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# Stocktake and Analysis of Regional Coastal Plans, District Plans and Regional Policy Statements for the New Zealand Coastal Policy Statement Review

January 2007



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Prepared for

Department of Conservation

By

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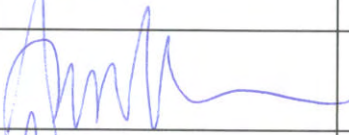

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## Revision History

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# 1 Introduction

## 1.1 Purpose of Study

The Resource Management Act 1991 (RMA) provides the primary legislative framework for coastal management in New Zealand. The RMA requires that at all times there shall be a New Zealand Coastal Policy Statement (NZCPS). The Minister of Conservation (the Minister) issued the current NZCPS in 1994 following consultation; submissions; and a report and recommendations by an independent Board of Inquiry. The NZCPS provides policy direction at a national level and effectively acts as a guide to local authorities in their day-to-day management of the coastal environment.

Policy 7.1.1 of the NZCPS requires that the effectiveness of the NZCPS be reviewed by a person, or persons independent of the Minister no later than 9 years after it's gazettal. This independent review was completed in May 2004. The review recommends that the NZCPS be formally reviewed to revoke obsolete policies and to provide additional policy guidance required by sub-national levels of planning (Rosier 2004<sup>1</sup>). In August 2004 the Minister announced the review of the NZCPS.

Policy 7.1.2(a) of the NZCPS requires the Minister to monitor the effectiveness of the NZCPS in achieving the purpose of the RMA by assessing the effect of the NZCPS on all subordinate planning instruments. The Department of Conservation (DoC) is charged with carrying out this effectiveness monitoring of the NZCPS on behalf of the Minister.

DoC has commissioned Beca to carry out this stocktake and plan analysis of policy statements and regional and district plans as part of the NZCPS review. The key objective of this study is to determine how policy statements and plans are addressing a range of specified coastal management topics. This project provides a snapshot of how policy statements and regional and district plans provide for coastal management as at 1 March 2006 and will inform a section 32 RMA report to support changes, or no changes, to the NZCPS as a result of the current review, while also partially achieving the requirements of Policy 7.1.2(a).

## 1.2 Study Outputs

The outputs of this study include this report (with appendices) containing the study findings accompanied by a searchable Microsoft Access database containing all of the data collected. More specifically, this report contains an overview of the planning framework for coastal management (including the NZCPS); a description of methodology used to undertake the Stocktake; the findings of the plan and policy statement reviews; and an analysis of these findings.

An 'inventory' of key data, collected in Microsoft Access, accompanies this report. This database contains all of the information collected throughout the study. This database is searchable and data is stored in linked forms as well as spreadsheets that can be exported into other programs for further data analysis and manipulation.

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<sup>1</sup> Rosier, Dr J, (May 2004) 'Independent Review of the New Zealand Coastal Policy Statement', School of People, Environment and Planning, Massey University.

### 1.3 Scope of the Analysis

The scope of this study includes:

- A standardised review and collection of information with regard to current coastal management and how the current NZCPS is reflected in current district plans, regional coastal plans<sup>2</sup> and regional policy statements;
- Compilation of results from data collected during the review phase; and
- Analysis of the current approaches in district and regional coastal plans and policy statements with regard to coastal management.

The review, data collection, and subsequent analysis, has been guided by the sample set of 'plan analysis questions' provided by DoC (contained in Appendix A) and referred to hereafter as 'the Stocktake brief'. These questions established the bounds of the study by defining the particular matters included in their review.

This study includes a review of all proposed and operative policy statements and regional coastal plans that have been prepared under the RMA. Further, the study analyses all district plans of territorial authorities that have a section of coast within their district. A total of 89 planning documents were reviewed, comprising 55 district plans, 13 regional coastal plans, 5 unitary authority plans and 16 regional policy statements<sup>3</sup>. Draft plans and policy statements were not reviewed, with the exception of the Draft Wairarapa Combined District Plan, which for the purposes of this study, will be considered along with the other proposed and operative plans as the Councils' representatives advised that it would be more accurate to rely on the provisions of the draft plan rather than those of the current operative plans. A list of the documents reviewed is included as Appendix B. These documents are referred to throughout the report as 'the planning documents'.

Standalone regional plans, other than regional coastal plans or unitary authority plans, have been excluded from the study. The rationale for this is that these plans do not typically provide specifically for the management of the coastal environment and therefore would not contribute substantially to the study's purpose of providing a snapshot of current coastal management regimes.

For the purpose of this study it is recognised that the methodology proposed will not identify **all** provisions, nuances and management regimes of the various planning documents, instead the intent is to identify key trends, as they relate to the Stocktake Brief through recording and analysing clear and distinct provisions of each of the planning document.

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<sup>2</sup> The terms "district plans and regional coastal plans" when referred to consecutively includes combined documents produced by unitary authorities.

<sup>3</sup> Where more than one district plan exists for a particular district (e.g. Auckland City), these have been reviewed as separate planning documents. Plans prepared by unitary authorities were considered under both district plan and regional plan review categories. It should be noted that in the case of Gisborne District Council (which is a Unitary Authority) there is both a Combined Regional Land and District Plan and a Regional Coastal Plan. For the purpose of this study the Combined Plan has been considered in the district plan category and the Coastal Plan has been considered in the regional coastal plan category.

For the avoidance of doubt, this study has sought to identify direct or specific references to particular subject matter in planning document provisions. This enables the identification of plan provisions that are specifically authored to protect or manage activities of components of the coastal environment, rather than the identification of provisions that are more generic in nature and 'could' apply.

## 1.4 Report Structure

The remainder of this report is set out as follows:

- Statutory Framework – provides an overview of the statutory context for the management of the coastal environment;
- Methodology – provides an overview of the approach to undertaking the Stocktake and analysis;
- Key Findings – contains the key findings of the Stocktake, structured in terms of the 'questions' set out in the Stocktake brief;
- Summary of Key Trends – provides an overview of the key findings and trends in relation to the topics contained in the Stocktake brief; and
- Opportunities for National Guidance – outlines issues identified in terms of regional and district council practice in managing the coastal environment as demonstrated by the content of the various planning documents.

## 1.5 Influencing Factors and Limitations

As a preliminary matter, it is important to consider other factors that may influence the content of the planning documents and therefore the findings of this study.

### Impact of legislative changes

It is acknowledged that recent changes to the RMA may not have immediately resulted in changes to the planning documents. There are a number of examples of RMA amendments that may have an influence on a particular council's coastal management regime. In situations where a planning document is prepared prior to such RMA changes, it would be reasonable to expect to see a 'time-lag' before such changes are implemented at a council level. In considering the findings of this study, some variation or gaps in approaches could be explained by this 'time-lag'.

Perhaps one of the most important changes to the RMA that has the potential to influence the content of all planning documents is the amendment to section 62 which now requires that *"a regional policy statement ... must give effect to a ... New Zealand coastal policy statement"* as opposed to previously *"must not be inconsistent with"*. Similarly regional and district plans are now required to 'give effect to' a regional policy statement.

Other changes that may influence the content of planning documents are the inclusion of *"the protection of historic heritage from inappropriate subdivision, use, and development"* in section 6 (matters of national importance); and *"the effects of climate change"* and *"the benefits to be derived from the use and development of renewable energy"* in section 7 (other matters).

Further, it has also previously been noted that the planning documents do not include references to occupation of the CMA in relation to aquaculture in terms of the new Part 7A



of the RMA; again this is likely to be associated with a time-lag in updating the planning documents.

Another legislative change that may have an influence in the future is the Resource Management (Foreshore and Seabed) Amendment Act 2005. As a result of the Amendment Act, activities carried out in accordance with customary rights orders are now known as recognised customary activities under the RMA. Recognised customary activities are now recognised as a matter of national importance under the RMA, and can be carried out without a resource consent, regardless of rules set out in a plan. A plan cannot identify any activity as permitted if that activity will, or is likely to have a significant adverse effect on a recognised customary activity.

### Impact of other legislation

It must be acknowledged that this study is limited to a consideration of coastal management regimes as set out in the planning documents, and guided by the topics of the Stocktake brief, while the management regimes that apply to the coastal environment extend beyond purely the content of these documents.

Management is influenced by other legislation, including the following:

- Local Government Act
- Conservation Act
- Reserves Act
- Fisheries Act
- Marine Reserves Act
- Foreshore and Seabed Act
- Maritime Transport Act.

In some cases the planning documents have specifically referred to management under other legislation, for example, in relation to the formulation of by-laws or in relation to civil defence responsibilities.

### Impact of practice

The Stocktake has sought to determine the content of the planning documents, but has not, in the most part, considered the application of these provisions. The way in which a council may administer their plans may have an impact in terms of the effectiveness of the provisions identified in this study. Further, the councils may employ management techniques under the RMA that are not directly referred to in planning documents, such as coastal tendering.

### Geographic influence

The content of the planning documents may show a tendency to reflect a regional or district level influence based on particular resources or issues within that jurisdiction. For example, the pressure for the development of marinas and moorings within the Waikato Region has resulted in a more complex, and geographically defined suite of rules for such activities

## 2 Statutory Framework - Coastal Management

The RMA provides the legislative framework for coastal management in New Zealand. The RMA requires that at all times there shall be a NZCPS. The RMA also requires regional councils to prepare and implement regional policy statements and regional coastal plans. Regional councils are also able to prepare and implement regional plans. Further, district councils must prepare and implement district plans. The following provides a broad overview of the purpose and content of these documents as background to this study.

This study looks at how provisions of the RMA are reflected in the planning documents. It is expected that recent changes to the RMA will have an impact on the content (and change of) the documents, however, it should be acknowledged that there is likely to be some delay between RMA amendments and when these changes are reflected in local government policy. It is likely in many circumstances where newer RMA provisions are not reflected in the documents, that this is a result of a 'time-lag' in updating documents. This limitation is discussed further in section 8 of this report.

While not directly relevant to this study, it is noted that the Minister for the Environment has the ability to prepare and implement national policy statements and national environmental standards.

### 2.1 New Zealand Coastal Policy Statement

The RMA requires that there will, at all times, be at least one NZCPS and that the Minister of Conservation is responsible for preparing that statement/s. The purpose of the NZCPS, gazetted in May 1994, is to provide a policy framework that will promote the sustainable management of the natural and physical resources of the coastal environment of New Zealand (section 56 and section 5 of the RMA). The NZCPS outlines the general principles for the sustainable management of New Zealand's Coastal Environment and identifies matters to be included in regional coastal plans. Policy topics include:

- National priorities for the preservation of the natural character of the coastal environment of New Zealand including protection from inappropriate subdivision, use, and development;
- The protection of the characteristics of the coastal environment of special value to the tangata whenua including waahi tapu, tauranga waka, mahinga maataitai, and taonga raranga;
- Activities involving the subdivision, use, or development of areas of the coastal environment;
- The Crown's interests in land of the Crown in the coastal marine area;
- The matters to be included in any or all regional coastal plans in regard to the preservation of the natural character of the coastal environment, including the specific circumstances in which the Minister of Conservation will decide resource consents;
- The implementation of New Zealand's international obligations affecting the coastal environment;

- The procedures and methods to be used to review the policies and to monitor their effectiveness;
- National priorities for maintaining and enhancing public access to and along the coastal marine area;
- The protection of recognised customary activities.

In addition to the NZCPS, it is noted that sections 7 and 8 of the Hauraki Gulf Marine Park Act 2000 (HGMPA) must be treated as a NZCPS statement issued under the RMA. The HGMPA requires the recognition of the national significance of the Hauraki Gulf by all agencies that have management responsibilities for the land, coastal environment and water within the Boundaries of the Hauraki Gulf (as defined in the HGMPA). It is also noted that this recognition is given in the Waikato Regional Coastal Plan.

## 2.2 Regional Policy Statements

Section 59 of the RMA states *“The purpose of regional policy statements is to achieve the purpose of the RMA by providing an overview of the resource management issues of the region and policies and methods to achieve integrated management of the natural and physical resources of the whole region”*. Regional policy statements must not be inconsistent with any water conservation order and must give effect to a national policy statement, or NZCPS (section 62(3) RMA). Section 62 of the RMA defines the content of regional policy statements, which includes:

- Significant resource management issues for the region;
- Resource management issues of significance to iwi authorities in the region and the board of a foreshore and seabed reserve, to the extent that those issues relate to that reserve;
- Objectives sought to be achieved by the statement
- The policies for those issues and objectives and an explanation of those policies;
- Methods (excluding rules) used or to be used to implement the policies;
- The principal reasons for adopting the objectives, policies, and methods;
- Environmental results anticipated;
- Processes to be used to deal with issues across or between authorities;
- The local authorities responsible for the control of the use of land; and
- Procedures to monitor the efficiency and effectiveness of the statement.

## 2.3 Regional Coastal Plans

Regional councils have, in conjunction with the Minister of Conservation, functions for the control of various activities in the coastal marine area (CMA).

The CMA as defined by the RMA as

*“... the foreshore, seabed, and coastal water, and the air space above the water –*

*(a) Of which the seaward boundary is the outer limits of the territorial sea:*

*(b) Of which the landward boundary is the line of mean high water springs, except that where that line crosses a river, the landward boundary at that point shall be whichever is the lesser of –*

- (i) One kilometre upstream from the mouth of the river; or
- (ii) The point upstream that is calculated by multiplying the width of the river mouth by 5"

The purpose of regional coastal plans is to assist regional councils in carrying out their function of promoting the sustainable management of natural and physical resources in relation to the coastal marine area. It is mandatory under section 64(1) of the RMA for regional councils to have at all times a regional coastal plan for their region's coastal marine area.

Section 64(2) of the RMA permits the incorporation of a regional coastal plan within a more extensive regional plan where it is considered appropriate in order to promote integrated management of the CMA and any related part of the coastal environment. Such plans include the CMA as their seaward component but span across the landward boundary to any related part of the coastal environment. The coastal environment is not defined in the RMA, however case law has defined it as "*an environment in which the coast is a significant element or part*" (Northland Regional Planning Authority vs. Whangarei County Council 463/76; and The Physical Environment Association of the Coromandel vs. Thames Coromandel District Council (1982)). These broader regional plans are typically referred to as Regional Coastal Environment Plans.

## 2.4 Regional Plans

Regional plans are prepared by regional councils and concentrate on particular parts of the environment, like the river, coast or air. The purpose of regional plans is to assist a regional council to carry out its functions and may focus on specific resources, activities, issues or geographic areas. With the exception of regional coastal plans, the preparation of regional plans is optional. Basic regional council functions include managing factors such as soil conservation, water quality and quantity, ecosystems natural hazards and hazardous substances, air quality, civil defence, transport, soil, and harbour/coastal areas. A regional plan must give effect to any national policy statement, NZCPS, and any regional policy statement, and must not be inconsistent with any water conservation order, or any other regional plan for the region, or a determination, or reservation of the Chief Executive of the Ministry of Fisheries made under section 186E of the Fisheries Act 1996. Section 67 of the RMA defines the content of regional plans, which includes:

- Issues to be addressed;
- Methods (other than rules) for implementing the policies for the region;
- Objectives sought and the policies for those issues and objectives;
- Reasons for adopting the policies, and methods;
- Environmental results expected from the policies and methods;
- Procedures to monitor the efficiency and effectiveness of the policies and methods;
- Processes to deal with issues across or between authorities; and
- Information to be included with an application for a resource consent;

Section 68(1) of the RMA states that a regional plan may include rules and sections 69 – 71 provide specific direction in relation rules for certain activities along with giving effect to any national policy statement.



## 2.5 District Plans

As for regional plans, the purpose of district plans is to assist territorial authorities to carry out their functions in order to achieve the purpose of the RMA. The content of district plans is defined by section 75 of the RMA and is similar to the content of regional plans (the section 67 matters listed above).

Like regional plans, district plans deal with the management issues relevant to that particular district. The RMA requires that district and city councils focus particularly on land use. District plans reflect this requirement, and are more land focussed than regional plans, concentrating on items such as land use effects, the effects of the activities on the surface of rivers and lakes, natural hazards, hazardous substances, and noise.

A district plan must give effect to any national policy statement, any NZCPS, and any regional policy statement. A district plan must not be inconsistent with a water conservation order or a regional plan. Section 76 of the RMA states that a district plan may include rules.

## 3 Methodology

A team of data gatherers reviewed all of the planning documents. A template was used for the data collection phase to enable the information collected to be standardised and compared. The template was designed to capture the majority of data in a qualitative manner with data sets, or categories, determined following the data capture phase to ensure that the findings in terms of a document's content would not be pre-determined.

### 3.1 Information Gathering

The data collection was undertaken using the guidance of a 'data collection template'. This ensured that information was gathered in a thorough and consistent manner.

The information-gathering template was developed by the project team directly in response to the questions set out in the Stocktake brief and was reviewed by coastal experts, to ensure that all key issues were addressed and appropriate data is gathered. The template was edited and refined at the Project Initiation Meeting held on 13 February 2006. An informal pilot run was undertaken of the template that was then confirmed by DoC to meet its objectives.

The data-gathering template primarily focuses on a set of coastal management issues and how the planning documents provide for them. The template also provides scope for 'other information' to be recorded where relevant.

The template aimed to guide the data collection team in reviewing the planning documents. The completion of the template was assisted by a set of explanatory notes to provide further clarification and ensure consistency in the data gathering. Appendix C contains the data-gathering template and the accompanying explanatory notes.

The data from the completed templates was subsequently entered into a Microsoft Access database. This two phase, gathering and input approach enabled data to be checked prior to data entry and enabled consistency in data entry.

Planning documents were sourced from the Beca internal library and information services, the Internet and where necessary from EnergyInfo, or Ministry for the Environment library.

Where the requirements of the Stocktake could not be fulfilled through review of the planning documents an email was sent to policy personnel in councils. This again ensured that all data was gathered as thoroughly and accurately as possibly.

### 3.2 Information Management

Along with the retention of the hard copy record of the review, a Microsoft Access database was utilised for the management and analysis of the information gathered. Microsoft Access provides well for the type of information that was gathered and enables controlled data input along with numerous query, retrieval and reporting options.

The database was developed alongside the development of the template to ensure consistency and functionality of the data and database. The database was designed to

incorporate 'drop down' menus (where appropriate), scope for qualitative information and further database rules to guide data quality and input.

After data gathering the database was further refined to enhance functionality, through categorising data and further design of reports and queries that can be generated.

### 3.3 Analysis

An analysis of the data collected was undertaken after the information gathering phase. The analysis focuses on the key coastal management topics identified in the Stocktake brief, with consideration of the current NZCPS. It identifies gaps in management regimes, and provides examples of good practice and key trends.

Analysis was undertaken by Beca coastal technical specialists, utilising the substantial data that was gathered.

The analysis includes the identification of key trends, issues, and gaps and opportunities for coastal management and more particularly draws conclusions regarding the practice of councils in relation to the key topic areas. The gap analysis was undertaken with particular reference to the current provisions of the NZCPS.

An important component of our analysis will also be a 'gap analysis' and review of what is not included in a policy statement or plan.

It should be noted that throughout the analysis the terms "direct reference" and "specific reference" are used. These terms identify plan provisions that are specifically authored to provide for the protection of management of certain activities or components of the environment as opposed to provisions that apply to activities in generic terms.

## 4 Key Findings – Regional Coastal Provisions

The following section of this report relates to provisions contained in regional coastal plans only<sup>4</sup>, in terms of particular topics, as guided by the Stocktake brief.

### 4.1 Coastal Environment Plans

Section 64(1) of the RMA requires that there shall at all times be one or more regional coastal plans that apply to the coastal marine area (CMA). Section 64(2) of the RMA notes that a regional coastal plan may form part of a regional plan “*where it is considered appropriate in order to promote the integrated management of a coastal marine area and any related part of the coastal environment*”<sup>5</sup>. These broader regional plans are typically referred to as ‘regional coastal environment plans’. In practice this results in some regional coastal plans applying only to the CMA, while others relate to a broader ‘coastal environment’, which includes the CMA but also extends inland of MHWS.

#### 4.1.1 CMA vs coastal environment

The Stocktake brief sought to identify where plans refer to the CMA and where they refer to the broader coastal environment. The difference is that although coastal environment plans do not apply rules outside the CMA, they do contain provisions that enable the consideration of effects on the coastal environment. Regional coastal plans refer only to the CMA - thus restricting a consideration effects to within the CMA.

Table 1 below identifies the regional plans that contain provisions that relate only to the CMA or to the broader regional coastal environment plan. As shown by Table 1, half (9) of the documents reviewed provide consideration of effects on the broader coastal environment.

**Table 1 - Regional Coastal Plans - CMA vs. Coastal Environment Plans**

Regional Coastal Plans (CMA only)	Coastal Environment Plan
Northland	Auckland
Waikato	Hawkes Bay
Manawatu/Wanganui	Taranaki
Wellington	Bay of Plenty
Tasman	Nelson
West Coast	Marlborough Sounds
Otago	Wairau-Awatere
Southland	Canterbury
Chatham Islands	Gisborne

<sup>4</sup> The sections of unitary authority plans that form the equivalent of regional coastal plans are also included in this analysis. For simplicity, these sections will be referred to as ‘regional coastal plans’ within this report.

<sup>5</sup> While, as previously noted, the CMA is defined by the RMA, the ‘coastal environment’ is not. Case law has defined the coastal environment as an environment in which the coast is a significant element or part.



#### 4.1.2 Defining the landward boundary of the coastal environment

The Stocktake brief sought to identify how the landward boundary of the coastal environment is defined in the regional plans that contain provisions relating to the coastal environment.

It was found that Coastal Environment Plans use a combination of maps (or overlays), criteria and descriptions to identify the coastal environment.

The Auckland Regional Coastal Plan contains an extensive list of criteria for determining the landward boundary of the Coastal Environment. These criteria are derived directly from Policy 7.4.1 of the Auckland Regional Policy Statement:

*"In determining the extent of the coastal environment of the Auckland Region, the following areas and features shall be taken into consideration:*

- i. any vegetation or habitat adjacent to, or connected with, the coastal marine area (CMA) which derives its intrinsic character from a coastal location or which contributes to the natural character of the coastal environment;*
- ii. any landform adjacent to the coastal marine area which is presently being formed or modified by processes of coastal erosion or deposition;*
- iii. any feature or collection of features, either natural or physical, that derives its intrinsic character from a coastal location and which substantially contributes to the visual quality or amenity value of the coast;*
- iv. any site, building, place or area of cultural heritage value adjacent to, or connected with, the coastal marine area which derives its heritage value from a coastal location;*
- v. areas of Significant Natural Heritage listed in Appendix B and Outstanding and Regionally Significant Landscape Areas shown on Map series 2 which are adjacent to the coastal marine area;*
- vi. any land adjacent to the coast from which surface drainage may flow directly to the coastal marine area;*
- vii. any land adjacent to the coast which is affected by, or could be affected by, coastal flooding and other identified coastal hazards;*
- viii. any land adjacent to the coast where activities may take place which have a direct physical connection with, or impact on, the coastal marine area;*
- ix. the coastal marine area."*

The Wairau Awatere Resource Management Plan (Marlborough District) uses the following description to identify the coastal environment:

*"The coastal environment includes at least the coastal marine area, the water, plants, animals, and the atmosphere above it; and all tidal waters and foreshore (whether above or below mean high water springs), dunes, beaches, areas of coastal vegetation and coastal associated animals, areas subject to coastal erosion or flooding, salt marshes, sea cliffs and coastal wetlands including estuaries. It may also include up to the dominant ridge behind the coast, where there are hills behind the coast".*

The Gisborne Proposed Coastal Environment Plan uses all three methods to define the coastal environment. Such an approach provides the greatest degree of certainty in terms of plan administration.

## 4.2 Water Quality

Chapter 5 of the NZCPS contains matters that must be included in regional coastal plans in regard to the preservation of the natural character of the coastal environment. Chapter 5 includes Policies 5.1.1 – 5.1.7 that relate specifically to the maintenance and enhancement of water quality.

Policies 5.1.1 – 5.1.3 require that rules be promulgated with the objective of enhancing water quality (where desirable to achieve the purpose of the RMA), and that the rules should address the discharge of human sewage and provide that, after reasonable mixing, no discharge may give rise to any significant adverse effects on habitats, feeding grounds or ecosystems.

Polices 5.1.4 – 5.1.7 relate to policy statements and plans providing for, or considering, the review of permits and conditions; the reduction of contamination from trade wastes and non-point sources; and warning the public in relation to the actual or potential degradation of water quality.

### 4.2.1 Presence of water quality standards and basis for such standards

Water Quality Standards are a tool for managing water quality. These standards may be based on either Schedule 3 of the RMA or Australian and New Zealand Environment and Conservation Council (ANZECC) Water Quality Guidelines. Schedule 3 of the RMA provides water quality classes described in relation to the activities that the water is used for. The ANZECC Water Quality Guidelines provide an authoritative guide for setting water quality objectives required to sustain current, or likely future, environmental values for natural and semi-natural water resources in Australia and New Zealand.

The Stocktake brief sought to identify whether regional coastal plans include water quality standards, and where they do, the nature of the standards. Only three of the regional plans reviewed do not make a clearly defined reference to a water quality standard (Chatham Islands, Marlborough and Waikato). In all other plans water quality standards are specifically applied. These are most often the standards set out in the Third Schedule to the RMA. The remaining plans either apply Council developed standards or other guidelines such as the ANZECC guidelines. Some plans include ‘discharge standards’ rather than water quality standards or guidelines for the receiving environment.

### 4.2.2 Standards specific to discharge types

The Stocktake brief sought to identify whether regional coastal plans contain specific standards for discharge types. In general, the plans do contain some level of distinction between discharge types. Typically the discharge types in plans are stormwater, human sewage and other discharges, in some cases there are also specific rules relating to discharges from ships and associated facilities. Some plans, such as the Marlborough Sounds Resource Management Plan (Marlborough District), also include a consideration of point source and non-point source discharges, although policies are generally relied upon for the management of non-point discharges and there is little guidance within rules.

While discharge types are often distinguished in the regional coastal plans, allowing differing activity status, the standards or assessment criteria that apply to the discharges are typically the same. A typical example is the Wellington Regional Coastal Plan, which

includes a standard list of 'conditions' in relation to discharge characteristics (based on the RMA Water Quality Guidelines) and requires the discharge to be described in terms of:

- Temperature;
- Biological Oxygen Demand (BOD);
- Suspended solids concentration;
- Acidity (pH);
- The chemical content of the discharge, including in particular any heavy metals or other toxic substances;
- Dissolved solids;
- Faecal coliform, or enterococci concentrations; and
- Any deleterious micro-organisms.

