

# **Section 32 Evaluation Report**

## **Part 2: Coastal Environment**

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## Table of Acronyms

Abbreviation	Full term
<b>CBD</b>	Central Business District
<b>CE</b>	Coastal Environment
<b>CMA</b>	Coastal Marine Area
<b>DoC</b>	Department of Conservation
<b>ECO</b>	Ecosystems and Indigenous Biodiversity
<b>EW</b>	Earthworks
<b>GTPC</b>	Gas Transmission Pipeline Corridor
<b>GWRC</b>	Greater Wellington Regional Council
<b>INF</b>	Infrastructure
<b>MDRS</b>	Medium Density Residential Standard
<b>NC</b>	Natural Character
<b>NES</b>	National Environmental Standards
<b>NES-ETA</b>	National Environmental Standards for Electricity Transmission Activities 2009
<b>NES-FW</b>	National Environmental Standards for Freshwater 2020
<b>NES-PF</b>	National Environmental Standards for Plantation Forestry 2017
<b>NES-TF</b>	National Environmental Standards for Telecommunication Facilities 2016
<b>NFL</b>	Natural Features and Landscapes
<b>NG</b>	National Grid
<b>NH</b>	Natural Hazards
<b>NPS</b>	National Policy Statements
<b>NPS-ET</b>	National Policy Statement for Electricity Transmission 2008
<b>NPS-FM</b>	National Policy Statement for Freshwater Management 2020
<b>NPS-REG</b>	National Policy Statement for Renewable Electricity Generation 2011
<b>NZCPS</b>	New Zealand Coastal Policy Statement
<b>ODP</b>	Operative District Plan
<b>ONFL</b>	Outstanding Natural Features and Landscapes

<b>PA</b>	Public Access
<b>PDP</b>	Proposed District Plan
<b>PNRP</b>	Proposed Natural Resources Plan
<b>PORTZ</b>	Special Purpose Port Zone
<b>R&amp;H</b>	Ridgelines and Hilltops
<b>REG</b>	Renewable Energy Generation
<b>RMA</b>	Resource Management Act
<b>RPS</b>	Regional Policy Statement for Wellington
<b>SAL</b>	Special Amenity Landscapes
<b>SASM</b>	Sites and Areas of Significance to Māori
<b>SNAs</b>	Significant Natural Areas
<b>SUB</b>	Subdivision
<b>WCC</b>	Wellington City Council

## 1.0 Overview and Purpose

### 1.1 Introduction to the resource management issue/s

This section 32 ('s32') evaluation report is focussed on the Coastal Environment ('CE') chapter.

Wellington City has a long coastline and a strong relationship with its coastal environment. The coastal environment includes remote and rural natural areas with beaches and coastal mountains and escarpments as well as developed coastal areas with suburban development, particularly along the southern bays and the Miramar Peninsula, and the highly modified areas of the central city, the operational port, stadium, waterfront and airport.

The purpose of the Coastal Environment chapter is to identify the landward extent of the coastal environment and establish appropriate protection for:

- the coastal environment in general;
- identified areas of high natural character within the coastal environment; and
- coastal margins and riparian margins within the coastal environment.

The landward extent of the coastal environment has been identified in accordance with the New Zealand Coastal Policy Statement ('NZCPS') and the Regional Policy Statement for the Wellington Region ('RPS').

Two areas of very high natural character and 14 areas of high natural character have been identified within the landward extent of Wellington's coastal environment. No areas of outstanding natural character have been identified within the terrestrial coastal environment. The Coastal Environment chapter also provides for the protection of coastal margins and riparian margins within the coastal environment.

This s32 evaluation report focusses on the provisions relevant to natural character and coastal and riparian margins within the identified coastal environment.

Provisions managing natural hazards within the coastal environment are also included in the Coastal Environment chapter, as required by the National Planning Standards. However, the evaluation of the objectives, policies and rules relating to coastal hazards is contained in the s32 report for natural hazards.

Significant Natural Areas within the coastal environment are addressed in the Ecosystems and Indigenous Biodiversity chapter, while Outstanding Natural Features and Landscapes, Special Amenity Landscapes and Ridgelines & Hilltops within the coastal environment are addressed in the Natural Features and Landscapes Chapter. The related s32 evaluations are provided in the associated reports.

Other relevant provisions relating to

- Infrastructure;
- Renewable Electricity Generation;
- Subdivision; and
- Earthworks

in the coastal environment are contained in the respective chapters. However, the s32 evaluation for these provisions is contained in this report, as these provisions mainly relate to the protection of identified natural character values and coastal and riparian margins within the coastal environment.

Section 6(a) of the Resource Management Act 1991 ('RMA') identifies the protection of the natural character of the coastal environment from inappropriate subdivision, use, and development as a matter of national importance.

Section 7 of the RMA requires that the Council, in exercising its functions and powers under the RMA, shall have particular regard to the maintenance and enhancement of amenity values and recognition of the finite characteristics of natural and physical resources.

The NZCPS also requires the identification and protection Outstanding, Very High or High Natural Character in the coastal environment.

The RPS requires territorial authorities to identify the coastal environment and to protect the natural character of the coastal environment.

Provisions regarding public access are addressed within the Natural Character and Public Access s32 evaluation report.

While the Operative District Plan ('ODP') contains objectives, policies and rules relating to the coastal environment, it does not identify and protect areas of high, very high or outstanding natural character or coastal and riparian margins within the coastal environment and therefore does not achieve the level of protection required by the RMA, the NZCPS and the RPS. The proposed coastal environment chapter will provide the necessary protection in accordance with the Council's statutory responsibilities.

## 2.0 Reference to other evaluation reports

This report should also be read in conjunction with the following evaluation reports:

Report	Relationship to this topic
Natural Hazards (NH)	Provisions relating to coastal hazards are included in the Coastal Environment chapter, however the relevant evaluation is included in s32 report for natural hazards.
Natural Features and Landscapes (NFL)	The NFL chapter contains provisions relating to the protection of identified Outstanding Natural Features and Landscapes (ONFL), Special Amenity Landscapes (SAL) and Ridgeline & Hilltops (R&H). Some of these overlays are located within the coastal environment. Because the provisions for ONFL, SAL and R&H in the coastal environment relate primarily to the protection of the identified values, these provisions are contained in the NFL chapter and their evaluation is included in the s32 report for NFL.
Ecosystems and Indigenous Biodiversity (ECO)	The ECO chapter contains provisions relating to the protection of identified Significant Natural Areas (SNA). Some of these SNA are located in the coastal environment. Because the provisions for SNA within the coastal environment relate primarily to the protection of the identified values, these provisions are contained in the ECO chapter and their evaluation is included in the s32 report for ECO.
Subdivision (SUB)	The Subdivision chapter contains policies and rules relating to subdivision in the coastal environment. Because these provisions relate primarily to the protection of identified values of high and very high coastal natural character areas and riparian and coastal margins in the CE, the related s32 evaluation is provided in this report.

Report	Relationship to this topic
	Nevertheless, the s32 report for the subdivision chapter is relevant because it contains the evaluation of the underlying District Plan approach for subdivision provisions.
Earthworks (EW)	The Earthworks chapter contains policies and rules relating to earthworks in the coastal environment. Because these provisions relate primarily to the protection of identified values of high and very high coastal natural character areas and riparian and coastal margins in the CE, the related s32 evaluation is provided in this report. Nevertheless, the s32 report for the earthworks chapter is relevant because it contains the evaluation of the underlying District Plan approach for earthworks provisions.
Infrastructure (INF)	The Infrastructure – Coastal Environment ('INF-CE') sub-chapter contains policies and rules relating to infrastructure in the coastal environment. Because these provisions relate primarily to the protection of identified values of high and very high coastal natural character areas and riparian and coastal margins in the CE, the related s32 evaluation is provided in this report. Nevertheless, the s32 report for the infrastructure chapter is relevant because it contains the evaluation of the underlying District Plan approach for infrastructure.
Renewable Energy Generation (REG)	The REG chapter contains policies and rules relating to renewable energy generation in the coastal environment. Because these provisions relate primarily to the protection of identified values of high and very high coastal natural character areas and riparian and coastal margins in the CE, the related s32 evaluation is provided in this report. Nevertheless, the s32 report for the renewable energy generation chapter is relevant because it contains the evaluation of the underlying District Plan approach for renewable energy generation.
Natural Character (NC) and Public Access (PA)	The NC and PA chapters contain provisions that are related to the Coastal Environment chapter. Therefore, the s32 evaluation for NC and PA is of relevance.

### 3.0 Strategic Direction

The following objectives in the Strategic Direction chapter of the Proposed District Plan that are relevant to this issue/topic are:

<b>AW-O3</b>	<b>Anga whakamua – Moving into the future</b>
Mana whenua can exercise their customary responsibilities as mana whenua and kaitiaki with their own mātauranga Māori.	
<b>AW-O4</b>	<b>Anga whakamua – Moving into the future</b>
The development and design of the City reflects mana whenua and the contribution of their culture, traditions, ancestral lands, waterbodies, sites, areas and landscapes, and other taonga of significance to the district's identity and sense of belonging.	
<b>NE-O1</b>	<b>Natural Environment</b>
The natural character, landscapes and features, and ecosystems that contribute to the City's identity and have significance for mana whenua as kaitiaki are identified, recognised, protected, and, where possible, enhanced.	



<b>NE-O2</b>	<b>Natural Environment</b>
Future subdivision and development are designed to limit further degradation of the City's water bodies, and recognises mana whenua and their relationship to water (Te Mana o Te Wai).	
<b>NE-O3</b>	<b>Natural Environment</b>
The City retains an extensive open space network that: <ol style="list-style-type: none"> <li>1. Is easily accessible;</li> <li>2. Connects the urban and natural environment;</li> <li>3. Supports ecological, cultural, and landscape values; and</li> <li>4. Meets the needs of anticipated future growth.</li> </ol>	
<b>NE-O4</b>	<b>Natural Environment</b>
Mana whenua are able to exercise their customary responsibilities as mana whenua and kaitiaki with their own mātauranga Māori in the protection and management of the natural environment.	

An evaluation of these objectives is contained in the companion s32 Evaluation Overview Report.

## 4.0 Regulatory and policy direction

In carrying out a s32 analysis, an evaluation is required of how the proposal achieves the purpose and principles contained in Part 2 of the RMA.

Section 5 sets out the purpose of the RMA, which is to promote the sustainable management of natural and physical resources.

Sustainable management

*'means managing the use, development, and protection of natural and physical resources to enable people and communities to provide for their social, economic and cultural wellbeing and for their health and safety, while -*

- (a) *sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) *safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- (c) *avoiding, remedying, or mitigating any adverse effects of activities on the environment'.*

In achieving this purpose, all persons exercising functions and powers under the RMA also need to:

- Recognise and provide for the matters of national importance identified in section 6 ('s6');
- Have particular regard to the range of other matters referred to in section 7 ('s7'); and
- Take into account the principles of the Treaty of Waitangi/Te Tiriti o Waitangi in section 8 ('s8').

### 4.1 Section 6

The s6 matters relevant to this topic are:

<b>Section</b>	<b>Relevant Matter</b>
Section 6(a)	<p><i>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.</i></p> <p>This is directly relevant to the Coastal Environment chapter as parts of the coastal environment have been identified as High Coastal Natural Character Areas and the chapter includes provisions relating to riparian and coastal margins in the CE.</p>
Section 6(b)	<p><i>The protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development.</i></p> <p>Outstanding Natural Features and Landscapes have been identified within the coastal environment</p>
Section 6(c)	<p><i>The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna.</i></p> <p>Significant Natural Areas have been identified within the coastal environment.</p>
Section 6(d)	<p><i>The maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers.</i></p> <p>The coastal environment includes public access points.</p>
Section 6(e)	<p><i>The relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.</i></p> <p>There is a strong historical and cultural relationship with ancestral lands, water, sites, waahi tapu, and other taonga within Wellington's coastal environment.</p>
Section 6(g)	<p><i>The protection of customary rights.</i></p> <p>Tangata whenua value the coast and waterbodies for their cultural and spiritual values as well as for customary use.</p>
Section 6(h)	<p><i>The management of significant risks from natural hazards.</i></p> <p>Several natural hazards are identified within the coastal environment. Natural hazards in the coastal environment are discussed further in the Natural Hazards chapter s32 evaluation report.</p>

Section 6(h) has been included for completeness, however the evaluation of coastal hazard provisions is contained in the s32 for natural hazards.

## 4.2 Section 7

The s7 matters that are relevant to this topic are:

<b>Section</b>	<b>Relevant Matter</b>
Section 7(a)	<i>Kaitiakitanga</i>
Section 7(aa)	<i>The ethic of stewardship</i>
Section 7(b)	<i>The efficient use and development of natural and physical resources</i>
Section 7(c)	<i>The maintenance and enhancement of amenity values</i>
Section 7(d)	<i>Intrinsic values of ecosystems</i>
Section 7(f)	<i>Maintenance and enhancement of the quality of the environment</i>

Section	Relevant Matter
Section 7(g)	<i>Any finite characteristics of natural and physical resources</i>
Section 7(i)	<i>The effects of climate change</i>
Section 7(j)	<i>The benefits to be derived from the use and development of renewable energy</i>

The above s7 matters are all relevant to the Coastal Environment chapter. Kaitiakitanga, the ethic of stewardship and intrinsic values of ecosystems are directly relevant to the coastal environment. The maintenance and enhancement of amenity values is of relevance to the more urban areas within the coastal environment as well as to natural character areas. The efficient use and development of natural and physical resources, the maintenance and enhancement of environmental quality and recognition of the finite qualities of the environment are also directly relevant to the coastal environment given the natural ecosystem processes that occur and the natural character in the coastal environment. The benefits of renewable energy use and the effects of climate change are also relevant matters of consideration for the coastal environment.

### 4.3 Section 8

Section 8 requires all persons exercising functions and powers under the RMA, in relation to managing the use, development, and protection of natural and physical resources, to take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

Council works in partnership with Taranaki Whānui ki te Upoko o te Ika and Ngāti Toa Rangatira to actively provide for and protect their interests and develop provisions to recognise and provide opportunities for tangata whenua to exercise kaitiakitanga.

### 4.4 Section 31

Section 31 lists the functions of territorial authorities. The following are of relevance to the coastal environment:

- (1) *Every territorial authority shall have the following functions for the purpose of giving effect to this Act in its district:*
  - (a) *the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district.*
  - (b) *the control of any actual or potential effects of the use, development, or protection of land, including for the purpose of—*
    - (i) *the avoidance or mitigation of natural hazards; and*
    - (ii) *the maintenance of indigenous biological diversity.*
  - (e) *the control of any actual or potential effects of activities in relation to the surface of water in rivers and lakes.*

### 4.5 National Direction

#### 4.5.1 National Policy Statements

There are five National Policy Statements (NPS) currently in force:

- NPS for Electricity Transmission 2008 (NPS-ET)
- New Zealand Coastal Policy Statement 2010 (NZCPS)
- NPS for Renewable Electricity Generation 2011 (NPS-REG)
- NPS for Freshwater Management 2020 (NPS-FM)
- NPS on Urban Development 2020 (NPS-UD)

In addition to the five NPS currently in force there are two proposed NPS under development, noting that these are yet to be issued and have no legal effect:

- Proposed NPS for Highly Productive Land
- Proposed NPS for Indigenous Biodiversity

The NPS relevant to this topic are:

### **New Zealand Coastal Policy Statement 2010 (NZCPS)**

The NZCPS guides local authorities in their day to day management of the coastal environment. The most relevant objectives and policies are:

<b>NZCPS</b>	
<b>Objective 1</b>	<i>To safeguard the integrity, form, functioning and resilience of the coastal environment and sustain its ecosystems, including marine and intertidal areas, estuaries, dunes and land.</i>
<b>Objective 2</b>	<i>To preserve the natural character of the coastal environment and protect natural features and landscape values.</i>
<b>Objective 3</b>	<i>To take account of the principles of the Treaty of Waitangi, recognise the role of tangata whenua as kaitiaki and provide for tangata whenua involvement in management of the coastal environment.</i>
<b>Objective 4</b>	<i>To maintain and enhance the public open space qualities and recreation opportunities of the coastal environment.</i>
<b>Objective 5</b>	<i>To ensure that coastal hazard risks taking account of climate change, are managed.</i>
<b>Objective 6</b>	<i>To enable people and communities to provide for their social, economic, and cultural wellbeing and their health and safety, through subdivision, use, and development.</i>
<b>Policy 1</b>	<i>Extent and characteristics of the coastal environment.</i>
<b>Policy 2</b>	<i>The Treaty of Waitangi, Tangata Whenua and Māori.</i>
<b>Policy 3</b>	<i>Precautionary approach.</i>
<b>Policy 4</b>	<i>Integration.</i>
<b>Policy 5</b>	<i>Land or waters managed or held under other Acts.</i>
<b>Policy 6</b>	<i>Activities in the coastal environment.</i>
<b>Policy 7</b>	<i>Strategic planning.</i>
<b>Policy 9</b>	<i>Ports</i>
<b>Policy 10</b>	<i>Reclamation and de-reclamation.</i>
<b>Policy 11</b>	<i>Indigenous Biological Diversity (biodiversity)</i>
<b>Policy 13</b>	<i>Preservation of natural character.</i>

<b>NZCPS</b>	
<b>Policy 14</b>	<i>Restoration of natural character.</i>
<b>Policy 15</b>	<i>Natural features and natural landscapes.</i>
<b>Policy 17</b>	<i>Historic heritage identification and protection.</i>
<b>Policy 18</b>	<i>Public open space.</i>
<b>Policy 19</b>	<i>Walking access.</i>
<b>Policy 20</b>	<i>Vehicle access</i>
<b>Policy 21</b>	<i>Enhancement of water quality.</i>
<b>Policy 22</b>	<i>Sedimentation.</i>
<b>Policy 24</b>	<i>Identification of coastal hazards.</i>
<b>Policy 25</b>	<i>Subdivision, use and development in areas of coastal hazard risk.</i>
<b>Policy 26</b>	<i>Natural defences against coastal hazards.</i>
<b>Policy 27</b>	<i>Strategies for protecting significant existing development from coastal hazard risk.</i>
<b>Policy 28</b>	<i>Monitoring and reviewing the effectiveness of the NZCPS.</i>

Objective 5 and Policies 24 to 27 have been included for completeness, however the evaluation of provisions addressing coastal hazard is contained in the s32 for natural hazards.

