beaches, but waterborne litter has not been a major issue.

10.5.2: Discharge of human sewage, except from ships

10.5.2.1: The discharge of human sewage to the coastal marine area, except from ships, which has not passed through soil or wetland, is a discretionary activity and a restricted coastal activity.

10.5.2.2: Except as provided for by 10.5.2.1, any discharge of human sewage, except from ships, to the coastal marine area, is a discretionary activity.

Rule 10.5.2.1 has not been tested. Rule 10.5.2.2 is appropriate for considering the new Karoro and Hokitika sewage effluent discharge upgrade consents.

These two rules could be simplified and combined at the full review to make any sewage effluent discharge that doesn't pass through soil or wetland or is untreated a Restricted Coastal Activity. The rules need to clarify the status of sewage effluent discharges treated by sewage ponds or other technology, for example, milliscreening and UV disinfection.

10.5.3 Discharge of stormwater

10.5.3.1: The discharge of stormwater into the coastal marine area is a permitted activity provided:

- (a) The discharge does not include stormwater from any industrial, or trade premise, and;**
- (b) The contaminant or water discharged, after reasonable mixing, does not give rise to all or any of the following effects:**
 - (i) The production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials; or**
 - (ii) Any conspicuous change in the colour or visual clarity; or**
 - (iii) Any emission of objectionable odour; or**
 - (iv) Any significant adverse effects on aquatic life.**
 - (v) Rendering the receiving water unsuitable for contact recreation or shellfish gathering.**

There are likely to be a number of permitted stormwater discharges into the coastal marine area that do not require consent as they are having no more than minor effects. Council has not received any complaints about coastal stormwater discharges so it can be assumed that these are satisfactory and the rule is working well. With respect to clause (b), there is no definition of "reasonable mixing" in the Plan, and this could be considered at the full review.

10.5.3.2: Except as provided for by Rule 10.5.3.1, the discharge of stormwater into the coastal marine area is a controlled activity.

The WCRC will exercise its control over:

- (a) The location of the discharge point;**
- (b) The volume, rate and nature of the discharge;**
- (c) The treatment, if any, required prior to discharge;**
- (d) The duration of the resource consent;**
- (e) The information and monitoring requirements;**
- (f) The administrative charges payable;**

(g) The review of conditions of the resource consent.

The application may be considered without the need to obtain the written approval of affected parties, in accordance with Section 94 1(b).

No consents have been granted under this rule so it is untested. The reference to section 94(1)(b) is out of date as it was amended by the 2003 RMA amendments, and needs to be updated at the full review.

10.5.4 Discharges in exceptional circumstances

10.5.4.1: A discharge to the coastal marine area that would not meet the requirements of section 107(1) of the Act, on the basis of exceptional circumstances, as provided for by section 107(2)(a) of the Act, is a discretionary activity and a restricted coastal activity.

This rule has also not been tested. If this is provided for in the Act the rule may not be necessary if it isn't used in the next five years, although it will also need to be considered what the potential issues are if there is no such rule in the Plan.

10.5.5 Hazardous wastes and nuclear material

10.5.5.1: The following activities are prohibited activities in the coastal marine area:

- (a) The storage, use or disposal of nuclear material; and***
- (b) The storage, use or disposal of hazardous waste, including nuclear waste; and***
- (c) The passage or presence of nuclear armed or powered vessels; and***
- (d) The passage of vessels transporting nuclear material, other than nuclear material used for medical or research purposes; and***
- (e) The transport of nuclear waste originating from outside New Zealand.***

With respect to clauses (c), (d), and (e), the same comments made under Policy 10.4.7 apply here. Council cannot enforce a ban on vessels powered, armed or carrying nuclear material. These clauses should be deleted from the rule at the full review.

10.5.6 Hazardous substances

10.5.6.1: The temporary storage of hazardous substances is a permitted activity where:

- (a) The hazardous substance is contained in pipes associated with the transfer of fuel between ships and fuel storage facilities.***

10.5.6.2: Except as provided for in Rule 8.5.1.7 (d) and Rule 10.5.6.1, the storage of hazardous substances in the coastal marine area is a discretionary activity.

These rules are untested and no consents have been sought or complaints received about this activity. Fuel in the Westport and Greymouth port areas for fishing boats is outside the coastal marine area.

10.5.6.3: The use of paints and other hazardous substances in the coastal marine area is a permitted activity provided:

- (a) They do not enter the water of the coastal marine area; and***
- (b) (i) They are used to maintain ships; or***
 - (ii) They are used to maintain structures permanently located in the coastal marine area.***

With respect to clause (a), this clause is not practical as paint does wear off over time and leaches into water when submerged. It would be more relevant if the clause was amended to mean that during painting, no paint should be discharged directly into the coastal marine area, for example, by way of a spill. Also, the word "use" should be changed to "discharge".

10.5.6.4: The use of herbicides for the purposes of controlling pest plants in the coastal marine area is a permitted activity provided:

- (a) The plant is listed as a pest plant in the Pest Plant Management Strategy; and***
- (b) The herbicide is approved, by manufacturers, for use in aquatic environments; and***
- (c) The herbicide is not persistent in the environment or food chain; and***
- (d) The discharge is carried out in accordance with the manufacturers' directions or regulations; and***
- (e) In the case of any spill, the person applying the herbicide immediately advises the WCRC and the environmental health section of the relevant district council.***

No complaints have been received relating to this rule. Regarding clause (a), the definition of pest plants in the Biosecurity Act includes other Biosecurity risk species such as those on the National Pest Plant Accord list. The current wording of clause (a) limits the scope of what pest can be controlled by herbicides under this rule. The clause should be broadened to refer to any pest plant identified under the Biosecurity Act.

10.5.6.5: The use of dispersants approved by Maritime Safety Authority, for controlling an oil spill in the coastal marine area is a permitted activity, provided the discharge is carried out in accordance with the manufacturer's directions, or regulations, and the Tier 1 or Tier 2 or Tier 3 Oil Spill Contingency Plan.

This rule is untested, but necessary. MSA is now MNZ so that will need to be amended.

10.5.6.6: The fuelling of ships or machinery permanently located in the coastal marine area is a permitted activity provided there are no discharges (excluding exhaust fumes) to the coastal marine area.

This rule may not be relevant as the two ports are outside the coastal marine area. It should be reconsidered at the full review.

10.5.6.7: Except as provided for by 10.5.6.3 to 10.5.6.6, the use of hazardous substances in the coastal marine area is a discretionary activity.

This rule is untested.