#### 4.2.3 Cumulative effects of discharges

The Stocktake brief has sought to identify how regional coastal plans address cumulative effects of discharges in standards. Regional coastal plans do not generally provide specific guidance in relation to cumulative effects within their standards or monitoring statements. Where monitoring statements are provided, they are usually made in general terms. A typical example is the Tasman Resource Management Plan that seeks to maintain particular characteristics of the receiving environment, such as water temperature, pH and fish health. Cumulative effects are most often addressed in policies and assessment criteria. For example, the Water Quality Guidelines contained in Appendix 6 of the Wellington Regional Coastal Plan notes *"The phrase "either by itself or in combination with other discharges" is intended to ensure that guidelines are applied so as to address the cumulative effects of all discharges to the water body"*. This provision provides a greater degree of control, or protection, in comparison to a further example in Policy 4.1.4 of the Waikato Regional Coastal Plan:

*"4.1.4 Policy - Non-Point Source Discharges*

*Promote riparian and land management practices in order to reduce the cumulative effects of non-point source discharges of contaminants into the CMA.*

*Explanation and Principal Reasons for Adopting: Cumulative adverse effects of non-point sources can outweigh the adverse environmental effects of point source discharges. Non-point sources are considered to be a dominant cause of reduction in water quality in the Region. They are however much more difficult to identify and remedy than point source discharges. Refer also Policy 5.1.6 of the NZCPS."*

#### 4.2.4 Seabed contamination and mitigation

The Stocktake brief has sought to ascertain whether regional coastal plans contain provisions relating to seabed contamination and associated mitigation measures. There is significant variation in the approaches taken to seabed contamination in regional coastal plans. The range of approaches extends from seabed contamination not being specifically addressed (Manawatu-Wanganui Regional Coastal Plan) through to a complete range of objectives, policies, rules and other methods (Taranaki Regional Coastal Plan). The Wellington Regional Coastal Plan identifies a host of non-statutory methods (monitoring, media, school education programmes, collaboration with territorial authorities and a

pollution hotline) aimed at addressing seabed contamination. Table 2 below illustrates the distribution of approaches used by the regional coastal plans.

**Table 2- Provisions in relation to seabed contamination (number of regional coastal plans)**

Issues	Policies	Objectives	Rules	Not addressed	Non statutory methods
7	10	7	5	4	3

#### 4.2.5 Discharges from wharves and other facilities

In addition to the Policies in the NZCPS relating to the maintenance and enhancement of water quality, Policies 5.2.1 – 5.2.5 provide for the “*Limiting of Adverse Effects From Vessel Waste Disposal or Maintenance*”. The Stocktake brief has sought to determine whether there are any provisions in the regional coastal plans relating to discharges from wharves and other facilities, such as slipways and boatyards.

The discharge of sewage from vessels is controlled under the Resource Management (Marine Pollution) regulations. These regulations restrict the discharge of untreated sewage within 500m of MHWS or a marine farm and in water depths of less than 5m. Fourteen of the plans contain some specific reference or provisions in relation to discharges from ships that are typically linked to the regulations. Regional councils may, through a change to their regional coastal plans, increase the distance and depth criteria. Northland and Bay of Plenty Regional Councils have altered their plans to prohibit the discharge of sewage from vessels within designated harbour areas.

The Waikato Regional Coastal Plan and the Regional Coastal Plan for the West Coast are the only regional coastal plans to contain specific rules that apply to wharves and other facilities directly. Rule 16.3.7 in the Waikato Regional Coastal Plan controls discharges from ports, marinas and boat maintenance while the Regional Coastal Plan for the West Coast requires all new ports and marinas to provide collection facilities for sewage (where adequate treatment facilities exist) and rubbish from vessels. It is common practice to rely on the general discharge provisions.

Where zones for port activities are provided, this can result in the discharges from such activities being provided for within a zone context. Six regional coastal plans include clearly delineated port zones to which particular rules apply - Taranaki Regional Coastal Plan, Marlborough Sounds Resource Management Plan, Canterbury Regional Coastal Plan, Environment Bay of Plenty Regional Coastal Environment Plan, Southland Regional Coastal Plan and the Wairau-Awatere Resource Management Plan.

#### 4.2.6 Zones of reasonable mixing

Section 107(1) of the RMA requires that a consent authority shall not grant a consent for discharges where, after reasonable mixing, the contaminant or water discharged (either by itself or in combination with the same, similar, or other contaminants or water), is likely to give rise to specified adverse effects. In general terms mixing zones are areas into which contaminants are discharged and beyond which a particular water quality standard must be complied with. The Stocktake brief has sought to identify what guidance is provided for establishing zones of reasonable mixing in regional coastal plans.



Five regional coastal plans (Waikato, Nelson, West Coast, Wairau/Awatere, Otago) contain a specific definition of a 'mixing zone'. Beyond this, ten of the plans provide explanation, or clarification within the text of the plan, regarding reasonable mixing and mixing zones, typically through policies or explanatory notes. In all cases mixing zones are derived on a case-by-case basis within the framework, or recognition of, listed parameters. A typical example, in the Canterbury Regional Coastal Environment Plan Policy, 7.6 states the following:

*"In setting conditions on a resource consent to discharge a contaminant or water into water, or onto or into land in the Coastal Marine Area, a reasonable mixing zone should be determined by considering, amongst other matters, the following:*

- (a) the volumes, contaminant loading and contaminant concentrations involved with the discharge;*
- (b) factors such as sea conditions, tides, wave action, water depths, water velocity, and flushing characteristics that will normally affect the assimilative capacity of the receiving water and the dispersion of the contaminants or the discharge water;*
- (c) the presence of an Area of Significant Natural Value at the site or in close proximity;*
- (d) the existing use of the immediate area, including the presence of other discharges;*
- (e) if in any area within which a water quality standard is set, the size of the area in relation to the mixing zone; and*
- (f) the proximity of adjacent areas where water quality standards have been set; and*
- (g) the natural values of the receiving environment."*

#### 4.2.7 Managing discharges from outside the coastal environment

The Stocktake brief sought to identify whether regional coastal plans contain provisions for the management of discharges to the CMA from land and water catchments outside of the coastal environment.

It was found that all but one (the Regional Coastal Plan for the West Coast) of the relevant documents contain some specific reference to discharges from outside of the coastal environment. Issues and policies were used by approximately three quarters (14 and 15 respectively) of regional coastal plans to address discharges from outside the CMA. Eleven of the regional coastal plans contain rules in this regard, while none of the documents contained specific references in terms of assessment criteria.

Table 3 (following) indicates the number of plans that contain provisions in relation to discharges from outside the coastal environment.

**Table 3 - Provisions in relation to discharges from outside the coastal environment (number of regional coastal plans)**

Issues	Policies	Objectives	Rules	Assessment Criteria	Other Methods	No provision
14	14	11	11	0	7	1

The provisions relating to discharges from outside of the coastal marine area usually relate to both discharges from land and freshwater. A typical example is the Environment Bay of Plenty Regional Coastal Plan, which states:

*“...maintaining the quality of coastal water is a difficult issue, since a great many contaminants that end up in the sea are derived from land. These include urban and rural run-off, seepage from septic tanks and landfills, sediment from farming or forestry operations, and authorised discharges of contaminants into rivers upstream from the coastal marine area.”*

#### **4.2.8 Managing discharges within the coastal environment, but outside the CMA**

The Stocktake brief sought to determine whether the planning documents address discharges to, or contamination of, water bodies, such as coastal lagoons, which are in the coastal environment and landward of MHWS. It was found that 12 of the 18 relevant documents contain provisions that particularly refer to such discharges or contamination.

#### **4.2.9 Minimum lot size for discharge of domestic sewage**

Policy 3.2.5 of the NZCPS states that subdivision, use and development in the coastal environment should be conditional on the provision of adequate services (particularly disposal of wastes). The Stocktake brief has sought to ascertain the minimum lot size for the discharges of domestic sewage to land in the various planning documents.

The majority of district plans do contain references to minimum lot sizes (being responsible for subdivision), however, only 8 of these regional coastal plans make a direct reference to limited lot sizes and the discharge of sewage to land. A range of minimum lot sizes (from 0.06 ha to 25 ha) were identified in these situations, however, it is likely that the minimum lot size would not entirely be driven by the discharge of sewage and the lot size ranges included in the regional coastal plans also reflect the differing characteristics of coastal environments and the associated development pressures.

### **4.3 Allocation of Coastal Space**

Section 12(2) of the RMA directs that no person may occupy land of the Crown in the CMA unless expressly allowed by a rule in a regional plan or by a resource consent and therefore the use of coastal space (where it is Crown Land in the CMA) is governed by regional coastal plans. An amendment made to the RMA in 2004 introduced a new Part 7A that provides for aquaculture management areas and the occupation of the CMA. The new provisions empower regional councils, through regional coastal plans, to manage the effects of occupation of the coastal marine area and to manage competition for the occupation of space in terms of aquaculture.

#### **4.3.1 Guidance on the allocation of space between competing uses/users**

The Stocktake brief has sought to ascertain the guidance provided on the allocation of space between competing uses and users.

It was found that the regional coastal plans generally make reference to competing uses/users in their issues and policies, and in 4 cases (for example the Wellington Regional

Coastal Plan) these issues and policies are the prime tool for managing competing uses and users.

Only three documents make reference to the use of coastal tendering as a management tool, while a majority (11) of councils employ a zoning approach to provide for certain uses in defined areas. Further, the plans contain rules in relation to occupation, and in particular all plans contain the rule required by Schedule 1 of the NZCPS (S1.9) that confirms a defined scale of exclusive occupation of the CMA has status as a restricted coastal activity.

#### 4.3.2 The zoning approach

As noted above, zoning is the most common approach to the management of coastal space. Nine of the eleven plans that employ a zoning approach utilise four or more zones the exceptions to this are the Wellington Regional Coastal Plan and the Proposed Regional Coastal Plan for Southland, which each employ only 2 zones. These zones are determined from both an activity and values basis. For example, zoning typically provides for activities such as ports, and in some cases marine farming, marinas and mooring activities, while also providing for areas with certain values, such as areas of significant natural or ecological value, coastal habitat and estuaries. It was also found that some councils employ a 'reverse zoning' approach whereby certain activities are excluded from specified areas, for example, the Nelson Resource Management Plan and Canterbury Regional Coastal Environment Plan use aquaculture exclusion zones.

#### 4.3.3 Rules for occupation for wind, wave and tidal power

The Stocktake brief sought to identify whether regional coastal plans contained any objectives, policies and/or methods to specifically address the occupation of coastal space for wind, wave or tidal power generation. The regional coastal plans generally do not contain specific references to the occupation of the coastal space for electricity generation purposes. That said, the majority of regional policy statements do include policies or issues that record the importance of energy<sup>6</sup> and the occupation of coastal space is typically addressed by way of generic rules that refer to any structures in the CMA.

#### 4.3.4 Public vs. private moorings

The Stocktake brief sought to identify whether there are different levels of requirements for public vs. private moorings, and how this issue is addressed. No evidence was found in the regional coastal plans of differing approaches to public and private facilities. It is noted, however, that public facilities could be indirectly provided for through enabling zoning applying to public facilities.

#### 4.3.5 Allocation of coastal space – other matters

It was found that 4 of the regional coastal plans contain prohibited activities for the occupation of coastal space.

The Tasman Resource Management Plan contains rules that prohibit the placement of structures for aquaculture purposes; the use of jetties, moorings or boatsheds along

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<sup>6</sup> The specific collection of data in relation to the provision of electricity generation in policy statements is not included in the Stocktake brief.

specified reaches of the Abel Tasman coastline; boatsheds for accommodation purposes; structures that would prevent public access in areas of significant natural value; and occupation by structures where their adverse effects on natural character, natural ecosystems and public interest, cannot otherwise be avoided, remedied or mitigated. The Auckland Regional Coastal Plan prohibits anchorage in defence areas. The Regional Coastal Plan for Northland prohibits the occupation of moorings that would modify a scheduled area/ item and the occupation of the CMA by stock. The Nelson Resource Management Plan prohibits the occupation of estuaries by aquaculture structures.

Further, a total of 12 of the regional councils and unitary authorities have port companies in their regions with section 384A RMA consents to occupy the CMA for port related commercial undertakings. It is also noted that 11 of the plans make specific provision for lawful structures that existed pre-RMA.

#### 4.4 Marine Biodiversity

Policy 1.1.2 of the NZCPS states that it is a national priority, for the preservation of the natural character of the coastal environment, to protect areas of significant indigenous vegetation and significant habitats of indigenous fauna by avoiding adverse effects on particular areas, habitats, communities and species, by protecting ecosystems, and by recognising that other areas should be disturbed only to the extent that is reasonably necessary. Further, Policy 1.1.4 refers specifically to the protection of the integrity, functioning and resilience of the coastal environment in terms of natural biodiversity and the intrinsic value of ecosystems.

##### 4.4.1 Protection of significant indigenous vegetation and habitat

The Stocktake brief sought to determine whether the regional coastal plans contained objectives, policies and methods, including rules, for the protection of significant indigenous vegetation and habitat in the coastal environment or CMA, and if so, whether these are general rules, or specific to ecosystem types (giving guidance to district in managing biodiversity in the coastal environment).

Table 4 below indicates the number of plans that contain provisions in relation to significant indigenous vegetation and habitat.

**Table 4 – Provisions in relation to significant indigenous vegetation and habitat (number of regional coastal plans)**

Policies	Objectives	Rules	Assessment Criteria	Other Methods	No provision
15	13	6	1	5	3

Six of the regional coastal plans (Auckland, Tasman, Wellington, Northland, Wairau/ Awatere, and Otago) contain rules in relation to significant indigenous vegetation and habitat.

The plans tend to be a lot more specific within their policies than within rules, identifying specific ecosystems such as fish spawning areas, salt marsh communities, and bird nesting areas within the policies relating to biodiversity. The objectives and rules were generally

generic in nature, referring to “biodiversity” rather than specific ecosystems of biodiversity components. Only one plan (the Northland Regional Coastal Plan) makes specific distinction in relation to ecosystem types in its rules. Several rules in the Northland Regional Coastal Plan require that activities do not result in the destruction of mangroves, eelgrass or saltmarsh, and beds of edible shellfish.

#### 4.4.2 Protection of other indigenous vegetation and habitat

The Stocktake brief also sought to identify how other indigenous vegetation and habitat, or ecosystems, that are not necessarily significant, are addressed in the regional coastal plans. It was found that 15 of the plans contain policies, 13 of the plans contain objectives and 12 of the plans contain rules that refer to indigenous vegetation and habitat.

Table 5 below identifies the rules that apply to a spectrum of activities in relation to indigenous vegetation - from minor clearance/ alteration, maintenance and enhancement, major clearance, through to complete clearance - and demonstrates the structure of rules in relation to activities that impact on indigenous vegetation.

As shown in Table 5 below, 9 of the 18 relevant documents do not provide any provisions with regard to maintenance/enhancement or clearance of indigenous vegetation. Where rules are provided, there is no real consistency between plans with regard to the status of different activities in relation to alteration of vegetation.

**Table 5 - Rules that apply to indigenous vegetation**

	Maintenance/ enhancement	Minor clearance	Major clearance	Complete clearance
Auckland	Permitted subject to exceptions	Restricted discretionary or prohibited	Restricted discretionary or prohibited	Restricted discretionary or prohibited
Bay of Plenty	No rules	Discretionary	Discretionary	Discretionary
Canterbury	No rules	No rules	No rules in CMA but in CE	Discretionary
Chatham Islands	No rules	No rules	No rules	No rules
Gisborne	No rules	No rules	No rules	No rules
Hawke's Bay	No rules	No rules	No rules	No rules
Manawatu-Wanganui	No rules	No rules	No rules	No rules
Marlborough	No rules	No rules	No rules	No rules
Marlborough (Wairau/ Awatere)	Permitted	Discretionary	Discretionary	Discretionary
Nelson	No rules	Permitted	Controlled	Discretionary to non-complying
Northland	Restricted Discretionary or prohibited	No rules	Permitted or prohibited	Prohibited
Otago	Discretionary	Discretionary	Discretionary	Discretionary
Southland	No rules	No rules	No rules	No rules
Taranaki	No rules	No rules	No rules	No rules
Tasman	Permitted	Permitted	Discretionary	Discretionary to non-complying
Waikato	Permitted	Permitted	Permitted	No rules
Wellington	No rules	Controlled to non-complying	Restricted coastal non-complying	Restricted coastal non-complying
West Coast	No rules	No rules	No rules	No rules



#### 4.4.3 Areas of significant conservation value

The Stocktake brief sought to determine whether regional coastal plans included areas of significant conservation value (or equivalent), and if so, how these areas are identified or defined and what rules apply.

It was found that all of the regional coastal plans specifically identify areas of significant conservation value (or something very similar). The plans use maps, schedules and criteria to identify areas these areas. As shown by Table 6 below, the majority of regional coastal plans (10) use a combination of schedules and maps to define areas of significant conservation value; 3 plans use a combination of all three methods and 2 plans use maps only. The remainder of the plans utilise either schedules or criteria to identify the areas.

**Table 6 - Methods used to identify areas of significant conservation value  
(Number of regional coastal plans)**

Maps, Schedules & Criteria	Maps & Schedules	Maps & Criteria	Schedules & Criteria	Maps Only	Criteria Only	Schedules Only
3	10	0	0	2	1	2

Twelve regional coastal plans have rules that specifically relate to areas of significant conservation value. A 'higher-level' consent status (for example, non-complying as opposed to discretionary activity status) is typically applied to activities within such areas. The Hawkes Bay Regional Coastal Plan lists reclamations in Significant Areas and drainage of the foreshore or seabed in estuaries as prohibited activities, as they "are likely to adversely affect the values that make these areas significant". The Regional Coastal Plan for Northland lists disturbances within areas of significant conservation value as non-complying or prohibited activities. Where rules do not apply, the plan provides for conservation values in the relevant assessment criteria.

#### 4.4.4 Hierarchy of effects

NZCPS Policy 1.1.2 states that:

*"It is a national priority for the preservation of the natural character ... to protect areas of significant indigenous vegetation and significant habitats of indigenous fauna ... by:*

*(a) avoiding any actual or potential adverse effects of activities on the following areas or habitats:*

*(i) areas and habitats important to the continued survival of any indigenous species; and*

*(ii) areas containing nationally vulnerable species or nationally outstanding examples of indigenous community types;*

*(b) avoiding or remedying any actual or potential adverse effects of activities on the following areas:*

*(i) outstanding or rare indigenous community types within an ecological region or ecological district;*

- (ii) habitat important to regionally endangered or nationally rare species and ecological corridors connecting such areas; and*
- (iii) areas important to migratory species, and to vulnerable stages of common indigenous species, in particular wetlands and estuaries;*
- (c) protecting ecosystems which are unique to the coastal environment and vulnerable to modification including estuaries, coastal wetlands, mangroves and dunes and their margins; and*
- (d) recognising that any other areas of predominantly indigenous vegetation or habitats of significant indigenous fauna should be disturbed only to the extent reasonably necessary to carry out approved activities."*

The Stocktake brief sought to determine whether regional coastal plans include a hierarchy of effects for the management of effects on significant indigenous vegetation and significant habitats of indigenous fauna, from avoiding through to mitigating, and the basis of such a hierarchy.

Only 6 of the plans contain an explicit hierarchy of effects in relation to the management of effects on significant indigenous vegetation and significant habitats of indigenous fauna. In all cases where such a hierarchy is present, this is clearly derived from Policy 1.1.2 of the NZCPS. The remaining plans, while not having an explicit hierarchy in policy terms, manage effects through the hierarchy of activity status, whereby a 'higher level' consent would be required for activities in areas that are identified in the plan, such as areas of significant conservation value.

#### 4.4.5 Coastal processes and ecosystem functioning

As noted above the NZCPS refers to the protection of the integrity, functioning and resilience of the coastal environment in terms of natural biodiversity and the intrinsic value of ecosystems. The Stocktake brief sought to ascertain whether the plans contained objectives, policies and methods that refer to coastal processes and/or ecosystem functioning in the coastal environment and particularly whether the references included the following:

- Dynamic processes and features arising from natural movement of sediments, water and air;
- Natural movement of biota;
- Natural substrate composition;
- Natural water and air quality;
- Natural biodiversity;
- Productivity and biotic patterns; and/or
- Intrinsic values of ecosystems.

The following Table 7 shows the number of references to coastal processes and/or ecosystem functioning in regional coastal plans.

**Table 7 - References to coastal processes and/or ecosystem functioning (number of planning documents)**

Issues	Policies	Objectives	Rules	Assessment Criteria	Other Methods	No references
5	17	13	6	1	7	0

All regional coastal plans contain references to coastal processes. Most commonly, these references are made in policies. These references are both generic and specific in nature referring to “coastal processes” and also to the specific processes identified above.

The only plan that has assessment criteria in relation to coastal processes is the Auckland Regional Coastal Plan. The Plan requires the consideration of coastal processes in many instances, using both generic and specific references. The assessment criterion often refers to “coastal processes” or “natural processes” though specific mention is also made of each of the processes listed above.

Table 8 below indicates which plans include references to particular coastal processes. As identified in Table 8, each of the regional coastal plans mention at least two of the coastal processes listed.

**Table 8 - References to particular coastal processes**

	Dynamic processes	Natural movement of biota	Natural substrate composition	Natural water and air quality	Natural biodiversity productivity & biotic patterns	Intrinsic values of ecosystems
Auckland	✓	✓	✓	✓	✓	✓
Bay of Plenty	✓			✓		
Canterbury	✓			✓		✓
Chatham Islands				✓		✓
Gisborne	✓		✓	✓	✓	✓
Hawke's Bay		✓	✓	✓	✓	✓
Manawatu-Wanganui	✓	✓	✓	✓		✓
Marlborough		✓	✓	✓	✓	✓
Nelson	✓	✓	✓	✓		✓
Northland	✓			✓		
Otago			✓	✓		✓
Southland	✓	✓	✓	✓	✓	✓
Taranaki	✓			✓	✓	✓
Tasman	✓	✓	✓	✓		✓
Waikato	✓	✓	✓	✓	✓	✓
Wairau/Awatere	✓	✓	✓	✓		✓
Wellington Regional Coastal Plan	✓			✓	✓	
West Coast	✓	✓	✓	✓	✓	✓
<b>Totals</b>	14	10	12	18	9	15

#### 4.4.6 Restoration of indigenous vegetation and habitat values

Policy 3.2.10 of the NZCPS states that “policy statements and plans should indicate that when restoration plantings are carried out, preference should be given to the use of indigenous species, with a further preference for the use of local genetic stock”. The Stocktake brief sought to

determine whether regional coastal plans contain policies and/or methods in relation to restoration of indigenous vegetation and habitat values.

It was found that policies or methods that relate to restoration are included in 10 of the regional coastal plans. An example of a typical approach is Policy 4.1.37 from the Wellington Regional Coastal Plan as follows:

*“To avoid, remedy or mitigate adverse effects, conditions on a resource consent may relate to all or any of the following:*

- *design and project implementation, choice of materials, site improvements;*
- *habitat restoration, rehabilitation, creation and improvement;*
- *restocking and replanting of fauna or flora (with respect to replanting, preference will be given to the use of indigenous species, with a further preference for the use of local genetic stock);*
- *works and services relating to the improvement, provision, reinstatement, protection, restoration or enhancement of the matters listed in 4.2.35.”*

#### 4.4.7 Biosecurity

Part III of the RMA sets out the framework more managing effects on the coastal environment. Section 12 states that:

*“No person may... (f) Introduce or plant any exotic or introduced plant in, on, or under the foreshore or seabed unless expressly allowed by a rule in a regional coastal plan and in any relevant proposed regional coastal plan or a resource consent”.*

None of the regional coastal plans rely solely on this provision, and all contain some reference to biosecurity management. Twelve of the 18 regional coastal plans make reference to pest management and associated strategies, while the remainder of plans contain objectives and policies that refer to the management of biosecurity risk.

## 5 Key Findings – All Planning Documents

The following section of this report relates to provisions contained in regional policy statements, regional coastal plans and district plans, in terms of particular topics, as guided by the Stocktake brief.

### 5.1 Maori Cultural Heritage

Policy 1.1.3(b) of the NZCPS states that the protection of characteristics of special spiritual, historical or cultural significance to Maori is a national priority as these features are considered essential or important elements of the natural character of the coastal environment. Further, Chapter 2 of the NZCPS lists three policies that specifically relate to 'The Protection of the Characteristics of the Coastal Environment of Special Value to the Tangata Whenua ...'. These policies require:

- The provision for the identification of characteristics of the coastal environment of special value to tangata whenua (including the right of tangata whenua to elect not to identify them);
- The protection of such characteristics; and
- The consideration of the transfer and/or delegation of functions.

The Stocktake brief sought information in relation to how policy statements and plans identify and protect characteristics of the coastal environment that are important to Maori.

#### 5.1.1 Identification of characteristics or features important to Maori

District and regional coastal plans identify characteristics and/or features of importance to Maori in the coastal environment using one or more various methods. The use of schedules is the most common approach to identifying features of importance to Maori, with 49 of the planning documents using this technique. In many cases where schedules are used, the schedules are accompanied by maps to show the location of the features. Ten of the planning documents that contain schedules also include supporting criteria for the identification of characteristics or features. A total of 7 of the relevant documents rely solely on the use of criteria for the identification of characteristics or features of importance to Maori. In general, where maps are used, they are employed as a supplementary identification method; very rarely being used exclusively.

#### 5.1.2 Protection of characteristics or features important to Maori

District and Regional Coastal Plans utilise a range of methods to protect items of importance to Maori in the coastal environment. The majority of documents have policies and objectives with respect to such matters, while 32 of the documents contain rules that would directly apply to features of importance to Maori. Ten of the plans have specific rules that apply to 'Maori' heritage items (as opposed to heritage items in general), while 6 plans afford no protection for such characteristics or features.

Twenty three of the planning documents identified other methods to protect or manage features of importance to Maori. These included:

- Advocacy and education;



- Joint management;
- Iwi management plans;
- Financial/resourcing assistance;
- Partnerships;
- Voluntary protocols;
- Delegation of functions; and
- Consultation/facilitation.

Table 9 below shows the number of district and regional coastal plans that utilise the methods aimed at providing protection to characteristics of importance to Maori.

**Table 9- Protection of characteristics of importance to Maori (number of district and regional coastal plans)**

Policies	Objectives	Rules	Other Methods	No methods
57	54	32	23	6

Where rules apply to features of importance to Maori, these typically provide for maintenance and minor alterations to such features as a permitted activity, while major alterations or demolition would most commonly require a resource consent for a discretionary, or restricted discretionary, activity.

A significant majority of the planning documents contain provisions that require consultation with tangata whenua with regard to identified features, characteristics of importance to Maori. In some cases the requirement to consult is specifically directed, for example, the Regional Coastal Plan for the Northland Region recognises the need to consult tangata whenua in relation to water quality in the Bay of Islands.