The full wording of relevant provisions above is attached as Appendix 3 to this report.

### **NPS for Freshwater Management 2020 (NPS-FM)**

While much of the NPS-FM is directed at Regional Councils, it is important to be aware of these requirements and to avoid duplication or contradiction of obligations of regional council. The most relevant objectives and policies are:

<b>NPS-FM 2020</b>	
<b>Objective</b>	(1) <i>The objective of this National Policy Statement is to ensure that natural and physical resources are managed in a way that prioritises:</i>  <ul style="list-style-type: none"> <li>(a) <i>first, the health and well-being of water bodies and freshwater ecosystems</i></li> <li>(b) <i>second, the health needs of people (such as drinking water)</i></li> <li>(c) <i>third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.</i></li> </ul>
<b>Policy 1</b>	<i>Freshwater is managed in a way that gives effect to Te Mana o te Wai.</i>
<b>Policy 3</b>	<i>Freshwater is managed in an integrated way that considers the effects of the use and development of land on a whole-of-catchment basis, including the effects on receiving environments.</i>
<b>Policy 6</b>	<i>There is no further loss of extent of natural inland wetlands, their values are protected, and their restoration is promoted.</i>
<b>Policy 7</b>	<i>The loss of river extent and values is avoided to the extent practicable.</i>
<b>Policy 9</b>	<i>The habitats of indigenous freshwater species are protected.</i>
<b>Policy 15</b>	<i>Communities are enabled to provide for their social, economic, and cultural wellbeing in a way that is consistent with this National Policy Statement.</i>

NPS-FM 2020	
<b>Clause 3.5 Integrated Management</b>	<i>(4) Every territorial authority must include objectives, policies and methods in its district plan to promote positive effects and avoid, remedy or mitigate adverse effects of urban development on the health and well-being of water bodies, freshwater ecosystems, and receiving environments.</i>

### NPS for Renewable Electricity Generation 2011

The NPS-REG requires decision makers to recognise and provide for the benefits of renewable electricity generation. The most relevant objectives and policies are:

NPS-REG	
<b>Objective</b>	<i>To recognise the national significance of renewable electricity generation activities by providing for the development, operation, maintenance and upgrading of new and existing renewable electricity generation activities, such that the proportion of New Zealand's electricity generated from renewable energy sources increases to a level that meets or exceeds the New Zealand Government's national target for renewable electricity generation.</i>
<b>Policy C1</b>	<i>Decision-makers shall have particular regard to the following matters:</i>  <i>(a) the need to locate the renewable electricity generation activity where the renewable energy resource is available;</i>  <i>(b) logistical or technical practicalities associated with developing, upgrading, operating or maintaining the renewable electricity generation activity;</i>  <i>(c) the location of existing structures and infrastructure including, but not limited to, roads, navigation and telecommunication structures and facilities, the distribution network and the national grid in relation to the renewable electricity generation activity, and the need to connect renewable electricity generation activity to the national grid;</i>  <i>(d) designing measures which allow operational requirements to complement and provide for mitigation opportunities; and</i>  <i>(e) adaptive management measures.</i>
<b>Policy F</b>	<i>As part of giving effect to Policies E1 to E4, regional policy statements and regional and district plans shall include objectives, policies, and methods (including rules within plans) to provide for the development, operation, maintenance and upgrading of small and community-scale distributed renewable electricity generation from any renewable energy source to the extent applicable to the region or district.</i>
<b>Policy G</b>	<i>Regional policy statements and regional and district plans shall include objectives, policies, and methods (including rules within plans) to provide for activities associated with the investigation, identification and assessment of potential sites and energy sources for renewable electricity generation by existing and prospective generators.</i>

### NPS for Electricity Transmission 2008

The NPS-ET aims to enable the development of and manage effects of the electricity transmission network, through recognising the benefits and importance of the national grid and managing adverse environmental effects of the network as well as reverse sensitivity. The most relevant objectives and policies are:

<b>NPS-ET</b>	
<b>Objective</b>	<i>To recognise the national significance of the electricity transmission network by facilitating the operation, maintenance and upgrade of the existing transmission network and the establishment of new transmission resources to meet the needs of present and future generations, while:</i> <ul style="list-style-type: none"> <li>• <i>managing the adverse environmental effects of the network; and</i></li> <li>• <i>managing the adverse effects of other activities on the network.</i></li> </ul>
<b>Policy 4</b>	<i>When considering the environmental effects of new transmission infrastructure or major upgrades of existing transmission infrastructure, decision-makers must have regard to the extent to which any adverse effects have been avoided, remedied or mitigated by the route, site and method selection.</i>
<b>Policy 5</b>	<i>When considering the environmental effects of transmission activities associated with transmission assets, decision-makers must enable the reasonable operational, maintenance and minor upgrade requirements of established electricity transmission assets.</i>
<b>Policy 6</b>	<i>Substantial upgrades of transmission infrastructure should be used as an opportunity to reduce existing adverse effects of transmission including such effects on sensitive activities where appropriate.</i>
<b>Policy 7</b>	<i>Planning and development of the transmission system should minimise adverse effects on urban amenity and avoid adverse effects on town centres and areas of high recreational value or amenity and existing sensitive activities.</i>
<b>Policy 8</b>	<i>In rural environments, planning and development of the transmission system should seek to avoid adverse effects on outstanding natural landscapes, areas of high natural character and areas of high recreation value and amenity and existing sensitive activities.</i>

#### 4.5.2 National Environmental Standards

In addition to the NPS there are nine National Environmental Standards (NES) currently in force:

- NES for Air Quality 2004
- NES for Sources of Human Drinking Water 2007
- NES for Electricity Transmission Activities 2009
- NES for Assessing and Managing Contaminants in Soil to Protect Human Health 2011
- NES for Telecommunication Facilities 2016
- NES for Plantation Forestry 2017
- NES for Freshwater 2020
- NES for Marine Aquaculture 2020
- NES for Storing Tyres Outdoors 2021

The following NES are considered relevant to this topic.

#### **NES for Electricity Transmission Activities 2009 (NES-ETA)**

The NES-ETA set out a national framework of permissions and consent requirements for activities on existing electricity transmission lines. Activities include the operation, maintenance and upgrading

of existing lines. They set out which transmission activities are permitted, subject to conditions to control the environmental effects.

The NES-ETA only apply to existing high voltage electricity transmission lines. They do not apply to the construction of new transmission lines or to substations. The NES do not apply to electricity distribution lines – these are the lines carrying electricity from regional substations to electricity users.

The most relevant objectives and policies are:

<b>NES-ETA</b>	
<p><b>Trimming, felling, and removing trees and vegetation</b></p> <p><b>Regulation 30</b></p>	<p><b>Permitted activities</b></p> <p>(1) <i>Trimming, felling, or removing any tree or vegetation, in relation to an existing transmission line, is a permitted activity if all of the applicable conditions in subclauses (2) to (6) are complied with.</i></p> <p><b>Conditions</b></p> <p>(2) <i>Any tree or vegetation must not be trimmed, felled, or removed if—</i></p> <p style="margin-left: 20px;">(a) <i>a rule prohibits or restricts its trimming, felling, or removal (as the case may be); or</i></p> <p style="margin-left: 20px;">(b) <i>it is in a natural area.</i></p> <p>(3) <i>Any tree or vegetation located on any land must not be felled or removed if a regional plan controls the use of the land for the purpose of—</i></p> <p style="margin-left: 20px;">(a) <i>soil conservation; or</i></p> <p style="margin-left: 20px;">(b) <i>avoiding or mitigating flooding.</i></p> <p>(4) <i>Any tree or vegetation must not be trimmed, felled, or removed if it is on land administered by the Department of Conservation under the Conservation Act 1987 or an Act specified in Schedule 1 of that Act.</i></p> <p>(5) <i>The felling or removal of any tree or vegetation must not create or contribute to—</i></p> <p style="margin-left: 20px;">(a) <i>instability of a slope or another land surface; or</i></p> <p style="margin-left: 20px;">(b) <i>erosion of the bed or bank of a water body or the coastal marine area.</i></p> <p>(6) <i>Debris resulting from the trimming, felling, or removal must not enter a water body or the coastal marine area.</i></p>
<p><b>Trimming, felling, and removing trees and vegetation</b></p> <p><b>Regulation 31</b></p>	<p><b>Controlled activities</b></p> <p>(1) <i>Trimming, felling, or removing any tree or vegetation, in relation to an existing transmission line, is a controlled activity if—</i></p> <p style="margin-left: 20px;">(a) <i>first, —</i></p> <p style="margin-left: 40px;">(i) <i>the condition in regulation 30(2) is breached because the tree or vegetation is in a natural area; but</i></p> <p style="margin-left: 40px;">(ii) <i>the trimming, felling, or removal is done to reduce the risk to a transmission line; and</i></p> <p style="margin-left: 20px;">(b) <i>second, all of the applicable conditions in regulation 30(3) to (6) are complied with.</i></p> <p><i>Matters over which control reserved</i></p>



<b>NES-ETA</b>	
	<p>(2) <i>Control is reserved over the following matters in relation to a controlled activity under this regulation:</i></p> <ul style="list-style-type: none"> <li>(a) <i>replanting; and</i></li> <li>(b) <i>disposal of trees and vegetation; and</i></li> <li>(c) <i>visual, landscape, and ecological effects.</i></li> </ul>
<p><b>Trimming, felling, and removing trees and vegetation</b></p> <p><b>Regulation 32</b></p>	<p><b>Restricted discretionary activities</b></p> <p>(1) <i>Trimming, felling, or removing any tree or vegetation, in relation to an existing transmission line, is a restricted discretionary activity if 1 or both of the following paragraphs apply:</i></p> <ul style="list-style-type: none"> <li>(a) <i>first, —</i> <ul style="list-style-type: none"> <li>(i) <i>the condition in regulation 30(2) is breached; and</i></li> <li>(ii) <i>it does not satisfy the exception in regulation 31(1)(a)(ii):</i></li> </ul> </li> <li>(b) <i>second, 1 or more of the conditions in regulation 30(3) to (6) are breached.</i></li> </ul> <p><i>Matters to which discretion restricted</i></p> <p>(2) <i>Discretion is restricted to the following matters in relation to a restricted discretionary activity under this regulation:</i></p> <ul style="list-style-type: none"> <li>(a) <i>replanting; and</i></li> <li>(b) <i>disposal of trees and vegetation; and</i></li> <li>(c) <i>control of erosion and sediment; and</i></li> <li>(d) <i>visual, landscape, and ecological effects; and</i></li> <li>(e) <i>the effects on drainage, flooding, and overland flow paths.</i></li> </ul>
<p><b>Earthworks</b></p> <p><b>Regulation 33</b></p>	<p><b>Permitted activities</b></p> <p>(1) <i>Earthworks relating to an existing transmission line are a permitted activity if all of the conditions in subclauses (2) to (9) are complied with.</i></p> <p><i>Conditions</i></p> <p>(2) <i>Earthworks in a natural area must not, in a calendar year, exceed—</i></p> <ul style="list-style-type: none"> <li>(a) <i>50m<sup>3</sup> per transmission line support structure; or</i></li> <li>(b) <i>100m<sup>3</sup> per access track.</i></li> </ul> <p>(3) <i>Erosion sediment control must be applied and maintained at the site of earthworks, during and after the earthworks, to avoid the adverse effects of sediment on water bodies and the coastal marine area.</i></p> <p>(4) <i>All areas of soil exposed by the earthworks must be stabilised against erosion as soon as practicable after the earthworks end to avoid the adverse effects of sediment on water bodies and the coastal marine area.</i></p> <p>(5) <i>The earthworks must not create or contribute to—</i></p> <ul style="list-style-type: none"> <li>(a) <i>instability or subsidence of a slope or another land surface; or</i></li> <li>(b) <i>erosion of the bed or bank of a water body or the coastal marine area; or</i></li> <li>(c) <i>drainage problems or flooding of overland flow paths.</i></li> </ul>

<b>NES-ETA</b>	
	<p>(6) <i>Soil or debris from the earthworks must not be placed where it can enter a water body or the coastal marine area.</i></p> <p>(7) <i>Earthworks must not be carried out on the bed of a lake or river or in the coastal marine area.</i></p> <p>(8) <i>Earthworks must not be carried out in a historic heritage area unless they are carried out on an archaeological site in accordance with the Heritage New Zealand Pouhere Taonga Act 2014.</i></p> <p>(9) <i>Earthworks must not be carried out on land that a local authority has identified as containing, or possibly containing, contaminants that pose a risk to the environment.</i></p>
<p><b>Earthworks</b></p> <p><b>Regulation 34</b></p>	<p><b>Controlled activities</b></p> <p>(1) <i>Earthworks relating to an existing transmission line are a controlled activity if—</i></p> <p style="padding-left: 20px;">(a) <i>1 or more of the conditions in regulation 33(2) to (7) are breached; but</i></p> <p style="padding-left: 20px;">(b) <i>both of the conditions in regulation 33(8) and (9) are complied with.</i></p> <p><i>Matters over which control reserved</i></p> <p>(2) <i>Control is reserved over the following matters in relation to a controlled activity under this regulation:</i></p> <p style="padding-left: 20px;">(a) <i>the extent and nature of any disturbance; and</i></p> <p style="padding-left: 20px;">(b) <i>management of the earthworks and the methods used to carry out the earthworks; and</i></p> <p style="padding-left: 20px;">(c) <i>control of erosion and sediment and restoration of the land; and</i></p> <p style="padding-left: 20px;">(d) <i>visual, landscape, and ecological effects; and</i></p> <p style="padding-left: 20px;">(e) <i>the effects on historic heritage; and</i></p> <p style="padding-left: 20px;">(f) <i>the effects on drainage, flooding, and overland flow paths.</i></p>
<p><b>Interpretation</b></p>	<p><b>natural area</b> <i>means an area that is protected by a rule because it has outstanding natural features or landscapes, significant indigenous vegetation, or significant habitats of indigenous fauna</i></p>

### **NES for Telecommunication Facilities 2016 (NES-TF)**

The NES-TF aims to provide national consistency in the rules surrounding the deployment of telecommunications infrastructure across New Zealand while ensuring the effects on the environment are minimised and managed appropriately. The most relevant objectives and policies are:

<b>NES-TF</b>	
<p><b>Regulation 51</b></p>	<p><b>Places adjoining coastal marine area</b></p> <p>(1) <i>This regulation applies to a regulated activity if it is carried out at a place identified in the relevant district plan or proposed district plan as being subject to coastal protection rules.</i></p> <p>(2) <i>This regulation is complied with if the regulated activity is carried out in accordance with the coastal protection rules that apply to that place.</i></p>

<b>NES-TF</b>	
	(3) <i>In this regulation, coastal protection rules means district rules that regulate the carrying out of activities in places adjoining the coastal marine area for the purpose of protecting the coastal marine area.</i>
<b>Regulation 52</b>	<p><b>Rivers and lakes</b></p> <p>(1) <i>This regulation applies to a regulated activity if it is carried out over a river or lake (as referred to in regulation 8(2)).</i></p> <p>(2) <i>This regulation is complied with if the regulated activity is carried out in accordance with any applicable regional rules about carrying out that activity over the river or lake.</i></p>
<b>Regulation 56</b>	<p><b>District and regional rules may be more stringent</b></p> <p><i>For the purposes of sections 43B and 44A of the Act, the district and regional rules referred to in regulations 25 and 44 to 54 may be more stringent than the standards imposed by the rest of these regulations.</i></p>

### **NES for Plantation Forestry 2017 (NES-PF)**

The NES-PF provides a consistent set of regulations for plantation forestry activities. It provides for 8 core plantation forestry activities subject to conditions to manage potential effects on the environment.