10.5.7 Discharge of water or other contaminants

10.5.7.1: Except as provided for by rules 10.5.1.1 through to 10.5.6.7 or national regulations, the discharge of water or contaminants to the coastal marine area is a permitted activity provided the discharge is:

- (a) Water which will not change the natural temperature of the receiving waters, after reasonable mixing, by more than 3° Celsius; or**
- (b) Non-toxic tracer dye; or**
- (c) Cooling water free of process or waste substances and which would not change the natural temperature of the receiving waters, after reasonable mixing, by more than 3° Celsius; or**
- (d) Continually flowing water which has been used for holding live sea organisms and which has had no other contaminant added to it.**

Council is not aware of any of the above activities occurring. Discharges from hobby mining could be included under Rule 10.5.7.1 as they are not mentioned elsewhere in the Plan. This would clarify the status of hobby mining.

10.5.7.2: Except as provided for by 10.5.7.1, the discharge of water or contaminants into the coastal marine area is a discretionary activity.

This rule has been appropriate for assessing discharges from beach mining and gravel washing activities.

Other Methods

A summary of implementation of the Other Methods is in Table 10. Most of the methods have been implemented to some extent, however Council has limited resources to do promotion and education. Some of the other methods are provided for in the RMA, for example, adding conditions on consents for discharge standards and water quality monitoring, and don't need to be repeated in the Plan as Other Methods. Provision of facilities for new ports is not relevant, and establishing water quality classes does not appear to be of much benefit at this stage.

Other regional plans are being implemented to manage non-point source discharges affecting the coastal marine area, however there still appears to be problems at some specific areas, for example, the Orowaiti Lagoon and the Arahura mussel beds,

but generally not from discharges to the CMA. Method 10.6.2.2 could perhaps be revised at the full review to provide for a more integrated approach to minimizing cross-boundary contaminant flows into the coastal marine area.

Method 10.6.4.1 – Review of Discharge Consents

To implement Method 10.6.4.1, the nine current discharge consents in the coastal marine area were assessed to determine whether they needed to be called in and reviewed under section 128 of the Resource Management Act. Section 128 of the Act enables councils to review consents if the consent has a clause allowing it to be reviewed, to deal with any adverse effects arising from exercise of the consent. Assessments of each of the consents found as follows:

WR860257/RC06154 – Hokitika sewage pond effluent discharge:

The ponds are reaching maximum capacity and need desludging, and the Westland District Council has applied for a new consent. Although there are no demonstrated negative environmental outcomes from monitoring of the current discharge, the compliance levels and parameters set in 1986 are now outdated. For example, there are currently no conditions for a mixing zone or signage warning the public of a health risk near the outfall. There will be a temporary reduction in discharge quality while the ponds are being desludged. This discharge will be reviewed in the consents process and standards for the discharge and receiving water quality will be set then.

RC91047 – Buller River dredge material discharge:

Recent annual monitoring surveys show that the discharged material is being effectively mixed and moved along the offshore seabed by currents in conformity with normal seabed conditions. Seabed contours are consistent with contours outside the dumping area, which is in the path that material would normally be distributed by river flows and the littoral drift. The consent was originally processed as a Restricted Coastal Activity before the Coastal Plan became operative, requiring the Minister of Conservation's approval, and DOC have not contacted us since with any concerns about effects on aquatic ecology. This discharge does not need any further review or treatment as it is still being carried out in accordance with the original proposal, that is, discharges are within the conditions for maximum volume. No new contaminants are being introduced into the receiving environment. It is currently consistent with the objectives and policies of Chapter 10.

RC92013 – Seaview stormwater and sewage effluent overflow discharge:

This is a discharge from three wards still operating at Seaview Hospital to a soak pit approximately 20 metres from the front of the beach dune, which is then supposed to flow sub-surface under the beach. It was noted in 2002 that because the beach had eroded below the level of the soak pit some seepage was occurring. Recent investigation noted that this still occurs in moderate to heavy rain. Condition (a) of the consent requires no entry of contaminants onto the ground surface or beach. Until recently the discharge had not been sampled, and there are no conditions on the consent for discharge quality. Samples are currently being taken to assess the quality of the discharge.

RC00061 – Contaminants from Mikonui River bridge repairs:

This discharge involves fragments of concrete and sediment discharged into water from maintenance and repair work on the foundations of the Mikonui River bridge. The contaminants do not significantly adversely affect water quality, there is an adequate mixing zone, and the discharge does not need treatment. It is short-term

and temporary, that is, work is undertaken approximately every five years. The discharge is consistent with the objectives and policies of Chapter 10, and does not need further review.

RC01082 – Sand and sediment discharge from beach mining, Tauranga Bay:

This is a small-scale discharge of natural material, and it does not need to be reviewed as no new contaminants are being added to the receiving environment. No treatment of the discharge is required. The consent was granted under the operative Coastal Plan, and is consistent with the objectives and policies of Chapter 10.

RC01104 – Coal fines discharge into Ngakawau River mouth:

This discharge was granted in November 2003 and does not need further review. Monitoring results show that the conditions of the consent are being complied with and water quality is not being significantly adversely affected. New treatment technology is being utilized which has improved the quality of the discharge. There are no contact recreation or shellfish gathering areas in the vicinity of the discharge.

RC01369 – Karoro sewage ponds discharge:

This consent was granted in April 2004 to upgrade the ponds, increase the volume of the discharge, and provide further treatment of the sewage effluent by way of filtration through an adjoining wetland area before discharging into the coastal marine area. The new system is now operating and wetland treatment will improve the quality of the discharge. New discharge and water quality parameters are set in conditions of the consent, and no further review is required.

RC02274 – Sand and sediment discharge from gravel washing, Blaketown Beach:

This consent was granted in August 2005 under the provisions of Chapter 10 and does not need further review. The discharge is natural material effectively mixed in the surf, with no new contaminants being added, and no treatment required. Conditions are attached for a mixing zone and water quality standards.

RC05227 – Water and contaminant discharge from seabed prospecting:

This is a recent consent which was thoroughly reviewed through the consent process. The proposal has no more than minor effects, it is consistent with the objectives and policies for discharges, and has monitoring and reporting conditions. It does not need further review.

In summary, the only discharge which may need to be reviewed is the Seaview discharge, and this is being investigated.

Anticipated Environmental Results

10.7.1: Discharges into the coastal marine area after reasonable mixing do not result in:

- (a) The production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials;***
- (b) Any conspicuous change in the colour or visual clarity;***

- (c) Any emission of objectionable odour;**
- (d) The rendering of fresh water unsuitable for consumption by farm animals;**
- (e) Any significant adverse effects on aquatic life.**

10.7.2: Water quality within the coastal marine area is maintained and enhanced, where appropriate, in:

- (a) Coastal Protection Areas; and**
- (b) Culturally Significant Areas; and**
- (c) Coastal Recreational Areas; and**
- (d) Areas adjacent to Marine Mammal and Bird Sites; and**
- (e) Areas where there is direct discharge containing human sewage; and**
- (f) Areas where there is a direct discharge of contaminants from commercial, industrial or production activities.**

10.7.3: The life supporting capacity of coastal waters is maintained and enhanced.

The above three outcomes are being achieved as discussed under the objectives and policies. Clause (d) of 10.7.1 is irrelevant as it refers to freshwater consumed by farm animals. This clause should be deleted.