Feedback from councils has indicated that there is often reluctance from tangata whenua when they have consulted with them in regard to waahi tapu items to be included as heritage items. Tangata whenua are often hesitant to reveal the location of sites. Marlborough District Council specifically identified this issue though also noted that tangata whenua have been increasingly willing of to identify sites.

## 5.2 Historic Heritage

In accordance with section 7(e) of the RMA the NZCPS, in Policy 1.1.3(c), states that it is a national priority to protect significant places or areas of historic or cultural significance, as an element of natural character of the coastal environment. Further, Policy 3.1.2 of the NZCPS states the following:

*“Policy statements and plans should identify (in the coastal environment) those scenic, recreational and historic areas, areas of spiritual or cultural significance, and those scientific and landscape features, which are importance to the region or district and which should therefore be given special protection; and that policy statements and plans should give them appropriate protection”.*

### 5.2.1 Identification of historic heritage

The Stocktake brief sought to determine whether regional policy statements, regional coastal plans and district plans contain a list, schedule or register of historic heritage. It was found that 6 regional policy statements, 13 of the regional coastal plans and 53 district plans contain a heritage register.

### 5.2.2 Nature of historic heritage identified

The Stocktake brief has sought the identification of the nature of the historic heritage included in the schedules or registers in regional policy statements and regional coastal plans. Table 10 below identifies the number of planning documents that list particular heritage items.

**Table 10 - Historic Heritage Listed in Regional Policy Statements and Regional Coastal Plans**

Heritage Item	Regional Policy Statements	Regional Coastal Plans	District Plans
Buildings/ Lighthouses	7	11	62
Wharves	1	4	18
Seawalls	0	2	9
Ship wrecks	1	3	7
Fishing and whaling sites	1	1	11
Maori heritage sites	6	10	48
Ecological sites	5	6	34
Trees	7	9	49
Parks	4	7	36
Roads	1	2	14

Fourteen regional coastal plans and all district plans contain rules specific to historic heritage. The only regional coastal plans that do not contain rules specifically relating to historic heritage include heritage in assessment criteria and rely on other general rules and rule in relation to structures to provide for the protection of historic heritage.

Where rules apply to historic heritage, as with characteristics and features of importance to Maori, these typically provide for maintenance and minor alteration activities as a permitted activity, while major alterations or demolition would most commonly require a resource consent for either a discretionary or non-complying activity. In addition to the controls through the planning documents, permission is required from the Historic Places Trust to modify or destroy archaeological sites. Archaeological sites are by definition pre-1900, although it is noted that there are few archaeological sites identified in the CMA either in the planning documents or on New Zealand Archaeological Association's register of archaeological site.

### 5.2.3 Process of identification, inclusion and removal

The councils that have included a schedule of heritage sites have used a variety of sources to develop their schedules or registers. The Stocktake brief sought consideration of the process the councils used to identify places of historic heritage value for inclusion in the

schedules/registers, the criteria used to identify such places and the process for removal from a schedule.

The most common means of identification of places of historic heritage values is by:

- Liaison with the New Zealand Historic Places Trust and reference to their register;
- The New Zealand Archaeological Association's register;
- The Department of Conservation's records,
- Liaison with tangata whenua; and
- Reference to previous planning documents.

11 councils identified the items to be included in their schedules/registers by way of a district/region wide research review and physical survey of historic and cultural resources during the preparation of their plans<sup>7</sup>.

Removal of items from a schedule is reportedly a rare occurrence<sup>7</sup>. This may occur where a scheduled item is destroyed or removed from a district. In most cases, an RMA plan change process is required to remove an item from a schedule. In limited circumstances a resource consent process may be used. Reference and advice is typically sought from the New Zealand Historic Places Trust in situation where there has been a request for the removal of items from the heritage schedule.

#### 5.2.4 Non-statutory methods

The Stocktake brief sought to determine whether non-statutory methods were employed by councils to protect historic heritage. It was found that the majority (all but 15) of councils do use methods, other than rules, to facilitate protection of historic heritage. The non-statutory methods used are:

- Design guidelines;
- Incentive schemes;
- Strategic documents;
- Education; and
- Partnership agreements.

Of these, education and the use of incentives are the principal methods used to protect historic heritage, being used by 45 and 40 councils respectively.

#### 5.2.5 Monitoring of historic heritage

The RMA requires local authorities to monitor both the state of the environment, and the efficacy and effectiveness of policies, rules, or other methods in its statements or plans. The Stocktake brief has sought to determine whether the planning documents contain monitoring statements for measuring the state of historic heritage in the coastal environment, and, whether reviews have been undertaken in relation to the effectiveness of current methods used to protect historic heritage.

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<sup>7</sup> Councils were contacted to determine how they determined which items would be included in their heritage schedules/registers and the process for removal of a heritage item from the schedule/register.

Twenty six of the planning documents contain general statements for monitoring the effectiveness of the methods used to manage historic heritage in the coastal environment, but only 8 councils reported that they have actually carried out this monitoring.

Interestingly, in most cases, those councils carrying out monitoring are not those that included monitoring statements in their plans.

Of the councils that did report some monitoring activity, the outcomes of such monitoring varied from finding the methods to be ineffective with no follow up (in one case), to the methods being found to be ineffective and changes being made to address the ineffectiveness (in four cases), and finally to the methods being found to be effective (in two cases). The last of the councils -- was yet to report back on their review at the time the information was gathered.

Table 11 below, shows the outcomes of the Council reviews.

**Table 11 - Outcome of Reviews - Effectiveness of heritage provisions**

Outcome	Council
Method ineffective, no follow up	Manawatu-Wanganui Region
Methods ineffective, changes being made	City of Lower Hutt
	Wellington City
	Nelson City
	Auckland City
Methods effective	Kapiti Coast District
	Taranaki Region
Yet to report on outcome	West Coast Regional Council

### 5.3 Papakainga Housing

Policy 3.2.6 of the NZCPS is as follows:

*“Policy statements and plans should make provision for papakainga housing and marae developments in appropriate places in the coastal environment. ‘Papakainga housing’ means residential occupancy on any ancestral land owned by Maori.”*

#### 5.3.1 References to papakainga housing

It was found that 32 district plans make reference to papakainga housing, marae development or similar terms and 35 of the planning documents (21 district plans, 6 regional coastal plans and 6 regional policy statements) contain a definition of papakainga housing. These definitions are very consistent and reflect the definition contained in Policy 3.2.6. A typical example, contained in the Selwyn District Plan, is as follows:

*“Papakainga Housing: includes any dwelling(s) which is/are erected to house members of the same family, iwi, or hapu, on land which is owned by that family, iwi or hapu, and which is Maori Land within the meaning of Section 129 of Te Ture Whenua Maori Act 1993.”*

### 5.3.2 Provision for papakainga housing

The district plans that contain references to papakainga housing make provision for such activity predominantly through the use of rules and policies (each used in 18 of the 32 district plans that contain references to papakainga housing).

Table 12 below shows ways district plan provide for the management of papakainga housing.

**Table 12 - Provisions in relation to papakainga housing (number of district plans)**

Issues	Policies	Objectives	Rules	Other Methods
12	18	15	18	7

## 5.4 Natural Character

The NZCPS, in Chapter 1, identifies the national priorities for the preservation of natural character of the coastal environment, including protection from inappropriate subdivision, use and development.

Several items are recognized in the NZCPS as elements of the natural character of the coastal environment. Among these items are significant indigenous vegetation; significant habitats of indigenous fauna; landscapes; seascapes; landforms; characteristics of special spiritual, historical or cultural significance to Maori; significant places or areas of historic or cultural significance; and integrity, functioning, and resilience of the coastal environment.

Development and subdivision are identified as matters that need to be appropriately managed in order to preserve the natural character of the coastal environment. This includes the definition of several terms related to natural character, the way natural character is identified and preserved, and the management of the elements of natural character.

The Stocktake brief has sought to determine how regional policy statements, regional plans and district plans address natural character in the coastal environment.

### 5.4.1 Definition of 'natural character'

Forty of all of the planning documents define natural character in some manner. The most common approach to defining natural character is by description (in 23 planning documents), while 11 of the documents have a specific definitions contained in the 'interpretation' section of that plan or policy statement. The remaining 6 planning documents define natural character using a list of criteria.

The definitions, are generally consistent, although differ in terms of weighting on the influence of human activities and structures have on natural character. Typical examples of the different weightings are demonstrated in the Waikato Regional Policy Statement and the Hawkes Bay Regional Coastal Plan. The Waikato Regional Policy Statement defines natural character as:



*“Means the qualities of the coastal environment that together give the coast of New Zealand recognisable character. These qualities may be ecological, physical, spiritual, cultural or aesthetic in nature, whether modified or managed or not.”*

While the Hawkes Bay Regional Coastal Plan defines natural character as:

*“Those qualities and features in the coastal environment which have been brought into being by nature.”*

A typical example of a description used to define natural character is that found in the Gisborne Proposed Regional Environment Coastal Plan:

*“Elements that contribute to the coasts natural character include the landscape and landform, the vegetation, wildlife and the habitats and ecosystems present. It also includes natural physical processes that occur and more intangible qualities such as the ambient air quality and background noise level and quality. It may also be determined by its remoteness and the presence or absence of human impacts in the area.”*

Plans that use criteria to define natural character usually list similar characteristics to those that are included in descriptions. A typical example of the use of criteria to form a definition for natural character is that used by the Southland District Plan, which states:

*“Natural character generally arises from the presence of one or more of the following attributes:*

- *visual values, including light*
- *qualities of expansiveness*
- *an absence of unnatural noise and tranquillity*
- *dynamics of air water and sediment*
- *significant areas of indigenous vegetation*
- *significant habitats of indigenous fauna*
- *landscapes, seascapes and landforms”.*

#### **5.4.2 Definition of ‘inappropriate use, development and subdivision’**

While most planning documents make generic reference to ‘inappropriate use, development and subdivision’, they do not contain further specific definition of what this phrase means. Two cases where more specific reference to inappropriate use, subdivision and development occur are the Kaikoura District Plan and the Auckland Regional Coastal Plan. The Kaikoura District Plan notes that the circumstances where subdivisions may be inappropriate are set out in the NZCPS, while the Auckland Regional Coastal Plan goes further and sets out criteria where subdivision and development will generally be considered inappropriate.

It is noted that 23 of the plans duplicate the RMA (section 218) definition of ‘subdivision’ either in text or in the definitions section of the planning documents, and while ‘development’ is not defined in the RMA, 18 planning documents contain a definition of this term. For example, the Kapiti Coast District Plan defines development as:

*“Development means the construction or alteration of buildings; the erection of structures; excavation of land; any land disturbance or land filling or reclamation of land or the construction of earth retaining structures; and any construction of artificial surfaces or platforms.”*

#### 5.4.3 Identification of natural character

Thirty four of the planning documents specifically identify the natural character of the particular region or district. As with defining ‘natural character’, criteria are commonly used to identify areas of natural character. In many cases the use of criteria is augmented with the use of schedules and maps. The Central Hawkes Bay District Plan, as a thorough example, refers to the use of surveys, reports and national databases informing the identification of natural character (where available).

Criteria typically used to identify areas of natural character include:

- The degree of modification from a natural state;
- The general absence of human use, development and subdivision;
- The natural quality of water and air;
- Hydrology and geomorphic functioning;
- Predominant natural sounds and smells;
- Predominant natural land forms, indigenous ecosystems, or indigenous flora and fauna; and
- Spiritual, historical or cultural significance to tangata whenua.

**Table 13 - Methods used to identify natural character (number of planning documents)**

	Schedules	Maps	Criteria	Not Identified
District Plans	18	11	9	33
Regional and Unitary Authority Plans	4	1	5	10
Regional Policy Statements	0	0	5	11
TOTAL	22	12	19	54

details the methods used to identify natural character in the planning documents.

**Table 13 - Methods used to identify natural character (number of planning documents)**

	Schedules	Maps	Criteria	Not Identified
District Plans	18	11	9	33
Regional and Unitary Authority Plans	4	1	5	10
Regional Policy Statements	0	0	5	11
TOTAL	22	12	19	54

Few planning documents clearly rank places or features of high natural character, although some planning documents refer to 'priority' areas. For example, priority outstanding landscape areas in the proposed Whakatane District Plan and 'coastal protection areas' (the primary purpose of which is to 'protect' significant natural resources with certain parts of the coastal marine area) in the Auckland Regional Coastal Plan. Where places and features are identified, they trigger more rigorous requirements and tests for activities requiring resource consent. For example, activities having a 'higher' activity status.

#### 5.4.4 Approach to preservation of natural character

The Stocktake brief sought to determine the approach in planning documents to the preservation of natural character.

It was found that Councils use a range of methods to provide for the preservation of natural character. The majority of planning documents have policies and objectives, with less having specific rules. The range is shown in Table 14 below.

Policies and objectives with regard to preservation of natural character tend to be generic in nature referring to the 'natural character' using general terms rather than identifying specific items or ecosystems.

The rules in relation to preservation of natural character most often relate to the visual impacts associated with new structures and subdivision. While rules do not specifically mention 'natural character' the explanation to those rules and assessment criteria often do.

Other methods commonly used for preservation of natural character include:

- Monitoring;
- Information, education and advice;
- Advocacy;
- Financial incentives and assistance;
- Consideration of natural character while undertaking coastal margin protection other works; and
- Identifying natural areas of ecological significance;

**Table 14 - Approaches to the preservation of natural character (number of planning documents)**

	Policies	Objectives	Rules	Other Methods	No clear approach
District Plans	40	38	13	29	11
Regional and Unitary Authority Plans	15	14	6	11	3
Regional Policy Statements	15	16	6	13	0
TOTAL	70	68	25	53	14

#### 5.4.5 Areas for restoration or rehabilitation of natural character

Policy 1.1.5 of the NZCPS states that it is a national priority to restore and rehabilitate the natural character of the coastal environment, where appropriate.

It was found that areas for restoration/ rehabilitation of natural character are identified in 16 of the planning documents, using schedules and criteria. The most common way the planning documents provide for restoration or rehabilitation of natural character are objectives (26 documents) and policies (32 documents) in relation to restoration, although a only 10 planning documents contain rules and only 8 planning documents contain other methods in this regard.

Interestingly, the Canterbury Regional Coastal Plan makes reference to the application of revenue from financial contributions from rehabilitation, while, the Hurunui District Plan includes financial incentives and an 'other method'.

#### 5.4.6 Differentiation between avoiding, remedying and mitigating effects on natural character

The Stocktake brief sought to determine whether the planning documents include a hierarchy of effects for the management of effects on the natural character in the coastal environment, from avoiding through to mitigating, and the basis of such a hierarchy.

The Proposed Whakatane District Plan, Bay of Plenty Regional Policy Statement and the Gisborne Proposed Regional Environment Coastal Plan are the only planning documents contain an explicit hierarchy of effects in relation to the management of effects on natural character. Where such a hierarchy is present this is clearly mirrors section 5 of the RMA in terms of avoiding, remedying and mitigating.

A number of the remaining planning documents, while not having an explicit hierarchy in policy terms, often manage effects through the hierarchy of activity status, whereby a 'higher level' consent would be required for activities that have the potential to impact on identified areas of high natural character.

The earlier example of the Auckland Regional Coastal Plan (provided in 5.4.3 above) illustrates this point well. The areas that the Auckland Regional Coastal Plan identified as 'coastal protection areas' have an elevated consent status with respect to many activities. For example, the removal or demolition of any structure is a permitted activity (pursuant to conditions in most areas the plan applies to, though it is a restricted discretionary activity if there is disturbance of the foreshore and seabed in a coastal protection area.

#### 5.4.7 Definition of 'coastal environment'

As previously noted 'coastal environment' is not defined in the RMA, but is in case law. The Stocktake brief has sought to ascertain how the all of the planning documents define the 'coastal environment'.

It was found that 10 of the 16 RPS (56%), 8 of the 18 RCPs (27%) and 7 of the 55 (7%) district plans define the coastal environment.

Overall, the definitions are consistent in nature, generally referring to a similar area. The main difference in definitions is in terms of whether processes and ecosystem components

or more specific measurable terms are used to define the content and boundaries of the coastal environment.

The majority of plans include the CMA and the inland areas that are affected by coastal processes in their definitions. The Buller District Plan, unusually, excludes the CMA and defines the coastal environment as:

*“Land above the Mean High Water Spring mark extending up to the dominant ridge line or base of the terrace, and where coastal processes affect the landforms”*

The regional coastal plans and regional policy statements tend to define in terms of processes and ecosystem components whereas the district plans provide clearer, more easily measurable areas. For example, the Canterbury Regional Coastal Environment Plan defines the coastal environment comprehensively, using processes and ecosystem components, as:

*“An environment in which the coast usually is a significant part or element. The coastal environment will vary from place to place depending upon the extent to which it affects or is (directly) affected by coastal processes and the management issue concerned. It includes three distinct but interrelated parts: the Coastal Marine Area; the active coastal zone; and the land backdrop. The coastal environment includes: at least the Coastal Marine Area, the water, plants, animals, and the atmosphere above it; and all tidal waters and the foreshore whether above or below mean high water springs; dunes; beaches; areas of coastal vegetation and coastal associated fauna; areas subject to coastal erosion or flooding; salt marshes; sea cliffs; coastal wetlands, including estuaries; and coastal landscapes.”*

Whereas the Hastings District Plan defines the coastal environment as follows:

*“This means the area within 500m of MWHS or the dominant ridge behind the coast, whichever is the lesser.”*

Where processes and ecosystem components are used to describe the coastal environment, the level of prescription ranges greatly. An example from the least prescriptive end of the spectrum is the Tasman Resource Management Plan where reference is made only to the CMA and the land above the coastal margin that is affected by coastal processes, resources and issues, and all associated plants, animals, and structures. The definition provided in the Canterbury Regional Coastal Environment Plan, as above, is an example from the other end of the range where a comprehensive list of components is described. The distribution between these two extremes is fairly even, with definitions spread across the range.

#### **5.4.8 Addressing the integration between the land/sea interface**

The Stocktake brief has sought to identify how the planning documents address the integration between the land/ sea interface. Table 15 below shows the how the land/sea interface is addressed in the planning documents.



**Table 15 - Approaches to addressing the land/sea interface (number of planning documents)**

	Policies	Objectives	Rules	Other Methods	No clear approach
District Plans	26	22	12	16	24
Regional and Unitary Authority Plans	8	7	3	4	8
Regional Policy Statements	6	5	0	8	6
TOTAL	40	34	15	28	38

The policies and objectives in relation to the land/sea interface most commonly address issues relating to sea level change and the action of the sea on the land.

One specific example of integration across the land/sea boundary is provided in the Wellington Regional Coastal Plan where provisions relate to the Lambton Harbour Development Area, a specific area identified in the Plan. The provisions seek to provide for appropriate activities in the harbour/city interface area that results in development that is compatible with the urban form. The policies in the Wellington Regional Coastal Plan recognise the design guides in the Wellington City District Plan and seek to vary or change the Coastal Plan to remain compatible with the relevant provisions of the District Plan. The use of zoning as a technique is addressed later in this report.

## 5.5 Landscape

Policy 1.1.3 of the NZCPS states the following:

*“It is a national priority to protect the following features, which in themselves or in combination, are essential or important elements of the natural character of the coastal environment:*

*(a) landscapes, seascapes and landforms, including:*

*(i) significant representative examples of each landform which provide the variety in each region;*

*(ii) visually or scientifically significant geological features; and*

*(iii) the collective characteristics which give the coastal environment its natural character including wild and scenic areas; ...”*

The Stocktake brief has sought to determine how landscape is defined, how landscape values and features are identified, and how effects on landscape values are managed.

### 5.5.1 Definition of ‘landscape’

Only 7 of the planning documents contain a distinct definition of ‘landscape’. These definitions are variable their scope and detail. For example, the Manawatu-Wanganui Regional Council’s definition is:

*“It is a visual impression of the interaction of people on their environment, consisting of natural habitats and habitats modified by people for their own uses. It is not a static background that we inhabit, but the interaction of a society and the habitat in which it*

*lives. Inevitably, the landscape changes if either people or the habitat changes. Landscape has physical (landform and feature), ecological (dynamic, natural) and cultural (induced change) components."*

By contrast, the definition in the Dunedin City Plan is:

*"Means the cumulative effects of physical and cultural processes."*

Further, the Bay of Plenty Regional Coastal Plan defines landscape in a limited manner as:

*"An area of scenery."*

Landscape is more regularly defined (by 18 documents) through the use of description. In some cases the landscape is described specifically in relation to the district or region, for example, the Grey District Plan contains the following:

*"The general components of the Grey District landscape are:*

- *the extensive forest clad mountain ranges and foothills forming the eastern backdrop to the District, and the coastal Paparoa Range. ·*
- *the lowland plateau area Southeast of the Grey Valley and inland of the southern coast, characterised by a mixture of indigenous and exotic forests. ·*
- *the sweeping beaches. ..."*

In other cases the description is more generic and criteria based – describing the constituent parts that may make up a landscape. For example, the Northland Regional Coastal Plan contains the following:

*"The coastal landscape is generally comprised of some combination of landforms, coastal water surfaces, vegetation and other significant visual elements."*

### 5.5.2 Identification of landscape values

In general planning documents do not specifically provide a commentary on the identification of landscape values. Seven of the planning documents contain generic statements in relation to what constitutes landscape values, for example, the Southland District Plan states:

*"People's appreciation of landscape is to a large extent influenced by:*

- a) its appearance which can be described in visual terms such as form, shape and texture;*
- b) its meaning which is influenced by the viewers cultural background, prior experience and present circumstances."*

The Kaikoura District Plan lists criteria for landscapes of value as follows:

***Aesthetics:** the beauty of particular places, or the presence of exceptional views which clearly modify people's awareness and appreciation.*

***Visibility:** how visible a feature or area is from important viewpoints.*

***Natural science:** include the contribution of geomorphological and biological characteristics of the landscape.*

***Heritage:** the meaning imported to a place by history.*

*Popular, shared and recognised value: usually associated with the popularity of a place for its recreation or tourist value, or as a source of inspiration to writers and artists.*

*Tangata Whenua: special spiritual significance and meaning to tangata whenua, reflecting their long association with the lands and waters of the District."*

A point of difference to be noted is the Proposed Wairau/ Awatere Resource Management Plan that identifies landscape values using a table in which it identifies the landscape type, special features, the visual quality, whether the item is 'outstanding', and the level of sensitivity if the particular item.

### 5.5.3 Identification of outstanding natural features and landscapes

Thirteen of the planning documents include specific statements in relation to what constitutes an outstanding natural feature or landscape. In a number of cases the planning documents make reference to section 6 of the RMA in determining what is 'outstanding'. For example, the Banks Peninsula District Plan contains the following definition of 'outstanding natural features':

*"Elements of the landscape or areas of land which have been identified in accordance with specific criteria as worthy of protection because they are striking or special by reason of their relative excellence within the context of Banks Peninsula, the protection of which would accord with the purpose of the Act."*

The Kaikoura District Plan, the Gisborne Combine Land and Regional Plan and the Kaipara District plan offer some rigour to the identification process by making specific mention of studies and landscape assessments that have been undertaken to inform the identification of outstanding natural features and landscapes. Uniquely, the Franklin District Plan also refers to the RAMSAR Convention (a convention on wetlands of international importance) for the identification of such features, while the Far North Proposed District Plan makes reference to the Geo-Preservation Inventory (Inventory of Important Geological Sites and Landforms in the Northland Region).

In total, 55 of the planning documents identify outstanding natural features and landscapes. In 42 instances these are listed in schedules and/or shown on planning maps.

### 5.5.4 Approach to managing effects on landscape values

Section 6(b) of the RMA requires the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development as a matter of national importance. The following Table 16 shows the ways in which the planning documents address the management of effects on landscape values.

**Table 16 - Approaches to addressing the management of effects on landscape values (number of planning documents)**

	Policies	Objectives	Rules with Zoning	Rules without Zoning	Assessment Criteria	Voluntary Methods	Other Methods	No Management
District Plans	39	34	12	7	13	0	9	12
Regional and Unitary	12	12	5	1	5	0	4	5

	Policies	Objectives	Rules with Zoning	Rules without Zoning	Assessment Criteria	Voluntary Methods	Other Methods	No Management
Authority Plans								
Regional Policy Statements	8	8	0	0	1	0	4	6
TOTAL	59	54	17	8	19	0	17	23

## 5.6 Access

Section 6 of the RMA requires, along with the preservation of the natural character of the coastal environment, that the maintenance and enhancement of public access to the CMA is recognised and provided for as a matter of national importance. Policies 3.5.1 – 3.5.4 of the NZCPS further directs, in recognising the national importance of maintaining and enhancing public access to and along the CMA, that:

- Restrictions to public access to should only be imposed where necessary (certain circumstances are listed);
- Provision should be made to identify areas where public have the right of access, areas where access should be enhanced, and areas where access for people with disabilities should be provided;
- Provision should be made for the creation of esplanade reserves, esplanade strips or access strips; and
- Policy statements and plans should identify the access that Maori people have to sites of cultural value.

### 5.6.1 Protection/provision of public access

The Stocktake brief has sought to determine whether district and regional plans contain provisions in relation to the protection, and provision, of public access in the coastal environment. As a preliminary matter it is noted that Schedule 1 of the NZCPS requires regional coastal plans to include a rule (for a restricted coastal activity) where any activity would exclude or restrict the public over certain areas and distances.

It was found 66 of the planning documents include objectives and 58 of the planning documents contain policies that relate to public access. These provisions generally reflect the intent of Policies 3.5.1 – 3.5.4 of the NZCPS. Rules are used to manage access in 27 cases (beyond the S1.9 of NZCPS rule) on both a zone and general basis, and in 16 cases assessment criteria include specific reference to access to the coastal environment. A typical, but quite specific, example is the provisions of Marlborough Sounds Resource Management Plan that requires consideration of the layout and positioning of marine farm structures “to ensure public access (including recreational and forestry access) through the area and the preservation of navigational safety both within the marine farm and within the vicinity of the marine farm”.

Twenty eight of the planning documents list ‘other methods’ for the management of access to the coastal environment. These include:

- Conditions on resource consents;
- Use of the annual plan process;

- Provision of esplanade strips;
- Monitoring;
- Advocacy;
- Information and education;
- Joint agency surveys, studies, and investigations;
- Bylaws;
- Financial contributions;
- Covenants; and
- Negotiation and partnerships.