The most relevant objectives and policies are:

<b>NES-PF</b>	
<b>Regulation 6</b>	<p><i>Plan rules may be more stringent than these regulations</i></p> <p>(1) <i>A rule in a plan may be more stringent than these regulations if the rule gives effect to—</i></p> <p style="padding-left: 40px;">(a) <i>an objective developed to give effect to the National Policy Statement for Freshwater Management;</i></p> <p style="padding-left: 40px;">(b) <i>any of policies 11, 13, 15, and 22 of the New Zealand Coastal Policy Statement 2010.</i></p>
<b>Regulation 12</b>	<p><i>Permitted activity condition: significant natural areas and outstanding features and landscapes</i></p> <p><i>Afforestation must not occur within a significant natural area or an outstanding natural feature or landscape.</i></p>
<b>Regulation 13</b>	<p><i>Permitted activity condition: visual amenity landscapes</i></p> <p><i>Afforestation must not occur within a visual amenity landscape if rules in the relevant plan restrict plantation forestry activities within that landscape.</i></p>
<b>Regulation 14</b>	<p><i>Permitted activity condition: setbacks</i></p> <p><i>Territorial authority</i></p> <p>(1) <i>Afforestation must not occur—</i></p> <p style="padding-left: 40px;">(a) <i>within 10m of the boundary of an adjoining property that is not owned by the owner of the plantation forest or the land it is located on (unless that adjoining property is also plantation forest); or</i></p>

NES-PF	
	<p>(b) <i>except in the case of a dwelling located on the same property as the proposed plantation forestry to be afforested, within the greater of—</i></p> <p>(i) <i>40m of a dwelling; and</i></p> <p>(ii) <i>a distance where the forest species when fully grown would shade a dwelling between 10am and 2pm on the shortest day of the year, except where topography already causes shading; or</i></p> <p>(c) <i>within 30m of the boundary of land zoned in a district plan as a papakāinga or an urban area; or</i></p> <p>(d) <i>within 10m of a significant natural area.</i></p> <p>(2) <i>Afforestation must not occur where a plantation forest tree, when fully grown, could shade a paved public road between 10am and 2pm on the shortest day of the year, except where the topography already causes shading.</i></p>
<b>Regulation 15</b>	<p><i>Controlled activity</i></p> <p><i>Territorial authority</i></p> <p>(3) <i>Afforestation is a controlled activity if regulation 13 is not complied with.</i></p> <p>(4) <i>For the purpose of subclause (3), control is reserved over the effects on the visual amenity values of the visual amenity landscape, including any future effects from plantation forestry activities.</i></p>
<b>Regulation 16</b>	<p><i>Restricted discretionary activity</i></p> <p><i>Territorial authority</i></p> <p>(1) <i>Afforestation is a restricted discretionary activity if regulation 11, 12, or 14(1) or (2) is not complied with.</i></p> <p><i>Relevant local authority for afforestation within significant natural area or outstanding natural feature or landscape</i></p> <p>(3) <i>If the land proposed for afforestation is within a significant natural area or an outstanding natural feature or landscape, a resource consent for the activity is required from the local authority that has identified that area, feature, or landscape within its plan or policy statement.</i></p>
<b>Regulation 17</b>	<p><i>Matters to which discretion is restricted</i></p> <p><i>Territorial authority and regional council</i></p> <p>(1) <i>If afforestation is a restricted discretionary activity under regulation 16(1) or (2)(a) for failing to comply with regulation 11 or 12, discretion is restricted to—</i></p> <p>(a) <i>the level of wilding tree risk:</i></p> <p>(b) <i>the mitigation proposed to restrict wilding conifer spread, including the species to be planted:</i></p> <p>(c) <i>the effects on the values of the significant natural area or outstanding natural feature or landscape:</i></p> <p>(d) <i>the information and monitoring requirements.</i></p> <p><i>Territorial authority</i></p>

<b>NES-PF</b>	
	<p>(2) <i>If afforestation is a restricted discretionary activity under regulation 16(1) for failing to comply with regulation 14(1) or (2), discretion is restricted to—</i></p> <p>(a) <i>the effects on adjacent landowners, dwellings, land zoned in a district plan as a papakāinga, and urban areas:</i></p> <p>(b) <i>the effects of shading, including icing on a paved public road:</i></p> <p>(c) <i>the effects on the values of the significant natural area:</i></p> <p>(d) <i>the information and monitoring requirements.</i></p>
<b>Regulation 23</b>	<p><i>Permitted activity: territorial authority</i></p> <p><i>Earthworks are a permitted activity.</i></p>
<b>Regulation 29</b>	<p><i>Permitted activity conditions: setbacks</i></p> <p>(1) <i>Earthworks must not occur within 10 m of—</i></p> <p>(a) <i>a perennial river; or</i></p> <p>(b) <i>wetlands larger than 0.25ha; or</i></p> <p>(c) <i>lakes larger than 0.25ha; or</i></p> <p>(d) <i>an outstanding freshwater body; or</i></p> <p>(e) <i>a water body subject to a water conservation order.</i></p> <p>(2) <i>Earthworks must not occur within 30m of the coastal marine area.</i></p> <p>(3) <i>The setbacks in subclause (1) do not apply—</i></p> <p>(a) <i>if the earthworks are for the construction and maintenance of a river crossing, a sediment or water control measure, or a slash trap or debris retention structure; or</i></p> <p>(b) <i>if the earthworks within the setback will result in less than 100m<sup>2</sup> of soil disturbance in any 3-month period, and are not within 5 m of the water body; or</i></p> <p>(c) <i>during the maintenance and upgrade of existing earthworks.</i></p>
<b>Regulation 77</b>	<p><i>Permitted activity</i></p> <p><i>Territorial authority</i></p> <p>(1) <i>Replanting is a permitted activity if regulations 78(1) and 79 are complied with.</i></p>
<b>Regulation 78</b>	<p><i>Permitted activity conditions: setbacks</i></p> <p><i>Territorial authority</i></p> <p>(1) <i>Replanting must not occur in any area closer than the stump line to an adjacent significant natural area.</i></p>
<b>Regulation 81</b>	<p><i>Restricted discretionary activity</i></p> <p><i>Restricted discretionary activity: territorial authority</i></p> <p>(1) <i>Replanting is a restricted discretionary activity if regulation 78(1) or 79 is not complied with.</i></p>
<b>Regulation 93</b>	<p><i>Permitted activity: territorial authority</i></p>

<b>NES-PF</b>	
	<p>(1) <i>Vegetation clearance of indigenous vegetation associated with a plantation forestry activity is a permitted activity if subclause (2) or (3) is complied with and the clearance does not occur within a significant natural area, except that a clearance of a forestry track described in subclause (2)(d) may occur in a significant natural area.</i></p> <p>(2) <i>Vegetation clearance of indigenous vegetation may occur within an area of a plantation forest if the indigenous vegetation—</i></p> <ul style="list-style-type: none"> <li>(a) <i>has grown up under (or may have overtopped) plantation forestry; or</i></li> <li>(b) <i>is within an area of a failed plantation forest that failed in the last rotation period (afforestation to replanting) of the plantation forestry; or</i></li> <li>(c) <i>is within an area of plantation forest that has been harvested within the previous 5 years; or</i></li> <li>(d) <i>is overgrowing a forestry track, if the track has been used within the last 50 years.</i></li> </ul> <p>(3) <i>Vegetation clearance of an area of indigenous vegetation located within or adjacent to a plantation forest may be carried out if—</i></p> <ul style="list-style-type: none"> <li>(a) <i>the area of indigenous vegetation and the plantation forest are held in the same ownership; and</i></li> <li>(b) <i>the cumulative clearance does not exceed 1ha or 1.5% (whichever is the greater) of the total area of indigenous vegetation within or adjacent to the plantation forest in which the clearance is proposed, but excluding any vegetation clearance under subclause (2).</i></li> </ul> <p>(4) <i>Incidental damage is a permitted activity and may occur in an area that is within or adjacent to any plantation forest, including a riparian zone.</i></p> <p>(5) <i>In this regulation, incidental damage means—</i></p> <ul style="list-style-type: none"> <li>(a) <i>damage where the ecosystem will recover to a state where, within 36 months of the damage occurring, it will be predominantly of the composition previously found at that location; or</i></li> <li>(b) <i>damage to indigenous vegetation canopy trees that are greater than 15 m in height, where the damage does not exceed—</i> <ul style="list-style-type: none"> <li>(i) <i>30% of the crown of any indigenous vegetation canopy trees and no more than 30% of those trees per 100m of the indigenous vegetation perimeter length; or</i></li> <li>(ii) <i>10 m in continuous length per 100m of a riparian zone length (with the applicable riparian zone width); or</i></li> </ul> </li> <li>(c) <i>if it occurs in a significant natural area, damage that—</i> <ul style="list-style-type: none"> <li>(i) <i>does not significantly affect the values of that significant natural area; and</i></li> <li>(ii) <i>allows the ecosystem to recover as specified in paragraph (a).</i></li> </ul> </li> </ul>
<b>Regulation 94</b>	<p><i>Restricted discretionary activity: territorial authority</i></p> <p>(1) <i>The vegetation clearance of indigenous vegetation is a restricted discretionary activity if regulation 93(2), (3), or (4) is not complied with.</i></p>

<b>NES-PF</b>	
	<p><i>Matters to which discretion is restricted</i></p> <p>(2) <i>Discretion is restricted to—</i></p> <p>(a) <i>the location of the activity;</i></p> <p>(b) <i>the ecological effects due to—</i></p> <p>(i) <i>the ecological significance of the indigenous vegetation; or</i></p> <p>(ii) <i>the location and extent of indigenous vegetation removal; or</i></p> <p>(iii) <i>the functioning of remaining indigenous vegetation, including edge effects and retention of corridors;</i></p> <p>(c) <i>the mitigation measures proposed;</i></p> <p>(d) <i>alternatives to clearance and disturbance of indigenous vegetation;</i></p> <p>(e) <i>the information and monitoring requirements.</i></p>
<b>Regulation 95</b>	<p><i>Permitted activity</i></p> <p><i>Territorial authority and regional council</i></p> <p>(1) <i>Vegetation clearance of non-indigenous vegetation associated with a plantation forestry activity is a permitted activity if all permitted activity conditions are met for the associated plantation forestry activity.</i></p> <p><i>General: activity status, matters of control or discretion, and local authority</i></p> <p>(2) <i>If vegetation clearance of non-indigenous vegetation does not comply with subclause (1), it has the activity status that applies to the associated plantation forestry activity.</i></p> <p>(3) <i>The matters of control or discretion are those that apply to the associated plantation forestry activity, and consent is required from the local authority that has functions in relation to the associated plantation forestry activity.</i></p>
<b>Interpretation</b>	<p><i>Afforestation</i></p> <p>(a) <i>means planting and growing plantation forestry trees on land where there is no plantation forestry and where plantation forestry harvesting has not occurred within the last 5 years; but</i></p> <p>(b) <i>does not include vegetation clearance from the land before planting</i></p>
<b>Interpretation</b>	<p><i>Harvesting</i></p> <p>(a) <i>means felling trees, extracting trees, thinning tree stems and extraction for sale or use (production thinning), processing trees into logs, or loading logs onto trucks for delivery to processing plants; but</i></p> <p>(b) <i>does not include—</i></p> <p>(i) <i>milling activities or processing of timber; or</i></p>
<b>Interpretation</b>	<p><i>Riparian zone</i></p> <p><i>means that margin and bank of a water body, including the area where direct interaction occurs between land and water systems, that is important for the management of water quality and ecological values</i></p>
<b>Interpretation</b>	<p><i>Vegetation clearance</i></p>

NES-PF	
	(a) means the disturbance, cutting, burning, clearing, damaging, destruction, or removal of vegetation that is not a plantation forest tree; but
	(b) does not include any activity undertaken in relation to a plantation forest tree

### NES for Freshwater 2020 (NES-FW)

The Freshwater NES regulate activities that pose risks to the health of freshwater and freshwater ecosystems. Anyone carrying out these activities will need to comply with the standards. The NES-FW only deal with functions of regional councils.

While the regulations do not deal with the functions of territorial authorities under the Act, it is important to ensure that the proposed provisions are not inconsistent with the NES-FW.

#### 4.5.3 National Planning Standards

The National Planning Standards require that if the district has a coastline, a Coastal Environment chapter must be provided. The Coastal Environment (CE) chapter must be located in Part 2 – District-Wide Matters of the District Plan and must:

- set out the approach to managing the coastal environment and giving effect to the NZCPS;
- set out provisions for implementing the local authorities functions and duties in relation to the coastal environment, including coastal hazards; and
- provide cross-references to any other specific coastal provisions that may be located within other chapters.

Topic & unique identifier	Location in DP structure	Elements included under that topic	Elements addressed under other topic areas
<b>Coastal Environment</b> <b>CE</b>	Part 2 - District-wide Matters  General district-wide matters	Approach to managing the coastal environment and giving effect to the NZCPS  Provisions for implementing the local authorities functions and duties in relation to the coastal environment, including coastal hazards  Cross-references to any other specific coastal provisions that may be located within other chapters.	Provisions relating to Infrastructure in the coastal environment are located in the INF-CE chapter.  Provisions relating to Renewable Electricity Generation in the coastal environment are located in the REG chapter.  Provisions relating to Significant Natural Areas in the coastal environment are located in the ECO chapter.  Provisions relating to Outstanding Natural Features and Landscapes, Special Amenity Landscapes and Ridgelines and Hilltops in the coastal



Topic & unique identifier	Location in DP structure	Elements included under that topic	Elements addressed under other topic areas
			<p>environment are located in the NFL chapter.</p> <p>Provisions relating to Subdivision in the coastal environment are located in the SUB chapter.</p> <p>Provisions relating to Earthworks in the coastal environment are located in the EW chapter.</p>

## 4.6 National Guidance Documents

The following national guidance documents are considered relevant to this topic:

Document	Relevant provisions
<b>NZCPS Guidance Notes (DoC, ongoing)</b>	<p><i>This document summarises the key objectives and policies of the NZCPS and provides guidance for local authorities, and other users, on how to apply the NZCPS. The following guidance notes are of particular relevance:</i></p> <ul style="list-style-type: none"> <li><i>NZCPS 2010 Guidance Note Policy 1: Extent and characteristics of the coastal environment</i></li> <li><i>NZCPS 2010 Guidance Note Policy 6: Activities in the coastal environment</i></li> <li><i>NZCPS 2010 Guidance Note Policy 9: Ports</i></li> <li><i>NZCPS 2010 Guidance Note Policy 11: Indigenous biological diversity</i></li> <li><i>NZCPS 2010 Guidance Note Policy 13: Preservation of natural character</i></li> <li><i>NZCPS 2010 Guidance Note Policy 14: Restoration of natural character</i></li> <li><i>NZCPS 2010 Guidance Note Policy 15: Natural features and natural landscapes</i></li> <li><i>NZCPS 2010 Guidance Note Policy 24 to 27: Coastal Hazards</i></li> </ul>
<b>Preparing for Coastal Change (MfE, 2017).</b>	<p>This document provides guidance to assist local government in assessing, planning for and managing the increased risk from climate change on coastal communities. It sets out the adaptive planning approach to managing hazards.</p>

## 4.7 Regional Policy and Plans

### Regional Policy Statement for the Wellington Region 2013 (RPS)

The table below identifies the relevant provisions and resource management topics for the coastal environment contained in the RPS.