10.7.4: Adverse effects associated with nuclear material, nuclear waste, hazardous waste and hazardous substances are avoided.

This outcome is being achieved because these activities are restricted under other legislation rather than because of the provisions in the Coastal Plan.

10.7.5: Litter is not discharged into the coastal marine area.

This outcome is not practical as it is unrealistic to stop litter being discharged into the coastal marine area, and difficult to measure. It should be deleted or revised at the full review.

10.7.6: Adverse effects associated with point source discharges are avoided, remedied or mitigated.

Conditions on discharge consents are adequately managing effects of the discharges, excluding the Seaview Hospital overflow discharge.

10.7.7: Spills of contaminants are controlled with minimum adverse effects.

All spills have been appropriately responded to with minimal adverse effects occurring.

10.7.8: The elimination of all discharges of raw untreated sewage directly into the coastal marine area within five years from the date this Plan is operative.

This has generally been achieved as all sewage discharges directly into the coastal marine area are treated in sewage ponds, wetlands or soak pit filtration. Sewage will shortly be diverted from the Blaketown outfall (pers com, M Sutherland, 27/7/06), and both Greymouth and Westport treatment schemes are now well underway.

Table 10
Assessment of the Implementation of Methods in the
Discharges chapter

Methods	Assessment of Implementation
10.6.1.1 To consult with Poutini Ngai Tahu through papatipu Runanga by ensuring that Runanga are provided schedules of all non-notified resource consent applications and full copies of notified resource consent applications received by Council and are given the opportunity to comment. To also consult with individual tangata whenua who may be directly affected by a proposed activity.	The two Runanga and TRONT are sent copies of notified consent applications, and this system works well. A list of all consents is sent weekly to the respective Runanga.
10.6.1.2 Recognise and take account of Iwi Management Plans, as a basis for consultation with Poutini Ngai Tahu.	No West Coast Iwi Management Plans have been prepared yet that deal with discharges to the coastal marine area.
10.6.2.1 Development of oil spill contingency plans under the Maritime Transport Act 1994.	A Tier 2 Oil Spill Plan was prepared in 2001, and is currently being reviewed.
10.6.2.2 The West Regional Council will develop policies and methods to bring about a reduction in both point and non-point source pollution during the preparation of other regional plans.	The Discharge to Land and Water Management Plans have policies, rules and methods to minimise adverse effects of discharges to land and water.
10.6.3.1 The WCRC will promote the benefits of disposal to shore based facilities of rubbish from vessels, and encourage vessel operators to wherever possible, discharge such material to those facilities.	No action taken. There is anecdotal knowledge of rubbish from boats being washed onto shore though few, if any, complaints are received. This is a national issue. This Method is similar to Method 10.6.3.3, and should be reconsidered at the full review.
10.6.3.2 The WCRC will educate and promote generally about the need to maintain and enhance water quality.	Results of Summer bathing beach water quality monitoring is publicised. No further education needed at this stage.
10.6.3.3 The WCRC will educate and promote generally about waste disposal.	Information about Clean Up NZ Week was circulated in 2005, with the suggestion for cleaning up sections of the beach.
10.6.4.1 The WCRC will review resource consents to discharge into the	This has been done in conjunction with this Plan review, and discussed in the

coastal marine area, in accordance with Section 128 of the Act, the Objectives in Section 10.3 and the Policies in Section 10.4.	main text of this chapter under the heading "Other Methods".
10.6.5.1 The WCRC will undertake water quality monitoring in accordance with Chapter 17.	Bathing beaches are annually monitored in general accordance with the Contact Recreation guidelines in the Third Schedule of the RMA where these are relevant. Monitoring is done for visual clarity and to check that faecal coliform contaminants are at acceptable levels for bathing. Other monitoring is done as needed, for example, the Arahura mussel bed investigation.
10.6.5.2 The WCRC will require discharge permit holders to monitor and record the water quality around their discharge.	Water quality monitoring is required for most sewage effluent discharges and coal fine discharges. Water quality monitoring is not required for discharges of sand and silt from gravel washing, beach mining, dredge material dumping or mineral exploration as this is considered not necessary due to the high dilution factor and low impact.
10.6.6.1 The WCRC will require all new ports and marinas to provide collection facilities for sewage (where adequate treatment facilities exist) and rubbish from vessels.	No new ports or marinas have been developed, and it is considered unlikely that this will occur in the next five years.
10.6.6.2 The WCRC will encourage existing ports and marinas to provide collection facilities for sewage (where adequate treatment facilities exist) and rubbish from vessels.	Copies of Marine Pollution Regulations were distributed to the two West Coast ports in early 2001 when the Regulations were given effect to. This Method is linked with 10.6.3.1, and could be amalgamated.
10.6.7.1 The WCRC will use recognised national water quality guidelines, in order to establish appropriate discharge standards (by way of conditions on resource consents) as a means of achieving Objective 10.3.1.	National guidelines for mixing zones and maximum bacterial contaminant levels, as well as guidelines in section 107 of the RMA for clarity, suspended materials, effects on aquatic life, etc are incorporated in conditions on sewage effluent, gravel washwater, and coal fines discharges.
10.6.8.1 When sufficient information with respect to water quality is collected, the WCRC may establish water quality classes in accordance with Objective	Establishing water quality classes in the Plan hasn't been considered and may not be necessary. The CR and AE standards in the Third Schedule of the RMA are

10.3.1.

satisfactory for monitoring site-specific areas along the coast, and appropriate water quality standards can be assessed on a case by case basis through the consents process to take into account the sensitivity of specific receiving environments. Council doesn't have sufficient information to set regional water quality classes for the whole coastline and this is not necessary in many undeveloped places. The Method could be revised or deleted at the full review, taking into account further monitoring results of bathing beaches, shellfish gathering areas and individual discharge consent data.

CHAPTER 11 - TAKING, USE, DAMMING OR DIVERSION OF WATER

Efficiency and Effectiveness

The objective, relevant policies and rules are effectively managing adverse effects from these relatively low frequency types of activities. Except for diverting coastal water to unblock creeks, the activities covered in this chapter do not occur a lot on the West Coast and no Other Methods are needed to deal with issues related to them.

Issues

11.2.1: The taking, use, damming or diversion of coastal water can cause cultural concern.

This is still a potential issue, as five consents for these types of activities were granted in Culturally Sensitive Areas in the last five years. However, effects on iwi values are addressed in the consents process, so it may not be necessary to state effects on iwi values as a separate issue in this chapter.

11.2.2: Ships need to take and use water from the coastal marine area.

This is not an issue in the coastal marine area on the West Coast, as there are no restrictions on ships taking and using water. It is provided for as a permitted activity in the Plan with no conditions. The issue can be deleted at the full review.

11.2.3: The taking of coastal water from river mouths, estuaries, lagoons, inlets, harbours, and embayments, may adversely affect the existing ecosystems and community uses and values.