The Regional Coastal Environment Plan for Bay of Plenty identifies 'Access' as a matter of national importance and includes a comprehensive list of methods for implementation of policies under two categories – services and advocacy. Interestingly, these specifically compel district councils to undertake a number of activities. The methods can be summarised as follows:

- Consultation and research to identify areas or circumstances where public access may need to be restricted;
- Contribute to a community based coastcare programme for beaches;
- District councils should monitor the effects of recreational access to the coast, including effects on private land as well as effects on the environment;
- District councils should manage the cumulative effects of recreation on the coastal environment by:
  - Rationalising the large number of informal access tracks and replacing them with appropriately designed access ways;
  - Restricting vehicles from beaches and dunes and other sensitive coastal sites;
  - Reducing the effects of informal boat launching by considering the provision and maintenance of formal boat launching facilities.
- District councils should exercise their functions under section 35(5)(ja) of the Act and keep public record of the location of legal public access to the coast.
- Encourage appropriate agencies to provide for access to and along the coastal marine area by purchasing areas or formulating agreements such as easements and walkways.
- Encourage district councils to ensure, as far as practicable and where appropriate, that the siting of new structures or activities will not restrict or impede public access.

Nineteen of the planning documents differentiate between different types of activities in managing and restricting public access to the coastal environment.

### 5.6.2 Management of vehicles on beaches

The Stocktake brief sought to identify which planning documents have provisions relating specifically to the management of vehicles on beaches and how these are expressed.

Specifically managing the use of vehicles on beaches is generally not provided for in the planning documents as demonstrated in the following Table 17. Where there are references to vehicle use, these are most commonly included as objectives and policies.

Management of vehicles on beaches can generally be grouped into two categories – on a situational basis and on a location basis. A typical example of management on a situational basis is the provision in the Environment Bay of Plenty Regional Coastal Plan that restricts the use of vehicles on beaches to the following listed specific uses – “*surf life saving, emergency situations, burial of dead animals on shore, removal of litter, launching or retrieval of vessels, transportation of recreational equipment to waters edge, coastcare projects, beach grooming, NZ defence force, law enforcement activities*”.

A typical example of management on a location basis is the schedule of areas in the Canterbury Regional Coastal Environment Plan that identifies areas where vehicles are prohibited.

Management on a location basis is more common than management on a situational basis.

Table 17 below shows the distribution of approaches used by the planning documents to manage vehicles on beaches.

**Table 17 - Approaches to control of vehicles on beaches (number of planning documents)**

	Policies	Objectives	Rules – Zoning Approach	Rules – Other than the Zoning Approach	Assessment Criteria	Voluntary Methods	Other Methods	No Management
District Plans	4	1	0	2	0	0	3	42
Regional and Unitary Authority Plans	10	8	5	5	4	0	4	3
Regional Policy Statements	1	1	0	0	0	0	1	13
<b>TOTAL</b>	<b>15</b>	<b>10</b>	<b>5</b>	<b>7</b>	<b>4</b>	<b>0</b>	<b>8</b>	<b>58</b>

## 5.7 Natural Hazards

The RMA defines ‘natural hazard’ as follows:

*“Natural hazard” means any atmospheric or earth or water related occurrence (including earthquake, tsunami, erosion, volcanic and geothermal activity, landslip, subsidence, sedimentation, wind, drought, fire, or flooding) the action of which adversely affects or may adversely affect human life, property, or other aspects of the environment.*

Managing natural hazards is the responsibility of both regional councils and territorial authorities. Sections 30 and 31 of the RMA requires that regional councils:

*“control...the use of land for the purpose of...The avoidance or mitigation of natural hazards”*

And that territorial authorities:



*“control...any actual or potential effects of the use, development, or protection of land, including for the purpose of the avoidance or mitigation of natural hazards...”.*

Further, the NZCPS in policies 3.4.1 – 3.4.6 requires the recognition of natural hazards and provision for avoiding or mitigating their effects by:

- Policy statements and plans to identify areas where natural hazards exist;
- Policy statements and plans recognising the possibility of sea level rise and protecting the integrity of natural defences;
- Recognising the ability of beaches, dunes, mangroves and barrier islands to protect development;
- Recognising that natural features may migrate inland as a result of dynamic processes;
- New development being located to avoid the need for protection; and
- Employing the best practicable option in relation to coastal protection works or relocation of structures.

The Stocktake brief has sought to determine what coastal hazards have been identified in the planning documents and how the areas vulnerable to such hazards are identified and managed.

#### 5.7.1 Identification of specific coastal hazards

Coastal hazards listed in the Stocktake brief, and specifically referred to in the planning documents, are shown in Table 18 below.

**Table 18 - Coastal hazards specifically identified in the planning documents (number of planning documents)**

	Coastal Erosion	Flooding/ Inundation	Climate Change <sup>8</sup>	Cliff Erosion	Tsunami	Sea Level Rise
District Plans	46	50	14	18	33	21
Regional and Unitary Authority Plans	17	16	5	8	13	13
Regional Policy Statements	12	14	5	5	13	9
TOTAL	75	80	24	31	59	43

It is noted that a number of other hazards are referred to in the planning documents. These include:

- Sedimentation;
- Earthquake;
- Subsidence;
- High winds;
- Wind blown sand, drift and movement of sand bars and banks;

<sup>8</sup> Climate change is generally referred to in terms of sea level rise though effects such as a general lack of consistency in weather patterns, increased storm incidents, more extreme rainfall events and wider temperature variations are also mentioned.

- Volcanic activity and ash;
- Fire;
- Cyclone; and
- Geothermal activity.

### 5.7.2 Identification of susceptible areas

Table 19 shows how coastal hazards have been identified in the planning documents.

Natural Hazards are most commonly identified in the planning documents using maps and are also often identified using descriptions. Few planning documents refer to Civil Defence Plans, Registers of Natural Hazards or PIMs and LIMs.

As can be seen by comparing the number of planning documents that identify coastal hazards in Table 18 with the number of planning documents using particular methods for identifying areas susceptible to coastal hazards in Table 19, it is clear that planning documents often make reference to coastal hazards without specifically identifying areas of concern in relation to those hazards.

**Table 19 - Methods for identification of areas susceptible to coastal hazards (number of planning documents)**

	Coastal Erosion	Flooding/ Inundation	Tsunami	Cliff Erosion	Sea Level Rise
Maps	21	26	9	10	9
Description	11	11	6	4	5
Reference to other documents	6	2	1	1	2
PIMs and LIMs	1	2	1		1
Register of Hazards	2	3	1		1
Civil Defence Plan		1	1	1	

### 5.7.3 Management of hazards

Most planning documents contain objectives (used in 76 planning documents) and policies (used in 75 planning documents) in relation to hazards.

The planning documents tend to make both generic references to natural hazards, along with specific references to the risks associated with hazard types. Forty one of the planning documents contain rules that make specific reference to natural hazards. These rules would typically apply to the hazards that are identified elsewhere in the planning document (in terms of the various methods shown in Table 19). The rules tend to provide for more stringent controls on land use, either generically (through a 'high level' activity status), or specifically by applying particular rules that require activities to occur in a certain way, for example, rules relating to building location (and relocation) and minimum floor level.

'Other methods' that apply to natural hazards, used in total by 30 of the planning documents can be broadly grouped into two categories – education and investigations.

Education is referred to as an ‘other method’ in 21 of the planning documents and typically includes providing information on natural hazards of the region/ district and disaster preparation. Investigations tend to include further research such as the scoping study on the hazards of wild fire, severe wind, tsunami and drought; regional scale assessments; flood hazard assessments; and slope instability investigations all referred to in the Wellington Regional Policy Statement, and monitoring shoreline movement, coastal hazard studies, and monitoring sea level rise projections that the Regional Coastal Plan for Northland refers to.

Three planning documents make reference to the Building Act in terms of other methods. A number also allude to protection works to be undertaken. Interestingly, Environment Waikato’s Coastal Plan includes a specific provision that enables short term structures for hazards management as a controlled activity, this differs to an approach taken by many councils, that is, relying on the emergency provisions of the RMA.

Table 20 below shows the distribution of use of methods to manage hazards in the coastal environment.

**Table 20- Methods for natural hazard management (number of planning documents)**

	Issues	Policies	Objectives	Rules	Assessment Criteria	Other Methods
District Plans	43	49	49	37	4	17
Regional & Unitary Authority Plans	11	15	14	4	1	8
Regional Policy Statements	9	12	12	0	0	5
TOTAL	63	76	75	41	5	30

Very few of the planning documents provide for no development, or only relocatable development within defined areas. A typical example of a provisions that do require relocation is the provision in The Wellington Regional Coastal Plan that requires structures be removed if they are longer in use. It was found that 25 of planning documents make reference to a precautionary approach.

#### 5.7.4 Hazard protection structures and works

The Stocktake brief has sought to ascertain whether the planning documents enable hazard protection work, and whether there is any differentiation in such provisions between public and private hazard protection assets.

It was found that 14 of the planning documents contain rules that relate to hazard protection. In three cases (New Plymouth District Plan, the Otorohanga District Plan and the Wellington Regional Coastal Plan) the rules differentiate between public and private hazard protection works, for example, it is noted that the Otorohanga District Plan provides for coastal protection works as a non-complying activity when associated with a new building, and as a discretionary activity in all other cases.

The rules mostly refer to 'coastal protection works' and generally provide for maintenance and repair works as a permitted activity. The consent status for new coastal protection works varies from restricted discretionary, through to non-complying, with the majority of documents classifying them as a discretionary activity.

Uniquely, in the case of the Proposed Southland Regional Coastal Plan the use of car bodies, used machinery or waste structural steel and concrete rubble as a finishing material for erosion protection works, has status as a prohibited activity.

### 5.7.5 Responsibilities for coastal hazard management

The Stocktake brief sought to identify whether the planning documents clearly identify the responsibilities for coastal hazard management between regions and districts.

It was found that 22 of the planning documents contained clear references to the responsibilities of district and regional councils. The responsibilities identified for district councils are often more site specific than those identified for regional councils and the responsibilities are not always divided in a mutually exclusive manner, often with the same responsibilities identified for both the regional and district councils. The following Table 21 provides a representative sample of how these responsibilities are presented in the planning documents.

**Table 21 - Examples of the division of responsibilities between regional and district councils**

	District Responsibilities	Regional Responsibilities
West Coast Regional Policy Statement	<ul style="list-style-type: none"> <li>▪ Civil Defence</li> <li>▪ Network Utility Operators</li> </ul>	<ul style="list-style-type: none"> <li>▪ Coordination in times of regional emergency;</li> <li>▪ Siting of structures in waterways for managing effects of natural hazards;</li> <li>▪ River channel management and flood mitigation.</li> </ul>
Horowhenua District Plan	Control of land to avoid, remedy or mitigate any adverse effects of flood hazards, land subsidence from activities and seismic, volcanic and tsunami hazards	<ul style="list-style-type: none"> <li>▪ Investigation of seismic, volcanic, subsidence, tsunami, and flood hazards</li> <li>▪ Raising public awareness of hazards</li> <li>▪ Policies to minimise hazard risks and</li> <li>▪ Emergency response planning</li> </ul>
Timaru District Plan	<p>"The control of any actual or potential effects of the use, development, or protection of land, including for the purpose of the avoidance or mitigation of natural hazards..." (s31(b) RMA).</p> <p>To maintain a Civil Defence capability.</p>	The lead agency for flooding and coastal hazards, the Regional Council conducts investigations into the level of risk and means of avoiding or mitigating the risk.
South Taranaki District Plan	<ul style="list-style-type: none"> <li>▪ Avoidance or mitigation of natural hazards</li> <li>▪ To identify known hazard potential</li> <li>▪ To control location of buildings on flood prone lands.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Avoidance or mitigation of natural hazards</li> <li>▪ Prepare a regional plan to deal with the effects on water and soil resources of activities on land subject to erosion</li> </ul>

	District Responsibilities	Regional Responsibilities
Southland Regional Policy Statement	<p>Territorial authorities shall be responsible, within their own districts, for controlling where appropriate the use of land for the purpose of avoiding wherever practicable, or mitigating, the following natural hazards: [comprehensive list of hazards]</p> <ul style="list-style-type: none"> <li>▪ collect site-specific hazard information.</li> <li>▪ provide advice to the public by way of Property and Land Information Memoranda</li> <li>▪ undertake any remedial works of local significance- prepare and update a register of hazards of local significance</li> <li>▪ incorporate the Regional Hazards Register information into District Plans</li> <li>▪ prepare District Civil Defence contingency plans</li> <li>▪ prepare adverse event response plans where appropriate</li> <li>▪ implement financial measures to reduce the economic effects of natural hazards</li> <li>▪ control the subdivision of land, except where subdivision of reclamations takes place within the coastal marine area, that control is exercised in conjunction with either the Southland Regional Council or, in the case of the reclamation being a restricted coastal activity, the Minister of Conservation.</li> </ul>	<p>The Regional Council has a role, in relation to its legislative responsibilities, to:</p> <ul style="list-style-type: none"> <li>▪ co-ordinate the collection of hazard information</li> <li>▪ prepare and update a register of hazards of regional significance and of hazards in the coastal marine area</li> <li>▪ prepare, implement and administer a Regional Natural Hazards Management Plan</li> <li>▪ maintain, review the standard of, and construct remedial works of community benefit,</li> <li>▪ maintain a flood-warning system</li> <li>▪ develop Regional Civil Defence contingency plans.</li> <li>▪ implement financial measures to reduce the economic effects of natural hazards</li> <li>▪ control the subdivision of land following reclamation within the coastal marine area, provided that it is not a restricted coastal activity, in conjunction with territorial authorities.</li> </ul>

## 6 Key Findings – District Plans

The following section of this report relates specifically to provisions contained district plans only, in terms of particular topics, as guided by the Stocktake brief.

A total of 55 district plans and 5 unitary authority plans were reviewed.

### 6.1 Access

As previously noted, section 6 of the RMA requires, along with the preservation of the natural character of the coastal environment, that the maintenance and enhancement of public access to the CMA is recognised and provided for as a matter of national importance. This is reiterated in Policies 3.5.1 – 3.5.4 of the NZCPS (previously referred to in Section 6.5 of this report).

Public access to the foreshore is particularly provided for, in the RMA, by Section 77(1) which states that, having regard to the purposes of esplanade reserves a territorial authority may include a rule in its district plan which provides for an esplanade reserve or esplanade strip to be set aside or created. Section 229 of the RMA sets out the various purposes of esplanade reserves and esplanade strips, including public access, as follows:

- “(a) To contribute to the protection of conservation values by, in particular, -*
  - (i) Maintaining or enhancing the natural functioning of the adjacent sea, ...; or*
  - (ii) Maintaining or enhancing water quality; or*
  - (iii) Maintaining or enhancing aquatic habitats; or*
  - (iv) Protecting the natural values associated with the esplanade reserve or esplanade strip; or*
  - (v) Mitigating natural hazards; or*
- (b) To enable public access to or along any sea, ...; or*
- (c) To enable public recreational use of the esplanade reserve or esplanade strip and adjacent sea, ..., where the use is compatible with conservation values”.*

The Stocktake brief sought to identify how esplanade strips, esplanade reserves and access agreements are addressed in district plans.

#### 6.1.1 Identifying when esplanade reserves and esplanade strips will be required

All district plans and unitary authority plans include provisions in relation to the requirement of esplanade reserves/strips. The RMA requires the creation of esplanade reserves or strips whenever there is an adjacent subdivision that creates an allotment of 4 hectares or less.

The majority of planning documents reflect the RMA requirements with regard to when esplanade strips and reserves must be created.



### 6.1.2 Identifying where esplanade reserves and esplanade strips will be required

Thirty plans have specified circumstances when esplanade reserves or strips will be required beyond the requirements of the RMA. Some examples include:

- For **all** subdivisions adjacent to the CMA;
- Where priority areas have been identified (e.g. the Tararua District Plan identifies priority areas for esplanade strips in Appendix 16);
- Where certain values apply (for example, public access values) (for example the Manawatu District Plan identified several locations where an esplanade strip is required for public access purposes or water quality and/or conservation purposes);
- When areas are re-zoned, perhaps a plan change to provide for more intensive development;
- Where building works adjacent to the CMA exceed a certain value; and
- When a resource consent is sought over land adjacent to the CMA.

The most common circumstance where there are additional requirements for esplanade strips/reserves is where conservation, or similar, values are present. Uniquely, the Kapiti Coast District Plan also identifies specific fencing requirements for esplanade strips that are created.

### 6.1.3 Waiving the requirement for esplanade reserves and esplanade strips

Forty five plans provide criteria by which a reserve requirement may be reduced or waived. These situations vary but typically provide councils with a degree of discretion and include:

- Minor subdivisions or boundary adjustments;
- Where particular values do not apply, for example, where there are no conservation values;
- Areas identified and not requiring reserves;
- Where there is challenging topography, or existing buildings;
- Where safety or privacy may be compromised;
- Where hazards exist;
- Where cost prevents; and
- Where the reserve may impact on particular values (natural values, waahi tapu, wildlife areas etc.).

For example, the Auckland City Isthmus Plan sets out a regime that will require a esplanade reserve or strip where allotments over 4 hectares are created only in exceptional circumstances:

*“Where an allotment of 4 hectares or more is to be formed on subdivision, an esplanade reserve or strip will be required only where the land concerned has demonstrably exceptional conservation value or public access value or value for the mitigation of natural hazards.”*

While, in the case of the Chatham Islands, the plan provisions also enable a greater width where certain values are present:

*“The width of an esplanade reserve and strip may be varied from 20 metres if:*

- The natural values warrant a wider or narrower esplanade strip or esplanade reserve; or*
- Topography, or the siting of any building or other feature, renders the 20 metre width inadequate or excessive*
- The protection of waahi tapu, mahinga kai and other taonga requires an esplanade reserve or esplanade strip of greater or lesser width than 20 metres; or*
- The protection of enhancement of water quality requires an esplanade reserve or esplanade strip of greater or lesser than 20 metres; or*
- The land is within a natural hazard area of where there is an identified risk from one or more natural hazards (such as coastal erosion); or*
- The costs of the provision and maintenance of a 20 metre wide esplanade reserve or esplanade strip are more than the potential public benefits of the purposes of esplanade reserves or strips; or*
- Where the creation of a 20 metre wide esplanade reserve or esplanade strip would create economic hardship or risks to public safety or the security of property”.*

Most certainty is provided where plans list particular areas or waterways where esplanade strips will, or will not, be required. For example, the Invercargill District Plan states that esplanade strips will not be required around the Island Harbour of the Seaport Sub-Area or in relation to the Smelter Sub-Area unless agreed with the landowner and occupier for practical access reasons.

#### **6.1.4 Assessment criteria relating to public access**

The Stocktake brief sought to identify whether district plans included assessment criteria relating to public access that would apply in situations where resource consent decisions are being made.

Forty one of the district plans reviewed did not include distinct references to public access in assessment criteria. Where such assessment criteria are present these criteria either relate very specifically to the provision of esplanade reserves or esplanade strips; or seek to enable access to the sea or coast while protecting other values associated with the area. That said, public access to the CMA clearly directs decisions in relation to resource consents through the policy direction set out, and derived from, the policies in 3.5 of the NZCPS.

In the Marlborough Resource Management Plan the assessment criteria refers to a council’s access strategy or particular areas of value (to which access should, or shouldn’t be gained), for example, significant coastal areas identified in the New Plymouth District Plan as follows:

*“Public access should be provided to and along the coast ... except where such access should be restricted:*

- *To protect SIGNIFICANT COASTAL AREAS;*
- *To protect SIGNIFICANT NATURAL AREAS;*
- *To safeguard ecological, intrinsic or recreational attributes;*
- *To avoid conflicts between competing uses;*
- *To protect cultural and spiritual values of TANGATA WHENUA;*
- *To protect human health and safety;*
- *For reasons of security;*
- *To prevent aggravation of a natural hazard; or*
- *...*
- *To provide for any other exceptional circumstances that are sufficient to justify the restriction, notwithstanding the national importance of maintaining access.”*

The use of access strategies, as employed by Marlborough District Council, affords the Council with a greater degree of flexibility, as opposed to listing criteria in a planning document as the strategy can be altered without the need for a plan change process under the RMA. Instead, the Council would be able to alter the strategy in terms of Local Government Act processes and those contained in the Council’s Long Term Council Community Plan.

## **6.2 Biodiversity and Development Pressures**

Policy 1.1.4 of the NZCPS states that, in preserving the natural character of the coastal environment, it is a national priority to protect the integrity, functioning and resilience of the coastal environment in terms of natural biodiversity (amongst other matters). Further, Chapter 3 of the NZCPS contains policy guidance in terms of activities involving subdivision, use or development of areas of the coastal environment.

### **6.2.1 Use of zones for the coastal area**

The Stocktake brief has sought to identify whether district plans have specific zones that apply to the coastal area. It was found that 33 district plans contain specific zones for land adjacent to the coastal marine area.

The Stocktake brief also sought to ascertain the basis for delineating the boundaries of specific coastal zones. Cadastral boundaries were the most common method used to delineate the boundary of the coastal zones. In 3 instances more than one method was used to determine the delineation of the coastal zone. Both the Napier District Plan and the Tauranga City District Plan use all three methods to determine the delineation. The Westland District Plan has two coastal zones and uses different methods to delineate them (‘a set distance from the coast’ for the Coastal Erosion Zone and ‘cadastral boundaries’ for the Coastal Settlement Zone). The basis for delineation is set out in the following Table 22.

**Table 22 - Basis of delineation of specific coastal zones (number of district plans)**

A set distance from the sea	Cadastral boundaries (no criteria)	Stated criteria	Unable to determine delineation
10	12	9	7

For those plans using criteria to define the landward boundary they have used a range of criteria. For example the Banks Peninsula District Plan uses the following criteria to define the coastal zone:

1. *Contains areas of significant indigenous vegetation, or*
2. *Forms part of a plant and/or animal community that is shared with the adjacent coastal marine area, or*
3. *Have a high degree of natural character or the potential to become an area with a high degree of natural character, or*
4. *Have a significant habitat of indigenous fauna, or*
5. *Has a land owner whom has agreed to the inclusion in the plan as a method of protection; or*
6. *Have important for scientific, historic, cultural or recreational purposes; or*
7. *Contain a significant landform or feature, or,*
8. *Are landward of an Area of Significant Conservation Value shown in the Regional Coastal Environment Plan."*

The Hurunui District Plan uses the following criteria to define the delineation of the coastal zone:

*"For Hurunui District, the inland boundary of the Coastal Environment Management Area is based primarily on landscape characteristics, taking into account variations in geographical, ecological or natural features, as well as property boundaries. In determining the extent of the coastal environment, it is recognised that it is difficult to define the boundaries with precision, and that not all of the area may be purely coastal in character. However, the boundaries are based on the predominant character of a particular location, which is derived from the following factors:*

- Landforms which have been formed or modified by recent coastal processes*
- Vegetation or habitats which are largely derived from their coastal location*
- Estuaries or wetlands that are an integral part of the coastal ecosystem*
- Areas of importance for food gathering or which are of spiritual or cultural significance linked with the coast*
- The coastal marine area: where a proposed activity may affect resources or environmental systems on the seaward side of MHWS"*

### **6.2.2 Permitted and controlled activities - lot sizes in the coastal zones**

Where the district plans contain a specific coastal zone, the Stocktake brief has sought to identify what the permitted and controlled activity rules provide for in terms of minimum (or average) lot sizes.

It was found that the minimum and average lot sizes as permitted or controlled activities in a coastal zone are highly variable. Thirty five of plans have no minimum lot size identified for either permitted or controlled activities. Those that do (12) range from 300m<sup>2</sup> to 11.5 hectares. In contrast to the criteria used by the Regional Coastal Plans, one of the criteria commonly considered in determining the minimum lot size appears to be whether or not there is a reticulated sewerage system servicing the area. The range for the average lot sizes is from 500m<sup>2</sup> to 15 hectares.

This variation is likely to be based on the particular area characteristics determined at a district level, for example, via a structure planning process. Larger lot sizes are in areas that are rural in character and a rural zone applies, while the small lot sizes apply to coastal communities.

### 6.2.3 Permitted and controlled activities – indigenous vegetation clearance

Where the district plans contain a specific coastal zone, the Stocktake brief has sought to identify what the permitted and controlled activity rules provide for in terms of indigenous vegetation clearance.

The activity status for indigenous vegetation clearance ranges from permitted to non-complying. Thirty seven of the district and unitary authority plans contain permitted activity rules and standards for the clearance of indigenous vegetation. In some cases these rules apply across the entire district, and in others they are specific to the coastal zone. There are fewer rules providing for such vegetation clearance as a controlled activity.

The rules for indigenous vegetation clearance typically provide for limited clearance of indigenous vegetation, but restrict the amount of contiguous clearance by area and timeframe restrictions. A few rules refer to particular areas that are protected elsewhere in the district plan.

Where such vegetation clearance is not within that provided for as a permitted activity, the lack of controlled activity provisions would indicate that a 'higher level' resource consent would be required.

### 6.2.4 Targets for future development or growth

The Stocktake brief has sought to identify whether the district councils have, or target, any future or development growth adjacent to (or within 5km) of the coast and whether any such areas identified will require sewage reticulation and have a minimum lot size.

Councils were contacted to determine whether they were targeting/encouraging future development/growth within 5km of the coast. Twenty six councils responded that they target, future growth or development in the coastal environment, while 8 of the councils do not. The remaining councils are either neutral or undetermined in relation to growth.

Eighteen of these council's identified that the targeted, or encouraged growth and development is contingent on the provision of a reticulated sewerage system.

Twelve of the 26 councils targeting future growth had already determined, the minimum lot sizes for such development varies both within and between districts typically from 500m<sup>2</sup> to 5000m<sup>2</sup>. This variation is likely to be based on the presence of reticulated

sewerage disposal along with the particular area characteristics determined at a district level, for example, via a structure planning process.

### 6.2.5 Areas of indigenous vegetation covenanted or reserved

The Stocktake brief has sought to ascertain whether councils have areas of indigenous vegetation reserved or covenanted within which indigenous vegetation clearance is not permitted, and how such information is stored.

A total 34 of the district plans identify areas of indigenous vegetation reserved, covenanted or protected through other plan mechanisms within which the removal of indigenous vegetation is not permitted. Councils were asked to identify the method they used to store information in relation to areas of protected indigenous vegetation. It was found that the information in relation to areas of protected indigenous vegetation is stored in a GIS (spatial) layer in 28 cases. Other common methods of storage include lists and schedules (23 councils) and databases (19 councils). Table 23 below identifies the storage methods used by each of the councils that responded to this query.