<b>RPS</b>	
<b>Section 3.2 Coastal Environment (including public access)</b>	
<b>Objective 3</b>	<i>Habitats and features in the coastal environment that have significant indigenous biodiversity values are protected; and</i>

<b>RPS</b>	
	<i>Habitats and features in the coastal environment that have recreational, cultural, historical or landscape values that are significant are protected from inappropriate subdivision, use and development.</i>
<b>Objective 4</b>	<i>The natural character of the coastal environment is protected from the adverse effects of inappropriate subdivision, use and development.</i>
<b>Objective 5</b>	<i>Areas of the Coastal Environment where natural character has been degraded are restored and rehabilitated.</i>
<b>Objective 6</b>	<i>The quality of coastal waters is maintained or enhanced to a level that is suitable for the health and vitality of coastal and marine ecosystems.</i>
<b>Objective 7</b>	<i>The integrity, functioning and resilience of physical and ecological processes in the Coastal Environment are protected from the adverse effects of inappropriate subdivision, use and development.</i>
<b>Objective 8</b>	<i>Public access to and along the coastal marine area, lakes and rivers is enhanced.</i>
<b>Policy 3</b> <b>Protecting high natural character in the coastal environment</b> <b>M</b>	<p><i>District and regional plans shall include policies, rules and/or methods to protect high natural character in the coastal environment from inappropriate subdivision, development and/or use. Natural character should be assessed considering the following matters, with a site determined as having high natural character when the landscape is slightly modified or unmodified, the land-cover is dominated by indigenous vegetation and/or the vegetation cover is natural and there are no apparent buildings, structures or infrastructure:</i></p> <p><i>(a) The extent to which natural elements, patterns and processes occur, including:</i></p> <ul style="list-style-type: none"> <li><i>(i) natural elements: the products of natural processes – such as landforms, water forms, vegetation and land cover;</i></li> <li><i>(ii) natural processes: the ecological, climatic and geophysical processes that underlie the expression and character of the place, site or area;</i></li> <li><i>(iii) natural patterns: the visual expression or spatial distribution of natural elements which are, or which appear to be, a product of natural processes; and/or</i></li> <li><i>(iv) surroundings: the setting or context, such that the place, site or area contributes to an understanding of the natural history of the wider area.</i></li> </ul> <p><i>(b) The nature and extent of modifications to the place, site or area, including, but not limited to:</i></p> <ul style="list-style-type: none"> <li><i>(i) physical alterations by people to the landscape, its landforms, waterforms, vegetation, land cover and to the natural patterns associated with these elements;</i></li> <li><i>(ii) the presence, location, scale and density of buildings and structures, including infrastructure, whether appearing to be interconnected or isolated, and the degree of intrusiveness of these structures on the natural character of the place;</i></li> <li><i>(iii) the temporal character of the modification – such as, whether it is fleeting or temporary, transitory, transitional or a permanent alteration to the character of the place, site or area; and/or</i></li> <li><i>(iv) any existing influences or pressures on the dynamic ecological and geophysical processes contributing to the presence and patterns of natural elements, such</i></li> </ul>

RPS	
	<p><i>that these may change and the natural elements and/or patterns may become threatened over time.</i></p> <p>(c) <i>Social values: the place, site or area has meaning for a particular community or communities, including:</i></p> <p>(i) <i>sentimental: the natural character of a place, site or area has a strong or special association with a particular community; and/or</i></p> <p>(ii) <i>recognition: the place, site or area is held in high public esteem for its natural character value, or its contribution to the sense of identity of a particular community.</i></p>
<p><b>Policy 4</b> <b>Identifying the landward extent of the coastal environment</b></p> <p><b>M</b></p>	<p><i>District plans shall include policies and/or rules to identify the landward extent of the coastal environment using the following criteria:</i></p> <p>(a) <i>area or landform dominated by coastal vegetation or habitat;</i></p> <p>(b) <i>any landform affected by active coastal processes, excluding tsunami;</i></p> <p>(c) <i>any landscapes or features, including coastal escarpments, that contribute to the natural character, visual quality or amenity value of the coast; and</i></p> <p>(d) <i>any site, structure, place or area of historic heritage value adjacent to, or connected with, the coastal marine area, which derives its heritage value from a coastal location.</i></p>
<p><b>Policy 35</b> <b>Preserving the natural character of the Coastal Environment</b></p> <p><b>R</b></p>	<p><i>When considering an application for a resource consent, notice of requirement, or a change, variation or review of a district or regional plan, particular regard shall be given to preserving the natural character of the coastal environment by:</i></p> <p>(a) <i>minimising any adverse effects from point source and non-point source discharges, so that aquatic ecosystem health is safeguarded;</i></p> <p>(b) <i>protecting the values associated with estuaries and bays, beaches and dune systems, including the unique physical processes that occur within and between them from inappropriate subdivision, use and development, so that healthy ecosystems are maintained;</i></p> <p>(c) <i>maintaining or enhancing amenity – such as, open space and scenic values – and opportunities for recreation and the enjoyment of the coast by the public;</i></p> <p>(d) <i>minimising any significant adverse effects from use and enjoyment of the coast by the public;</i></p> <p>(e) <i>safeguarding the life supporting capacity of coastal and marine ecosystems;</i></p> <p>(f) <i>maintaining or enhancing biodiversity and the functioning of ecosystems; and</i></p> <p>(g) <i>protecting scientific and geological features from inappropriate subdivision, use and development.</i></p>
<p><b>Policy 36</b> <b>Managing effects on natural character in the coastal environment</b></p>	<p><i>When considering an application for a resource consent, notice of requirement or a change, variation or review of a district or regional plan, a determination shall be made as to whether an activity may affect natural character in the coastal environment, and in determining whether an activity is inappropriate particular regard shall be given to:</i></p> <p>(a) <i>the nature and intensity of the proposed activity including:</i></p> <p>(i) <i>the functional need or operational requirement to locate within the coastal environment</i></p>

RPS	
<b>R</b>	<p>(ii) the opportunity to mitigate anticipated adverse effects of the activity</p> <p>(b) the degree to which the natural character will be modified, damaged or destroyed including:</p> <p>(i) the duration and frequency of any effect, and/or</p> <p>(ii) the magnitude or scale of any effect;</p> <p>(iii) the irreversibility of adverse effects on natural character values;</p> <p>(iv) whether the activity will lead to cumulative adverse effects on the natural character of the site/area.</p> <p>(c) the resilience of the site or area to change;</p> <p>(d) the opportunities to remedy or mitigate previous damage to the natural character;</p> <p>(e) the existing land uses on the site.</p>
<b>Policy 37 Safeguarding life supporting capacity of coastal ecosystems  R</b>	<p>When considering an application for a resource consent, notice of requirement, or a change, variation or review of a district or regional plan, particular regard shall be given to safeguarding the life-supporting capacity of coastal and marine ecosystems by maintaining or enhancing:</p> <p>(a) any area within the intertidal or subtidal zone that contains unique, rare, distinctive or representative marine life or habitats;</p> <p>(b) areas used by marine mammals as breeding, feeding or haul out sites;</p> <p>(c) habitats in the coastal environment that are important during the vulnerable life stages of indigenous species;</p> <p>(d) habitats, corridors and routes important for preserving the range, abundance, and diversity of indigenous and migratory species;</p> <p>(e) any area that contain indigenous coastal ecosystems and habitats that are particularly vulnerable to modification – such as, estuaries, lagoons, coastal wetlands, dunelands, rocky reef systems and salt marshes; and</p> <p>(f) the integrity, functioning and resilience of physical and ecological processes.</p>
<b>Policy 38 Identifying the landward extent of the coastal environment  R</b>	<p>When considering an application for a resource consent, notice of requirement, or a change, variation or review of a District Plan, particular regard shall be given to whether the proposal is within the Coastal Environment using the following criteria:</p> <p>(a) any area or landform dominated by coastal vegetation or habitat;</p> <p>(b) any landform affected by active coastal processes, excluding tsunami;</p> <p>(c) any landscapes or features, including coastal escarpments, that contribute to the natural character, visual quality or amenity value of the coast; and</p> <p>(d) any site, structure, place or area of historic heritage value adjacent to, or connected with, the coastal marine area, which derives its heritage value from a coastal location</p>
<b>Policy 53 Public access to and along the coastal marine</b>	<p>When considering an application for a subdivision consent, or a coastal or land use consent on public land, or a change, variation or review of a district plan to address subdivision or rezoning, particular regard shall be given to enhancing public access to, and along:</p>

<b>RPS</b>	
<p><b>area, lakes and rivers</b></p> <p><b>R</b></p>	<p>(a) areas of the coastal marine area, and lakes and rivers with:</p> <p>(i) places, sites and areas with significant historic heritage values identified in accordance with policy 21;</p> <p>(ii) areas of indigenous ecosystems and habitats, and areas with significant indigenous biodiversity values identified in accordance with policy 23;</p> <p>(iii) outstanding natural features and landscapes identified in accordance with policy 25;</p> <p>(iv) special amenity landscapes identified in accordance with policy 27;</p> <p>(v) places, sites and areas with high natural character identified in accordance with policy 36; and</p> <p>(vi) the rivers and lakes identified in Table 15 of Appendix 1;</p> <p>(b) Wellington Harbour and Porirua (Onepoto Arm and Pāuatahanui Inlet) Harbour;</p> <p>Except where there is a need to protect:</p> <p>(c) sensitive indigenous habitats of species;</p> <p>(d) the health or safety of people;</p> <p>(e) sensitive cultural and historic heritage values; and/or</p> <p>(f) the integrity and security of regionally significant infrastructure.</p>
<p><b>Policy 64 Supporting a whole of catchment approach</b></p> <p><b>NR</b></p>	<p>Take a whole of catchment approach that recognises the inter-relationship between land and water, and support environmental enhancement initiatives to restore and enhance:</p> <p>(a) coastal features, ecosystems and habitats;</p> <p>(b) aquatic ecosystems and habitats; and</p> <p>(c) indigenous ecosystems and habitats.</p>
<b>Section 3.4 Fresh water (including public access)</b>	
<p><b>Objective 13</b></p>	<p>The region's rivers, lakes and wetlands support healthy functioning ecosystems.</p>
<p><b>Policy 15 Minimising the effects of earthworks and vegetation clearance</b></p> <p><b>M</b></p>	<p>Regional and district plans shall include policies, rules and/or methods that control earthworks and vegetation disturbance to minimise:</p> <p>(a) erosion; and</p> <p>(b) silt and sediment runoff into water, or onto land that may enter water, so that aquatic ecosystem health is safeguarded.</p>
<p><b>Policy 41 Minimising the effects of earthworks and vegetation disturbance</b></p> <p><b>R</b></p>	<p>When considering an application for a resource consent, notice of requirement, or a change, variation or review of a regional or district plan, particular regard shall be given to controlling earthworks and vegetation disturbance to minimise:</p> <p>(a) erosion; and</p> <p>(b) silt and sediment runoff into water, or onto or into land that may enter water, so that healthy aquatic ecosystems are sustained.</p>

<b>RPS</b>	
<p><b>Policy 43</b> <b>Protecting aquatic ecological function of water bodies</b></p> <p><b>R</b></p>	<p><i>When considering an application for a resource consent, notice of requirement, or a change, variation or review of a district or regional plan, particular regard shall be given to:</i></p> <ul style="list-style-type: none"> <li><i>(a) maintaining or enhancing the functioning of ecosystems in the water body;</i></li> <li><i>(b) maintaining or enhancing the ecological functions of riparian margins;</i></li> <li><i>(c) minimising the effect of the proposal on groundwater recharge areas that are connected to surface water bodies;</i></li> <li><i>(d) maintaining or enhancing the amenity and recreational values of rivers and lakes, including those with significant values listed in Table 15 of Appendix 1;</i></li> <li><i>(e) protecting the significant indigenous ecosystems and habitats with significant indigenous biodiversity values of rivers and lakes, including those listed in Table 16 of Appendix 1;</i></li> <li><i>(f) maintaining natural flow regimes required to support aquatic ecosystem health;</i></li> <li><i>(g) maintaining fish passage;</i></li> <li><i>(h) protecting and reinstating riparian habitat, in particular riparian habitat that is important for fish spawning;</i></li> <li><i>(i) discouraging stock access to rivers, lakes and wetlands; and</i></li> <li><i>(j) discouraging the removal or destruction of indigenous wetland plants in wetlands.</i></li> </ul>
<b>Section 3.8 Natural Hazards</b>	
<p><b>Objective 19</b></p>	<p><i>The risks and consequences to people, communities, their businesses, property and infrastructure from natural hazards and climate change effects are reduced.</i></p>
<p><b>Policy 29</b> <b>Avoiding inappropriate subdivision and development in areas at high risk from natural hazards</b></p> <p><b>M</b></p>	<p><i>Regional and district plans shall:</i></p> <ul style="list-style-type: none"> <li><i>(a) identify areas at high risk from natural hazards; and</i></li> <li><i>(b) include polices and rules to avoid inappropriate subdivision and development in those areas.</i></li> </ul>
<b>Section 3.10 Resource management with tangata whenua</b>	
<p><b>Objective 27</b></p>	<p><i>Mahinga kai and natural resources used for customary purposes, are maintained and enhanced, and these resources are healthy and accessible to tangata whenua.</i></p>
<p><b>Policy 49</b> <b>Recognising and providing for matters of significance to tangata whenua</b></p> <p><b>R</b></p>	<p><i>When preparing a change, variation or review of a district or regional plan, the following matters shall be recognised and provided for:</i></p> <ul style="list-style-type: none"> <li><i>(a) the exercise of kaitiakitanga;</i></li> <li><i>(b) mauri, particularly in relation to fresh and coastal waters;</i></li> <li><i>(c) mahinga kai and areas of natural resources used for customary purposes; and</i></li> <li><i>(d) places, sites and areas with significant spiritual or cultural historic heritage value to tangata whenua.</i></li> </ul>

M = policies which must be implemented in accordance with stated methods in the RPS

R = policies to which particular regard must be had when varying a district plan

NR = policies that outline non-regulatory actions to help achieve the objectives of the RPS

Section 3.8 Natural Hazards has been included for completeness, however the evaluation of proposed provisions relating to coastal hazard is contained in the s32 for natural hazards.

## Regional Plans

There are currently five operative regional plans and one proposed regional plan for the Wellington region:

- Regional Freshwater Plan for the Wellington Region, 1999
- Regional Coastal Plan for the Wellington Region, 2000
- Regional Air Quality Management Plan for the Wellington Region, 2000
- Regional Soil Plan for the Wellington Region, 2000
- Regional Plan for discharges to the land, 1999
- Proposed Natural Resources Plan, appeals version 2021

The proposed Natural Resources Plan (PNRP) is now largely operative and replaces the five operative regional plans with the exception of those provisions of the PNRP that are subject to appeal.

There are no relevant provisions in the Regional Air Quality Management Plan, the Regional Soil Plan and the Regional Plan for Discharges to Land.

### Regional Coastal Plan for the Wellington Region, 2000

The Regional Coastal Plan applies to activities and uses of resources within the coastal marine area that are covered under the Resource Management Act 1991. The relevant provisions for the coastal environment are as follows:

Regional Coastal Plan	
Section	Relevant matters
<b>Objective 4.1.6 Environmental</b>	<i>Important ecosystems and other natural and physical resources in and adjacent to the coastal marine area are protected from inappropriate use and development.</i>
<b>Objective 4.1.8 Environmental</b>	<i>Public access along and within the coastal marine area is maintained and enhanced.</i>
<b>Objective 4.1.20 Management</b>	<i>In promoting the sustainable management of the coastal marine area, appropriate recognition is given to integrating management of land, water and air, both within the coastal marine area and across the line of mean high water springs.</i>
<b>Objective 4.1.25 Management</b>	<i>Activities which span the line of mean high water springs are managed in accordance with the provisions of both this Plan and any requirements in the relevant district plan.</i>
<b>Policy 4.2.2 Environmental</b>	<i>To recognise and distinguish between those parts of the coastal marine area which retain natural character, and those areas where natural character has already been compromised, and to encourage appropriate new developments only in the latter areas.</i>
<b>Policy 4.2.10 Environmental</b>	<i>To protect sensitive, rare, or unusual:</i> <ul style="list-style-type: none"> <li>• <i>habitats;</i></li> </ul>

	<ul style="list-style-type: none"> <li>• <i>natural and physical resources; and</i></li> <li>• <i>ecosystems</i></li> </ul> <p><i>from the adverse effects of use and development. In particular, the values of the areas identified by this Plan either as an Area of Significant Conservation Value or an Area of Important Conservation Value shall be protected.</i></p>
<b>Policy 4.2.15</b>	<i>Subject to Policy 4.2.17, to ensure that the adverse effects of new use and development on existing lawful access along and within the coastal marine area are avoided where practicable; where avoidance is not practicable, to ensure that the adverse effects are mitigated or remedied so that there is no net reduction of the quality of public access in the area.</i>
<b>Policy 4.2.16</b>	<i>Subject to Policy 4.2.17, to support any initiatives which might arise to improve public access along and within the coastal marine area, and to take appropriate opportunities arising from new use and development to improve public access, particularly in those places where it has been identified as desirable to enhance public access.</i>
<b>Policy 4.2.17</b>	<i>To recognise that there are circumstances when public access along the coastal marine area is not appropriate; and other circumstances where it is not practicable because of the nature of the coastline.</i>
<b>Policy 4.2.20 Environmental</b>	<i>To recognise the importance of the coastal environment to recreation activities, and to avoid, where practicable, any adverse effects on these values; where avoidance is not practicable, to remedy, or mitigate the adverse effects.</i>
<b>Policy 4.2.26</b>	<i>In those situations where tangata whenua with mana whenua or mana moana consider that unrestricted public access is having adverse effects on characteristics of special spiritual, historical or cultural significance, to investigate jointly with the tangata whenua whether it is possible and appropriate to restrict public access to the characteristic, and the degree of restriction required.</i>
<b>Policy 4.2.42 Management</b>	<i>To have particular regard to the objectives and policies in relevant district plan(s) when assessing an application for an activity which spans the coastal marine area boundary; and where appropriate, to deal with such applications through joint hearings.</i>

## **Regional Freshwater Plan for the Wellington Region, 1999**

The Regional Freshwater Plan applies to all types of activities that use freshwater or that are in the beds of rivers and lakes. The following provisions are of limited relevance:

<b>Regional Freshwater Plan</b>	
<b>Section</b>	<b>Relevant matters</b>
<b>Objective 4.1.4 Natural values</b>	<i>The natural character of wetlands, and lakes and rivers and their margins, is preserved and protected from inappropriate subdivision, use and development.</i>
<b>Objective 4.1.5 Natural Values</b>	<i>The life-supporting capacity of water and aquatic ecosystems is safeguarded from the adverse effects of any subdivision, use and development.</i>
<b>Objective 4.1.7 Amenity values and access</b>	<i>The amenity and recreational values of wetlands, lakes, and rivers are maintained and, where appropriate, enhanced.</i>
<b>Objective 4.1.8</b>	<i>The quality of lawful public access to and along river and lake beds is maintained and, where appropriate, enhanced.</i>