11.2.4: Damming or diversion of coastal water within river mouths, estuaries, lagoons, inlets, harbours, and embayments in the coastal marine area may adversely affect the existing ecosystems and community uses and values.

Regarding Issues 11.2.3 and 11.2.4, these are still potential issues. Eleven consents were granted in the last five years for takes, use, damming and diversion in lagoons and creek or river mouths. Most of these were for diversions or opening of creek, river or lagoon mouths in the coastal marine area, with potential adverse effects on fish passage, creek bed, channel and bank stability, and lagoon bird habitat.

Objective

11.3.1: To enable the taking, use, damming and diversion of the West Coast's coastal water while protecting values associated with the region's river mouths, estuaries, lagoons, inlets, harbours, and embayments.

This objective is being achieved through the consents process. Conditions were attached, for example, to not disturb the bed or banks of creeks or the foreshore within 20m of the banks of the creek or creek mouth, to install a fish screen on the intake to ensure that fish are prevented from passing into the intake, where possible avoid using machinery in areas of indigenous bush, dunes, riverbeds, wetlands and their margins, remedy any pest plant incursion related to lagoon openings, rehabilitate any areas disturbed, where possible all bird nesting areas shall be left undisturbed, ensure the width and depth of the existing channel are not increased, and minimise damage to vegetation in the coastal marine area.

Policies

11.4.1: To allow the use of coastal water without restrictions.

This policy would not be used as the activity is permitted under Rule 11.5.2.1. Council is not aware of any use of coastal water for water wheels or wave machines as described in the Explanation and Principal reasons for adopting. The policy could be deleted at the full review.

11.4.2: To allow the taking of coastal water while avoiding, remedying or mitigating adverse effects on ecosystems and community uses and values associated with river mouths, estuaries, lagoons, inlets, harbours, and embayments.

This policy is being achieved as discussed under Objective 11.3.1. Only one consent for a take in a river mouth was granted. A second consent for a coastal water take to wash gravel at South Beach occurs along open beach with no important ecosystems nearby, and has no more than minor effects.

11.4.3: To restrict the damming and diversion of coastal water that would adversely affect ecosystems, and community uses and values associated with river mouths, estuaries, lagoons, inlets, harbours, and embayments.

This policy is being achieved, as discussed under Objective 11.3.1. In some instances the diversion and opening of lagoons and creek mouths protects surrounding indigenous vegetation by avoiding it from being flooded when lagoons and creek mouths block up.

Rules

11.5.1 Needs of ships for taking and using seawater

11.5.1.1: The taking or use of coastal water by ships is a permitted activity.

11.5.2 Using coastal water

11.5.2.1: The use of coastal water is a permitted activity.

It is necessary to have these rules in the Plan because if they weren't a permitted activity, a consent would be required under section 14(2) of the RMA, and this is

impractical. Council is not aware of any use of coastal water, and takes and use by ships may be occurring in open seas.

11.5.3 Taking (excluding ships), damming or diverting coastal water

11.5.3.1: The taking (excluding ships), damming or diversion of coastal water within the coastal marine area is a permitted activity if:

- (a) The taking is for any fire fighting purposes; or**
- (b) The taking, damming or diversion is for an individual's reasonable domestic or recreational needs (including gold mining with a shovel and riffle box); or**
- (c) The taking is for an individual's animals for drinking water; or**
- (d) The taking, damming or diversion occurs outside of:**
 - (i) Coastal Protection Areas; and**
 - (ii) Any river mouth, including upstream to the boundary of the coastal marine area; and**
 - (iii) Any estuary or lagoon.**

The part of this rule that is most likely to be applied is clause (b) for small-scale takes for hobby mining. No complaints have been received about any of the activities listed in the rule. As with the other permitted rules, it allows low impact activities to avoid unnecessarily obtaining resource consent.

In condition (b), the reference to gold mining with a shovel and riffle box may need to be amended, as other hand-held beach mining equipment has been developed. This is further discussed under Rule 9.5.3.4 in Chapter 9 of this report.

11.5.3.2: Except as provided for by 11.5.3.1, the taking (excluding ships), damming, or diversion of coastal water is a discretionary activity.

This rule appears to be appropriate for assessing effects of these activities where they are previously unknown.

The matter of having a permitted rule in the Plan for opening listed, blocked lagoons and river mouths with known minor effects has been discussed under Rule 9.5.3.1 in Chapter 9 of this report.

A question has been raised that maintenance of a structure is permitted under Rule 8.5.2.2, but diverting water to do the maintenance is a discretionary activity under Rule 11.5.3.2. This would be the case for structures up river mouths but still in the coastal marine area, for example, maintenance of bridge piles. This should be investigated for the full review, including checking consents granted for these types of activities to see if they have no more than minor effects and standard conditions that could be included in a permitted activity.

Other Methods

Table 11 summarises the implementation of the Other Methods. These are both part of regulatory processes, and do not need to be listed as Other Methods. As

mentioned in Chapter 5 of this report, they can be included once in a single list of Other Methods for the whole Plan at the full review.

Anticipated Environmental Results

11.7.1: Adverse effects arising from the taking, use, damming and diversion of coastal water on ecosystems, and community uses and values are avoided, remedied or mitigated.

This outcome appears to be being achieved, based on the conditions attached to consents, and the very small number of complaints received (two) about these types of activities. The formation of a channel in the Fox River ceased on inspection, and the dumping of pine trees in HouHou Creek also ceased when an infringement notice was issued.

Possible Future Actions

Investigate whether channel diversion for maintenance of structures can be made a permitted activity.

Table 11
Assessment of the Implementation of Methods in the
Taking, Use, Damming or Diversion chapter

Methods	Assessment of Implementation
<p>11.6.1.1 To consult with Poutini Ngai Tahu through papatipu Runanga by ensuring that Runanga are provided schedules of all non-notified resource consent applications and full copies of notified resource consent applications received by Council and are given the opportunity to comment. To also consult with individual tangata whenua who may be directly affected by a proposed activity.</p>	<p>The two Runanga and TRONT are sent copies of notified consent applications, and this system works well. A list of all consents is sent weekly to the respective Runanga.</p>
<p>11.6.1.2 Recognise and take account of Iwi Management Plans, as a basis for consultation with Poutini Ngai Tahu.</p>	<p>No West Coast Iwi Management Plans have been prepared yet that deal with water takes, damming or diversion in the coastal marine area.</p>

CHAPTER 12 - NOISE

Efficiency and Effectiveness

The objective and policy are satisfactory for assessing noise effects through the consents process, which is the most effective way of dealing with the small number of noise issues on the West Coast. The Other Methods listed are also used in regulatory processes, and they do not need to be listed as Other Methods. This chapter could be shortened with less explanatory text, or incorporated into another chapter at the full review.

Issue

12.2.1: The emission of excessive noise within the coastal marine area can adversely affect amenity values, ecosystems, use of the coastal marine area, adjacent land, and public health.