**Table 23 – Storage of protected indigenous vegetation information (number of district councils and unitary authorities)**

Storage Method	District utilising method	Total number of councils
GIS	Auckland; Ashburton; Banks Peninsula; Buller; Central Hawke's Bay; Hastings; Horowhenua; Kapiti Coast; Lower Hutt; Manakau; Manawatu; Marlborough; Napier; Nelson; New Plymouth; Palmerston North; Rangitikei; Southland; Tauranga; Timaru; Waimakariri; Waimate; Wairarapa; Waikatore; Wellington; Western Bay of Plenty; Whakatane; Whangarei;	28
Lists and Schedules	Auckland; Clutha; Wairarapa; Far North; Hastings; Kaipara; Kapiti Coast; Manawatu; Marlborough; New Plymouth; Palmerston North; Kaikoura; Whakatane; Rangitikei; Selwyn; Southland; Tararua; Tasman; Thames-Coromandel; Timaru; Waikatore; Western Bay of Plenty; Whangarei	23
Lists & Databases	Auckland; Clutha; Far North; Grey; Hastings; Kapiti Coast; Manakau; Marlborough; New Plymouth; Palmerston North; Kaikoura; Whakatane; Rangitikei; Selwyn; Thames-Coromandel; Timaru; Waikatore; Western Bay of Plenty; Whangarei	19

### 6.2.6 Digital Data

The Stocktake brief sought information in relation to the type and availability of digital spatial information. It was found that geographical information systems (GIS) have been used extensively in the plan development process with only 3 district plans not having an associated GIS database (Buller District Plan, Chatham Islands Resource Management Document, and the Far North Proposed District Plan). However, only 14 of the GIS databases have attribute information, for example lot size, as a layer that describes permitted activity criteria. Those councils that will make such information available are listed in the table contained in Appendix D.



## 7 Summary of Key Trends

### Coastal environment plans

Nine councils have elected to prepare **coastal environment plans** that contain provisions that apply landward of MHWS, as opposed to a regional coastal plan that applies only within the CMA. It can be assumed that these councils have considered that it is appropriate to prepare such plans in order to promote the integrated management of the coastal marine area and relevant parts of the coastal environment, as provided for by section 64(2) of the RMA.

The nine coastal environment plans have either identified the coastal environment on maps (or as overlays) and/or have included a set of criteria that defines the coastal environment. The identification of the coastal environment in this manner was found to be in general accordance with the definition of coastal environment determined in case law.

The term '**coastal environment**' is also specifically defined in 56% (9) of regional policy statements, in 94% (17) of regional plans and only 7% (4) of district plans. It is not surprising that coastal environment is more frequently specifically defined in the higher level planning documents as a number of the regional plans are coastal environment plans. However, the limited number of district plans that contain such a definition, particularly considering that a number of these districts are also within the jurisdiction of regions that have coastal environment plans, may indicate some inconsistency with respect to the integrated management of the coastal environment across the regional/ district boundary.

At the regional level, once again, the definitions of coastal environment tend to be consistent with the case law definition, often with further explanation, while, at the district level, the coastal environment is typically defined by a clear delineation via lines on maps, and/or a set distance landward of MHWS.

### Water quality

In 83% (15) of cases regional plans make reference to **water quality standards**. The standards applied are most commonly the standards contained in the 3<sup>rd</sup> Schedule to the RMA. The remaining plans either apply locally derived standards, or other guidelines, such as the ANZECC guidelines.

The regional plans do tend to include some **distinction between discharge types**. The discharge types in plans are usually stormwater, human sewage and other discharges. Some of the regional plans also address discharges from ships and associated facilities separately and around 39% (35) of **all** planning documents distinguish between discharges from point sources and non-point discharges. The distinction of human sewage discharges is clearly driven by the compulsion in Schedule 1 of the NZCPS to include a rule in regional plans in relation to such discharges. Further, stormwater discharges appear to be distinguished for the purpose of providing for such discharges as permitted activities (or at a lower level consent status).

While discharge types are often distinguished, to some extent, the standards or assessment criteria that apply to discharges are the same. As noted above these standards or assessment criteria are derived from the 3<sup>rd</sup> Schedule to the RMA.

Regional coastal plans do not specifically address **cumulative effects** within rules and standards, rather these are addressed in policies and assessment criteria. This has the effect of providing councils with a particular directive to consider cumulative effects in decision making.

There is significant variation in the approaches taken to **seabed contamination** in regional coastal plans, from no distinct references to such contaminant through to a suite of provisions. This diversity in approaches may reflect a lack of policy guidance in relation to seabed contamination at a national level, specifically, there are no policies in the NZCPS that address issues in relation to seabed contamination.

Only 11% (2) regional plans contain specific rules that apply directly to **discharges from wharves and other facilities**, notwithstanding Policies 5.2.1-5.2.5 of the NZCPS that provide for the limiting of adverse effects from vessel waste disposal and maintenance. It is common practice to rely on general discharge provisions, although these provisions do tend to include references to discharges in association with uses such as wharves and jetties.

Such discharges are also managed in a zone context whereby the regional coastal plan contains a zone that applies to ports and or marinas, and provisions that apply to these zones will include specific provisions that relate to discharges within that zone. It is possible that a different standard or consent status could apply to discharges in that zone.

The discharge for sewage from vessels is controlled under the Resource Management (Marine Pollution) Regulations that restrict discharges in certain areas. 78% (14) regional coastal plans include a reference to these Regulations and may rely on them to some extent in managing discharges from wharves and facilities. It is noted that regional councils are able to increase the extent of restriction under these Regulations. Two councils have elected to do this in relation to designated harbour areas.

The NZCPS and RMA both refer to **reasonable mixing** in the context of discharges to water, but neither document provides further clarification in relation to this term. It was found that five regional coastal plans include a specific definition of 'mixing zones', while 56% (10) of the plans provide specific explanation or clarification within the text of the plan in relation to reasonable mixing and mixing zones. The mixing zones are derived on a case-by-case basis guided by this defined framework or parameters.

The majority (12) of regional coastal plans and regional policy statements make specific reference to **discharges from outside of the coastal environment** and eleven regional plans contain rules in this regard. Further, twelve of these documents refer to discharges to, or contamination of, water bodies, such as coastal lagoons, which are **in the coastal environment but outside of the CMA**.

The majority of district plans contain references to minimum lot sizes, but only eight of these documents make direct reference to **limited lot sizes and the discharge of sewage to land**. The minimum lot sizes varied significantly. It is considered this variation reflects the differences between difference zones, rather than minimum lot sizes being driven by the discharge of sewage only.

### Allocation of coastal space

Regional coastal plans generally make reference to **competing uses** in issues and policies. **Coastal tendering** is used as a management tool in only three cases. The plans contain the rules required by the first schedule to the NZCPS relating to occupation, and three of the regional coastal plans contain prohibited activities for the occupation of coastal space. Around half of the regional coastal plans make specific provision for lawful structures that existed pre-RMA.

It was found that eleven councils use a **zoning approach** to provide certain uses in defined areas. Nine of the regional coastal plans use four or more zones. The zones are determined on both activities and values basis. Some councils have employed a 'reverse zoning' approach whereby particular activities are excluded from defined areas.

The regional coastal plans do not generally contain specific references to the occupation of coastal space for **wind, wave or tidal power generation**, nor do they specifically differentiate between public and private mooring facilities, although this differentiation may be provided for through zoning applying to public facilities. Eleven of the regions have **port companies** within their jurisdiction where section 384A RMA consents for the occupation for port activities apply.

It appears that the regional coastal plans have not yet fully given effect to the 2004 amendments to the RMA, which includes a new Part 7A that empowers the councils to manage the effects of occupation in terms of aquaculture. There is some evidence that these new provisions are being 'picked-up' as the plans are being reviewed.

### Marine biodiversity

The regional coastal plans generally contain provisions in relation to **significant indigenous vegetation and habitat**. The references are most commonly found in policies and objectives. The provisions typically refer to indigenous vegetation and habitats in a generic manner, rather than distinguishing between ecosystem types.

Fifteen of the regional coastal plans also contain provisions in relation to indigenous vegetation and habitat that is not necessarily significant. The rules that apply to indigenous vegetation range in activity status from permitted through to prohibited as the extent of works associated with indigenous vegetation increases from maintenance through to compete clearance.

All of the regional coastal plans identify areas of **significant conservation value**, and ten of these plans define such areas using a combination of maps and schedules. It was found that rules for a 'higher level' activity status generally applied to such areas. 'Conservation values' are also often included in relevant assessment criteria.

It was found that the regional coastal plans do not always distinctly provide for significant indigenous vegetation, other indigenous vegetation, and areas of significant conservation value. Rather, these terms are in some cases overlapping or grouped as one. There are examples of plans that not only provide for areas of significant conservation values, but also include other areas of conservation value.

Only a third (6) of the regional coastal plans include an explicit **hierarchy of effects** in relation to the management of effects on significant indigenous vegetation and habitats. In

all cases this hierarchy mirrors that contained in Policy 1.1.2 of the NZCPS. The remaining plans also tend to manage effects using a hierarchy, however, this hierarchy is based on applying a range of activity statuses.

All regional coastal plans contain references to **coastal processes and ecosystem functioning**. These references are primarily contained in objectives and policies. Natural water and air quality, Dynamic processes, and the intrinsic values of ecosystems are the most commonly referred to coastal processes.

Specific references to the **restoration of indigenous vegetation and habitat values** are included in the policies and/or methods of ten of the regional coastal plans.

**Biosecurity** management is referred to in all of the regional coastal plans, with twelve of the plans referring to pest management and associated strategies and the remainder of the plans contain provisions in relation to the management of biosecurity risks.

### Maori cultural heritage

Forty nine of the planning documents use schedules to identify **characteristics or features of importance to Maori**. In many cases these schedules are accompanied by maps defining the features' location. Seven of the documents use only criteria for the identification of such features.

Most of the planning documents make reference to the **protection of characteristics** and features of importance to Maori in policies and objectives, while 32 of the documents include rules that would directly apply to such features. These rules typically range from permitted activity status for maintenance and minor alteration through to discretionary activity status for major alterations or demolition.

Twenty three of the planning documents also include a range of other **non-statutory methods** to protect and manage features of importance to Maori. The majority of planning documents also include direct references to a requirement to consult with tangata whenua with regard to identified features.

### Historic Heritage

A third (6) of the regional policy statements, 72% (13) of regional coastal plans and 96% (53) of district plans contain **heritage registers/ schedules**, although these registers are in general relatively limited in terms of number of features listed. These heritage registers most commonly contain the following items:

- Buildings and/or lighthouses (7 in regional policy statements, 11 in regional coastal plans, 62 in district plans);
- Maori heritage sites (6 in regional policy statements, 10 in regional coastal plans, 48 in district plans);
- Trees (7 in regional policy statements, 9 in regional coastal plans, 49 in district plans)

The process of **identification and inclusion** of places and items of heritage value in most cases relied on data sourced from the New Zealand Historic Places Trust; the New Zealand Archaeological Association; the Department of Conservation; tangata whenua and previous planning documents.

The rules that apply to the **protection** of historic heritage range from permitted activity status for maintenance and minor alteration through to discretionary and non-complying activity statuses for major alterations or demolition.

**Removal** of items from these heritage registers is reported to be a rare occurrence and most commonly requires a plan change.

The majority of the councils use a range of other **non-statutory methods** to facilitate the protection of historic heritage, with education and the use of incentives being the most common.

Twenty six of the planning documents contain general statements for **monitoring** the effectiveness of methods used to manage historic heritage, but only eight councils report having carried out such monitoring.

The general reliance on secondary sources for determining the content of heritage registers may have resulted in the content of registers being limited. However, the limited number of features identified may also reflect the level of significance that regional plans use in the production of their registers, that is, only those features of regional significance and greater. There are probably items that may be of more local significance that would have been identified in a district plan had they not been in the CMA and out of the district's jurisdiction.

### Papakāinga housing

Thirty two of the district plans make reference to papakāinga housing, or similar activities, and 39% (35) of the planning documents contain a definition of papakāinga housing similar to that contained in Policy 5.1.3 of the NZCPS. The predominant means of providing for papakāinga housing (in these documents) is through the use of rules.

### Natural character

Around 45% (40) of the planning documents **define 'natural character'**. This definition is made in over half (23 of the 40 documents) of those documents by description, followed by a specific definition in the 'interpretation' section of a planning document, and by the use of listed criteria. The definitions are generally consistent, although with differing weighting on the influence of human activities and structures.

38% (34) of the planning documents specifically **identify the natural character** of the particular region or district. Criteria are commonly used to identify such areas, often augmented with schedules and maps. There is no clear evidence of distinct ranking of places or features.

The planning documents provide for the **preservation of natural character** using a range of methods. The preservation of natural character is included in the objectives and policies of most planning documents and 60% (54) of the planning documents use 'other methods', such as assessment criteria, as part of their approach to preserving natural character, while over a 30% (27) of the documents include rules containing specific reference to natural character (mostly in relation to areas identified elsewhere in the planning documents).

Only three of the planning documents include a specific **hierarchy of effects** in relation to the management of effects on natural character. Where such a hierarchy exists, it typically

reflects the section 5 of the RMA hierarchy. As with the management of effects on indigenous vegetation and habitats, the effects on natural character may also be managed in a hierarchical manner through the use of various consent activity statuses.

Approximately half of the planning documents address the **land/sea interface** in objectives (39 documents), policies (39 documents) and rules (34 documents).

Most planning documents contain generic references to '**inappropriate use, development and subdivision**', but do not further define what this phrase means in the context of the region or district.

### Landscape

Only 7 of the planning documents contain a distinct **definition of 'landscape'**, and where such definitions occur there is a high degree in variability in the nature of the definitions, from limited generic definitions through to definitions derived from the particular components of the particular district's, or region's, landscape. Similarly, the planning documents do not specifically provide a commentary on the **identification of landscape values**, however, some of the planning documents do contain generic statements in relation to what constitutes landscape values.

Further, 15% (13) of the planning documents include specific statements in relation to **outstanding natural features or landscapes**, often making reference to section 6 of the RMA. In some cases specific mention is made of studies or landscape assessments that have been undertaken. 62% (55) of the documents identify outstanding natural features or landscapes. In 76% of cases, this identification is made through the use of schedules and/or maps.

The planning documents address the **management of effects on landscape values** primarily through objectives and policies (in over 50% of the documents), and to a lesser extent (28% (25) of documents) in rules (both generic and using zoning) and assessment criteria (21% (19) documents).

### Access

Almost 75% of the planning documents include objectives (66 planning documents) and policies (58 planning documents) in relation to **public access to the coastal environment** that generally reflect the intent of Policies 3.5.1 – 3.5.4 of the NZCPS. Rules are used, on both a zone and general basis, in 31% (28) of cases, and in a 17% (16) of instances assessment criteria include reference to access to the coastal environment.

Twenty seven of the planning documents list **other methods** to specifically manage access to the coastal environment, and 21% (19) of the documents differentiate between different types of activities in managing and restricting public access.

Specific **management of vehicles on beaches** is generally not provided for in the planning documents, although some plans to seek to exclude vehicles from areas, or provide exemptions for acceptable use. It is possible that the management of vehicles on beaches is addressed through Local Government Act bylaws rather than under the RMA.

All district plans include provisions in relation to **esplanade strips or reserves**. The majority of which require the creation of esplanade strips or reserves in accordance with



the requirements stipulated in the RMA, although some plans have provided further guidance in relation to **when** such esplanade strips or reserves will be required.

Thirty of the plans provide further direction (beyond the RMA) in relation to **where** esplanade reserves and strips may be required. The remaining plans tend to provide further guidance by identifying priority areas or values.

It was found that generally the additional guidance in relation to where and when esplanade reserves and strips may be required was more fully developed in relation to the margins of streams, lakes and rivers as opposed to the CMA boundary.

51% (45) district plans also provide guidance in relation to when the requirement for an esplanade strip may be reduced or waived.

46% (41) of the district plans reviewed do not include specific reference to **public access in assessment criteria**, this could result in access issues not being able to be considered in decision making.

### Natural hazards

A diverse range of natural hazards are referred to in the planning documents, with flooding/inundation being the most commonly referred to coastal hazard (referred to in 76 documents), closely followed by erosion (referred to in 72 documents). Of the hazards listed in the Stocktake brief, climate change is the most infrequently referred to (referred to in only 23 documents). Mapping is the primary way in which such **hazards are identified** in the planning documents.

Most planning documents contain objectives (76 documents) and policies (75 documents) in relation to the **management of natural hazards**. These references tend to be generic in nature, supported by more specific references to the risks associated with particular hazards types.

46% (41) of the planning documents contain rules that relate to natural hazards. These rules would typically apply to hazards, or hazard areas, that are identified elsewhere in the planning document. 28% (25) of the planning documents refer to the precautionary approach with respect to coastal hazards.

Three planning documents provide for no development, or relocatable development, in hazards areas, with two of the planning documents including rules requiring structures in hazards areas to be moved. Other methods typically include either investigations or education.

Fourteen of the planning documents contain rules that provide for **hazard protection works**, and in three of these cases the rules differentiate between public and private protection works. Maintenance and repair activities generally have status as permitted, while new coastal protection works may vary from discretionary restricted through to non-complying activities.

22 of the planning documents clearly identify the responsibilities for coastal management between district and regional councils, although there is some variation in the interpretation of the division of these responsibilities.

### Biodiversity and Development Pressures

37% (33) district plans include specific **zones that apply to the coastal area**, in most cases the basis for the delineation of such zones is not clearly described in the plans.

The **minimum lot sizes** in coastal zones are highly variable. One of the criteria for determining lot sizes appears to be the presence of a reticulated sewerage system, however, it would appear that there are also other drivers in relation to determining lot size, such as amenity and surrounding zone values, that is, rural coastal zones, as opposed to residential coastal zones.

Rules for indigenous vegetation clearance in coastal zones are often rules that apply across the district. Permitted activity clearance of vegetation is limited by timeframe and area. A total of 34 of the relevant district plans identify areas of indigenous vegetation that is reserved, covenanted or protected through other mechanisms.

29% (26) of the district councils have, or target, future growth or development within their district, and only 9% (8) do not. The remaining councils are either undecided or neutral with regard to future growth. In all cases the growth is contingent on a reticulated sewerage system.

## 8 Opportunities for National Guidance

In reviewing how policy statements and plans address a range of coastal management issues including historic heritage, Maori values, natural character, landscape, access, natural hazards, water quality, allocation/ occupation of coastal space, marine biodiversity and development pressures, this study has found some key trends in the management of the coastal environment through such documents.

In general it has been found that there is a degree of variability between the planning documents, although there is more consistency where there is a clear direction provided by the NZCPS and further, there is more consistency between regional policy statements and regional plans than between regional documents and district plans. This variability could be an impediment to the integrated management of the coastal environment, particularly across the regional/ district boundaries and between both districts and regions themselves. It is noted that 43% (39) of the planning documents specifically address the integration between the land/sea interface, such content could be strengthened by providing further national guidance.

It has constantly been found that the more specific guidance is at a national level, either through the NZCPS or the RMA itself, the greater the consistency through plans. This is particularly the case in terms of definition of terms and approaches (such as that contained in section 70 of the RMA). Other examples that illustrate this point are coastal occupation and water quality. All regional coastal plans include the rule required by Schedule 1 of the NZCPS (S1.9) that confirms a defined scale of exclusive occupation of the CMA has status as a restricted coastal activity and most regional coastal plan reflect the water quality standards as provided in Schedule 3 of the RMA.

It is also considered that in some cases the planning documents might rely on the NZCPS as a 'fall-back', rather than duplicating or specifically giving effect to NZCPS policies. If this is an issue, it will be addressed as a result of recent changes to the RMA that require planning documents to be consistent with policies set at a national and then regional level.

The following lists some opportunities and issues, in relation to each of the topic areas and Stocktake brief, identified in determining the key study findings. It is noted that this list is not exhaustive, and other opportunities and gaps may be identified in further analysis or studies.

### Coastal environment plans

All regional councils and unitary authorities have produced a regional coastal plan. Nine regional councils have taken the opportunity to develop true coastal environment plans, although, these plans tend to have been notified more recently and could indicate a trend towards a 'coastal environment' approach.

### Water quality

Water quality is consistently managed by the regional councils, with reliance on water quality standards, most often derived from the standards in the Third Schedule to the RMA. Zones of reasonable mixing are defined using both formal definitions, and explanations and are most commonly derived on a case-by-case basis.

The regional plans contain some differentiation between discharge types, but are less consistent, and clear, in relation to cumulative effects and non-point source discharge. There is some variability in the management of discharges from wharves and other facilities.

The consistencies in the management of water quality clearly show the influence of national policy guidance, along with standards and provisions in the RMA, including the Third Schedule and section 70, thereby reflecting a key overall finding of this study.

Specific guidance is rarely offered with regard to cumulative effects and the challenges associated with the management of non-point source discharges is reflected in the lack of management direction from the planning documents. An opportunity exists to consider best practice approaches and guidance in relation to such discharges.

In some cases the plans have made some differentiation in relation to discharges from wharves and other facilities, others have elected to manage such discharges within the broader management regime. It is considered that such management is appropriate in the regional context given the regional differences in wharf and port infrastructure.

The plans show inconsistencies in the management of seabed contamination potential due to there being limited guidance in the NZCPS in this regard. National guidance in relation to seabed contamination would result in a more consistent approach to this issue.

#### Allocation of coastal space

Regional councils generally make reference to competing uses in objectives and policies, however, the allocation and occupation of coastal space is not managed consistently between regions (beyond the rules required by the NZCPS). The most common approach to managing the allocation of space is by the use of zoning. The review of the planning documents has not shown a significant uptake of coastal tendering or aquaculture management areas. An opportunity exists to consider best practice approaches and guidance in relation to allocation roles, responsibilities and tools.

The plans do not contain specific provisions in relation wind, wave or tidal power. As previously noted, this may be due to the clause "*the benefits to be derived from the use and development of renewable energy*" only recently being included in section 7 of the RMA. The next generation of regional coastal plans may be more likely to include a consideration of issues associated with the development of renewable energy. The activities, and occupation of the coastal environment, associated with the development of renewable energy would most often be captured by more generic rules within the plans that would trigger the need for resource consents to be obtained.

#### Marine biodiversity

The regional coastal plans contain provisions in relation to the protection of indigenous vegetation and habitats. This is usually in general terms, as opposed to distinguishing between ecosystem types. The key findings of this study seem to indicate that the plans do not always clearly, or specifically, distinguish between significant indigenous vegetation and other indigenous vegetation. It may be that the significant areas are protected less directly through provisions that relate to the protection of natural character and/or areas of

significant conservation value. Alternatively, and less likely, councils may have found it difficult to distinguish 'significance' and therefore developed provisions to apply to all indigenous vegetation. That said, most plans have gone beyond the policy direction in terms of protection of significant indigenous vegetation in the NZCPS.

Around half of the plans contain a clear replication of Policy 1.1.2 of the NZCPS in relation to a hierarchy of effects management for the protection of significant indigenous vegetation. Other plans contain a less distinct hierarchy by managing effects through differing activity statuses.

All of the regional coastal plans identify areas of significant conservation and tend to apply 'tougher' rules to such areas.

The various natural processes listed in Policy 1.1.4 of the NZCPS are specifically referred to in over half of regional coastal plans (primarily in objectives and policies), although these references are not consistently included in all of the plans. Given the content and national policy direction provided by of Policy 1.1.4, the recognition of natural processes in the coastal environment, in the planning documents, is somewhat limited.

A majority of regional coastal plans specifically refer to restoration of indigenous vegetation, and most plans also refer to biosecurity management.

In general it was found that marine biodiversity, and indigenous vegetation and habitats in the coastal environment are addressed at a generic level, as opposed to provisions in relation to ecosystem types, natural processes etc. In some cases the policy guidance in regional coastal plans provides less detail than the NZCPS. There appears to be some overlap in terms of provision in relation to indigenous vegetation, areas of significant conservation value and natural character (to follow). This may, in part, be as a result of the structure of the NZCPS, in particular Chapter 1.

### **Maori cultural heritage and historic heritage**

Maori cultural heritage is addressed separately in many of the planning documents, however, in other cases Maori heritage is considered in conjunction with historic heritage, particularly in relation to the rules that may apply. The plans are generally consistent in terms of approaches to identification and protection of heritage, even in terms of the rules that apply and the range of non-statutory methods identified. Fewer regional plans contain heritage registers.

It is noted that there is a reliance on secondary information sources to identify heritage features and that there tends to be a limited number of heritage features in the coastal environment (in comparison with terrestrial heritage registers). This may reflect a paucity of knowledge in maritime sites or gaps in the data sources. It was noted that the Rainbow Warrior sinking site has been listed, but the Wahine site has not. This may indicate some inconsistency in the identification of heritage sites within the CMA, and potentially also the arduous process for giving effects to minor changes to planning documents.

It is considered that an opportunity exists to further consider approaches to protection in terms of Policy 3.1.2 of the NZCPS with a view to considering whether more research work, or greater national policy guidance is required to achieve policy objectives.

### Natural character

While around half of the planning documents specifically define, describe and/or identify natural character, the planning documents generally contain references to natural character, most commonly in objectives and policies. There is an example of explicit reference to studies being undertaken in relation to landscape and ecology to inform the identification of natural character. Few of the planning documents contain a hierarchy of effects in specifically in relation to natural character.

It appears, from the study findings, that natural character is treated in an overarching nature in the majority of planning documents, with qualities that contribute to natural character more specifically addressed, such as landscape.

The definitions of natural character contained in the planning documents are relatively consistent, if general, differing mostly in the weighting given to human aspects. An opportunity exists in relation to the consideration of further national guidance in respect of the definition of natural character to provide direction for more consistent and effective protection of the natural character of the coastal environment. A project on defining and developing indices for monitoring natural character as part of the national indicators work started by the Ministry for the Environment could provide this national direction.

### Landscape

There is considerable variability in the definition of landscape, and landscape values, in the planning documents. The definitions range from generic statements through to specific district or regional descriptions of key elements of that areas landscape. While only 13 of the documents include specific statements in relation to what constitutes an outstanding landscape (beyond section 6 of the RMA) 55 of the documents identify outstanding landscapes. As is the case for natural character, there are examples of studies being undertaken in relation to outstanding landscapes within jurisdictions.

There is a reliance on plans' policies and objectives to protect landscapes. Rules and the use of zones to protect landscapes are used infrequently. Further investigation on the management of landscapes and the most effective tools to protect significant landscapes could add value in this regard.

### Access

63% (56) of the planning documents reviewed include both objectives and policies in relation to public access to the coastal environment, often accompanied by rules (on a zone and general basis). These provisions reflect the intent of the Policies contained in the NZCPS. Many of the documents include a number of other methods for addressing access issues, including tools under other legislation, as shown by the study findings in relation to the management of vehicles on beaches. It is therefore considered that further consideration of the complete regimes, including access strategies, for controlling access should be undertaken prior to forming any conclusions in relation to the effectiveness of policy statements, plans and in turn the NZCPS.