<b>Amenity values and access</b>	
<b>Policy 4.2.12 Natural Values</b>	<i>To promote the maintenance and enhancement of aquatic habitats and ecosystems when considering the adverse effects of the subdivision, use and development of land outside river and lake beds</i>

**Proposed Natural Resources Plan, appeals version 2022 (PNRP)**

The following provisions of the PNRP are of relevance to this topic:

<b>PNRP</b>	
<b>Objective O1*</b>	<i>Ki uta ki tai: mountains to the sea</i>
<b>Objective O2</b>	<i>Ki uta ki tai: mountains to the sea</i>
<b>Objective O3</b>	<i>Ki uta ki tai: mountains to the sea</i>
<b>Objective O4</b>	<i>Ki uta ki tai: mountains to the sea</i>
<b>Objective O9</b>	<i>Beneficial use and development</i>
<b>Objective O10</b>	<i>Beneficial use and development</i>
<b>Objective O12</b>	<i>Beneficial use and development</i>
<b>Objective O14</b>	<i>Māori relationships</i>
<b>Objective O17</b>	<i>Natural character, form and function</i>
<b>Objective O20</b>	<i>Natural hazards</i>
<b>Objective O21</b>	<i>Natural hazards</i>
<b>Objective O24*</b>	<i>Water quality</i>
<b>Objective O25*</b>	<i>Biodiversity, aquatic ecosystem health and mahinga kai</i>
<b>Objective O27*</b>	<i>Biodiversity, aquatic ecosystem health and mahinga kai</i>
<b>Objective O36</b>	<i>Sites with significant values</i>
<b>Objective O53</b>	<i>Coastal Management</i>
<b>Objective O54</b>	<i>Coastal Management</i>
<b>Objective O55</b>	<i>Coastal Management</i>
<b>Objective O56</b>	<i>Coastal Management</i>
<b>Objective O57</b>	<i>Coastal Management</i>
<b>Objective O58</b>	<i>Coastal Management</i>
<b>Objective O59</b>	<i>Coastal Management</i>
<b>Policy P1</b>	<i>Ki uta ki tai and integrated catchment management</i>
<b>Policy P7</b>	<i>Uses of land and water</i>
<b>Policy P8</b>	<i>Beneficial activities</i>
<b>Policy P9</b>	<i>Public access to and along the coastal marine area and the beds of lakes and rivers</i>
<b>Policy P10</b>	<i>Contact Recreation and Māori customary use</i>
<b>Policy P12</b>	<i>Benefits of regionally significant infrastructure and renewable electricity generation facilities</i>

<b>PNRP</b>	
<b>Policy P12A</b>	<i>Benefits of mineral resource utilisation</i>
<b>Policy P13</b>	<i>Providing for regionally significant infrastructure and renewable electricity generation activities</i>
<b>Policy P13A</b>	<i>The National Grid</i>
<b>Policy P19</b>	<i>Māori values</i>
<b>Policy P20</b>	<i>Exercise of kaitiakitanga</i>
<b>Policy P24</b>	<i>Identification of outstanding/high natural character and outstanding natural features and landscapes</i>
<b>Policy P25</b>	<i>Preserving and protecting natural character from inappropriate use and development</i>
<b>Policy P27</b>	<i>High hazard areas</i>
<b>Policy P27A</b>	<i>Diversion of flood waters in a floodplain</i>
<b>Policy P28</b>	<i>Hazard mitigation measures</i>
<b>Policy P29</b>	<i>Effects of climate change</i>
<b>Policy P30</b>	<i>Natural buffers</i>
<b>Policy P31</b>	<i>Biodiversity, aquatic ecosystem health and mahinga kai</i>
<b>Policy P38A</b>	<i>Restoring Te Awarua-o-Porirua Harbour, Wellington Harbour (Port Nicholson) and Wairarapa Moana</i>
<b>Policy P39A</b>	<i>Indigenous biodiversity values within the coastal environment</i>
<b>Policy P39B</b>	<i>Existing regionally significant infrastructure and renewable energy generation activities within a site that meets any of the criteria in Policy P39A(a)(i) (v) or (b) or included in Schedule F5</i>
<b>Policy P39C</b>	<i>Kaiwharawhara Stream Estuary</i>
<b>Policy P39D</b>	<i>Wellington Airport South Coastal Environment</i>
<b>Policy P40</b>	<i>Ecosystems and habitats with significant indigenous biodiversity values</i>
<b>Policy P48</b>	<i>Protecting natural features and landscapes from inappropriate use and development</i>
<b>Policy P101</b>	<i>Management of riparian margins</i>
<b>Policy P132</b>	<i>Functional need and efficient use</i>
<b>Policy P133</b>	<i>Recreational values</i>
<b>Policy P134</b>	<i>Public open space values and visual amenity</i>
<b>Policy P138</b>	<i>Structures in sites with significant values</i>
<b>Policy P139</b>	<i>Seawalls</i>
<b>Policy P140</b>	<i>New boatsheds</i>
<b>Policy P141</b>	<i>Boatsheds</i>
<b>Policy P142</b>	<i>Lambton Harbour Area</i>
<b>Policy P143</b>	<i>Deposition in a site with significant values</i>
<b>Policy P144</b>	<i>Dumping in a site with significant values</i>

<b>PNRP</b>	
<b>Policy P147</b>	<i>Motor vehicles on the foreshore</i>
<b>Policy P148</b>	<i>Motor vehicles in sites with significant value</i>
<b>Rule R99</b>	<i>Earthworks – permitted activity</i>
<b>Rule R100</b>	<i>Vegetation clearance on erosion prone land – permitted activity</i>
<b>Rule 103</b>	<i>Earthworks and vegetation clearance – discretionary activity</i>
<b>Rule R121*</b>	<i>Maintenance of drains and highly modified rivers or streams within an individual property– permitted activity</i>
<b>Rule R122*</b>	<i>Removing vegetation from the bed of any river or lake – permitted activity</i>
<b>Rule R123*</b>	<i>Planting – permitted activity</i>
<b>Rule R127*</b>	<i>Reclamation of the beds of rivers or lakes – non-complying activity</i>
<b>Rule R149</b>	<i>Maintenance or repair of structures.</i>
<b>Rule R150</b>	<i>Minor additions or alterations to structures.</i>
<b>Rule R151</b>	<i>Additions or alterations to structures.</i>
<b>Rule R152</b>	<i>Removal or demolition of a structure or part of a structure.</i>
<b>Rule R153</b>	<i>Removal or demolition of a structure or part of a structure</i>
<b>Rule R154</b>	<i>New temporary structures outside sites of significance.</i>
<b>Rule R155</b>	<i>New temporary structures</i>
<b>Method M22</b>	<i>Integrated management of the coast</i>

\* under appeal.

Objectives O20 and O21 and Policies P27, P27A and P28 have been included for completeness, however the evaluation of proposed provisions relating to coastal hazard is contained in the s32 for natural hazards.

The full wording of relevant provisions above is attached as Appendix 4 to this report.

#### 4.8 Iwi Management Plan(s)

There are no Iwi Management Plans relevant to this topic.

#### 4.9 Relevant plans or strategies

The following plans / strategies are relevant to this topic:

<b>Plan / Strategy</b>	<b>Relevant Provisions</b>
<b>Our City Tomorrow – He Mahere Mokowā mō Pōneke – A Spatial Plan for Wellington City 2021</b>	<p>The Spatial Plan is the blueprint for how Wellington might look in the future. It seeks to strike a balance between old and new, by valuing areas of special significance, while providing for greater capacity for the new housing our growing city needs. Change will continue to occur over time.</p> <p><i>Visions, Goals &amp; Directions</i></p> <p><i>Six goals for the City:</i></p> <ul style="list-style-type: none"> <li>• <i>Compact</i></li> </ul>

Plan / Strategy	Relevant Provisions
	<ul style="list-style-type: none"> <li>• <i>Resilient</i></li> <li>• <i>Vibrant and prosperous</i></li> <li>• <i>Inclusive and connected</i></li> <li>• <i>Greener</i></li> <li>• <i>In partnership with mana whenua</i></li> </ul> <p><i>Of most relevance is</i></p> <p><i>Greener - We protect and value our natural environment, and enjoy thriving pockets of nature in the city.</i></p> <ul style="list-style-type: none"> <li>• <i>Important natural and physical features that enhance the city's character and identity are protected and the natural environment contributes to improving our quality of life.</i></li> <li>• <i>Nature is integrated into the city and green space is accessible to all.</i></li> </ul> <p><i>Direction 3.3 - Important natural and physical features that enhance the city's character and identity are protected and the natural environment contributes to improving our quality of life.</i></p>
<p><b>South Coast Management Plan (2002)</b></p>	<p>The South Coast Management Plan covers the land under Wellington City Council's jurisdiction (above the line of mean low water springs) from Point Dorset in the east, to Karori Stream in the west. This includes:</p> <ul style="list-style-type: none"> <li>• <i>all reserve and non-reserve land to the seaward side of the coastal road (excluding private land)</i></li> <li>• <i>specific reserve and non-reserve land to the landward side of the coastal road that is significant in the context of coastal character (excluding private land)</i></li> <li>• <i>the coastal road and road reserve (excluding the carriageway)</i></li> <li>• <i>Shorland Park, Dorrie Leslie Park, Wahine Memorial Park, Ataturk Historic Reserve, View Road South Headland Reserve and Beacon Hill Reserve</i></li> <li>• <i>Tapu te Ranga (Island)</i></li> <li>• <i>Owhiro Bay Quarry.</i></li> </ul> <p>The Management Plan aims to achieve six main objectives:</p> <p><i>Primary Objective:</i></p> <ul style="list-style-type: none"> <li>• <i>To protect and enhance the coastal character of Wellington's South Coast.</i></li> </ul> <p><i>Secondary Objectives:</i></p> <ul style="list-style-type: none"> <li>• <i>To enhance and, where possible, restore the natural values of the coast, while providing for the recreational and leisure desires of visitors/users.</i></li> <li>• <i>To reduce conflict between the many users and values of the area.</i></li> <li>• <i>To respect, acknowledge and protect the history, heritage and diverse character that the South Coast holds for iwi and Wellington's communities.</i></li> </ul>

Plan / Strategy	Relevant Provisions
	<ul style="list-style-type: none"> <li>• <i>To meet the needs of coastal visitors/users and the City, while ensuring any infrastructure or facilities are developed in sympathy with the coastal environment.</i></li> <li>• <i>To manage the coast as a public asset with the assistance of the community in conjunction with our Treaty partners (in accordance with the memoranda of understanding held with the Council).</i></li> </ul> <p><i>The most relevant management policies include:</i></p> <ul style="list-style-type: none"> <li>• <i>All actions will reinforce the protection of and respect for Waahi Tapu and other sites of significance to Maori that exist on the South Coast.</i></li> <li>• <i>To enhance access along and to the South Coast.</i></li> <li>• <i>Ensure that the design of facilities and access ways promotes safe use of the coast while at the same time maintaining or enhancing the coastal environment and experience.</i></li> <li>• <i>To protect, enhance and restore natural features and ecosystems, with particular attention to rare and endangered species, plant and animal communities and ecosystems.</i></li> <li>• <i>Seek to limit new structures on the coast, specifically on the seaward side of the road, to only those that are necessary.</i></li> <li>• <i>Seek the removal of existing structures where their impacts on the environment and recreational uses outweigh their benefits, including:</i> <ul style="list-style-type: none"> <li>○ <i>Removal of all structures related to private use from land covered by this Management Plan that is intended to be managed as a natural area unless the structure adds significantly to the use of the coast</i></li> <li>○ <i>Removal of any obsolete infrastructure.</i></li> </ul> </li> <li>• <i>Seek to limit utility structures on the coast, specifically on the seaward side of the road, to only those that are necessary.</i></li> <li>• <i>To enhance the visual quality of the South Coast.</i></li> <li>• <i>Commercial uses will only be supported where they facilitate the use of coastal land and where they do not compromise coastal character.</i></li> </ul> <p><i>Finally the Management Plan outlines general design principles and identifies implementation actions for the South Coast</i></p>
<p><b>Our Natural Capital – Wellington's Biodiversity Strategy &amp; Action Plan</b>  <b>Adopted June 2015.</b></p>	<ul style="list-style-type: none"> <li>• Wellington City Council's vision for the city's indigenous biodiversity.</li> <li>• Outlines the vision, goals and objectives, and sets the priorities that give direction and purpose, underpinned by a set of guiding principles.</li> <li>• Includes the coastline and related coastal biodiversity (e.g. coastal scrub, costal forest, costal fringe)</li> <li>• One of the concept plans relates to the 'Blue Belt' - The Blue Belt will work towards the restoration of the ecology and water quality of our harbour and coast.</li> </ul>

Plan / Strategy	Relevant Provisions
<p><b>Open Space Access Plan</b></p> <p><b>Adopted September 2016.</b></p>	<p>The Wellington City Open Space Access Plan sets out how the Council intends to manage access to its extensive open space network (balancing the needs of different user types), including the development of the network while protecting ecological and landscape values.</p> <p>The key points include:</p> <ul style="list-style-type: none"> <li>• The plan identifies a number of proposed tracks on a map. This includes a number of tracks which would enable public access to the west and south coast.</li> <li>• The plan identifies tracks which can be used for walking, horse riding and mountain biking.</li> </ul> <p>The plan provides specific detail on each of the existing and proposed tracks which are and will be used for public access.</p> <p>A general principle of the plan is that all tracks will be physically sustainable and require minimal maintenance, as well as having minimal environmental impact.</p> <p>The plan outlines a number of Network Principles, Key initiatives and Sector information. The following are of relevance to the coastal environment chapter:</p> <p>6. <i>Key initiatives</i></p> <p style="padding-left: 40px;"><i>The Harbour Escarpment Walk</i></p> <p style="padding-left: 40px;"><i>Great Harbour Way/Te Aranui o Pōneke</i></p> <p style="padding-left: 40px;"><i>The Rural Coastal Connection</i></p> <p>7. <i>Sector information</i></p> <p style="padding-left: 40px;"><i>Sector 13 – Central city and waterfront</i></p> <p style="padding-left: 40px;"><i>Sector 15 – Mount Albert/Island Bay</i></p> <p style="padding-left: 40px;"><i>Sector 16 – Miramar Peninsula</i></p> <p style="padding-left: 40px;"><i>Sector 17 – Western Rural and Coast</i></p>
<p><b>Our Capital Spaces (2013)</b></p> <p><b>This strategy is currently under review.</b></p>	<p>Our Capital Spaces is a framework which determines how Council manages its open spaces that are important for their recreational, ecological, landscape, cultural and historic values. Our Capital Spaces include natural reserves, the Town Belt, the harbour, coastal areas, sportsfields, playgrounds and other outdoor recreation facilities.</p> <p>The framework specifies four outcomes intended to guide decisions on funding and the use of open spaces. The most relevant being:</p> <p><i>Outcome 2: Protecting our birds, nature, streams and landscapes.</i></p> <p>There are 6 priorities accompanying this outcome which include:</p> <p>2.1 <i>protect and restore indigenous biodiversity, and demonstrate kaitiakitanga (guardianship);</i></p> <p>2.2 <i>create ecological networks within the city to ensure movement of key indigenous species, as well as connectivity to the wider landscape (incl. 2.2.4 Identify coastal ecological connections)</i></p> <p>2.5 <i>facilitate the restoration and protection of wetlands, streams, their catchments, and Wellington and Porirua harbours (incl. 2.5.5 Review the</i></p>

Plan / Strategy	Relevant Provisions
	<p><i>South Coast Management Plan (N) and in particular the effects of coastal processes and future sea-level rise, increased recreational use and its effects on biodiversity and coastal resilience, and coastal infrastructure, particularly sea walls, roads and car parks)</i></p>
<p><b>Outer Green Belt Management Plan</b></p>	<p>The Wellington City Outer Green Belt Management Plan provides a framework for how reserves and other land in the Outer Green Belt will be managed over the next 10 years. The Plan has been prepared under the Reserves Act 1977.</p> <p>The Plan contains a vision and guiding principles, general objectives and policies, as well as rules for use and development within the Outer Green Belt.</p> <p>The guiding principles that are of relevance to NATC are:</p> <ol style="list-style-type: none"> <li>1. <i>Natural skylines, undeveloped ridges and hills, and healthy native forests and streams are the foundation of the Outer Green Belt. The natural values and relatively natural character of the Outer Green Belt is its essence.</i></li> <li>3. <i>The Outer Green Belt's diversity of landscape character and outdoor experience is a strength to be reinforced</i></li> </ol> <p>Relevant Objectives and Policies include:</p> <p>4.2 Nature</p> <p><i>Policies &amp; Actions</i></p> <p>4.2.2.2 Streams</p> <ol style="list-style-type: none"> <li>1. <i>Protect and restore the freshwater ecology in the stream catchments of the Outer Green Belt, including seeps and wetlands, by fencing riparian land where necessary to exclude stock, riparian planting, avoiding inappropriate discharges including via the storm water system, removing any fish barriers, and removing rubbish periodically where necessary</i></li> <li>2. <i>Encourage native forest to regenerate in the steep stream headwater areas of the Outer Green Belt to improve water quality by holding and filtering runoff, and reducing soil erosion</i></li> <li>3. <i>Where possible maintain at least a 20 metre (minimum 5 metre) vegetation buffer on each side of streams to protect water and soil values and slow runoff</i></li> <li>4. <i>Ensure, in granting consent or permitting land use activities, that best practice freshwater management is applied when site works are required that might impact streams, for example plantation harvest, land disturbance, construction</i></li> <li>6. <i>Continue to work with GWRC to monitor the streams in Wellington City using the Macroinvertebrate Community Index (MCI) and trends in any key freshwater fish populations</i></li> <li>7. <i>Support community initiatives to care for and monitor streams through partnerships and programmes such as 'Sanctuary to Sea' and 'Whitebait Connection', and public campaigns to reduce inappropriate storm water or land use discharges</i></li> <li>8. <i>Encourage neighbouring farmers to fence and plant riparian areas on their land and, where resources permit, offer practical support.</i></li> </ol>

Plan / Strategy	Relevant Provisions
	<p>4.3 <i>Landscape and land use</i></p> <p>4.3.1 <i>Objectives</i></p> <p>2. <i>To recognise and protect the Outer Green Belt landscape as a setting for a unique and varied recreation experience in the hills at the edge of the city and Cook Strait</i></p> <p>3. <i>To restrict development of buildings and structures in order to protect the relatively undeveloped character of the Outer Green Belt, which people value for its intrinsic natural and visual values</i></p>

#### 4.10 Other relevant legislation or regulations

The following additional legislative / regulatory requirements are also relevant to this topic:

Legislation / Regulation	Relevant Provisions
<b>Reserves Act 1977</b>	Section 3 of the Reserves Act 1977 sets out three main functions as part of the Act's general purpose which includes "the preservation of access for the public to the coastline, islands, lakeshore and riverbanks and to encourage the protection and preservation of the natural character of these areas." The Reserves Act requires the preparation of reserve management plans which govern in a detailed manner what can and cannot be carried out in the City's reserves. While the Reserves Act ultimately determines the types of uses appropriate for reserve areas that are classified under the Act, the RMA governs environmental policy and management, minimising the adverse effects of use and development.