This is still a potential issue where noise from activities involving machinery occurs near residences or recreational use of the coastal marine area. However, it appears to be not much of a problem in practice. No complaints have been received about noise from coastal activities, and very few consents have a condition for maximum noise limits.

Objective

12.3.1: To manage and control noise levels within the coastal marine area in order to avoid, remedy or mitigate any adverse effect on amenity values, ecosystems, use of the coastal marine area, adjacent land and public health.

This objective appears to be being achieved for activities generating noise that may affect the values listed. Most activities are far enough away from residences to not have significant adverse noise effects. Some applications proposed that trucks would have mufflers to reduce vehicle noise. A sample of the consent files viewed assessed noise effects as no more than minor, meaning that noise would be within acceptable levels, and no noise conditions were needed. Most consents had a condition for the activity to only operate during normal working hours. This would help to avoid noise being a nuisance outside these hours.

Policy

12.4.1: When determining whether noise levels are reasonable or unreasonable, particular regard will be had to:

- (a) Ensuring consistency with any noise control provisions or standards in any district plan for adjacent land; and***
- (b) Amenity values, ecosystems, other use of the coastal marine area, adjacent land and public health; and***

- (c) The duration and nature of noise produced; and***
- (d) The duration and nature of the background noise; and***
- (e) The New Zealand Standards NZS 6801 (1991), NZS 6802 (1991), NZS 6803 (1984) and NZS 6807 (1994); and***
- (f) The proposed NZ Port Noise Standard and its successors.***

The sample of consent files viewed did not have any comments about this policy as there are very few activities producing unreasonable levels of noise. Gravel extraction and rock wall construction generate noise from movement of gravel and rock and machinery involved, however these activities are often in more remote locations. The sea itself creates considerable background noise on the open shoreline. In other instances, adjacent landowners are the beneficiary of the works and are happy to live with short term noise from the construction activity. Where noise from an activity may be more than minor, the condition that is added limits noise to the same decibel level as the New Zealand Standard, which is the same as in the three District Plans.

Other Methods

Table 12 summarises implementation of the Other Methods. The only potential noise issues that have arisen in the coastal marine area are dealt with in the consents process, as is iwi consultation. Since no complaints have been received about noise from unauthorised activities, Council only liaises with the District Council about noise issues in relation to coastal consents. This means that there are no non-regulatory methods used to manage noise, and the Other Methods listed can be deleted at the full review.

Anticipated Environmental Results

12.7.1: Adverse effects arising from unreasonable noise associated with activities in the coastal marine area on: amenity values, ecosystems, use of the coastal marine area and adjacent land uses is avoided, remedied or mitigated.

This outcome is being achieved, based on the lack of complaints about noise.

Table 12
Assessment of the Implementation of Methods in the
Noise chapter

Methods	Assessment of Implementation
12.6.1.1 To consult with Poutini Ngai Tahu through papatipu Runanga by ensuring that Runanga are provided schedules of all non-notified resource consent applications and full copies of notified resource consent applications received by Council and are given the opportunity to comment. To also consult with individual tangata whenua who may be directly affected by a proposed activity	The two Runanga and TRONT are sent copies of notified consent applications, and this system works well. A list of all consents is sent weekly to the respective Runanga.
12.6.1.2 Recognise and take account of Iwi Management Plans, as a basis for consultation with Poutini Ngai Tahu.	This is a standard method that is not relevant to this chapter of the Plan, and it should be deleted.
12.6.1.3 To liaise with territorial local authorities with responsibility for areas adjacent to the coastal marine area over the management and control of noise within the coastal environment.	Done when necessary, on a small number of occasions through the consents process.
12.6.2.1 When considering resource consent applications for activities in the coastal marine area, the Council will have regard to the need to introduce consent conditions in order to avoid, remedy or mitigate the adverse effects of any noise emitted by the activity.	This has been done occasionally for gravel extraction and beach mining consents. Conditions have been added setting maximum noise standards for noisy machinery or activity. Conditions restricting operation to normal working hours also indirectly manage noise effects.
12.6.3.1 To use the enforcement provisions of the Act to control the emission of unreasonable noise associated with activities in the coastal marine area. This includes: (a) The seeking of an enforcement order (section 316 of the Act); or (b) The issuing of an abatement notice (section 322 of the Act); or (c) The issuing of an excessive noise direction (section 327 of the Act); or (d) Fines in accordance with national regulations.	Done when necessary. No enforcement action has been taken in the last five years to manage unreasonable noise in the coastal marine area. If this is provided for in the RMA, it does not need to be included in the Plan as a Method.

CHAPTER 13 - EXOTIC PLANTS

Efficiency and Effectiveness

It is difficult to assess efficiency and effectiveness of the provisions in this chapter as most of them are untested. While there appears to be no known instances of exotic plants being introduced into the coastal marine area, it is difficult to know whether this is simply because it hasn't happened or whether the provisions in this chapter have effectively raised public awareness about the matter and stopped this activity. It is more likely to be the former, although unauthorised dumping of weeds may be occasionally occurring.

This chapter is somewhat redundant now the Regional Pest Plant Management Strategy (PPMS) is operative, but it is not inefficient to retain it until the full review. The prohibited rule is potentially more effective than the default provision in the RMA, which makes introduction of these species a discretionary activity. There are some minor differences with the Pest Plant Management Strategy, as the rules in the Strategy aim to halt the spread of exotic pest plants by requiring occupiers to destroy pest plants on their property. This is a slightly different approach to the Coastal Plan, and it may be difficult to identify an occupier of the coastal marine area when it is 'public land' and the Crown are not bound by the PPMS rules.

This chapter could be superseded by the provisions in the PPMS, as the PPMS is due for review in 2010 and this coincides with the Coastal Plan full review. It would be prudent at that time to consider amending the PPMS to integrate it with section 12(1)(f) of the RMA. The Strategy currently doesn't refer to the provisions in Chapter 13 or the RMA at all. Some small-scale monitoring of pest plants (ie spartina) in the CMA will help to assess the effectiveness of Chapter 13 for the full review.

Issue

13.2.1: Exotic and introduced plants may adversely affect:

- (a) Coastal ecosystems; or***
- (b) Sites of cultural significance; or***
- (c) The natural character and amenity value of areas within and adjacent to the coastal marine area; or***
- (d) Coastal processes acting upon the coastal marine area.***

This is still a potential issue, as spartina has been present in the Karamea estuary area in the recent past and can clog up estuaries and river mouths. Marram is also present, above MHWS in coastal areas, and this competes with pingao. Council is not aware of any new populations of exotic land-based plants deliberately introduced into the coastal marine area in the last five years, however there is the possibility that private landowners with property adjoining the coastal marine area may plant marram to stabilise front dunes and protect their property from erosion. Illegal

dumping of weeds is another means of spreading pest plants into the CMA (though it's difficult to class this as 'introduction').