It was found that the planning documents contain provisions that typically duplicate the provisions in the RMA for the creation of esplanade strips and reserves. Around half of the planning documents augment the RMA provisions with further guidance in terms of



requirements and waiving of these requirements. National guidance, in terms of 'best practice' could address or strengthen approaches in this regard.

### Natural hazards

The study has found that there is a consistent, and diverse, range of natural hazards identified in the various planning documents and a clear understanding as to what coastal hazards exist, while there is some variation in relation to the rules that apply. In general, while the identification of hazards is specific, the rules that apply are generic (yet, supported by information in relation to specific hazards). Hard protection works are provided for in almost all instances.

A number of planning documents provide clear definitions of respective responsibilities of regional and district councils, however the diversity in these definitions could indicate that there are differing understandings of these roles. An opportunity exists to provide national guidance in relation to both the division and integration of responsibilities.

### Biodiversity and development pressures

60% (33) of the relevant district plans contain specific zones that apply to the coastal area, although the basis for delineation of the zones is not clear in many instances. The minimum lot sizes in these zones vary and appear to be determined by many criteria including those such as the presence of a reticulated sewerage system. Over half of the councils have indicated that they are anticipating future growth and development in the coastal area.

The study findings indicate that growth in the coastal environment is anticipated, however, the findings do not provide information in relation to the 'shape' of such growth. Further research could be undertaken in this regard in order to determine the characteristics of growth and development.

**The Stocktake Brief:  
Sample Plan Analysis Questions**

Appendix  
**A**



## **APPENDIX ONE – SAMPLE PLAN ANALYSIS QUESTIONS FOR REVIEW OF THE NEW ZEALAND COASTAL POLICY STATEMENT**

### **Regional Coastal Plans Only**

#### ***Is this a coastal environment plan?***

Does the plan only refer to the Coastal Marine Area or is it a coastal environment plan? If it a coastal environment plan, how is the landward boundary of the coastal environment defined?

#### ***Water quality***

1. Are water quality standards included in RCPs? (YES/NO)  
If yes,  
What is the basis for these standards (RMA Schedule 3, ANZECC or other?)  
Are specific standards included for discharge types, e.g. standards for sewage or storm water discharges?, if so please list them  
How do standards address cumulative effects of discharges?
2. Do RCPs contain provisions relating to seabed contamination and associated mitigation measures? If yes, how is this addressed?
3. Are there provisions relating to discharges from wharves and other facilities (e.g. slipways and boatyards) in or adjoining the CMA? If yes, how is this addressed?
4. What guidance do RCPs provide for establishing zones of reasonable mixing?  
If yes, list types of guidance

#### ***Allocation of Coastal Space***

1. What guidance do RCPs provide on the allocation of space between competing uses/users?
2. Do coastal plans use a zoning approach to manage allocation of space? If so:
  - a) to what extent is zoning used for activities?
  - b) how many zones are there/ and what is the basis for the zoning/ i.e. effects/values/activities??
3. How do current RCPs objectives, policies and methods, including rules address the occupation of coastal space for the wind, wave and tidal power within the CMA
4. In relation to moorings are there different levels of requirements for public vs. private moorings. (For example, does a private mooring trigger a more stringent resource consent activity status)? If yes, how is the issue of exclusive or preferential use of a private mooring addressed?

#### ***Marine biodiversity***

1. Does the plan have objectives, policies and methods, including rules for:
  - (i) protection of significant indigenous vegetation and habitat in the coastal environment and/or cma. If yes, is it a general rule; or specific to a ecosystem type (eg estuaries; coastal wetland). Does the rule give guidance to Districts in managing biodiversity in the coastal environment?
  - (ii) protection of indigenous vegetation and habitat or ecosystems that might not be significant but may form part of natural character or perform some other function (e.g. contribution to landscape, natural character or amenity, as a buffer area between development and significant habitat) .

2. Does the plan include areas of significant conservation value, or their equivalent? On what criteria or values are these based? How are the areas identified or shown (eg by criteria, mapped, scheduled sites) and what rules apply.
3. Does the plan have policies which reflect a hierarchy of effects e.g. are there some areas or habitats or species on which effects are to be avoided, some on which effects are to be avoided or remedied, or some on which effects are to be avoided, remedied or mitigated. On what is the hierarchy based i.e.
  - (i) does it refer directly to NZCPS Policy 1.1.2 or parts of this policy, or
  - (ii) does it use some other criteria. If yes - what are the criteria?
4. Does the plan have objective, policies and methods, including rules and assessment criteria which refer to coastal processes and/or ecosystem functioning in the coastal environment? Does it refer specifically to any of the following (directly or in like):
  - (i) dynamic processes and features arising from natural movement of sediments, water and air; natural movement of biota; natural substrate composition; natural water and air quality; natural biodiversity, productivity and biotic patterns; intrinsic values of ecosystems.
5. Does the plan have policy and/or implementation method(s) relating to restoration of indigenous vegetation and habitat values?

### **All Policy Statements, Regional and District Plans**

#### ***Maori cultural heritage***

How do policy statements and plans identify and protect characteristics of the coastal environment that are of importance to Maori?

#### ***Historic Heritage***

1. What were the key reasons for adopting this mix of methods?
2. Do RCPS and RPSs contain a list/ schedule/ register of historic heritage?
 

If yes,

What is the nature of the historic heritage included in the schedule?

What process was used to determine what to include in the schedule and how it should be included?

What were the criteria used to identify places of historic heritage value for inclusion in the schedule? What is the basis on which these places will be considered for removal from the schedule?
3. Does the plan contain any non-statutory methods to protect historic heritage?
 

If yes, list methods
4. Does the plan or RPS contain any monitoring statements for measuring the state of historic heritage in the coastal environment? Have any reviews been undertaken of the effectiveness of the current methods used to protect historic heritage? If yes, what was the outcome of this review?

#### ***Natural Character***

1. How is natural character in the coastal environment addressed in regional policy statements, regional plans and district plans
  - a) is natural character defined and if so how is it defined (eg using criteria, description, assessment content etc)
  - b) do RPS/plans define “inappropriate use, development, subdivision” in the coastal environment. If so how is it defined (eg definition, explanation, policy criteria, rules, zoning)

- c) do RPS/plans identify the natural character of their region/district.
  - i) are places or features identified – if so how?
  - ii) are places or features ranked – if so what ranking systems are used. How then is this ranking used in the planning documents?
- 2. What approach is taken to achieving the preservation of natural character in the coastal environment in planning documents:
  - a) general objectives/policies
  - b) rules/methods that apply to identified areas
  - c) zoning approach
  - d) criteria assessment for consents
  - e) voluntary mechanisms
  - f) other?
- 3. Do RPS's/plans differentiate between avoiding, remedying, mitigating effects on natural character in the coastal environment. Is a clear hierarchy evident between avoiding affects and remedying/mitigating effects? If so, how is this done, and in relation to what matters?
- 4. How is the “coastal environment” defined in RPS's/plans
  - a) description
  - b) criteria
  - c) mapped
  - d) zoned
  - e) not defined
- 6. How do RPS/plans address integration between the land/sea interface? Is this recognized in planning documents?
  - a) objective/policy level
  - b) zoning
  - c) criteria for consent assessment
  - d) others?

***Landscape (note the concept of landscape is not only confined by section 6(b))***

- 1. How is landscape addressed in regional policy statements, regional plans and district plans
  - a) is landscape defined and if so, how is it defined:
    - i) using criteria
    - ii) description
    - iii) definition
    - iv) others?
  - b) do RPS/plans identify the landscape values of their region/district. If they are, how are they identified:
    - i) schedules
    - ii) defined by criteria
    - iii) others
  - c) are outstanding natural features and landscapes identified in plans. If they are, how are they identified:
    - i) schedules
    - ii) defined by criteria
    - iii) others
- 2. What approach is taken to the management of effects on landscape values in the coastal environment in planning documents:
  - a) general objectives/policies

- b) rules/methods that apply to identified areas
- c) zoning approach
- d) criteria assessment for consents
- e) voluntary mechanisms
- f) other?

### ***Access***

Do district and regional plans contain provisions on the protection/provision of public access in the coastal environment? How is this done:

- a) general objectives/policies
- b) rules/methods that apply to identified areas
- c) zoning approach
- d) criteria assessment for consents
- e) voluntary mechanisms
- f) other?

What plans have provisions relating to the management of vehicles on beaches and how are these expressed:

- a) general objectives/policies
  - b) rules/methods that apply to identified areas
  - c) zoning approach
  - d) criteria assessment for consents
  - e) voluntary mechanisms
  - f) Other?
4. If plans restrict public access to the coastal environment:
- a) when is public access is restricted; or in what situations may access be restricted?
  - b) what tools do they use to restrict this access (eg rules, standards etc)?

### ***Natural Hazards***

1. For the coastal environment – which of the following coastal hazards are identified in your policy statements, regional plans, district plans?
  - coastal erosion,
  - inundation,
  - tsunami,
  - wave and/or storm surge flooding,
  - cliff erosion,
  - areas at risk from sea level rise)
2. Does the plan identify the areas of the district or region that are most susceptible to each of these hazards? If so, what methods are used for doing this?
  - a) is it mapped?
  - b) does it refer to a GIS?
  - c) does it refer to another study/method?
3. How do plans manage hazards, through issues, objectives, policies and methods, including rules?
  - a) are issues, objectives or policies identified for coastal hazards – based on themes above



- b) what rules apply to natural hazards
  - c) does the plan specify performance standards/criteria to be met for any hazard protection structures or any hazard zone?
  - d) do plans enable hazard protection works – do they differentiate between council assets and those proposed by the public - are there different rules for these activities
  - e) do plans enable or require structures/buildings to be moved if in a hazard zone etc or at risk
  - f) what other methods such as reference to Building Act requirements are mentioned
4. Does the plan clearly identify the responsibilities for coastal hazard management between regions and districts? If so what roles are allocated to the region or

### ***Water quality***

1. Do RPS and Regional plans contain specific issues, objectives, policies and methods, including rules, for managing discharges to the CMA from land and freshwater catchments outside of the coastal environment? If yes, how is this addressed?
2. Do Regional Plans address discharges to or contamination of water bodies, such as coastal lagoons which are in the coastal environment but above Mean high Water Springs
3. What is the minimum lot size for discharges of domestic sewage onto land?

### **District Plans Only**

#### ***Access***

1. How are esplanade reserves/strips and access agreements addressed in district plans:
  - a) how do plans identify when esplanade reserves/strips will be required
  - b) how do plans identify where esplanade reserves/strips will be required
  - c) how do the plan provisions waive the requirement for esplanade reserves/strips
  - d) Dos plans include assessment criteria about public access, to be used when a consent decision is being made?

#### ***Biodiversity/development pressures***

1. Does the plan have a specific zone or zones for the coastal area? If yes - how does the plan delineate the coastal area, eg:
  - (i) follow cadastral boundaries with no criteria given
  - (ii) a set distance from the coast
  - (iii) according to criteria stated in the plan. If yes - what are the criteria based on
2. If there is a specific coastal zone(s), what do the permitted and controlled activity rules allow in relation to:
  - (i) lot size - what is the minimum and/or average lot size
  - (ii) indigenous vegetation clearance - what is allowed per site, per annum etc.

If policy areas or some other overlay applies to parts of the coastal zone, note this and make some approximation of or comment on where it applies and how the permitted activity rules differ from the rest of the coastal zone (note also Q 4)
3. If there is not a specific coastal zone, what zone applies. What are the permitted and controlled activity minimum and/or average lot size and level of indigenous vegetation clearance?
4. Does the plan have or target any future development/growth (residential, commercial etc) adjacent to or within 5 km of the coast. Are these areas required to be reticulated for sewage and what is the minimum/average lot size anticipated.

5. Within the coastal area does the council have areas of indigenous vegetation reserved or covenanted within which indigenous vegetation removal is not permitted? If yes - how is this information provided or stored:
  - (i) as a list or database of sites
  - (ii) as a spatial (GIS) layer
  - (iii) other - state
6. Does the plan have digital zoning layers (i.e. GIS). Do these layers include attribute information (eg lot size) that describe permitted uses.
7. If yes to Q6, could we have access to the zoning layers. Who is the contact person (name, phone, email)

**Planning Documents Reviewed**

# Appendix **B**



## District Plans (55)

Ashburton District Plan  
Auckland City District Plan (Hauraki Golf Islands Section)  
Auckland City District Plan; Central Area Section  
Auckland City Plan; Isthmus Section  
Banks Peninsula District Plan  
Buller District Plan  
Central Hawke's Bay District Plan  
Christchurch City Plan  
Clutha District Council District Plan  
Dunedin City District Plan  
Far North Proposed District Plan  
Franklin District Plan  
Gisborne District Council Combined Regional Land & District Plan  
Grey District Plan  
Hastings District Plan  
Hauraki District Plan  
Horowhenua District Council Operative District Plan  
Hurunui District Plan  
Invercargill District Plan  
Kaikoura District Plan  
Kaipara District Plan  
Kapiti Coast District Council District Plan  
Lower Hutt Operative District Plan  
Manakau Operative District Plan 2002  
Manawatu District Plan  
Napier District Plan with Operative Ahuriri Subdistrict Plan  
New Plymouth District Plan  
North Shore City District Plan June 2002  
Opotiki District Plan  
Otorohanga District Plan  
Palmerston North City Council District Plan  
Porirua City District Plan  
Rangitikei District Plan  
Rodney Proposed District Plan  
Selwyn District Plan  
South Taranaki District Plan  
Southland District Plan  
Tararua District Council District Plan  
Tauranga District Plan  
Thames-Coromandel District Council Proposed District Plan  
Timaru District Plan  
Waikato District Plan  
Waimakariri District Plan  
Waimate District Plan  
Wairarapa Combined District Plan  
Wairoa District Plan  
Waitakere City District Plan

Waitaki District Plan  
Waitomo District Plan  
Wanganui District Plan  
Wellington City District Plan  
Western Bay of Plenty District Plan  
Westland District Plan  
Whakatane District Plan - Rural  
Whangarei District Plan

### **Regional Coastal Plans (13)**

Auckland Regional Coastal Plan  
Canterbury Regional Coastal Environment Plan  
Environment Bay of Plenty Regional Coastal Environment Plan  
Gisborne Proposed Regional Environment Coastal Plan  
Hawke's Bay Regional Coastal Plan  
Manawatu Wanganui Regional Coastal Plan  
Proposed Regional Coastal Plan for Southland  
Regional Coastal Plan for Northland  
Regional Coastal Plan for Taranaki  
Regional Coastal Plan for the West Coast  
Regional Plan: Coast for Otago  
Waikato Regional Coastal Plan  
Wellington Regional Coastal Plan

### **Unitary Authority Plans (5)**

Chatham Islands Resource Management Document  
Marlborough Resource Management Plan  
Nelson Resource Management Plan  
Tasman Resource Management Plan  
Wairau/ Awatere Resource Management Plan

### **Regional Policy Statements (16)**

Auckland Regional Policy Statement  
Bay of Plenty Regional Policy Statement  
Canterbury Regional Policy Statement  
Gisborne Regional Policy Statement  
Hawke's Bay Regional Policy Statement  
Marlborough Regional Policy Statement  
Nelson Regional Policy Statement  
Regional Policy Statement for Manawatu-Wanganui  
Regional Policy Statement for Northland  
Regional Policy Statement for Otago  
Regional Policy Statement for Southland  
Regional Policy Statement for the Wellington Region  
Taranaki Regional Policy Statement  
Tasman Regional Policy Statement  
Waikato Regional Policy Statement  
West Coast Regional Policy Statements



**Data Gathering Template and  
Explanatory Notes**

Appendix 





# Stocktake and Analysis of Regional and District Plans and Policy Statements

## 1 The Plan/Policy Statement

1.1 Document Details	
1.1.1 Council	[Record name of council]
1.1.2 Document Type	[Record type of document i.e. district plan; regional plan; or regional policy statement]
1.1.3 Document Name	[Record name of document]
1.1.4 Status of Document	[Record status of document] Fully operative Partially operative In Environment Court In hearings Notified
1.1.5 Date Status Achieved	[Record date operative/notified]
1.1.6 Changes and Variations	[Record any plan changes and variations that have been made to the plan with regard to issues that affect the coastal environment]

## 2 All Plans

2.1 Definitions	
2.1.1 Coastal Environment	[Record definition as in definition/glossary section]
2.1.2 Development	[Record definition as in definition/glossary section]
2.1.3 Inappropriate Subdivision	[Record definition as in definition/glossary section]
2.1.4 Inappropriate Use	[Record definition as in definition/glossary section]
2.1.5 Landscape	[Record definition as in definition/glossary section]
2.1.6 Landscape values	[Record definition as in definition/glossary section]
2.1.7 Mixing zone	[Record definition as in definition/glossary section]
2.1.8 Natural Character	[Record definition as in definition/glossary section]
2.1.9 Outstanding Natural Features	[Record definition as in definition/glossary section]
2.1.10 Papakainga Housing	[Record definition as in definition/glossary section]
2.1.11 Subdivision	[Record definition as in definition/glossary section]

<b>2.2 Heritage</b>			
<b>Historic Heritage List/Schedule/Register</b>			
2.2.1 Presence of historic heritage list/schedule/register	[Does the document contain a historic heritage list/schedule/register?] Yes No - go to 2.2.6		
2.2.2 Content of the list/schedule/register	[Delete any items not in the schedule] Buildings & Lighthouses Wharfs Sea Walls	Ship Wrecks Fishing/Whaling sites Maori Heritage Sites	Ecological Sites/ Areas Trees Parks Roads
2.2.3 What would be included in the schedule	[What is the process that is used to decide what should be included in the schedule?] [Needs to be discussed with council]		
2.2.4 How items should be included	[What is the process that is used to decide how the items should be included in the schedule?] [Needs to be discussed with council]		
2.2.5 Removal from the schedule	[What is the basis on which these places will be considered for removal from the schedule?] [Needs to be discussed with council]		
2.2.6 Activity Status – minor alterations of heritage items	Record the activity status for minor alterations of heritage items There are no rules Permitted Controlled Restricted Discretionary Discretionary Restricted Coastal Non-complying Prohibited		
2.2.7 Activity Status – maintenance of heritage items	Record the activity status for maintenance of heritage items There are no rules Permitted Controlled Restricted Discretionary Discretionary Restricted Coastal Non-complying Prohibited		
2.2.8 Activity Status – major alterations heritage items	Record the activity status for major alterations of heritage items There are no rules Permitted Controlled Restricted Discretionary Discretionary Restricted Coastal Non-complying Prohibited		
2.2.9 Activity Status – demolition of a heritage item	Record the activity status for demolition of heritage items There are no rules Permitted Controlled Restricted Discretionary Discretionary Restricted Coastal Non-complying Prohibited		

2.2.10 Prohibited Activities in relation to heritage items	<b>[Are any activities in relation to heritage items prohibited?]</b> Yes – Please list the activity No
<b>Methods of Protection</b>	
2.2.11 Non-statutory methods used in the plan to protect historic heritage	<b>[Delete any non-statutory methods not used to protect historic heritage]</b> It doesn't use any Design guidelines Incentives Schemes e.g. assistance with costs of protecting heritage item Strategic documents not administered by district/regional plan Education Partnership arrangements with community members
<b>Monitoring Protection</b>	
2.2.12 Monitoring statements for measuring the state of historic heritage in the coastal environment	<b>[Does the document contain any monitoring statements for measuring the state of historic heritage in the coastal environment?]</b> Yes No
2.2.13 Reviews of the effectiveness of the methods	<b>[Have any reviews been undertaken of the effectiveness of the methods from the monitoring?]</b> <b>[Needs to be discussed with council]</b> Yes No – Go to 2.2.10
2.2.14 The outcome of the review	<b>[What was the outcome of this review?]</b> <b>[Needs to be discussed with council]</b> Current methods are effective Current methods are ineffective though no action has been taken as a result Current methods are ineffective and the methods have been changed as a result
<b>Maori Heritage</b>	
2.2.15 Identification characteristics of importance to Maori	<b>[How does the document identify characteristics of the coastal environment that are of importance to Maori?]</b> It is not identified – Go to 2.3 In schedules Using criteria Using maps
2.2.16 Protection of characteristics of importance to Maori	<b>[Delete any methods not used to protect characteristics of importance to Maori]</b> There is no protection Policies Objectives Rules Other Methods - Please list
2.2.17 Provision for consultation with tangata whenua to identify values or standards in rules	<b>[Did council undertake consultation with Tangata whenua to identify values or standards that needed to be reflected in the rules?]</b> <b>[ This will need to be discussed with council]</b> Yes No
2.2.18 Rules - Maori Heritage	<b>[Are there specific rules relating to Maori Heritage?]</b> Yes No, the rules are the same as for the other heritage items – Go to 2.3 No, there are no rules for Maori heritage items – Go to 2.3

<p>2.2.19 Activity Status – minor alterations to Maori heritage items</p>	<p><b>Record the activity status for minor alterations of Maori heritage items</b></p> <p>There are no rules  Permitted  Controlled  Restricted Discretionary  Discretionary  Restricted Coastal  Non-complying  Prohibited</p>
<p>2.2.20 Activity Status – maintenance to Maori heritage items</p>	<p><b>Record the activity status for maintenance of Maori heritage items</b></p> <p>There are no rules  Permitted  Controlled  Restricted Discretionary  Discretionary  Restricted Coastal  Non-complying  Prohibited</p>
<p>2.2.21 Activity Status – major alterations to Maori heritage items</p>	<p><b>Record the activity status for major alterations of Maori heritage items</b></p> <p>There are no rules  Permitted  Controlled  Restricted Discretionary  Discretionary  Restricted Coastal  Non-complying  Prohibited</p>
<p>2.2.22 Activity Status – demolition of a to Maori heritage item</p>	<p><b>Record the activity status for demolition of Maori heritage items</b></p> <p>There are no rules  Permitted  Controlled  Restricted Discretionary  Discretionary  Restricted Coastal  Non-complying  Prohibited</p>

<b>2.3 Natural Character</b>	
<b>Defining and Identifying Natural Character</b>	
<b>2.3.1 Definition of Natural Character</b>	<b>[Retain the method by which natural character is defined]</b> It is not defined Using the definition as in definition section above Using a description - include description here Using criteria
<b>2.3.2 Definition of Development</b>	<b>[Retain only the method by which the development is defined]</b> It is not defined Using the definition as in definition section above Using a description - include description here Using criteria
<b>2.3.3 Definition of Subdivision</b>	<b>[Retain only the method by which subdivision is defined]</b> It is not defined Using the definition as in definition section above Using a description - include description here Using criteria
<b>2.3.4 Definition of Inappropriate Subdivision</b>	<b>[Retain only the method by which subdivision is defined]</b> It is not defined Using the definition as in definition section above Using a description - include description here Using criteria
<b>2.3.5 Identification of the natural character of the region/district</b>	<b>[Retain only the method by which natural character is identified]</b> It is not identified - Go to 2.3.8 In schedules Using criteria Using maps
<b>2.3.6 Identification of areas of potential restoration/rehabilitation of natural character in the region/district.</b>	<b>[Retain only the method by which areas of restoration/rehabilitation of natural character are identified]</b> Areas are not identified In schedules Using criteria Using maps
<b>2.3.7 The restoration/rehabilitation of natural character</b>	<b>[Retain only the method used to restore/rehabilitate natural character]</b> There are no methods Policies Objectives Rules - Please list activity status Other methods- Please list
<b>Hierarchy of Methods</b>	
<b>2.3.8 The hierarchy of methods to address adverse effects on natural character</b>	<b>[Does the document create a hierarchy for avoiding, remedying and mitigating adverse effects on natural character?]</b> Yes No - Go to 2.3.11
<b>2.3.9 The order of this hierarchy</b>	<b>[List "avoid", "remedy" and "mitigate" in the order in which they are ranked in terms of this hierarchy from highest to lowest]</b>
<b>2.3.10 Matters for which this hierarchy is used</b>	<b>[In relation to what matters is this hierarchy used?]</b>
<b>General</b>	

2.3.11 The preservation of natural character	<p>[Record any methods used to preserve natural character]</p> <p>There are no methods</p> <p>Issues</p> <p>Policies</p> <p>Objectives</p> <p>Rules</p> <p>Other methods- Please list</p>
2.3.12 Recognising the land/sea interface	<p>[List the how the land/sea interface is recognised in the document]</p> <p>It is not recognised</p> <p>Issues</p> <p>Policies</p> <p>Objectives</p> <p>Rules</p> <p>Other methods- Please list</p>
2.3.13 Ranking natural character	<p>[Is the natural character of the region/district ranked?]</p> <p>Yes - Please list order</p> <p>No</p>

<b>2.4 Landscape</b>	
2.4.1 Definition of landscape	<p>[Retain the method by which landscape is defined]</p> <p>It is not defined</p> <p>Using a definition as above</p> <p>Using a description - include description here</p> <p>Using criteria</p> <p>Other Methods - Please list</p>
2.4.2 Definition of landscape values	<p>[Retain the method by which Landscape Values is defined]</p> <p>It is not defined</p> <p>Using a definition as above</p> <p>Using a description - include description here</p> <p>Using criteria</p> <p>Other Methods - Please list</p>
2.4.3 Definition of Outstanding Natural Features	<p>[Retain the method by which Outstanding Natural Features is defined]</p> <p>It is not defined</p> <p>Using a definition as above</p> <p>Using a description - include description here</p> <p>Using criteria</p> <p>Other Methods - Please list</p>
2.4.4 Identification of Outstanding Natural Features	<p>[Retain the method by which Outstanding Natural Features are identified]</p> <p>They are not identified</p> <p>In schedules</p> <p>Using criteria</p> <p>Using maps</p> <p>Other Methods - Please list</p>
2.4.5 Management of effects on landscape values	<p>[Delete any methods not used by the document to manage effects on landscape values in the coastal environment]</p> <p>There are no controls</p> <p>Policies</p> <p>Objectives</p> <p>Rules -using the zoning approach - Please list activity status</p> <p>Rules - not using the zoning approach - Please list activity status</p> <p>Assessment Criteria</p> <p>Other Methods - please list</p>



<b>2.5 Access</b>	
<b>2.5.1 Controlling public access to the coastal environment</b>	<p>[Delete methods not used by the document to control access]</p> <p>There are no controls</p> <p>Policies</p> <p>Objectives</p> <p>Rules -using the zoning approach - Please list activity status</p> <p>Rules - not using the zoning approach - Please list activity status</p> <p>Assessment Criteria</p> <p>Other Methods - please list</p>
<b>2.5.2 Managing vehicles on beaches</b>	<p>[Delete methods not used by the document to manage vehicles on beaches]</p> <p>There are no controls</p> <p>Policies</p> <p>Objectives</p> <p>Rules -using the zoning approach - Please list activity status</p> <p>Rules - not using the zoning approach - Please list activity status</p> <p>Assessment Criteria</p> <p>Other Methods - please list</p>
<b>2.5.3 Types of access</b>	<p>[Are types of access differentiated in the plans]</p> <p>Yes</p> <p>No</p>