## 5.0 Resource Management Issues Analysis

### 5.1 Background

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 coastal environment of Wellington comprises a relatively narrow strip of land and in most places, a 22 km wide coastal marine area. The character of the landward extent varies considerably from relatively wild and scenic along the exposed southern coast to areas of highly modified reclaimed land within Wellington Harbour.

Wellington's biodiversity strategy and action plan 2015 'Our Natural Capital' provides a detailed and useful description of 'Wellington's biodiversity journey' in relation to the coastal environment.

*In the past '...The rocky coastline was the winter haul-out for large groups of male fur seal. Weka cruised the beaches investigating seaweed and driftwood. Large numbers of little blue penguin would have emerged from the surf each night and the coastal ranges covered in sooty and fluttering shearwater burrows. The wind-buffeted and salt-laden coastal escarpments facing the Cook Strait (Wellington's south coast), as well as the harbour escarpments, were covered with a mix of coastal forest, dense coastal scrub, flax and tussockland, and scree.'* (Our Natural Capital, page 21)



Today ‘...Some small remnants of original coastal forest can be found along the harbour escarpment, as well as some areas along the south coast. ... The coastal escarpment is an important habitat for many species that are now threatened, due mainly to habitat loss.’ (Our Natural capital, page 23)

Wellington’s coastal fringe is defined by a mix of rocky foreshore, coastal turf communities and coastal dunes. The coastal fringe is the interface between the land and the sea and provides an important access area for many species. However, the landscape has been modified and habitats have been destroyed as a consequence.

At the same time modification associated with urban settlement has also resulted in substantial impacts on the natural character through reclamation, residential and commercial development and infrastructure, including the commercial port, airport, ferry terminals, roads and railway corridors.

## 5.2 Evidence Base - Research, Consultation, Information and Analysis undertaken

The Council has reviewed the operative District Plan, commissioned technical advice and assistance from various internal and external experts and utilised this, along with internal workshops and community feedback to assist with setting the plan framework. This work has been used to inform the identification and assessment of the environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions. This advice includes the following:

Title	Author	Brief synopsis
<i>Wellington City and Hutt City – Coastal Natural Character Assessment</i>	Boffa Miskell & NIWA	<p>The assessment identifies the coastal environment and the natural character within the coastal environment. It gives effect to the New Zealand Coastal Policy Statement and the Wellington Regional Policy Statement</p> <p>The study area covers the terrestrial and marine components of the coastal environment for Hutt City and Wellington City.</p> <p>The assessment process comprised four key steps:</p> <ol style="list-style-type: none"> <li>1 Identification of the extent of the coastal environment, in particular the inland extent (study area);</li> <li>2 Identification of the marine and terrestrial coastal sub areas that comprise the study area and the description and documentation of each area;</li> <li>3 Evaluation of the level of natural character for each marine and terrestrial area, and identification of the components within each area that have high or very high natural character; and</li> <li>4 Evaluation of outstanding natural character; that is, assessing those components with high and very high natural character to determine if any part of them qualify as having outstanding natural character.</li> </ol> <p>Each of these areas were evaluated in relation to three attributes - abiotic, biotic and experiential.</p> <p>Overall, the study found 16 components within the Wellington portion of the landward extent of the coastal environment to be of high or very high natural character.</p>

Title	Author	Brief synopsis
		The only terrestrial area of outstanding natural character is located within the Hutt City portion at Turakirae Head.

### 5.2.1 Analysis of Operative District Plan provisions relevant to this topic

For the purposes of this report the key provisions in the Operative Wellington District Plan of relevance to Natural Character and Public Access are summarised below. The full wording of relevant provisions of the ODP is attached as Appendix 5 to this report.

Topic	Summary of relevant provisions
CE	<p>The ODP contains specific objectives and policies relating to the coastal environment in the</p> <ul style="list-style-type: none"> <li>• Residential Area;</li> <li>• Central Area;</li> <li>• Rural Area; and</li> <li>• Business Area.</li> </ul> <p>These are summarised below.</p> <p>There is further reference to the coastal environment throughout the plan in other objectives, policies and rules. A full list of all relevant provisions can be found in Appendix 5 to this report.</p> <p><b>Residential</b></p> <ul style="list-style-type: none"> <li>• Coastal Environment - Objective 4.2.9 - To maintain and enhance the quality of the coastal environment within and adjoining Residential Areas.</li> <li>• Related Policies <ul style="list-style-type: none"> <li>○ Policy 4.2.9.1 - Maintain the public's ability to use and enjoy the coastal environment by requiring that access to and along the coastal marine area is maintained, and enhanced where appropriate and practicable.</li> <li>○ Policy 4.2.9.2 - Enhance the natural values of the urban coastal environment by requiring developers to consider the ecological values that are present, or that could be enhanced on the site.</li> <li>○ Policy 4.2.9.3 - Ensure that any developments near the coastal marine area are designed to maintain and enhance the character of the coastal environment.</li> </ul> </li> <li>• Rules <ul style="list-style-type: none"> <li>○ 10m setback of buildings or structures from CMA</li> <li>○ 5m setback of impervious surfaces from CMA</li> <li>○ No part of any allotment being subdivided may be within 20 metres of the line of mean high water springs</li> </ul> </li> <li>• The residential chapter also contains a Residential Coastal Edge overlay that 'recognises and responds to the unique character of the coastal edge'.</li> <li>• Other objectives, policies, rules and standards also mentioning coastal environment, coastal character, setbacks. public access etc.</li> </ul> <p><b>Central Area</b></p>

Topic	Summary of relevant provisions
	<ul style="list-style-type: none"> <li>• Coastal Environment - Objective 12.2.12 – To maintain and enhance access to, and the quality of the coastal environment within and adjoining the Central Area.</li> <li>• Related Policies <ul style="list-style-type: none"> <li>○ Policy 12.2.12.1 - Maintain the public's ability to use the coastal environment by requiring that, except in Operational Port Areas, public access to and along the coastal marine area is maintained and enhanced where appropriate and practicable.</li> <li>○ Policy 12.2.12.2 - Enhance the natural values of the urban coastal environment by requiring developers to consider the ecological values that are present, or that could be enhanced, on the site.</li> <li>○ Policy 12.2.12.3 - Ensure that any developments near the coastal marine area are designed to maintain and enhance the character of the coastal environment.</li> <li>○ Policy 12.2.12.4 - To recognise the special relationship of the port to the coastal marine area through identification of the Operational Port Area.</li> </ul> </li> <li>• Rules <ul style="list-style-type: none"> <li>○ Coastal yards</li> </ul> </li> <li>• Other objectives, policies, rules and standards also mentioning coastal environment, coastal character, setbacks. public access etc.</li> </ul> <p><b>Rural Area</b></p> <ul style="list-style-type: none"> <li>• Objective 14.2.6 - To maintain and enhance the quality of the coastal environment within and adjoining the Rural Area.</li> <li>• Related Policies <ul style="list-style-type: none"> <li>○ Policy 14.2.6.1 - Maintain the public's ability to use and enjoy the coastal environment by requiring that public access to and along the coastal marine area is maintained, and enhanced where appropriate and practicable.</li> <li>○ Policy 14.2.6.2 - Enhance the natural values of the rural coastal environment by requiring developers to consider the ecological values that are present, or that could be enhanced, on the site.</li> <li>○ Policy 14.2.6.3 - Ensure that any developments near the coastal marine area are designed to maintain and enhance the character of the coastal environment.</li> </ul> </li> <li>• Rules <ul style="list-style-type: none"> <li>○ Esplanade areas</li> </ul> </li> <li>• Other objectives, policies, rules and standards also mentioning coastal environment, coastal character, setbacks. public access etc.</li> </ul> <p><b>Business Area</b></p> <ul style="list-style-type: none"> <li>• Coastal Environment – Objective 33.2.10 - To maintain and enhance access to, and the quality of the coastal environment within and adjoining Business Areas.</li> <li>• Related Policies <ul style="list-style-type: none"> <li>○ Policy 33.2.10.1 - Maintain the public's ability to use and enjoy the coastal environment by requiring that, except in the Operational Port Areas, public access</li> </ul> </li> </ul>

Topic	Summary of relevant provisions
	<p>to and along the coastal marine area is maintained, and enhanced where appropriate and practicable.</p> <ul style="list-style-type: none"> <li>○ Policy 33.2.10.2 - Ensure that any developments near the coastal marine area are designed to maintain and enhance the character of the coastal environment and waterbodies.</li> <li>○ Policy 33.2.10.3 - To recognise the special relationship of the port to the coastal marine area through identification of the Operational Port Area.</li> </ul> <ul style="list-style-type: none"> <li>● Rules <ul style="list-style-type: none"> <li>○ Buildings and structures (Lyal Parade)</li> <li>○ Yards</li> <li>○ Subdivision</li> </ul> </li> <li>● Other objectives, policies, rules and standards also mentioning coastal environment, coastal character, setbacks. public access etc.</li> </ul> <p>Provisions mentioning coastal in Airport and Golf Course Recreation Precinct, Open Space area, Utility chapter, Renewable Energy chapter and Earthworks chapter</p>

### 5.2.2 Analysis of relevant provisions in other District Plans

Current practice has been considered in respect of this topic, with a review undertaken of the following District Plans. It is noted that some of these plans have been prepared in accordance with the National Planning Standards.

Plan / Local Authority	Description of approach
<p>Proposed District Plan New Plymouth District Council</p>	<ul style="list-style-type: none"> <li>● In National Planning Standards format</li> <li>● includes a coastal environment chapter:</li> </ul> <p>Approach</p> <ul style="list-style-type: none"> <li>● CE – permits new buildings (5m max height, GFA of 50m<sup>2</sup> max) where permitted in underlying zone</li> <li>● CE / NFL - 25m<sup>2</sup> per 12 month per site for permitted earthworks.</li> <li>● CE - Below ground network utilities permitted (and associated earthworks and vegetation clearance) with controls around amount of trenching open at any one point and stabilisation.</li> <li>● CE /NFL / INF - Below ground and above ground operation / maintenance / removal of INF is permitted where complies with the underlying zone provisions and the overlay earthworks and vegetation removal provisions.</li> <li>● Infrastructure provisions are located both within the relevant overlay chapters as well as the infrastructure chapters and thus not consolidated all together.</li> </ul>
<p>Operative Kapiti Coast District Plan 2021 Kapiti Coast District Council</p>	<ul style="list-style-type: none"> <li>● In National Planning Standards format</li> </ul> <p>Chapter 4: Coastal Environment comprises polices and rules managing</p>

Plan / Local Authority	Description of approach
	<ul style="list-style-type: none"> <li>• areas of outstanding or high natural character, geological features and ecological sites within the coastal environment, and</li> <li>• identifies the inland extend of the coastal environment.</li> </ul> <p>Chapter 4 Coastal Environment:</p> <ul style="list-style-type: none"> <li>• Sets out the extent of the coastal environment, the preservation of natural character in the coastal environment and the maintenance and enhancement of public access to and along the coast.</li> <li>• Areas of outstanding or high natural character within the coastal environment are identified.</li> <li>• One permitted rule is provided which permits public access and amenity structures within the rural or open space zones.</li> <li>• One discretionary rule controls the construction of buildings or earthwork activities within areas of high or outstanding natural character within the Rural or Open Space Zones (that do not meet permitted activity standards).</li> <li>• Other provisions are spread throughout the zone based chapters.</li> <li>• Provisions relating to network utilities are generally controlled separately within the utilities chapter.</li> <li>• Provisions relating to protection of sensitive habitats and landscapes and SNAs in the coastal environment are located in Chapter 3 Natural Environment.</li> <li>• Includes further policy direction (in addition to that within chapter 3) around the management of features which relate to coastal processes.</li> </ul>
<p>Operative Christchurch District Plan Christchurch City Council</p>	<ul style="list-style-type: none"> <li>• Not in National Planning Standards format</li> </ul> <p>Chapter 9 Natural and Cultural Heritage, separated into:</p> <ul style="list-style-type: none"> <li>• Chapter 9.6 Coastal Environment</li> <li>• Chapter 9.2 Landscapes and Natural Character</li> </ul> <p>Approach</p> <p>Chapter 9.6</p> <ul style="list-style-type: none"> <li>• Comprises objectives, policies and matters of discretion (but no rules) that manage development and maintain and protect the values of the coastal environment. The matters of discretion are referenced in other chapters in the plan.</li> <li>• Includes public access to and along the coast.</li> <li>• Seeks that the effects of activities on the coastal environment is of a scale to maintain and protect the values (and lists those specific values), recognising for the need for strategic infrastructure to have a need occasionally to locate in the coastal environment.</li> </ul> <p>Chapter 9.2</p> <ul style="list-style-type: none"> <li>• Comprises objectives, policies and rules framework to manage and protect/preserve ONFL, SALs and natural character, the latter both within</li> </ul>

Plan / Local Authority	Description of approach
	<p>and outside of the coastal environment, and where within identifies areas of outstanding and high and other natural coastal character.</p> <ul style="list-style-type: none"> <li>• Contains rules relating to natural character (high and outstanding also) in the coastal environment.</li> <li>• Has differing activity statuses for the same activity across the different ONF/Ls</li> <li>• New access tracks with a width of 5m or more are restricted discretionary in all ONFLs and SALs.</li> <li>• Rules for activities in areas of natural character in the coastal environment are separated for natural character, high natural character and outstanding natural character. The only difference between the latter two is for building amenity buildings (100m<sup>2</sup> GFA max) is permitted in high natural character areas and discretionary in outstanding natural character areas.</li> <li>• Residential units within all natural character areas and within an identified building area are restricted discretionary activities. Other buildings are discretionary (natural character) or non-complying (high/outstanding natural character).</li> <li>• In all the ONFLs, SALs and areas of natural character, the reflectivity of any building shall be no greater than 40%.</li> </ul>
<p>District Plan Dunedin City Council</p>	<ul style="list-style-type: none"> <li>• Not in National Planning Standard format</li> </ul> <p>Chapter 10: Natural Environment chapter</p> <p>Includes:</p> <ul style="list-style-type: none"> <li>• 'Areas of Significant Biodiversity Value',</li> <li>• outstanding natural features and landscapes, and significant natural landscapes,</li> <li>• the biodiversity values and natural character of the coast, and</li> <li>• public access</li> </ul> <p>Approach</p> <ul style="list-style-type: none"> <li>• Applies city wide, although the coastal character overlay applies only over rural, rural residential, and recreation zones.</li> <li>• Policy direction seeks to avoid establishment of inappropriate activities and to allow other subdivision, use and development in sensitive environments where it is of a scale that will maintain the values of that area.</li> <li>• Identifies areas of outstanding natural coastal character, areas of high natural coastal character and natural coastal character.</li> <li>• Includes Objective and policy direction around the biodiversity values and natural character of the coast and riparian margins, specific from the values of significant biodiversity areas elsewhere in the district.</li> <li>• Policy direction encouraging conservation activities.</li> <li>• Policy direction and rules requiring use and development to be setback from the coast and waterbodies to maintain values, with rules requiring setbacks</li> </ul>

Plan / Local Authority	Description of approach
	<p>from the coast and waterbodies for vegetation clearance activities and other activities to protect values and minimise erosion, and only allowing indigenous vegetation clearance/other activities in the coastal environment where the values are maintained or enhanced. The setback varies between 5m and 20m depending on the natural environment under protection.</p> <ul style="list-style-type: none"> <li>• Rules permit a maximum of 3 new buildings of max 60m<sup>2</sup> GFA per site within a ONFL, SNL or natural coastal character area, if they are within 30m of any building greater than 60m<sup>2</sup> already on site, or over 200m from any other building on the site.</li> <li>• Exterior surfaces must not exceed a light reflectance value of 30%</li> </ul>

These plans were selected because:

- They have been subject to a recent plan review that has addressed similar issues relating to this topic;
- The associated Councils are either in the Wellington Region or of a similar scale to Wellington City and are confronting similar issues relating to this topic.