Objective

13.3.1: To avoid, remedy or mitigate adverse effects associated with the introduction or planting of exotic or introduced plants on:

- (a) Coastal ecosystems; or***
- (b) Sites of cultural significance; or***
- (c) The natural character and amenity value of areas within and adjacent to the coastal marine area; or***
- (d) Coastal processes acting upon the foreshore and seabed.***

This objective is untested, as no consents have been sought or granted for this activity, and this is the only way the objective can be implemented. Aquatic pest plants such as undaria are managed by the Ministry of Fisheries.

Policies

13.4.1: To consider potential adverse effects and the need for any proposed introduction or planting of any exotic or introduced species into the coastal marine area.

13.4.2: When restoration takes place, preference will be given to the use of indigenous species with a further preference for the use of local genetic stock, where suitable.

Policies 13.4.1 and 13.4.2:

These policies are untested as they can only be implemented through the consents process.

13.4.3: To control the assisted spread of pest plants within the coastal marine area, through methods outlined in the Pest Plant Management Strategy.

Now that the PPMS is in place this policy should be deleted. The policy would be more appropriate as an Other Method if any provisions for controlling pest plants in the coastal marine area are retained in the coastal Plan. If this becomes an Other Method at the full review, the term "assisted" should be deleted, as the PPMS covers both natural and human-induced spread of pest plants.

It is noted that the Introduction to Chapter 13 in the Plan explains that natural spread of pest plants is managed by the PPMS. This is inaccurate, as the Strategy also covers deliberate release or planting of listed pest plants. The error should be corrected at the full review if this text is retained. It may be the entire chapter can be removed.

Rules

13.5.1 Introduction of exotic or introduced plants

13.5.1.1: The introduction or planting of marram (*Ammophila arenaria*), ginger (*Hedychium gardnerianum*), spartina (*Spartina sp.*), broom (*Cytisus scoparius*), tree lupin (*Lupinus arboreus*), radiata pine (*Pinus radiata*), blackberry (*Rubus fruticosus*), or gorse (*Ulex europaeus*) in the coastal marine area is a prohibited activity.

Spartina is the only pest plant that is likely to grow in the CMA. There is some suggestion that marram grass might establish just below the MHWS mark in some places (pers comm, D Neale, 23/8/06) but no sites were mentioned. Marram grass is not listed in the PPMS.

13.5.1.2: The introduction or planting of any exotic or introduced plant (which is not a pest plant) in the coastal marine area where the plant is not already present is a discretionary activity and a restricted coastal activity.

13.5.1.3: The introduction or planting of any exotic or introduced plant (which is not a pest plant) in an area where the plant is already present is a discretionary activity.

These rules are untested as no consents have been sought or granted for these activities. No complaints have been received about these types of activity.

Other Methods

Table 13 summarises implementation of the Other Methods. Implementing the PPMS is the main Other Method for managing exotic pest plants in the coastal marine area. Method 13.6.3.1 could be replaced with a Method to share information with DOC about the spread and control of exotic pest plants in the coastal marine area, as they have an active role with controlling pest plants on conservation land adjoining the CMA. The PPMS states that the two spartina sites are being managed by DOC.

Anticipated Environmental Results

13.7.1: Introduction or planting of pest plants within the coastal marine area is avoided.

This outcome appears to be being achieved.

13.7.2: The spread of pest plants already present in the coastal marine area is controlled.

The two spartina sites are being managed by DOC.

13.7.3: The coastal marine area is restored, as required, through the planting of native species, preferably of local genetic stock.

This AER may not be relevant as there would be few native plants that would grow in the saltwater environment of the CMA.

Possible Future Actions

Monitor the nature, extent and effect of exotic pest plant species in the coastal marine area to provide some information to assess Chapter 13 at the full review.

Table 13
Assessment of the Implementation of Methods in the
Exotic Plants chapter

Methods	Assessment of Implementation
13.6.1.1 To consult with Poutini Ngai Tahu through papatipu Runanga by ensuring that Runanga are provided schedules of all non-notified resource consent applications and full copies of notified resource consent applications received by Council and are given the opportunity to comment. To also consult with individual tangata whenua who may be directly affected by a proposed activity.	This is a standard method that is not relevant to this chapter of the Plan, as no consents have been sought for exotic planting in the coastal marine area. The Method should be deleted, and as previously mentioned state this method once for the whole Plan.
13.6.1.2 Recognise and take account of Iwi Management Plans, as a basis for consultation with Poutini Ngai Tahu.	This is a standard method that is not relevant to this chapter of the Plan, and it should be deleted.
13.6.2.1 The WCRC may develop a Regional Pest Plant Management Strategy as necessary to manage any pest plants within the coastal marine area.	The Regional Pest Plant Management Strategy became operative in August 2005. This Method needs to be updated to reflect this, and should also be changed to integrate more with implementation/monitoring of the PPMS in the coastal marine area.
13.6.3.1 The WCRC will liaise with other agencies, including the Department of Conservation and territorial authority, regarding the use of native species for restoration planting of the coastal environment.	This would occur as standard practice in the consents process if considering draft conditions for restoration planting, however no consents have been sought. Council has not been involved with voluntary restoration planting. This Method is not necessary or practical, and could be deleted at the full review.

CHAPTER 14 - NATURAL HAZARDS

Efficiency and Effectiveness

It is uncertain how efficient and effective the relevant objectives and policies in this chapter are. There is some similarity with, and duplication of, provisions in other chapters, raising the question of how necessary this chapter is. The Chapter 14 provisions are useful for ensuring natural hazard-related effects are considered when processing consents.

There is a general reliance on rock walls to provide quick protection to people and property, and this approach is not inappropriate given the rough and changeable nature of the West Coast coastal environment. The effectiveness of other methods such as setback distances for building, planting to stabilise dunes, and education about avoiding building in known hazard areas is uncertain, as they have only recently been implemented and outcomes will show up over a longer period.

Issues

14.2.1: Naturally occurring events can adversely affect community use, development and enjoyment of the coastal marine area and adjacent areas.

14.2.2: Activities in the coastal marine area can exacerbate the adverse effects of naturally occurring events, including but not limited to:

- (a) Further effects on the communities' use, development and enjoyment of the coastal marine area and adjacent areas; and***
- (b) Unnatural loss of habitat of flora and fauna.***

These are still significant issues on the West Coast, mainly in relation to coastal erosion, inundation and sea level rise. Refer to comments made under Issue 6.2.3 which is similar to Issue 14.2.1 and discusses the recent trend of increased demand for subdivision of coastal property, and the potential for increased risk of property damage from coastal hazards. Regarding Issue 14.2.2, end or edge effects of rock protection walls can contribute to erosion at adjoining or nearby property in the vicinity of the rock wall (see Objective 8.3.4). Beach mining, gravel extraction, and sand, stone and shingle removal can make the foreshore, river banks, and front dunes unstable if material is taken from inappropriate places, especially in areas with a history of recognised coastal erosion, and no rehabilitation is done (see Issue 9.2.4).

