

Appendix A: Public Access chapter – Tracked Changes

Red underline and ~~strike-out~~: show additions and deletions to the notified Te Uru Tūmatanui Public Access Chapter as recommended in the section 42A Report dated 27 March 2024.

This entire chapter has been notified using the RMA Part One, Schedule 1 process ([P1 Sch1](#)).

Te Uru Tūmatanui

Public Access

PA	Public Access
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Introduction

The purpose of the Public Access chapter is to ensure public access to, adjacent to, and along the coastal environment, ~~lakes~~, and rivers is maintained and enhanced.

Wellington City has over 100km of coastline, stretching from Petone to Porirua, enclosing Wellington Harbour and covering the southern and western coast of the city. The character of the coastline varies from highly modified (for example the commercial port ~~area~~, the City Centre and the airport) to natural and rural.

While there are no large freshwater lakes within Wellington, there are a number of streams/rivers that are highly valued by the community and provide important recreational opportunities.

The coastal and riparian margins that are required by the Natural Character Chapter and the Coastal Environment Chapter aim to maintain and improve public access to waterbodies and the coast.

It is acknowledged that public access to the coast and waterbodies may be in conflict with the protection of identified values such as significant natural areas or areas of high coastal natural character. Therefore, while it is important to provide for public access it is equally important to manage any potential adverse effects on identified values in these areas.

The objectives and policies of this chapter give effect to the New Zealand Coastal Policy Statement 2010 and the ~~Greater~~ Wellington Regional Policy Statement and are not inconsistent with the ~~Proposed~~ Natural Resources Plan.

Other relevant District Plan provisions

It is important to note that in addition to the provisions in this chapter, a number of other Part 2: District-Wide chapters also contain provisions that may be relevant for your activity, including:

- **Coastal Environment** – Provisions relating to public access in the Coastal Environment are located in the Coastal Environment Chapter.
- **Natural Character** – Provisions relating to public access to, along and adjacent to riparian margins are located in the Natural Character Chapter.
- **Subdivision** - Provisions relating to esplanade reserves and esplanade strips are located in the Subdivision Chapter.
- **Infrastructure** - Provisions relating to public access are located in the Infrastructure Chapter.
- **Renewable Electricity Generation** - Provisions relating to public access are located in the Renewable Electricity Generation Chapter.

Resource consent may therefore be required under rules in this chapter as well as other chapters. Unless specifically stated in a rule or in this chapter, resource consent is required under each relevant rule. The steps to determine the status of an activity are set out in the General Approach chapter.

Objectives

PA-O1	Public access
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	Public access to the coast and waterbodies is maintained and enhanced.
PA-O2	<p>Adverse effects of public access</p> <p>Public access does not have a negative impact on:</p> <ul style="list-style-type: none"> <u>a.</u> existing values such as natural character, indigenous biodiversity, landscape values, historic heritage, sites of significance to Māori or the coastal environment; <u>and</u> <u>b.</u> <u>public health and safety, particularly with respect to the security and safe operation and functioning of regionally significant infrastructure.</u>
Policies	
PA-P1	<p>Appropriate activities</p> <p>Enable activities within coastal and riparian margins that do not limit or prevent <u>maintain or enhance</u> public access to, along or adjacent to the coast and waterbodies.</p>
PA-P2	<p>Maintenance and enhancement of public access</p> <p>Maintain and enhance public access to, along or adjacent to the coast and waterbodies by:</p> <ol style="list-style-type: none"> 1. Ensuring that subdivision design and layout in and along coastal and riparian margins allows for public access to the coastline and waterbodies; 2. Requiring the creation of esplanade reserves and/or esplanade strips along the coastal environment and waterbodies (in accordance with SUB-P8); 3. Requiring appropriate setbacks from existing public access corridors; and 4. Only allowing new activities within public access corridors where there is a functional need for the activity to be located within the public access corridor, there is no reasonably practicable alternative and adverse effects can be avoided, remedied or mitigated.
PA-P3	<p>Restriction of public access</p> <p>Only allow for the restriction of public access to, along or adjacent to the coast and waterbodies where the restriction is necessary to:</p> <ol style="list-style-type: none"> 1. Protect threatened indigenous species; or 2. Protect dunes, estuaries and other sensitive natural areas or habitats; or 3. Protect sites and activities of cultural value to Māori; or 4. Protect historic heritage; or 5. Protect public health or safety; or 6. Avoid or reduce conflict between public uses of the coastal marine area and its margins; or 7. Provide for temporary activities or special events; or 8. Provide for defence purposes in accordance with the Defence Act 1990; or 9. Ensure a level of security consistent with the purpose of a resource consent; or 10. Address other exceptional circumstances sufficient to justify the restriction; or provide for the safe and efficient operation of the Port and Airport Zone.

	10. <u>Provide for the safe and efficient operation of regionally significant infrastructure.</u>
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Rules:

There are no rules in this chapter.