A summary of the key findings follows:

- All spatially identify the areas to be protected, maintained and enhanced. All make a distinction between high natural character in the coastal environment, some having also outstanding natural character and some outstanding, high and natural character in the coastal environment identified.
- Nearly all locate the policy direction and rules applying to the coastal environment outside of regular zone chapters.
- There is a mix of locations for the provisions, with only NPDC following the National Planning Standards, given the timing of the other plans. Some have one chapter for all Natural Environment topics (NFL, SNA and CE included in the same chapter) some separate out coastal environment from the landscapes and ecology, some include all of them and add public access also. Within these separations, there are instances where a landscape chapter will include policy direction on the coastal environment (including when a coastal environment chapter is also present in the plan) and instances when rules for the coastal environment will be located throughout the other overlays/zones, despite policy direction being separated into its own chapter.
- Infrastructure in these chapters is inconsistently located, either wholly in an infrastructure chapter or in both an infrastructure chapter and the coastal environment chapter.
- All include a range of permitted activities for minor activities in the coastal environment. Some make a distinction between activity status for the same activity in the different levels of coastal character. There is often a difference in scale of activity between natural character in the coastal environment and outstanding natural character in the coastal environment.

### *5.2.3 Advice received from Taranaki Whānui and Ngāti Toa Rangatira*

The District Plan Review has included significant engagement with our mana whenua partners - Taranaki Whānui ki te Upoko o te Ika and Ngāti Toa Rangatira. This has included over 100 hui and

wānanga attended by Council officers over the last 12 months. This has provided a much greater understanding of mana whenua values and aspirations as they relate to the PDP.

The PDP elevates the consideration of mana whenua values in resource management processes, including:

- A new Tangata Whenua chapter which provides context and clarity about who mana whenua are and what environmental outcomes they are seeking.
- A new Sites and Areas of Significance to Māori chapter that provides greater protection for sites and areas of significance than the current District Plan.
- Integrating mana whenua values across the remainder of the plan where relevant.

This is consistent with both the City Goal of ‘Partnership with mana whenua’ in the Spatial Plan; and the recently signed Tākai Here (2022), which is the new partnership agreement between the Council and our mana whenua partners, Rūnanga o Toa Rangatira, Taranaki Whānui ki Te Upoko o Te Ika and Te Rūnanganui o Te Āti Awa.

A full copy of the advice received is attached as an addendum to the complete suite of Section 32 reports as Addendum A – Advice received from Taranaki Whānui and Ngāti Toa Rangatira.

The Draft District Plan versions of the Coastal Environment chapter were reviewed by mana whenua. This advice received from this review was considered and responded to in the redrafting of the provisions. A summary is provided below:

Topic	Advice Received	Response
Protection from sea-level rise	<ul style="list-style-type: none"> <li>• The level of run-off is increasing. We need to understand more about sea walls – so how is that captured here. In terms of infrastructure, lets understand what that is going to look like in the coastal environment if at all.</li> </ul>	<ul style="list-style-type: none"> <li>• Protection from sea-level rise is addressed in the Coastal Hazard provisions. In the provisions preference is given to “Coastal Hazard Mitigation Works involving Green Infrastructure” over Hard Engineering Measures such as sea walls. The infrastructure provisions for the CE are located in the Infrastructure Chapter.</li> </ul>
Coastal Environment	<ul style="list-style-type: none"> <li>• Seeks an objective that mana whenua’s values, relationships, mātauranga and tikanga are recognised and reflected in resource management processes concerning the coastal environment.</li> <li>• Seeks an objective that mana whenua values are not adversely affected by inappropriate reclamation, drainage or declamation in the coastal environment.</li> <li>• Seeks an objective that structures are provided in appropriate locations to enable Māori cultural activities and</li> </ul>	<ul style="list-style-type: none"> <li>• Sites of significance to Māori are addressed within the draft chapter ‘Sites and Areas of Significance to Māori’ (SASM) which identifies sites and areas of cultural significance and includes provisions to protect them.</li> <li>• Objectives recognising Māori sites of importance are specifically provided within the SASM chapter.</li> <li>• The proposed objectives of the CE chapter have been drafted to be inclusive of mana whenua values.</li> <li>• The proposed coastal environment provisions protect the identified High</li> </ul>



Topic	Advice Received	Response
	<p>customary use in the coastal environment.</p> <ul style="list-style-type: none"> <li>• Ensure that any subdivision, earthworks, and use and development within the coastal environment does not adversely affect mana whenua values.</li> <li>• Ensure that any subdivision, earthworks, and use and development within the coastal environment does not adversely affect any sites or areas of significance to Māori and associated values and relationships.</li> <li>• Ensure that any subdivision, earthworks, and use and development within the coastal environment does not adversely affect mana whenua's natural resources, customary activities and rights as kaitiaki.</li> <li>• Avoid the discharge of wastewater to the coastal marine area, unless mana whenua have been consulted in accordance with tikanga Māori and due weight has been given to section 6, 7 and 8 of the Resource Management Act 1991.</li> <li>• Facilitate access for mana whenua to and along the Coastal Marine Area for mahinga kai and other customary uses.</li> <li>• Limit the area of foreshore and seabed disturbance, to the extent practicable, to avoid, remedy or mitigate adverse effects on: <ul style="list-style-type: none"> <li>a. traditional gathering, collection, or harvest of kaimoana by mana whenua; and</li> <li>b. historic heritage and mana whenua values.</li> </ul> </li> <li>• Consider the incorporation of mātauranga Māori principles into the design, development and / or operation of activities on sites adjoining coastal areas of</li> </ul>	<p>Coastal Natural Character Areas and coastal and riparian margins in the coastal environment and are applied in addition to the zone chapters and the SASM chapter.</p> <ul style="list-style-type: none"> <li>• The policies have been drafted to refer to values and characteristics in general which is inclusive of mana whenua values.</li> <li>• The proposed provisions provide the ability for tangata whenua to exercise traditional cultural practices</li> <li>• Provisions relating to the discharge of wastewater are included in the Three Water Infrastructure chapter.</li> <li>• Provisions relating to seabed disturbances lie within the jurisdiction of the Greater Wellington Regional Council.</li> </ul>

Topic	Advice Received	Response
	importance to mana whenua, as well as provide opportunities for mana whenua to exercise their customary responsibilities as kaitiaki in respect of the coastal environment.	

#### 5.2.4 Consultation undertaken to date

The following is a summary of the primary consultation undertaken in respect of this topic:

Who	What	When	Relevant Issues Raised
General Public	Feedback on discussion documents	Draft Spatial Plan consultation from August 2020 to October 2020	<ul style="list-style-type: none"> <li>The Draft Spatial Plan process was the pre-cursor to the Draft District Plan process.</li> <li>Consultation on the Draft Spatial Plan did not specifically address the coastal environment in a technical manner.</li> <li>Topics related to the coastal environment (e.g. managing natural hazard risks and protecting coastal natural environment values) were open for discussion.</li> </ul>
Councillors	Draft Plan workshops	Late 2020 to Mid 2022	<ul style="list-style-type: none"> <li>There have been regular workshops with Councillors throughout the course of preparing the Draft and Proposed District Plans. These workshops covered a wide range of topics and allowed Councillors to provide feedback on key policy directions and to input into the development of the Draft and Proposed District Plans.</li> </ul>
Feedback on Draft Plan	Feedback on Draft Plan, through submissions and targeted discussions	November 2021	<ul style="list-style-type: none"> <li>High Coastal Natural Character Areas are not shown on the planning maps</li> <li>Schedule 13 is incomplete</li> <li>Extent / boundary of the coastal environment</li> </ul>

Who	What	When	Relevant Issues Raised
			<ul style="list-style-type: none"> <li>• Overlap between chapters</li> <li>• Conflict with other legislation (e.g. NES-ETA)</li> </ul>

A summary of specific feedback on coastal environment received during consultation on the Draft District Plan is contained in Appendix 2, including how it has been responded to in the Proposed District Plan. Additional detail concerning the wider consultation undertaken in preparing the Proposed District Plan is contained in the companion Section 32 Evaluation Overview Report.

In summary, the key findings arising from the consultation undertaken on this topic are:

- General support
- Most issues raised relate to perceived conflicts with other legislation (e.g. NES-ETA or NES-TF) or uncertainty which provisions apply where (zones, overlays)
- Most concerns raised by infrastructure providers, quarry, port and airport regarding the impact of the proposed provisions on their operation and potential for future expansion.

### 5.3 Summary of Relevant Resource Management Issues

Based on the research, analysis and consultation outlined above the following issues have been identified:

Issue	Comment	Response
<p>Issue 1:</p> <p>The coastal environment is not adequately protected and faces the threat of further degradation.</p>	<ul style="list-style-type: none"> <li>• Policy 1 of the NZCPS requires the extent of the coastal environment to be defined – the District Plan does not currently define the coastal environment.</li> <li>• Increased urban growth and rural activities threaten the remaining areas of natural character in the coastal environment.</li> <li>• The statutory requirements of s6(a) RMA, NZCPS and the RPS are not being met.</li> <li>• The Boffa Miskell/NIWA report identified a broad range of modification within the coastal environment. This includes urban development, Wellington Airport, the port and other transport infrastructure. This has adversely affected the natural character of the coastal environment and in some cases resulted in permanent loss.</li> </ul>	<ul style="list-style-type: none"> <li>• Complete a district wide assessment identifying the coastal environment and the areas of high, very high and outstanding natural character.</li> <li>• Include a framework of objectives, policies and rules to manage activities within the coastal environment to reduce further degradation.</li> <li>• Include policies and rules that manage subdivision, use and development within areas of high natural character in the coastal environment.</li> <li>• Include policies and rules that manage subdivision, use and development within coastal margins and riparian margins in the coastal environment.</li> <li>• Include policies and rules that encourage the enhancement and restoration of the coastal environment.</li> </ul>
<p>Issue 2:</p>	<ul style="list-style-type: none"> <li>• Requiring resource consent for activities in the coastal environment</li> </ul>	<ul style="list-style-type: none"> <li>• Identify High Coastal Natural Character Areas and apply a balanced approach</li> </ul>

Issue	Comment	Response
Restriction on subdivision use and development may prevent reasonable expectation for use of land	<p>may increase the cost of activities and place more demand on WCC resource consent processing.</p> <ul style="list-style-type: none"> <li>Some existing sites will not be able to realise previous development potential.</li> </ul>	<p>within the policy and rule framework to assess activities against the potential effect on the character of the coastal environment and on coastal margins and riparian margins in the coastal environment.</p> <ul style="list-style-type: none"> <li>Include policies that recognise and provide for some activities and support with permitted rules and standards where the effect on the coastal environment is understood and the character can be maintained.</li> <li>Provide a rule hierarchy range that enables activities to be assessed in terms of the potential effect and manage those with limited effects and discourage those with substantial effects.</li> </ul>
Issue 3: The need to provide the ability for tangata whenua to exercise traditional cultural practices	<ul style="list-style-type: none"> <li>Kaitiakitanga and cultural harvesting should be provided for within the coastal environment.</li> </ul>	<ul style="list-style-type: none"> <li>Enable traditional cultural harvesting within the coastal environment as a permitted activity.</li> <li>Acknowledge and provide for kaitiakitanga</li> </ul>
Issue 4: The need to provide for the maintenance and operation of existing network infrastructure	<ul style="list-style-type: none"> <li>Operation and maintenance could be delayed where resource consent is required for routine maintenance of the network.</li> <li>Uncertainty and cost associated with resource consent process and potential for works to be declined disrupting service.</li> </ul>	<ul style="list-style-type: none"> <li>Addressed through the infrastructure chapter</li> <li>Policies and rules recognise and provide for ongoing maintenance and operation of network infrastructure including the National Grid where located within the coastal environment.</li> <li>Manage effects of new infrastructure with policies and rules that require assessment of the impact on the coastal environment, on identified High Coastal Natural Character Areas and on coastal margins and riparian margins in the coastal environment.</li> </ul>
Issue 5: Crossover of jurisdictional responsibility for the coastal environment	<ul style="list-style-type: none"> <li>There is potential for crossover and duplication of rules between the Greater Wellington Regional Council and Wellington City Council in the coastal environment.</li> </ul>	<ul style="list-style-type: none"> <li>Recognise GWRC's responsibility for managing effects within wetlands, rivers, streams and lakes within the coastal environment and the coastal marine area (defined from the 12 mile</li> </ul>

Issue	Comment	Response
could confuse or frustrate protection measures through dual decision making.	<ul style="list-style-type: none"> <li>This could unduly frustrate restoration activities and be inconsistent with the integrated policy direction of the NZCPS.</li> </ul>	<ul style="list-style-type: none"> <li>nautical limit up to the Mean High-Water Springs line).</li> <li>Recognise that the landward extent of the coastal environment is managed by Wellington City Council.</li> <li>Include objectives, policies and rules which manage activities that occur within the landward extent of the coastal environment whilst ensuring provisions do not conflict with Regional Plan provisions for the marine area of the coastal environment including those within the PNRP.</li> <li>Support the non-regulatory direction of the RPS such as through policy 64 to encourage restoration and provide non-regulatory assistance to community groups and conservation activities in the coastal environment that crosses territorial jurisdiction.</li> </ul>
Issue 6 Coastal Hazards	<ul style="list-style-type: none"> <li>Higher order documents (RMA, NZCPS, RPS and PNRP) all require the identification of coastal hazards and the recognition and provision for the risks from coastal hazards, while taking into account the effects of climate change.</li> </ul>	<ul style="list-style-type: none"> <li>A framework of objectives, policies and rules has been developed to address coastal hazards. These provisions are included in the Coastal Environment chapter and are discussed and evaluated in the s32 for natural hazards</li> </ul>

## 6.0 Evaluation of the Proposal

This section of the report evaluates the objectives of the Coastal Environment chapter relating to coastal natural character, to determine whether they are the most appropriate means to achieve the purpose of the RMA, as well as the associated policies, rules and standards relative to these objectives. It also assesses the level of detail required for the purposes of this evaluation, including the nature and extent to which the benefits and costs of the proposal have been quantified.

A detailed evaluation of the objectives, policies, rules and standards of the Coastal Environment chapter relating to coastal hazards can be found in the s32 evaluation for natural hazards.

### 6.1 Scale and Significance

- 1.1 Section 32(1)(c) of the RMA requires that this report contain a level of detail that corresponds with the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of the proposal.
- 1.2 The level of detail undertaken for this evaluation has been determined by assessing the scale and significance of the environmental, economic, social and cultural effects anticipated through introducing and implementing the proposed provisions (i.e. objectives, policies and rules) relative to a series of key criteria.