Objectives

14.3.1: To take into account the potential adverse effects of naturally occurring events, within and adjacent to the coastal marine area, when considering the use, development or protection of the coastal marine area.

This is being done when assessing consent applications. The staff assessment checklist includes consideration of natural hazards. A small sample of consent files were viewed to see if Chapter 14 objectives and policies were referred to. In one third of the files the staff audit noted Chapter 14 provisions. This objective is similar to Policy 6.4.2.1, and comments under this policy apply here.

14.3.2: To protect the integrity, functioning and resilience of coastal processes, when it is identified that they are part of the natural character of the coastal marine area.

This objective is being achieved through conditions on consents, for example, for no excavation or disturbance to the crest of dunes, or within a certain distance of dunes, to not disturb the bed or banks of creeks or the foreshore within 20m of the banks of the creek or creek mouth, for remaining sand and shingle to be evenly spread out over the foreshore, to rehabilitate disturbed areas, and minimise damage to vegetation. This objective is similar to objective 9.3.3, and policies 9.4.2 and 9.4.3, and comments on these provisions apply here. Comments made in Chapter 6 about effects of activities on natural hazard risk also apply here.

14.3.3: To promote use and development within the coastal marine area that is located and designed in such a way as to avoid the need for hazard protection works.

This objective has been given effect to indirectly through conditions on sand, stone, gravel removal, and diversion consents that avoid exacerbating erosion and thus the need for protection works. However, very few staff assessments referred to this policy. This may be due to hazard minimisation being covered by other objectives and policies in Chapters 8 and 9 of the Plan. It may also be due to the term "promote" inferring an element of education such as providing guidelines or advice rather than through consent conditions and decisions. The usefulness of the objective should be reconsidered at the full review.

Policies

14.4.1: To recognise and take into account the possibility that activities in the coastal marine area, particularly activities in areas adjacent to Coastal Hazard Areas, can exacerbate the adverse effects of naturally occurring events, including adverse effects on:

- (a) The West Coast communities' use, development and enjoyment of the coastal marine area and adjacent areas; and***
- (b) The integrity, functioning and resilience of beaches, sand dunes, barrier islands, wetlands and other natural barriers and;***
- (c) Natural character.***

This policy is being given effect to through the consents process, and these matters are discussed under Objective 14.3.2. Comments made under Policy 6.4.1.3 for Coastal Hazard Areas, and Objectives 8.3.4 and 9.3.3 for considering effects on coastal processes of structures and alteration activities, also apply here. Comments made under Policy 9.4.2 also apply here with respect to clause (b).

14.4.2: When responding to coastal hazards, to consider, in consultation with affected parties, the best practicable option for the future.

This policy may not be relevant or necessary in the Coastal Plan as these processes occur as a standard response to natural hazard events, and utilise existing Rating District formation procedures. This was the case at Punakaiki and Okuru where erosion and inundation threatened properties and homes, and resulted in the construction of rock protection works. The Granity community is currently being consulted about recent inundation into several beach-front sections, and also the Rapahoe community about threatened erosion, to find the most acceptable options.

14.4.3: Adequate provision should be made in the design of any structure, reclamation, or other physical feature, to recognise the possibility of sea level rise and other naturally occurring events, such as migration inland, which may damage that structure, reclamation or feature.

This policy has partially been given effect to. Effects of coastal hazards on coastal structures and features are generally considered in the consents process, although sea level rise does not appear to be given consideration in most small-scale applications for rock walls. This matter is discussed under Policy 8.4.3 and these comments apply here, including that it would assist monitoring Plan effectiveness if a brief comment was included in the staff assessments about effects of sea level rise on a proposed structure. A number of structures are designed to provide for the ability to 'top them up' in the future.

Other Methods

Table 14 summarises implementation of the Other Methods. Over half the Other Methods have been implemented, and some are not applicable and can be deleted. Most of these methods involve using education, consents, engineering advice, and Rating District processes. These appear to be useful to educate individuals and communities about natural hazards.

Anticipated Environmental Results

14.7.1: Adverse effects of naturally occurring events on community use, development and enjoyment of the coastal marine area and adjacent areas are avoided, remedied or mitigated.

This appears to be being achieved. As explained under Policy 14.4.2 Council responds to situations where coastal hazards, mainly erosion and inundation, threaten to adversely affect adjoining land.

14.7.2: The integrity, functioning and resilience of coastal processes and features such as beaches, sand dunes, barrier islands and other barriers is maintained.

This is being achieved as discussed under Policies 14.4.1 and 9.4.2. This AER is similar to AER 9.7.5, and could be deleted to avoid repetition.

14.7.3: The natural character of the coastal environment is preserved.

This has been discussed under several other provisions of the Plan, the most relevant in relation to coastal hazards being Policy 6.4.1.2 with respect to assessing impacts on natural character in already modified areas with high landscape values. Erosion protection walls are necessary to protect the State Highway or private property and so far have only had minor visual impacts, minor effects being allowed in the RMA. In some situations the rock works have protected aspects of the natural character of an area, for example, some remnant native trees at Bruce Bay, which would otherwise have been washed away. Comments made under Objective 8.3.2 also apply, that is, there is not a proliferation of structures in the coastal marine area at present, however this may need to be monitored over the next 5 years if more rock protection works are sought.

This AER is not clear about how it relates to natural hazards, and it is also the same as AER's 5.7.4 and 6.7.2. If it is retained at the full review it should be amended to more clearly link to natural hazards, or be deleted to avoid duplication.

14.7.4: Changes in coastal processes that lead to an exacerbation of adverse effects from naturally occurring events are avoided.

Refer to comments under Policy 14.4.3. It is not clear whether this AER refers to natural or human-exacerbated events.

14.7.5: Development within the coastal marine area is located and designed in such a way as to avoid the need for hazard protection works.

The comments made under Policy 14.3.3 apply here.

Possible Future Actions

Consider monitoring cumulative effects of gravel and stone takes in CHA's and rivers near the coastal marine area to identify effects on coastal processes from these activities.