2.6 Natural Hazards				
2.6.1 Coastal hazards identified by the document	<p>[Delete coastal hazards not identified by the plan]</p> Coastal Erosion Sedimentation Inundation Tsunami Flooding Cliff Erosion Sea level rise Climate Change Others - please list			
2.6.2 Identification of risk areas [Retain the methods used by the document to identify risk areas]	<b>Coastal Erosion</b>	1. Maps	2. Reference to a GIS	3. Other - Please list
	<b>Sedimentation</b>	1. Maps	2. Reference to a GIS	3. Other - Please list
	<b>Inundation</b>	1. Maps	2. Reference to a GIS	3. Other - Please list
	<b>Tsunami</b>	1. Maps	2. Reference to a GIS	3. Other - Please list
	<b>Flooding</b>	1. Maps	2. Reference to a GIS	3. Other - Please list
	<b>Cliff Erosion</b>	1. Maps	2. Reference to a GIS	3. Other - Please list
	<b>Sea level rise</b>	1. Maps	2. Reference to a GIS	3. Other - Please list
	<b>Others</b>	1. Maps	2. Reference to a GIS	3. Other - Please list
2.6.3 Avoiding and mitigating natural hazards	<p>[Delete any methods not used by the document to address natural hazards]</p> Issues Policies Objectives Rules Other Methods - Please list			
2.6.4 Rules that apply to natural hazards	[Summarise any rules relating to natural hazards]			
2.6.5 Performance criteria/standards for hazard protection or hazard zone(s)	[List any performance criteria/standards for hazard protection or hazard zone(s)]			
2.6.6 Rules for hazard protection works	<p>[Are there rules for hazard protection works?]</p> Yes - Record any rules here No - Go to 2.6.10			
2.6.7 Rules for hazard protection works proposed by council vs. those proposed by the public	<p>[Are there different rules for hazard protection works proposed by council and those proposed by the public?]</p> Yes No			
2.6.8 Structures in a hazard zones - removal	<p>[Does the document require the removal of structures in a hazard zones or at risk to hazards?]</p> Yes No			
2.6.9 Structures in a hazard zones - relocation	<p>[Do new structures in a hazard have to be relocateable?]</p> Yes No			
2.6.10 Provision for effects of climate change	<p>[Do rules/ provision of plans require climate change effects to be considered in hazard protection works?]</p> Yes No			

2.6.11 Guidelines for hazard protection structures	<p>[Retain the method which the plan uses to provide with regard to design of coastal protection works]</p> <p>Plan refers to guidance documents on coastal protection structure design  Plan provides guidance on coastal protection structures design  Plan provides no guidance or reference to guidance documents on coastal protection structure design</p>		
2.6.12 Precautionary approach in relation to coastal hazards	<p>[Does the plan refer to adopting the precautionary approach in relation to coastal hazards?]</p> <p>Yes  No</p>		
2.6.13 Requirement for Review	<p>[Is there a review requirement for resource consents granted in relation to coastal hazards?] This will need to be discussed with council</p> <p>No  Yes - list requirement</p>		
2.6.14 Coastal hazard management responsibilities	[Are responsibilities of coastal hazard management clearly identified?]	District Responsibilities	[List coastal hazard management that district councils are responsible for]
	Yes - Please list No	Regional Responsibilities	[List coastal hazard management that regional councils are responsible for]

2.7 Water Quality	
2.7.1 Managing discharges to the CMA from land and freshwater catchments outside the coastal environment	[Delete methods not used by the document to manage discharges to the CMA from land and freshwater catchments outside the coastal environment] There are no methods Issues Policies Objectives Rules Other Methods - Please list
2.7.2 Differentiation between point source and non-point source discharges	[Record whether there a differentiation between point and non-point source discharges] Yes, there is a differentiation No, there is not a differentiation
2.7.3 Use of standards and guidelines for managing water quality	[List any standards or guidelines that are referred to for the management of water quality]
2.7.4 Discharges to, or contamination of water bodies in the coastal environment above MHWS	[Are discharges to, or contamination of water bodies in the coastal environment but above MHWS addressed?] Yes No
2.7.5 Expiry of existing use rights	[Record how council has dealt with the expiry of existing use rights for discharges as at 1 October 2001]
2.7.6 Minimum lot size for discharges of domestic sewage onto land	[Record in square metres the minimum lot size for discharges of domestic sewage onto land]
2.7.7 Monitoring statements for measuring the cumulative effects of discharges on water quality	[Does the document contain any monitoring statements for measuring the cumulative effects of discharges?] Yes No
2.7.8 Provisions for review of consents	Does the plan have provisions that provide for the review of resource consents when national environmental standards are released? Yes No

### 3 Regional Coastal Plans

3.1 Plan Type	
3.1.1 CMA vs. Coastal Environment Plan?	[Delete statement that des not apply to the plan] The plan refers only to the CMA - Go to 3.1.3 It is a Coastal Environment Plan
3.1.2 The landward boundary of the costal environment	[Retain method that describes how the landward boundary of the coastal environment is defined] As defined by a map A set distance from the coast Using criteria Unable to determine basis of delineation
3.1.3 An overlay of the CMA	[Does an overlay apply to part of the CMA?] Yes - What does the overlay identify? No

3.2 Water Quality	
Water Quality Standards	
3.2.1 Provision of water standards	<b>[Are there water standards?]</b> Yes - What do they relate to? No - Go to 3.2.5
3.2.2 The basis of water standards	<b>[Retain the item which forms the basis of the water standards]</b> RMA Schedule 3/section 70/section 107 ANZECC Other - Please describe
3.2.3 Specific standards discharge types	<b>[Are specific standards included for discharge types]</b> Yes No
3.2.4 Cumulative effects	<b>[Describe how the standards address cumulative effects of discharges]</b>
Water Quality Management	
3.2.5 Managing water quality	<b>[Delete any methods not used by the document to manage water quality]</b> Issues Policies Objectives Rules Other Methods - Please list
3.2.6 Seabed contamination	<b>[Retain the methods used to address seabed contamination]</b> Issues Policies Objectives Rules - Please summarise Other Methods - Please list
3.2.7 Discharges facilities in or adjoining the CMA	<b>[Explain how discharges from wharfs and other facilities in or adjoining the CMA are addressed]</b>
3.2.8 Discharge of sewage to the CMA from vessels	<b>[Record any restrictions (when, at what distance/depth) on sewage discharges from vessels]</b>
3.2.9 Definition of mixing zone	<b>[Retain the method by which Mixing Zone is defined]</b> Not defined Using a definition as above Using a description - include here Using criteria/formulas
3.2.10 Creating zones of reasonable mixing	<b>[Explain what guidance is provided in relation to creating zones of reasonable mixing]</b>

<b>3.3 Allocation of Coastal Space</b>	
3.3.1 Allocation of coastal space between competing uses/users?	[What guidance is provided with regard to allocation of space between competing uses/users?] The zoning approach Others - Please describe - Go to 3.3.3
3.3.2 Identification of Allocation tools	[Record any allocation tools that have been referred to e.g. the tendering allocation tool]
<b>The Zoning Approach</b>	
3.3.3 The extent to which zoning is used	[To what extent is zoning used?]
3.3.4 Number of zones	[How many zones are there?] [What are their names] None - Go to 3.3.6 One Two Three Four or more Please name the zones
3.3.5 The basis of the zoning	[What is the basis of the zoning? i.e. effects/values/activities] Effects Values Activities
3.3.6 Prohibited Activities - Allocation of coastal space	[Are there any prohibited activities in relation to allocation of coastal space?] Yes - Please list No
<b>Section 12 Consents</b>	
3.3.7 Differentiation between consents issued under RMA section 12	[Explain how do councils differentiate between consents issued under RMA section 12, (1) the construction/ disturbance, (2) the occupation and (3) the activity?] [This will need to be discussed with council]
3.3.8 Granting of section 12 consents	[How many section 12 (1), (2) and (3) consents are granted annually?] [This will need to be discussed with council]
<b>Port Companies</b>	
3.3.9 Section 384(A) consent holders	[Record whether the port companies under the jurisdiction of the council have RMA s. 384(A) consents?] [Council will need to be contacted with regard to this]
<b>General</b>	
3.3.10 Pre-RMA coastal permits	[How have councils dealt with the occupation of pre-RMA deemed coastal permits issued under s. 178 of the Harbours Act (1950)] [This will need to be discussed with council]
3.3.11 The occupation of coastal space for wind, wave and tidal power within the CMA	[Is the occupation of coastal space for wind, wave and tidal power within the CMA addressed?] Yes No
3.3.12 Public vs. private occupation of space, including moorings?	[Are there different requirements for public vs. private moorings?] Yes - Please explain No

<p>3.3.13 Provisions for existing structures</p>	<p>[What is the activity status of structures that already exist in the coastal environment?].</p> <p>There are no rules          Permitted          Controlled          Restricted Discretionary          Discretionary          Restricted Coastal          Non-complying          Prohibited</p>
<p>3.3.14 Differentiation of existing structures</p>	<p>[Does the plan differentiate between existing unauthorised (i.e. no harbours act approval) and structures previously authorised under harbours act?]</p> <p>Yes          No</p>



3.4 Marine Biodiversity	
Vegetation and habitat	
3.4.1 Management of significant vegetation and habitat in the coastal environment	<p>[How is significant vegetation and habitat in the coastal environment managed?]</p> <p>There is no provision made - Go to question 3.4.4  Policies - Go to question 3.4.4  Objectives - Go to question 3.4.4  Rules - Go to next question  Other Methods - Please List - Go to question 3.4.4</p>
3.4.2 Rule Type	<p>[What type of rule is it?]</p> <p>A general rule  Specific to an ecosystem type</p>
3.4.3 Guidance for territorial authorities for managing biodiversity in the coastal environment	<p>[Does the rule give guidance to territorial authorities in managing biodiversity in the coastal environment?]</p> <p>Yes  No</p>
3.4.4 Restoration of indigenous vegetation and habitat	<p>[Does the plan have policies and/or method(s) relating to restoration of indigenous vegetation and habitat?]</p> <p>Yes  No</p>
3.4.5 Management of vegetation and habitat	<p>[How is vegetation and habitat coastal environment managed?]</p> <p>There is no management  Policies  Objectives  Rules  Other Methods - Please list</p>
3.4.6 Activity Status - minor clearance/alterations of vegetation and habitat	<p>Record the activity status for minor clearance/alterations of vegetation and habitat</p> <p>There are no rules  Permitted  Controlled  Restricted Discretionary  Discretionary  Restricted Coastal  Non-complying  Prohibited</p>
3.4.7 Activity Status - maintenance/enhancement activities of vegetation and habitat	<p>Record the activity status for maintenance/enhancement activities of vegetation and habitat</p> <p>There are no rules  Permitted  Controlled  Restricted Discretionary  Discretionary  Restricted Coastal  Non-complying  Prohibited</p>

3.4.8 Activity Status – major clearance/alterations of vegetation and habitat	<p>Record the activity status for major clearance/alterations of vegetation and habitat</p> <p>There are no rules Permitted Controlled Restricted Discretionary Discretionary Restricted Coastal Non-complying Prohibited</p>
3.4.9 Activity Status – complete clearance of vegetation and habitat	<p>Record the activity status for complete clearance of vegetation and habitat</p> <p>There are no rules Permitted Controlled Restricted Discretionary Discretionary Restricted Coastal Non-complying Prohibited</p>
3.4.10 Prohibited Activities - Heritage	<p>[Are any activities in relation to items on the heritage prohibited?]</p> <p>Yes – Please list No</p>
3.4.11 Management of biosecurity issues	<p>[Retain any methods used to manage biosecurity]</p> <p>Reference to ‘Marine Invaders’ Cross references to pest management strategies Provision for management of biosecurity risks Other methods – Please list</p>
<b>Significant Conservation Value</b>	
3.4.12 Identification of areas of significant conservation value	<p>[Are areas of significant conservation value (or something similar) identified?]</p> <p>Yes No - Go to 3.4.10</p>
3.4.13 Evaluation criteria for areas of significant conservation value	<p>[Record criteria used to evaluate areas of significant conservation value]</p>
3.4.14 Identifying of significant conservation areas	<p>[How is the significant conservation areas identified?]</p> <p>Criteria Mapped Schedules</p>
3.4.15 Rules for areas of significant conservation	<p>[Explain what rules apply to areas of significant conservation value]</p>
3.4.16 Management of coastal processes and/or ecosystem functioning	<p>[How are coastal processes and/or ecosystem functioning in the coastal environment managed?]</p> <p>There is no management – Go to 3.4.13 Issues Policies Objectives Rules Other Methods – Please list</p>

3.4.17 Management of specific coastal processes	<p>[There is management specific to...]</p> <p>Dynamic processes and features arising from natural movements of sediments, water or air</p> <p>Natural movement of biota</p> <p>Natural substrate composition</p> <p>Natural water and air quality</p> <p>Natural biodiversity, productivity and biotic patterns</p> <p>Intrinsic values of ecosystems</p>
Hierarchy of Effects	
3.4.18 The hierarchy of effects	<p>[Do the policies in relation to marine biodiversity reflect a hierarchy of effects?]</p> <p>Yes</p> <p>No - Go to 4.1</p>
3.4.19 Basis of hierarchy	<p>[On what basis is this hierarchy based?]</p> <p>It relates directly to NZCPS Policy 1.1.2 or parts of this policy</p> <p>It uses other criteria - Please list</p>

## 4 District Plans Only

4.1 Access	
4.1.1 Requirement of esplanade reserves/strips	[Explain when the plan requires esplanade reserves/strips]
4.1.2 Location of esplanade reserves/strips	[Describe where the plan requires esplanade reserves/strips]
4.1.3 Circumstances under which the requirement for a esplanade reserve/strip is waived	[Explain under what circumstances is the requirement for esplanade reserve/strip waived]
4.1.4 Assessment criteria for public access to the coastal environment	[List the assessment criteria for public access]

4.2 Biodiversity/Development Pressures		
4.2.1 Specific zones for land adjacent to the coastal marine area	[Are there specific zones for the coastal area?] Yes - Please list zones No	
4.2.2 Papakainga Housing	[Does the plan relate to Papakainga Housing or Marae Development or something similar?] Yes No - Go to 4.2.4	
4.2.3 Management of Activities in relation to Papakainga Housing	[How does the plan manage Papakainga Housing?] There is no management - Go to 3.4.13 Issues Policies Objectives Rules - Please list Other Methods - Please list	
4.2.4 The delineation of the specific coastal zone	[Retain the relevant description as to how the specific coastal zone is delineated?] Cadastral boundaries with no criteria given A set distance from the coast According to criteria - Please list these criteria	
4.2.5 The minimum/average lot size for...	A Permitted Activity	[List the minimum average lot size for each zone]
	A Controlled Activity	[List the minimum average lot size for each zone]
4.2.6 What are the criteria for indigenous vegetation clearance for...	A Permitted Activity	[List the criteria for each zone]
	A Controlled Activity	[List the criteria for each zone]
4.2.7 Future development	[Is any future development/growth within 5km of the coast encouraged?] [Needs to be discussed with council] Yes No - Go to 4.2.7	
4.2.8 If future development is targeted...	Requirement of reticulated sewage system for future development in the coastal area	[Are these areas required to be reticulated for sewage?] Yes No
	Anticipated minimum lot size for future development in the coastal area	[Please record the minimum lot size in square metres]
4.2.9 Protection of areas of indigenous vegetation	[Does council have areas of indigenous vegetation reserved or covenanted or protected through other plan mechanisms within which removal is not permitted?] Yes No	
4.2.10 Storage of biodiversity information	[How is the information relating to biodiversity stored?] List/database GIS Other - please state	
4.2.11 Geographic Information System	[Does the plan have an associated GIS?] Yes No - The review is finished	
4.2.12 GIS attribute information	[Do layers in the GIS have attribute information (e.g. lot size) that describe permitted activity criteria?] Yes No - The review is finished	

4.2.13 Sharing of GIS data?	<p data-bbox="582 152 1082 188">[Can DoC have access to the zoning layers?]</p> <p data-bbox="582 188 1372 224">Yes – Record details of contact person - Name, Phone, Email, Address</p> <p data-bbox="582 224 622 257">No</p>
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Completed By	[Name]
Date	[Date]

# Stocktake and Analysis of Regional and District Plans and Policy Statements

## Completing the Template - Explanatory Notes

The objective of this project is to provide the Department of Conservation (DoC) with an overarching review, or 'snapshot' of the way, and extent, to which District and Regional Councils provide for coastal management. The review of the current New Zealand Coastal Policy Statement (NZCPS) was announced in August 2004. This stocktake and analysis forms part of that review, and will contribute to part of a section 32 report that will discuss and analyse the nature of the amendments to be made to the NZCPS. The overall objective is to determine how policy statements and plans are addressing a range of coastal management topics in order to identify areas where national guidance could add value.

## Statutory Background

The Resource Management Act 1991 (the Act) requires that at all times there shall be a New Zealand Coastal Policy Statement. The purpose of the NZCPS is to state policies in order to achieve the purpose of the Act in relation to the coastal environment of New Zealand.

Section 6 of the RMA identifies matters of national importance:

*"In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:*

*(a) The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:*

*(b) The protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:*

*(c) The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:*

*(d) The maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:*

*(e) The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.*

*(f) The protection of historic heritage from inappropriate subdivision, use, and development.*

*(g) The protection of recognised customary activities. "*

The Act requires that local authorities give effect to the NZCPS when preparing plans and policy statements. The section 6 matters are reflected in the NZCPS and should therefore also be reflected in policy statements and plans. One of the purposes of this stocktake is to examine how well local authority documents reflect these and the subsequent provisions of the NZCPS.



## The Explanatory Notes

The following provides explanatory notes and examples to assist completion of the data-gathering template quickly and efficiently.

Please note that the review of documents relates only to plans and policy statements that have been prepared and notified under the RMA. Only regional plans relating to the coast will need to be reviewed (Regional Coastal Plans/Coastal Environment Plans or General Regional Plans). Plans for districts that do not adjoin the coast (e.g. Waipa District Council) will not need to be completed. A list of the plans to be reviewed and who will be reviewing them is attached.

The template has been structured so that not all sections need to be completed for all plans.

The template is set out in four sections as follows:

1. The Plan/Policy Statement
2. All Plans and Policy Statements
3. Regional Coastal Plans Only
4. District Plans Only

When reviewing a district plan you will need to fill out sections 1, 2 and 4 only; when reviewing a regional coastal plan you will need to fill out sections 1, 2 and 3 only; and when reviewing a regional policy statement you will only need to complete sections 1 and 2. This format allows for the issues specific to the different types of plans to be reviewed, enabling a tailor-made efficient review. Several questions within the "All Plans" section (e.g. those relating to rules) will not relate to Regional Policy Statements, please just leave these out when reviewing these documents.

Within these four categories are several different 'sections'. These sections group the review questions into topic groups. These groupings are related to matters in the NZCPS. Please remember that when answering questions, you are answering them with regard to the subject matter listed in the section title only. For example within the 'Natural Character' section there are questions relating to 'hierarchy of methods'; this question relates only to the hierarchy of methods relating to natural character rather than those relating to some other subject matter such as natural hazards.

After some questions there is direction to move onto a particular question, depending on the answer given to a question (e.g. No - Go to 2.3). This is also used for efficiency of review where the next question(s) is not likely to be relevant to that document.

**For example, where you choose "No" to the presence of water quality standards you will be directed to skip the following 3 questions as they all relate to water quality standards.**

Some questions have a selection of answers to choose from. Where this is the case delete the answers that do not apply, retaining the appropriate answers.

In order to ascertain some of the information required by the review, council will need to be contacted. Where this is required the heading has been highlighted in blue. This allows for quick identification while communicating with councils, ensuring that questions are not overlooked. It is recommend that you call Council and ask whom it is best to discuss your questions with then explain to this contact what you are collecting data for and let them

know that you will be sending through an email with some questions (these questions are also attached). Please use the format attached for your emails [To be attached]. Where you do not receive a response to the email within a week, please recall the contact to 'see how they are getting on' and give them a 'friendly reminder' of your request.

An example template for the Wellington Regional Coastal Plan is attached (this example does not include the answers to the questions that need to be discussed with council).

# 1 The Plan/Policy Statement

This section provides for the recording of general information about the document. Specifically, the council, document type, name, and status.

## 1.1 Document Details

### 1.1.1 Council

Record the name of the territorial authority or regional council responsible for the document.

### 1.1.2 Document Type

Record the type of document being reviewed

### 1.1.3 Document Name

Record the name of the plan or policy statement

### 1.1.4 Status

Record the status of the document on the date the review is undertaken.

This information can be verified against list maintained on <http://www.mfe.govt.nz/issues/resource/plans/plans.php>

### 1.1.5 Date Status Achieved

To ensure that a record of the actual document reviewed is retained, record the date the document was notified or made operative.

### 1.1.6 Changes and Variations

Have any changes or variations been made with regard to issues that affect the coastal environment. This may need to be discussed with council. This will include all changes and variations made to Regional Coastal Plans though only those relevant to the coastal environment for District Plans.

# 2 All Plans

This section relates to all documents and the questions within these forms must be answered for all plans and policy statements that are reviewed.

## 2.1 Definitions

The intent of this section is to evaluate the definitions the documents use for certain words and assess the level of consistency between definitions in the plans and any definitions given in the RMA.

Simply record any definitions relating to the identified words. Where there is not the exact definition that is specified though something very similar record the word(s) and record the definition.

## **2.2 Heritage**

The NZCPS identifies places or areas of historic or cultural significance as a national priority. The questions within this section seek to identify how well policy statements and plans are giving effect to this direction from the NZCPS.

### **Historic Heritage List/Schedule/ Register**

The questions in this section relate to the heritage lists/schedule/register in the plan/policy statement. The information collected in this section will allow assessment of the types of items contained in heritage lists, how items are identified for protection under the list.

In order to answer some of the questions in relation to the heritage list councils will need to be contacted directly.

#### **2.2.1 Presence of historic heritage list/schedule/register**

Record whether or not the document contains a historic heritage list/schedule/register. Often these schedules are found as an appendix to the document.

#### **2.2.2 Content of the list/schedule/register**

Record the items that are contained in the heritage list/schedule/register. Sometimes features/areas of significant conservation value may be contained in a separate register. Include the items listed here.

#### **2.2.3 What would be included in the schedule**

Describe the process that was used by council to assess which items should be included in the list. Council will need to be contacted in order to answer this question. This information should also be contained in the section 32 report.

#### **2.2.4 How items should be included**

Describe the process that is used to decide how the items should be included in the schedule. This means identifying whether the items are listed, mapped, defined using criteria, or by some other means. Councils will also need to be contacted in order to answer this question.

#### **2.2.5 Removal from the schedule**

Describe the basis on which these places will be considered for removal from the schedule. Again, council will need to be contacted to determine the answer to this question.

#### **2.2.6 Activity Status – minor alterations of heritage items**

Record the activity status for minor alterations of heritage items.

#### **2.2.7 Activity Status – maintenance of heritage items**

Record the activity status for maintenance of heritage items.

#### **2.2.8 Activity Status – major alterations heritage items**

Record the activity status for major alterations of heritage items.

#### **2.2.9 Activity Status – demolition of a heritage item**

Record the activity status for demolition of heritage items.

#### **2.2.10 Prohibited Activities in relation to heritage items**

Record whether any activities in relation to heritage items are prohibited.

### **Methods of Protection**

One of the purposes of the documents produced by local authorities under the RMA is to provide methods for managing the issues that are identified.

These methods include both statutory and non-statutory approaches. Statutory methods are mandatory requirements enforced by rules and other legislation. Non-statutory methods are those such as design guidelines, incentive schemes and education that are not mandatory or enforced by rules.

The review required by this section intends on evaluating the different methods that policy statements and plans are using to protect heritage values of the coastal environment.

#### **2.2.11 Non-statutory methods used in the plan to protect historic heritage**

List any non-statutory methods that are used to protect historic heritage.

### **Monitoring Protection**

The Resource Management Act (RMA) requires local authorities to monitor the efficiency and effectiveness of policies, rules, or other methods in its policy statements or plans.

This section aims to assess the monitoring that councils are undertaking with regard to provisions relating to heritage and gain a snapshot of the outcomes of any monitoring.

To determine whether any reviews have been undertaken and the outcomes of any reviews, councils will need to be contacted directly.

#### **2.2.12 Monitoring statements for measuring the state of historic heritage in the coastal environment**

Record whether the document contains any monitoring statements for measuring the state of historic heritage in the coastal environment.

#### **2.2.13 Reviews of the effectiveness of the methods**

Record whether any monitoring been undertaken with regard to the effectiveness of the methods used for managing historic heritage in the coastal environment. This will need to be discussed with council.

#### **2.2.14 The outcome of the review**

Record the outcome of this review noting whether the current methods were deemed to be effective or not and any action taken as a result of the review. In order to ascertain this information council will need to be contacted.

### **Maori Heritage**

Characteristics of special spiritual, historical or cultural significance to Maori are also identified as a national priority for preservation within the NZCPS.

The questions in this section are to determine whether the policies in the NZCPS relating to Maori heritage and special value are reflected in local authority policy statements and plans.

#### **2.2.15 Identification characteristics of importance to Maori**

Record how the document identifies characteristics of the coastal environment that are of importance to Maori.

#### **2.2.16 Protection of characteristics of importance to Maori**

List any methods used to protect characteristics of the coastal environment that are of importance to Maori.

#### **2.2.17 Provision for consultation with tangata whenua to identify values or standards in rules**

Council will need to be called to determine whether any consultation with tangata whenua was undertaken in order to identify values or standards that needed to be reflected in the rules of the plan.

#### **2.2.18 Rules - Maori Heritage**

Record whether there are there specific rules relating to Maori Heritage.

#### **2.2.19 Activity Status – minor alterations of heritage items**

Record the activity status for minor alterations of Maori heritage items.

#### **2.2.20 Activity Status – maintenance of heritage items**

Record the activity status for minor alterations of Maori heritage items.

#### **2.2.21 Activity Status – major alterations heritage items**

Record the activity status for minor alterations of Maori heritage items.

#### **2.2.22 Activity Status – demolition of a heritage item**

Record the activity status for demolition of Maori heritage items.



## **2.3 Natural Character**

The NZCPS as directed by the RMA, also identifies the preservation of natural character of the coastal environment as national priority.

Several items are recognized in the NZCPS as elements of the natural character of the coastal environment. Among these items are significant indigenous vegetation; significant habitats of indigenous fauna; landscapes; seascapes; landforms; characteristics of special spiritual, historical or cultural significance to Maori; and significant places or areas of historic or cultural significance; integrity, functioning, and resilience of the coastal environment.