Table 14
Assessment of the Implementation of Methods in the
Natural Hazards chapter

Methods	Assessment of Implementation
<p>14.6.1.1 The WCRC will consult with adjacent territorial local authorities over the need for, and appropriateness of joint management plans and joint works or action in order to address specific erosion issues or other coastal hazards issues.</p>	<p>No joint management plans have been prepared with the District Councils, but the Regional Council has worked with the Buller District Council to address erosion at Punakaiki and Granity, and with Grey District Council at Rapahoe. The word "adjacent" in this Method is confusing, and should be replaced with "West Coast".</p>
<p>14.6.1.2 The WCRC will consult with people and communities directly affected by coastal hazards, when making decisions on levels of risk, from natural hazards.</p>	<p>Recent consultation was done with the Rapahoe community as waves have been overtopping the rock protection works there. Council staff have also spoken to individuals at Punakaiki, Granity and Carters Beach in the last five years when erosion has increased the inundation risk for private properties. This also occurs through the Rating District processes.</p>
<p>14.6.2.1 The WCRC will promote and encourage:</p>	
<p>(a) Means to avoid or mitigate the adverse effects of naturally occurring events, including but not limited to:</p> <p>(i) The use of coastal set back zones, and</p> <p>(ii) Designing and building structures in a manner that provides for naturally occurring events; and</p> <p>(iii) Maintaining and enhancing the integrity of beaches, sand dunes, barrier islands and other natural barriers; and</p> <p>(iv) Erosion control and restoration planting; and</p> <p>(v) Providing for coastal protection works for existing use and development; and</p> <p>(vi) Consideration of alternative locations for activities; and</p>	<p>Clauses (i) & (ii): Coastal setback zones and building design are District Council matters, and the District Plans have setback distances for building from the coastal marine area boundary, and building consents can require, for example, minimum heights above ground for foundations and platforms to avoid inundation into homes.</p> <p>Clause (iii): this is already done by conditions on resource consents.</p> <p>Clause (iv): Council staff have given support to restoration planting of pingao along the Paroa-Taramakau coastline by the local community group. Staff have also liaised with the Buller District Council about the feasibility of erosion control planting on certain Buller beaches.</p> <p>Clause (v): protection works are paid for by the Rating Districts. Council provides advice about protection works.</p> <p>Clause (vi): This is done through the consents process, and the clause can be</p>

<p>(vii) Where appropriate, the preparation of hazard management plans by affected persons.</p> <p>(b) An awareness of those parts of the coast which have been identified as a Coastal Hazard Area.</p>	<p>deleted.</p> <p>Clause (vii): This has not been considered necessary, and it is unclear what these hazard management plans are. The clause should be clarified or deleted.</p> <p>Clause (b): This is occurring by raising consent applicants' awareness of CHA's through the consent process. There also appears to be a general level of awareness amongst the public about coastal hazards from articles in Council Rates newsletter and local papers.</p>
<p>14.6.3.1 Where appropriate, the WCRC may use its powers under the Soil Conservation and Rivers Control Act 1959 to undertake coastal protection works to help avoid or mitigate adverse effects on a regionally significant natural or physical resource, arising from naturally occurring events.</p>	<p>This provision has not been utilised in the last five years as no such situations have arisen. It would be applied mainly to deal with damage from sudden, unforeseen storm events. Most protection work that Council is involved in is done reactively where a community feels threatened by erosion and is willing to pay for a level of protection. The Method could remain as it may be implemented in the future as and when necessary.</p>
<p>14.6.4.1 The WCRC will share information on coastal hazards with territorial authorities and affected communities.</p>	<p>This has been done through the annual Rating District meetings, and providing information and advice to individual owners of coastal property.</p>

CHAPTERS 15, 16, 17 – INFORMATION REQUIREMENTS, FINANCIAL CONTRIBUTIONS, MONITORING AND REVIEW

Efficiency and Effectiveness of these Chapters

These chapters do not require to be assessed for efficiency and effectiveness, but some brief comments are made as follows:

Chapter 15 Information Requirements

Section 67(2)(g) of the Act makes it optional for regional plans to state what information should be included with a resource consent application. Consents staff advise (pers com, H Fletcher, 8/8/06) that having this section in the Plan is efficient for assessing consent information and objectives, policies and rules together, and relevant parts of this chapter are photocopied and given to consent applicants. Schedule 4 of the RMA was amended in 2003 and 2005, and these chapters may need to be updated with any relevant amendments.

Four minor changes are recommended:

1. Page 171 of the Plan, where clause (b) refers to providing information for:
"An activity that would otherwise not comply with this Regional Coastal Plan (a non-complying activity)."
This sentence is not relevant as there are no non-complying rules in the Plan. Any activity not covered by an activity-specific rule is a discretionary activity. It can be deleted at the full review unless new non-complying rules are added to the Plan.
2. 15.3.1 Placement or modification of structures: Under No 4 the reference to "natural physical coastal processes could be clarified by adding examples, such as end effects or overtopping, as some applicants are unsure what this means (pers com, H Fletcher, 8/8/06).
3. 15.3.1 Placement or modification of structures: No 5 can be deleted as lighting is a District Council matter.
4. A note could be added explaining that other consents may be required from the Regional Council or District Council for any activities on the landward side of the coastal marine area.

Chapter 16 Financial Contributions

This section is untested as no conditions have been added to consents for financial contributions in the last five years. This section should remain in the Plan, as section 108(10) states that councils cannot add conditions to consents for financial contributions unless they are in accordance with the purposes and levels specified in the plan. This means provisions for financial contributions must be in the Plan to enable Council to apply them, if appropriate, in the future.

Chapter 17 Monitoring and Review

This five year review has been the main tool for monitoring the performance of the Coastal Plan to date. Section 17.2 provided a guide for what to address in this review, and all these matters are generally covered, except for the following:

1. *The extent to which the views of West Coast's communities are reflected in the management of the coastal marine area.*
 3. *The number, size and extent of structures.*
11. Effects of habitat changes.

No monitoring has been done for No 6 regarding monitoring water quality with a view to classifying waters, however the matter was commented on under Other Method 10.6.8.1. The above matters are not relevant and should be reconsidered at the full review.

Approximately half of the monitoring techniques listed in section 17.3 were used for this review, although it was mainly consent files and the Incidents database. There are gaps with these systems that should be addressed over the next five years to assist with monitoring effectiveness of the Coastal Plan, and these have been raised earlier in this report. Recording of audits of consent applications and recording complaint investigations are the main areas which could be improved. Suggestions have also been made in this report to monitor issue-related, 'hotspot' activities in site-specific areas, for example, sand, stone and shingle takes in Coastal Hazard Areas, and new coastal subdivisions and their effects. Findings from this type of monitoring may mean changes to the "Elements to be Monitored" section.

It may be useful to have a brief description of monitoring procedures in the Plan. The RPS review suggests developing a strategy to link policy/plan, SOE and compliance monitoring.

Some minor updating of this section needs to be done as follows, if these parts are to be retained:

Page 191, clause (b) refers to the "suitability...." of any policy statement or plan. This has been replaced by "efficiency" in amendments to the Act, and clause (b) should be updated at the full review. "Suitability" is also used in the first paragraphs of sections 17.2 and 17.3, and in No 3 of section 17.4.

On Page 191 there is reference to the Regional Monitoring Strategy. This is a non-statutory document that is now out of date, and this reference should be deleted at the full review.

The last paragraph in section 17.1 needs updating, as including in the Plan the procedures to be used to monitor effectiveness is now optional rather than mandatory.

If this section is to be retained, reference should be included to the requirement in the Act for a five year review of the efficiency and effectiveness of the Plan.