This section will gather information that will be used to assess whether the NZCPS policies with regard to natural character are reflected in the RMA documents.

### **Defining and Identifying Natural Character**

Development, subdivision are identified as matters that need to be appropriately managed in order to preserve the natural character of the coastal environment. This includes the definition of several terms related to natural character, the way natural character is identified and preserved and the management of the elements of natural character.

#### **2.3.1 Definition of natural character**

Record the method by which natural character is defined.

#### **2.3.2 Definition of development**

Record the method by which development is defined.

#### **2.3.3 Definition of subdivision**

Record the method by which subdivision is defined.

#### **2.3.4 Definition of inappropriate subdivision**

Record the method by which subdivision is defined. This may not specifically refer to "inappropriate subdivision" but may describe situations where subdivision would have adverse effects or something similar.

#### **2.3.5 Identification of the natural character of the region/district**

Record the method by which natural character is identified. Record only methods that specifically identify "natural character" or features that were defined as "natural character" as above.

#### **2.3.6 Identification of areas of potential restoration/rehabilitation of natural character in the region/district**

Record the method by which areas of restoration/rehabilitation of natural character are identified.

#### **2.3.7 The restoration/rehabilitation of natural character**

Record the method used to restore/rehabilitate natural character e.g. in urban areas.

## **Hierarchy of Methods**

To answer these questions you will need to refer to the objectives and policies that refer to natural character. Record only methods that specifically identify “natural character” or features that were defined as “natural character” as above.

### **2.3.8 The hierarchy methods to address adverse effects on natural character**

Record whether the document creates a hierarchy for avoiding, remedying and mitigating adverse effects on natural character.

### **2.3.9 The order of this hierarchy**

List “avoid”, “remedy” and “mitigate” in the order in which they are ranked in terms of this hierarchy from highest to lowest.

### **2.3.10 Matters for which this hierarchy is used**

In relation to what matters is this hierarchy used? For example new buildings would be the matter in which the hierarchy is used in the following instance - “Any adverse effects of any new building on the natural character of the coastal environment should be avoided as far as practical. Where avoidance is not practicable, the adverse effects should be mitigated and remedied as far as practicable.”

## **General**

### **2.3.11 The preservation of natural character**

Record any methods used to preserve natural character. Record only methods that specifically identify “natural character” or features that were defined as “natural character” as above.

### **2.3.12 Recognising the land/sea interface**

List the how the land/sea interface is recognised in the document. The most efficient way to answer this question is likely to be through the use of a search where the plan is available in electronic form. Record only where the “interface” (or something very similar) is specifically mentioned.

### **2.3.13 Ranking of the natural character**

Record whether the natural character of the region/district is ranked.

List the order of this hierarchy and the matters for which this hierarchy is used.

## **2.4 Landscape**

As previously mentioned, section 6(b) of the RMA requires the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development as a matter of national importance. The appropriate management of landscape should include and extend beyond these requirements. This section assesses the management of landscape.

#### **2.4.1 Definition of landscape**

Record the method by which landscape is defined.

#### **2.4.2 Definition of landscape values**

Record the method by which landscape values are defined.

#### **2.4.3 Definition of Outstanding Natural Features**

Record the method by which Outstanding Natural Features are defined.

#### **2.4.4 Identification of Outstanding Natural Features**

Record the method by which Outstanding Natural Features are identified.

#### **2.4.5 Management of effects on landscape values**

List any methods used by the document to manage effects on landscape values in the coastal environment.

### **2.5 Access**

Several policies within the NZCPS relate to the maintenance and enhancement of public access to and along the coastal marine area. These policies concentrate on the importance of providing access to the coast while protecting certain aspects of the coastal environment and public health and safety. When answering these questions focus on human access rather than other access that may be restricted, such as that of dogs. The NZCPS allows for the restriction of public access where required to protect these characteristics.

This section aims to determine how the documents manage access to the coastal environment.

#### **2.5.1 Controlling public access to the coastal environment**

List the methods used by the document to control access.

#### **2.5.2 Managing vehicles on beaches**

List the methods used by the document to manage vehicles on beaches.

#### **2.5.3 Types of access**

Are types of access differentiated in the plans (e.g. walking, water vessels, land vehicles, etc)?

### **2.6 Natural Hazards**

The NZCPS requires that local authority policy statements and plans to identify areas of the coastal environment where natural hazards exist and ensure that their effects are avoided and mitigated.

Managing natural hazards is the responsibility of both regional councils and territorial authorities. Sections 30 and 31 of the RMA requires that regional councils

*“control...the use of land for the purpose of...The avoidance or mitigation of natural hazards”*

And that territorial authorities:

*“control...any actual or potential effects of the use, development, or protection of land, including for the purpose of the avoidance or mitigation of natural hazards...”*

The coordination of natural hazard management is very important, particularly in an environment as dynamic as the coastal environment, and this section also seeks to determine how this coordination in particular is managed.

This information gathered in this section will be used to analyse the management of natural hazards in the coastal environment.

### **2.6.1 Coastal hazards identified by the document**

The RMA defines natural hazards as:

*“Natural hazard” means any atmospheric or earth or water related occurrence (including earthquake, tsunami, erosion, volcanic and geothermal activity, landslip, subsidence, sedimentation, wind, drought, fire, or flooding) the action of which adversely affects or may adversely affect human life, property, or other aspects of the environment.*

Documents may refer to natural hazards generically, not providing a definition, in which cases the RMA definition would take precedence. In these cases record that the plan identifies natural hazards in a generic nature. Some plans specifically define and/or identify natural hazards, where this is the case, list these natural hazards.

### **2.6.2 The identification of risk areas**

Several methods can be used for identifying hazard risk areas. Typically hazard risk areas are shown on maps or on a GIS database. List the methods used by the document to identify risk areas and how these areas are presented in the plan/ policy statement.

### **2.6.3 Avoiding and mitigating natural hazards**

List the methods used by the document aimed at avoiding or mitigating natural hazards.

### **2.6.4 Rules that apply to natural hazards**

Summarise any rules relating to natural hazards. Only summarise those rules that specifically refer to natural hazards or something that has been defined/identified as a natural hazard.

### **2.6.5 Performance criteria/standards for hazard protection or hazard zone(s)**

List any performance criteria/standards for hazard protection or hazard zone(s). Ensure that you look for works associated with flood protection and erosion works etc.

### **2.6.6 Rules for hazard protection works**

Record whether there are rules for hazard protection works.

### **2.6.7 Rules for hazard protection works proposed by council vs. those proposed by the public**

In some instances there are more lenient rules relating to hazard protection works proposed by councils, to allow for activities such as river works to manage flood events. Record whether the document contains different rules for hazard protection works proposed by council and those proposed by other parties.

### **2.6.8 Structures in a hazard zones - removal**

Record whether the document requires structures in hazard zones or at risk to hazards to be moved.

### **2.6.9 Structures in a hazard zones – relocation**

Record whether the document requires new structures in a hazard zone to be able to be relocated.

### **2.6.10 Provision for effects of climate change**

Record whether rules/provisions in the plan requires climate change effects to be considered when undertaking hazard protection works.

### **2.6.11 Guidelines for hazard protection structures**

Record how the plan provides for design of coastal protection works.

### **2.6.12 Precautionary approach in relation to coastal hazards**

Some policy statements and plans contain policies that require a “precautionary approach” is to be used especially with regard to avoiding, remedying or mitigating the adverse effects of natural hazards on development.

Record whether the plan refers to adopting the precautionary approach in relation to coastal hazards.

### **2.6.13 Requirement for Review**

Council will need to be contacted with regard to this. Ask whether there is a review requirement for resource consents granted in relation to coastal hazards. Bear in mind the precautionary approach.

### **2.6.14 Coastal hazard management responsibilities**

As described above, regional councils and territorial authorities often coordinate hazard management responsibilities. This is likely to be explained in the Issues or Policies sections. Record whether responsibilities of coastal hazard management of the different types of authorities are clearly identified, and if so, list how these responsibilities are allocated.

## **2.7 Water Quality**

While water quality is primarily a regional council concern, matters that may effect water quality are also dealt with in territorial authority plans, hence the need for a section

relating to water quality to be included in the review of all plans. This section is aimed at assessing the management of water quality.

**2.7.1 Managing discharges to the CMA from land and freshwater catchments outside the coastal environment**

List whether there are issues, policies, objectives, rules and methods for managing discharges to the CMA from land and freshwater catchments outside the coastal environment.

**2.7.2 Differentiation between point source and non-point source discharges**

Does the plan differentiate between point source, such as industrial wastewater discharges, and non-point source discharges such as urban storm water and rural runoff?

**2.7.3 Use of standards and guidelines for managing water quality**

Are any standards or guidelines referred to for the management of water quality? If so, what are they?

**2.7.4 Discharges to, or contamination of water bodies in the coastal environment above MHWS**

List whether discharges to, or contamination of water bodies in the coastal environment but above MHWS are addressed.

**2.7.5 Expiry of existing use rights for discharges as at 1 October 2001?**

The transitional provisions outlined in section 368 of the RMA state that water rights under the Water and Soil Conservation Act 1967 are deemed to be "existing rights" at the commencement of the RMA, and became either water permits or discharge permits. These permits expire on either 1 October 2001 or some other date until 2026, depending on their original duration, or on the earlier date specified in the water right.

Record how councils dealt with the expiry of existing use rights for discharges as at 1 October 2001. Councils will need to be contacted with regard to this question.

**2.7.6 Minimum lot size for discharges of domestic sewage onto land**

Record in square metres the minimum lot size for discharges of domestic sewage onto land. Please note that you may have to look at the rules for all zones associated to the coast.

**2.7.7 Monitoring statements for measuring the cumulative effects of discharges on water quality**

Record any monitoring statements for measuring the cumulative effects of discharges. This is likely to be found within the policies.

**2.7.8 Provisions for review of consents**

Record whether the plan provides for review of resource consents when national environmental standards are released.

## 3 Regional Coastal Plans

This section relates only to regional coastal plans and the questions within this section should only be answered when reviewing regional coastal plans.

The NZCPS requires that provisions for the management of several items are included in all regional coastal plans. The questions in this section of the review are to evaluate whether this requirement is being fulfilled and with what provisions.

### 3.1 Plan Type

Some regional coastal plans are in relation strictly to the Coastal Marine Area (CMA), while others relate to the “coastal environment”. The CMA as defined by the RMA as

*“ the foreshore, seabed, and coastal water, and the air space above the water –*

*(a) Of which the seaward boundary is the outer limits of the territorial sea:*

*(b) Of which the landward boundary is the line of mean high water springs, except that where that line crosses a river, the landward boundary at that point shall be whichever is the lesser of –*

*(i) One kilometre upstream from the mouth of the river; or*

*(ii) The point upstream that is calculated by multiplying the width of the river mouth by 5”*

Coastal Environment Plans do not apply rules outside the CMA though do take into consideration effects on the coastal environment, while plans that refer only to the CMA only consider effects strictly within the CMA.

#### 3.1.1 CMA vs. Coastal Environment Plan?

Record whether the plan refers only to the CMA or if it is a ‘Coastal Environment Plan’. This can usually be determined through the introductory section of the plan. Many coastal environment plans also use this term in their title.

#### 3.1.2 The landward boundary of the coastal environment

Record the method that describes how the landward boundary of the coastal environment is defined.

#### 3.1.3 An overlay of the CMA

Record whether an overlay applies to part of the CMA? For example is there an overlay that identifies areas of significant conservation value?

## 3.2 Water Quality

This section aims to assess the management of water quality in regional coastal plans.

### Water Quality Standards

Water Quality Standards are a popular tool for managing water quality. These standards are often based on either Schedule 3 of the RMA or Australian and New Zealand



Environment and Conservation Council (ANZECC) Water Quality Guidelines. Schedule 3 of the RMA provides water quality classes described in relation to the activities that the water is used for. The ANZECC Water Quality Guidelines provide an authoritative guide for setting water quality objectives required to sustain current, or likely future, environmental values for natural and semi-natural water resources in Australia and New Zealand. This section assesses if and how plans are using water quality standards.

#### **3.2.1 Provision of water standards**

Record whether there are water standards.

#### **3.2.2 The basis of water standards**

Record the basis of which the water standards were formed. You should be able to determine this by examining the content of the standards and whether they relate closely to Schedule 3 or ANZECC Water Quality Guidelines.

#### **3.2.3 Specific standards discharge types**

Record whether there are specific standards for discharge types.

#### **3.2.4 Cumulative effects**

Describe how the standards address cumulative effects of discharges.

### **Water Quality Management**

#### **3.2.5 Managing water quality**

List whether there are issues, policies, objectives, rules and methods for water quality in the coastal environment. Other methods are likely to include items such as riparian planting.

#### **3.2.6 Seabed contamination**

List the methods used by the document to address seabed contamination.

#### **3.2.7 Discharges facilities in or adjoining the CMA**

Explain how discharges from wharfs and other facilities in or adjoining the CMA are addressed.

#### **3.2.8 Discharge of sewage to the CMA from vessels**

Explain how have councils address the discharge of sewage to the CMA from vessels i.e. what are the restrictions (when, at what distance/depth) on sewage discharges?

#### **3.2.9 Definition of mixing zone**

Retain the method by which mixing zone is defined.

#### **3.2.10 Creating zones of reasonable mixing**

Zones of reasonable mixing are areas within which requirements for discharges may be lenient because 'reasonable mixing' of discharges are expected to have occurred.

Explain what guidance is provided in relation to creating zones of reasonable mixing.

### **3.3 Allocation of Coastal Space**

This section assesses how coastal space is allocated by regional coastal plans.

The RMA establishes a regime where natural resources are allocated on a "first- in first-served" basis. First in first served gives preference to current rather than potential users, and avoids having to address the most economic allocation of the natural resource.

The RMA does not identify specifically that it is the role of regional councils to undertake natural resource allocation in their function.

This section intends on gathering information as to how councils are managing allocation of coastal space.

#### **3.3.1 Allocation of coastal space between competing uses/users**

Explain what guidance is provided with regard to allocation of space between competing uses/users.

#### **3.3.2 Identification of Allocation tools**

Record any allocation tools that have been referred to e.g. the tendering allocation tool.

### **The Zoning Approach**

#### **3.3.3 The extent to which zoning is used**

Explain to what extent zoning is used. Some regional plans may not use zoning at all, whereas others will use them for certain purposes and others use zones entirely.

#### **3.3.4 Number of zones**

Record how many zones there are.

#### **3.3.5 The basis of the zoning**

Record the basis of the zoning. For example are the zones effects based, values based or activities based.

### **Section 12 Consents**

Section 12 provides for restrictions with regard to the coastal marine area.

Resource consents can be issued to allow activities that contravene these restrictions to occur.

#### **3.3.6 Prohibited Activities – Allocation of coastal space**

Record whether there are any prohibited activities in relation to allocation of coastal space.

### **3.3.7 Differentiation between consents issued under RMA section 12**

Explain how do councils differentiate between consents issued under RMA section 12, (1) the construction/ disturbance, (2) the occupation and (3) the activity? Council will need to be contacted with regard to this.

### **3.3.8 Granting of section 12 consents**

How many section 12 (1), (2) and (3) consents are granted annually? This will need to be discussed with council.

## **Port Companies**

### **3.3.9 Section 384(A) consent holders**

Section 384(A) of the RMA states that every port company which considers that it had a right to occupy the coastal marine area adjacent to and required for the operation of a commercial port on 30 September 2001 Such occupation could prepare a coastal permit to authorise that occupation.

Do those port companies under the jurisdiction of the council have RMA s. 384(A) consents? Council will need to be contacted with regard to this.

## **General**

### **3.3.10 Pre-RMA coastal permits**

Structures in the seabed required the approval of the Ministry of Transport/Department of Conservation under section 178 of the Harbours Act 1950. These permits also gained existing use rights under the RMA.

How have councils dealt with the occupation of pre-RMA deemed coastal permits issued under s. 178 of the Harbours Act (1950). This will need to be discussed with council.

### **3.3.11 The occupation of coastal space for wind, wave and tidal power within the CMA**

Record whether the occupation of coastal space for wind, wave and tidal power within the CMA addressed.

### **3.3.12 Public vs. private occupation of coastal space, including moorings**

Record whether there are different requirements for public vs. private occupation of the CMA, including moorings.

### **3.3.13 Provisions for existing structures**

Record whether structures that already exist in the coastal marine area permitted in the occupation rules.

#### **3.3.14 Differentiation of existing structures**

Record whether the plan differentiates between existing unauthorised structures (i.e. no harbours act approval) and structures previously authorised under harbours act. This includes instances where the plan refers to lawfully existing structures.

### **3.4 Marine Biodiversity**

This section asks questions in relation to the management of vegetation and habitat and areas of significant conservation value.

## **Vegetation and habitat**

#### **3.4.1 Management of significant vegetation and habitat in the coastal environment**

Record how significant vegetation and habitat in the coastal environment is managed.

#### **3.4.2 Rule Type**

If vegetation and habitat in the coastal environment is managed by rules record whether they are general rules or if they are specific to an ecosystem type; and whether the rules give guidance to Districts in managing biodiversity in the coastal environment.

#### **3.4.3 Guidance for territorial authorities for managing biodiversity in the coastal environment**

If vegetation and habitat in the coastal environment is managed by rules record whether the rules give guidance to territorial authorities in managing biodiversity in the coastal environment.

#### **3.4.4 Restoration of indigenous vegetation and habitat**

Record whether the plan has policies and/or method(s) relating to restoration of indigenous vegetation and habitat.

#### **3.4.5 Management of vegetation and habitat**

Record how vegetation and habitat in the coastal environment is managed.

#### **3.4.6 Activity Status – minor clearance/alterations of vegetation and habitat**

Record the activity status for minor clearance/alterations of vegetation and habitat.

#### **3.4.7 Activity Status – maintenance/enhancement activities of vegetation and habitat**

Record the activity status for maintenance/enhancement activities of vegetation and habitat.

#### **3.4.8 Activity Status – major clearance/alterations of vegetation and habitat**

Record the activity status for major clearance/alterations of vegetation and habitat.

#### **3.4.9 Activity Status – complete clearance of vegetation and habitat**

Record the activity status for complete clearance of vegetation and habitat.

#### **3.4.10 Prohibited Activities - Heritage**

Record any activities in relation to items on the heritage register that are prohibited.

#### **3.4.11 Management of biosecurity issues**

Some plans may have provision for managing issues related to biosecurity. Record any methods that the plan uses.

### **Significant Conservation Value**

#### **3.4.12 Identification of areas of significant conservation value**

Record whether areas of significant conservation value (or something similar) are identified.

#### **3.4.13 Evaluation criteria for areas of significant conservation value**

Record the criteria used to evaluate areas of significant conservation.

#### **3.4.14 Identifying of significant conservation areas**

Record the method used to identify areas of significant conservation.

#### **3.4.15 Rules for areas of significant conservation**

Explain what rules apply to areas of significant conservation value

#### **3.4.16 Management of coastal processes and/or ecosystem functioning**

Record how coastal processes and/or ecosystem functioning in the coastal environment is managed.

#### **3.4.17 Management of specific coastal processes**

List any coastal processes are specifically mentioned and managed within the document. It is likely that the easiest way to gather this information is through searching for key words e.g. biota, substrate.

### **Hierarchy of effects**

#### **3.4.18 The hierarchy of effects**

Record whether the policies of the document reflect a hierarchy of effects with regard to indigenous vegetation and flora.

#### **3.4.19 Basis of hierarchy**

NZCPS Policy 1.1.2 states that:

*It is a national priority for the preservation of the natural character of the coastal environment to protect areas of significant indigenous vegetation and significant habitats of indigenous fauna in that environment by:*

*(a) avoiding any actual or potential adverse effects of activities on the following areas or habitats:*

*(i) areas and habitats important to the continued survival of any indigenous species; and*

*(ii) areas containing nationally vulnerable species or nationally outstanding examples of indigenous community types;*

*(b) avoiding or remedying any actual or potential adverse effects of activities on the following areas:*

*(i) outstanding or rare indigenous community types within an ecological region or ecological district;*

*(ii) habitat important to regionally endangered or nationally rare species and ecological corridors connecting such areas; and*

*(iii) areas important to migratory species, and to vulnerable stages of common indigenous species, in particular wetlands and estuaries;*

*(c) protecting ecosystems which are unique to the coastal environment and vulnerable to modification including estuaries, coastal wetlands, mangroves and dunes and their margins; and*

*(d) recognising that any other areas of predominantly indigenous vegetation or habitats of significant indigenous fauna should be disturbed only to the extent reasonably necessary to carry out approved activities.*

Often this policy is used by regional coastal plans as the basis for a hierarchy of effects in relation to managing indigenous vegetation and indigenous fauna.

Record whether policy 1.1.2 of the NZCPS is the basis for this hierarchy.

## **4 District Plans Only**

This section relates only to district plans and the questions within this section should only be answered when reviewing district plans.

### **4.1 Access**

#### **4.1.1 Requirement of esplanade reserves/strips**

Explain when the plan requires esplanade reserves/strips.

#### **4.1.2 Location of esplanade reserves/strips**

Describe where the plan requires esplanade reserves/strips.

#### **4.1.3 Circumstances under which the requirement for a esplanade reserve/strip is waived**

Explain under what circumstances is the requirement for esplanade reserve/strip waived.

#### **4.1.4 Assessment criteria for public access to the coastal environment**

List the assessment criteria for public access.

## **4.2 Biodiversity/Development Pressures**

Council will need to be contacted to gather the information related to future growth targets.

### **4.2.1 Specific zones for land adjacent to the coastal marine area**

Record whether there are specific zones for land adjacent to the coastal marine area.

### **4.2.2 Papakainga Housing**

Record whether the plan relates to Papakainga Housing, Marae Development or something similar.

### **4.2.3 Management of Activities in relation to Papakainga Housing**

Record how the plan manages Papakainga Housing.

### **4.2.4 The delineation of the specific coastal zone**

Record how the coastal zone is delineated, particularly the landward extent.

### **4.2.5 The minimum/average lot size for...**

List the minimum average lot size for the coastal zone(s) for both permitted and controlled activities.

### **4.2.6 What are the criteria for indigenous vegetation clearance for...**

List the criteria for indigenous vegetation clearance for both permitted and controlled activities.

### **4.2.7 Future development**

Is any future development/growth within 5km of the coast encouraged? This will need to be discussed with council.

### **4.2.8 If future development is targeted...**

If future growth in the CMA is targeted, record whether there is likely to be a requirement for this development to connect to the reticulated sewage system and the anticipated minimum lot size for this development (in square metres).

### **4.2.9 Protection of areas of indigenous vegetation**

Record whether council has areas of indigenous vegetation reserved or covenanted or protected through other plan mechanisms within which removal is not permitted.

### **4.2.10 Storage of biodiversity information**

Record how council stores the information relating to biodiversity stored. Council will need to be contacted in order to ascertain this information.



#### **4.2.11 Geographic Information System**

Record whether the plan has an associated GIS. Council will need to be contacted in order to ascertain this information.

#### **4.2.12 GIS attribute information**

Record whether the layers in the GIS have attribute information (e.g. lot size) that describes permitted activity criteria. Council will need to be contacted in order to ascertain this information.

#### **4.2.13 Sharing of GIS data?**

Where the layers in the GIS do have associated attribute information that describes permitted activity criteria ask council whether DoC can have access to the zoning layers. Council will need to be contacted in order to ascertain this information.

Where council agrees to this, record the details of the relevant contact person.

This is the end of the review. Please record your name and the date the review was completed in the relevant spaces.

**GIS Database: Council Contacts**

Appendix **D**



<b>Council</b>	<b>Contact</b>	<b>Phone Number</b>	<b>Email</b>
Auckland City Council	Grant McInman - Group Manager Data Services,	DDI 06 307 4539.	
Central Hawke's Bay District Council	Peter Eastwood - Planning Engineer		peter.eastwood@chbdc.govt.nz
Dunedin City Council	Rob Garrett	03 474 3592	rgarrett@dunedin.govt.nz
Franklin District Council	Gina Sander	DDI 09 237 1321	brentr@hdc.govt.nz
Hastings District Council	Brent Roberston	06 8780510 ext 8681	
Invercargill District Council	David Whelan ph 03 2111729 or Barbara Grant ph 03 2111687		
Kaipara District Council	Stuart Marwick, IT Manager		Stuart.marwick@kaipara.govt.nz
Kapiti Coast District Council			gis@kapiticoast.govt.nz
Manakau City Council	Myles Hicks or Roya Hendsi (GIS analyst)	09 262 8600 ext 5871	mhicks@manukau.govt.nz
Manawatu District Council	Stephen Emerson	06 323-0000	Stephen.Emerson@mdc.govt.nz
Marlborough District Council	Carol Mills	03 578 5249	cmi@marlborough.govt.nz
Nelson City Council	Ian Taylor	03 546 0378	
North Shore City District Council	Shelly Glassey	DDI 09 486 8648	
Otorohanga District Council	Julian Med-Rose, manager of regulatory services	07 873 8199	
Palmerston North City Council	David Murphy	06 356 8199 ext 7522	david.murphy@pncc.govt.nz
Porirua City Council	James Virgo or Clive Tugwood See review comments	04 237 5089.	
Kaikoura District Council	Contact Racel Vaughan after Feb to get contact details of GIS ppl.		
Waikato District Council	No name provided. Applications for access assessed on case-by-case basis		
Whakatane District Council	Helena Data only in digital format	07 306 0500	
Rangitikei District Council	Ross Grindrod	0800 422 522	
Rodney District Council	Nevil Perrie (GIS Manager), or ask for Duncan Benzie		nperrie@rodney.govt.nz
Selwyn District Council	Julia Forsyth	03 324 5870	julia.forsyth@selyn.govt.nz
Tasman District Council	Peter Darlington (Information Services Manager)	03 543 8467	
Tauranga City Council	Stephen Lun	07 577 7147	stephenl@tauranga.govt.nz
Thames-Coromandel District Council	TCDC Computer Helpdesk	07 8680200 ext 800	
Timaru District Council	Richard		'richardl@timdc.govt.nz
Wairoa District Council	Peter Freeman (Executive Officer)	06 838 7309	
Waitaki District Council	Micheal Goldingham	03 4348060	
Wanganui District Council	Darryl Cooper	06 349 0001	Darryl.Cooper@Wanganui.govt.nz
Wellington City Council	Marian Smith	04 801 4151	marian.smith@wcc.govt.nz
Western Bay of Plenty District Council	Mark Bougen		'Mark.bougen@wbopdc.govt.nz
Whangarei District Council	Harvey Schroyen	09 430 4200 ext 8210	harveys@wdc.govt.nz