1.3 Based on this the scale and significance of anticipated effects associated with this proposal are identified below:

Criteria	Scale/Significance			Comment
	Low	Medium	High	
Basis for change		✓		<ul style="list-style-type: none"> <li>Part of full District Plan review</li> <li>Give effect to and implement national direction and higher order policy direction, including s6, NZCPS and RPS</li> <li>NZCPS and the RPS require territorial authorities to identify the inland extent of the coastal environment and to identify and protect areas of high natural character and to preserve natural character in the coastal environment.</li> <li>Compliance with National Planning Standards</li> </ul>
Addresses a resource management issue			✓	<ul style="list-style-type: none"> <li>Preservation of the natural character of the coastal environment is a matter of national importance under s6 of the RMA</li> <li>ODP provisions have been identified as not giving effect to and being inconsistent with the higher order policy direction set out earlier in this s32 report</li> <li>The Coastal Natural Character Assessment prepared by Boffa Miskell and NIWA identifies 16 components within the Wellington portion of the landward extent of the coastal environment to be of high or very high natural character.</li> <li>The current District Plan does not identify these areas or their identified values.</li> </ul>
Degree of shift from the status quo			✓	<ul style="list-style-type: none"> <li>There is limited policy direction in the ODP around the coastal environment</li> <li>The ODP does not identify the coastal environment or coastal natural character areas on the maps and the operative provisions are inadequate to meet the Council's statutory obligations to manage the</li> </ul>

Criteria	Scale/Significance			Comment
	Low	Medium	High	
				<p>threat and ongoing decline of the natural coastal character.</p> <ul style="list-style-type: none"> <li>The proposed provisions intend to provide a clear regulatory framework based on spatially defined overlays at a district wide scale. As such the regulatory approach will be comprehensive and directly focused on protecting the identified coastal characteristics and values.</li> </ul>
Who and how many will be affected / geographical scale of effects		✓		<ul style="list-style-type: none"> <li>Comprises the entire landward extent of the coastal environment (as identified on the planning maps).</li> <li>Within the coastal environment 17 areas of high or very high coastal natural character have been identified</li> <li>Most of the provisions relating to the coastal environment apply to the identified High Coastal Natural Character Areas and to coastal margins and riparian margins within the CE</li> </ul>
Degree of impact on or interest from iwi/ Māori		✓		<ul style="list-style-type: none"> <li>Tangata whenua have a particular interest in the coastal environment which provides resources for traditional cultural practices such as gathering kai moana, flax and indigenous flora and fauna as part the ongoing ability to exercise tikanga</li> <li>Specific provisions to provide for customary practices within the coastal environment have been included.</li> </ul>
Timing and duration of effects		✓		<ul style="list-style-type: none"> <li>Effects will be ongoing</li> <li>Once beyond challenge the operative provisions will have an ongoing effect until reviewed as part of the Council's statutory requirements to undertake a plan review</li> </ul>
Type of effects		✓		<ul style="list-style-type: none"> <li>The proposed provisions may result in additional requirements for resource consent in identified very high or high coastal natural character areas. However most of the areas are located in the remote and rural areas</li> </ul>

Criteria	Scale/Significance			Comment
	Low	Medium	High	
				<p>of the coast and are therefore less likely to be subject to additional development intentions</p> <ul style="list-style-type: none"> <li>The proposed provisions may result in additional requirements for resource consent within coastal margins and riparian margins in the CE. However the proposed framework is less restrictive in the highly developed and modified areas of the coastal environment such as the Port, Airport, Stadium, Waterfront and City Centre Zones.</li> </ul>
Degree of risk and uncertainty	✓			<ul style="list-style-type: none"> <li>Plan changes comprising new spatially defined overlay areas and introducing provisions to manage activities in these spaces are generally contentious because they represent a regulatory change. The risk or uncertainty of introducing such regulatory change is usually considered high.</li> <li>However, the approach to protecting identified values in the coastal environment is well understood and therefore the degree of risk and uncertainty is low</li> </ul>

Overall, the scale and significance of the proposed provisions are considered to be medium to high for the following reasons:

- The existing provisions in the ODP do not meet the statutory requirements of the RMA, the NZCPS and the RPS;
- The existing regulatory framework does not identify or protect the coastal environment or areas of outstanding, very high or high coastal natural character;
- The proposed district plan will identify the coastal environment and introduce district wide provisions encompassing all relevant coastal natural character areas and coastal margins and riparian margins in the coastal environment which is a substantial shift from the status quo;
- The proposed provisions will introduce a range of new regulatory controls, narrowing the scope of permitted activities and thereby generate an increased need for resource consent. However due to the mostly rural location of identified coastal character areas it will only impact a limited number of properties and landowners.

Consequently, a reasonably detailed evaluation of these provisions has been identified as appropriate for the purposes of this report.



## 6.2 Quantification of Benefits and Costs

Section 32(2)(b) requires that, where practicable, the benefits and costs of a proposal are to be quantified.

Based on the assessment of the scale and significance of the proposed provisions in section 6.1, specific quantification of the benefits and costs in this report is considered neither necessary, beneficial nor practicable in relation to this topic. Instead, this report identifies more generally where any additional costs or cost may lie and a qualitative assessment of identifiable costs and benefits associated with this proposal is provided in the assessment of policies, rules and other methods contained in section 11 of this report.

Section 32(2)(b) requires that, where practicable, the benefits and costs of a proposal are to be quantified.

## 7.0 Overview of Proposal

The proposed provisions relevant to this topic are set out in detail in the ePlan and should be referenced to in conjunction with this evaluation report.

### 7.1 Overall Approach

Managing subdivision, use and development within the coastal environment and its effects on high natural character, coastal margins and riparian margins within the CE, significant natural areas, outstanding natural features and landscapes and special amenity landscapes is considered in the context of the existing environment. Multiple overlays are proposed that address the important areas of biodiversity, landscape and character within the coastal environment.

The higher order policy direction for protecting the natural character of the coastal environment includes Policy 13 of the NZCPS and Policies 35 and 36 of the RPS. The policy direction acknowledges there is a range of modification along the coastline and when considering character, it is recognised that not all areas are pristine. As such the RPS directs that activities be managed in a way that is appropriate within the context of the surrounding character. This ranges from sensitive areas of high natural character in the coastal environment and coastal margins and riparian margins within the coastal environment that require a strong level of protection to highly modified areas, such as the port, airport, stadium and the CBD, that have a greater capacity to absorb change and where potential effects can be addressed more generally through the underlying zone provisions which reflect the existing established character.

Accordingly, the proposed policy direction to manage the effects of activities within High Coastal Natural Character Areas is to '*avoid significant adverse effects and avoid, remedy or mitigate all other effects*' on the identified values. The proposed policy direction in relation to coastal margins riparian margins in the coastal environment is more nuanced depending on their location and the degree of modification in the relevant environment.

The reasons for this approach are:

- The higher order direction included in section 6 of the RMA and Policy 13 of the NZCPS, both of which require '*protection from inappropriate subdivision, use and development*'. Similarly, the RPS (Policies 35 and 36) also require protection from inappropriate activities and recognise the intention is not to prevent change but to ensure it is carefully considered against

the relevant values. Therefore, protection when read within the context of the policy wording, acknowledges there may be appropriate subdivision, use and development that could occur.

- Further, the policy direction is focused on the effect to the identified character values. As such, there needs to be an ability to determine whether the effect of activities on the identified values is 'appropriate' or not. Therefore, protection is clearly not avoidance but management through assessment.
- The NZCPS policy direction for High Coastal Natural Character Areas is to '*avoid significant adverse effects and avoid, remedy or mitigate all other adverse effects*'. Compared to the NZCPS policy direction for outstanding coastal natural character areas (Policy 13), outstanding natural features and landscapes in the coastal environment (Policy 15) and certain areas of indigenous biological diversity in the coastal environment (Policy 11) which is to '*avoid adverse effects*', this reflects that these areas are recognised as having better capacity to absorb change (with the rule framework responding accordingly).
- Policy 6 of the NZCPS requires development to be set back from the Coastal Marine Area (CMA) and other water bodies where practicable and reasonable, to protect the natural character, open space, public access and amenity values of the CE. Therefore, the proposed policy and rule framework in relation to coastal and riparian margins is more responsive to the underlying zoning and existing degree of modification.

On this basis a policy direction based on the sensitivity of the spatial overlay is considered appropriate. The key characteristics and values have been recorded for each overlay within a schedule to the PDP which means the effect of any activity within each spatial area can be assessed to determine the impact and whether it is appropriate. This maintains consistency with the higher order direction while enabling the flexibility to assess the scale of effect.

## 7.2 Coastal Environment – Proposed Provisions

The following section includes a summary of the proposed provisions of the Coastal Environment chapter where they relate to the identification, preservation and protection of the coastal natural character and coastal and riparian margins in the coastal environment. The proposed provisions relating to coastal hazards are summarised and evaluated in the natural hazards s32. In summary, the proposed provisions of the Coastal Environment chapter relating to coastal character include:

Coastal Environment - CE	
<b>Objectives</b>	<p>4 objectives that address:</p> <ul style="list-style-type: none"> <li>• <b>CE-O1 Coastal Environment</b> – identifies the maintenance and where appropriate the restoration and enhancement of the natural character of the landward extent of the coastal environment as the intended outcome.</li> <li>• <b>CE-O2 Very High and High Coastal Natural Character</b> – identifies the preservation and protection of identified characteristics and values of very high and high coastal natural character areas from inappropriate subdivision, use and development as the desired end state.</li> <li>• <b>CE-O3 Coastal Margins and Riparian Margins</b> – identifies the protection of coastal and riparian margins within the coastal environment from inappropriate subdivision, use and development as the desired outcome.</li> </ul>

Coastal Environment - CE	
	<ul style="list-style-type: none"> <li>• <b>CE-O4 Customary Harvesting –</b> identifies the desired outcome of enabling tangata whenua to exercise customary harvesting within the landward extent of the coastal environment.</li> </ul>
<b>Policies</b>	<p>10 policies that provide guidance regarding:</p> <ul style="list-style-type: none"> <li>• <b>CE-P1 The Identification of the Coastal Environment and of High Coastal Natural Character Areas within the Coastal Environment</b></li> <li>• <b>CE-P2 Use and Development within the coastal environment –</b> provides for use and development in the coastal environment where it consolidates existing development and avoids urban sprawl.</li> <li>• <b>CE-P3 Restoration and Enhancement within the coastal environment –</b> provides for appropriate activities to achieve the restoration and enhancement of the natural character of the coastal environment</li> <li>• <b>CE-P4 Customary Harvesting within the coastal environment –</b> enables tangata whenua to exercise customary harvesting.</li> <li>• <b>CE-P5 Use and development in High Coastal Natural Character Areas –</b> only allows use and development where significant effects are avoided and other effects are avoided, remedied or mitigated and it can be demonstrated that the activity is appropriate in accordance with identified criteria.</li> <li>• <b>CE-P6 Use and development within coastal margins and riparian margins in the coastal environment – located inside the Port Zone, Airport Zone, Stadium Zone, Waterfront Zone, City Centre Zone or the Evans Bay Marine Recreation Area –</b> provides for use and development within coastal and riparian margins in highly modified environments.</li> <li>• <b>CE-P7 Use and development within coastal margins and riparian margins in the coastal environment – located outside the Port Zone, Airport Zone, Stadium Zone, Waterfront Zone, City Centre Zone and the Evans Bay Marine Recreation Area –</b> only allows use and development where significant effects are avoided and other effects are avoided, remedied or mitigated and it can be demonstrated that the activity is appropriate in accordance with identified criteria.</li> <li>• <b>CE-P8 Vegetation removal within the coastal environment –</b> allows for the removal of vegetation depending on the sensitivity of the environment.</li> <li>• <b>CE-P9 Mining and quarrying activities within in the coastal environment –</b> provides guidance for quarrying and mining activities in the CE.</li> <li>• <b>CE-P10 Inappropriate activities within the coastal environment –</b> avoid the establishment of incompatible activities in the CE.</li> </ul>
<b>Rules</b>	<p>A rule framework that manages land use and building and structure activities as follows:</p> <p>Landuse activities</p> <ul style="list-style-type: none"> <li>• <b>CE-R1 Customary harvesting by tangata whenua within the coastal environment</b> is a permitted activity</li> <li>• <b>CE-R2 Restoration and enhancement activities within the coastal environment - outside of High Coastal Natural Character Areas and outside of coastal and</b></li> </ul>

## Coastal Environment - CE

### **riparian margins**

are permitted

- **CE-R3 Restoration and enhancement activities within the coastal environment - within High Coastal Natural Character Areas or within coastal or riparian margins** are permitted, subject to compliance with standards and elevates to restricted discretionary.
- **CE-R4 Vegetation trimming or removal within the coastal environment outside of High Coastal Natural Character Areas** are permitted.
- **CE-R5 Exotic vegetation trimming or removal within the coastal environment within High Coastal Natural Character Areas but outside of SNA** are permitted.
- **CE-R6 Indigenous vegetation trimming or removal within the coastal environment within High Coastal Natural Character Areas but outside of SNA** is permitted subject to compliance with standards and elevates to restricted discretionary
- **CE-R7 Any activity not otherwise listed as permitted, restricted discretionary or non-complying within the coastal environment but outside of High Coastal Natural Character Areas and outside of coastal or riparian margins** is a permitted activity if it complies with the underlying zone provisions. If compliance is not achieved, it elevates to restricted discretionary with the relevant coastal environment policies as additional matters of discretion.
- **CE-R8 Any activity not otherwise listed as permitted, restricted discretionary or non-complying within the coastal environment within coastal or riparian margins** has a permitted starting point if located in the Airport, Port, Stadium, Waterfront or City Centre Zones and the Evans Bay Marine Recreation Area subject to compliance with the underlying zone provisions. If compliance is not achieved, it elevates to restricted discretionary with the relevant coastal environment policies as additional matters of discretion. In all other zones these activities are fully discretionary.
- **CE-R9 Any activity not otherwise listed as permitted, restricted discretionary or non-complying within the coastal environment within High Coastal Natural Character Areas** is fully discretionary.
- **CE-R10 The extension of existing mining and quarrying activities within the coastal environment** is a restricted discretionary activity if it is located outside of High Coastal Natural Character Areas and outside of coastal and riparian margins. Otherwise, it is a non-complying activity.
- **CE-R11 New quarrying and mining activities and new plantation forestry within the coastal environment** are non-complying activities.

Building and structure activities

- **CE-R12 Construction, addition or alteration of buildings and structures, within the coastal environment - outside of High Coastal Natural Character Areas and outside of coastal and riparian margins**

<b>Coastal Environment - CE</b>	
	<p>is permitted if it complies with the underlying zone provisions. If compliance is not achieved, it elevates to restricted discretionary with the relevant coastal environment policies as additional matters of discretion.</p> <ul style="list-style-type: none"> <li>• <b>CE-R13 Construction, addition or alteration of buildings and structures within the coastal environment and within High Coastal Natural Character Areas</b> is restricted discretionary subject to compliance with standards and elevates to discretionary.</li> <li>• <b>CE-R14 Additions and alterations to existing buildings and structures within in the coastal environment and within coastal or riparian margins</b> are permitted if they comply with the underlying zone provisions. If compliance is not achieved, they elevate to restricted discretionary with the relevant coastal environment policies as additional matters of discretion.</li> <li>• <b>CE-R15 Construction of new buildings and structures within in the coastal environment and within coastal or riparian margins</b> has a permitted starting point if located in the Airport, Port, Stadium, Waterfront or City Centre Zones or the Evans Bay Marine Recreation Area if it complies with the underlying zone provisions. If compliance is not achieved, it elevates to restricted discretionary with the relevant coastal environment policies as additional matters of discretion. In all other zones the construction of new buildings and structures within in the coastal environment and within coastal or riparian margins is fully discretionary.</li> </ul>
<b>Standards</b>	<p>A complementary set of effects standards that address:</p> <ul style="list-style-type: none"> <li>• <b>CE-S1 Indigenous vegetation trimming or removal within in the coastal environment and within High Coastal Natural Character Areas -</b> restricts the area of vegetation removal per site and lists a number of exemptions</li> <li>• <b>CE-S2 New buildings and structures within the coastal environment and within High Coastal Natural Character Areas -</b> restricts the height and gross floor area of new buildings and structures and prescribes a colour palette for exterior facades and roofs.</li> </ul>
<b>Schedules</b>	<p>A supporting schedule of High Coastal Natural Character Areas with individual unique identifiers for each site including the characteristics and identified values (SCHED13)</p>
<b>Maps</b>	<p>A spatial overlay shown on the district plan maps identifying the landward extent of the coastal environment.</p> <p>A spatial overlay shown on the district plan maps for each High Coastal Natural Character Area with a reference corresponding to the schedule.</p>

The proposed policy framework takes a balanced approach to the protection of natural character values in the coastal environment by clearly identifying the coastal environment spatially and areas of high natural character within it, recording the characteristics and values for each area. All activities not otherwise identified as permitted within a High Coastal Natural Character Area must be assessed in terms of the effect on the identified coastal character values. However, the policies do recognise some activities will have no discernible or long term impact and encourage or provide for such activities.

The proposed framework also provides appropriate protection for coastal margins and riparian margins in the coastal environment through policies and rules that take into consideration the degree of modification.

## **The landward extent of the coastal environment**

The landward extent of the coastal environment has been identified in accordance with NZCPS Policy 1(2) and identifies the part of the coast where “coastal processes, influences or qualities are significant”. The provisions within the coastal environment chapter address the specific higher order directions and, as with the other overlay chapters, the underlying zone provisions apply unless otherwise specifically managed through the relevant overlay chapter.

## **Vegetation removal**

Vegetation coverage is one of the identified factors in the character assessment of coastal environment and recognised as contributing to the overall value of high natural character areas. Accordingly, vegetation removal is controlled within the rule framework with a permitted rule providing for vegetation removal outside of High Coastal Natural Character Areas. Within High Coastal Natural Character Areas (but outside of SNA) the trimming or removal of exotic vegetation is permitted while the trimming and removal of indigenous vegetation is limited to 50m<sup>2</sup> per 12 months with certain exemptions.

These activities are accepted as having little or no material effect on the identified coastal character values in SCHED13. When the standards are not met then the activities elevate to a restricted discretionary status. The matters of discretion are restricted those in standard CE-S1 and CE-P8 which include:

- The effects on the identified values and the proposed measures to avoid, remedy or mitigate the adverse effects.

Vegetation removal is also controlled within SNA in the coastal environment in accordance with the standards in the ECO chapter. The combined extent of these provisions is such that there are no general vegetation removal controls required outside the identified areas.

## **Restoration and maintenance activities within the coastal environment**

Consistent with the higher order direction, the PDP includes a policy that supports restoration activities within the coastal environment (CE-P3) and a permitted activity rule that facilitates such ongoing activities (CE-R3). This provides for activities associated with conservation and restoration efforts including enhancement planting of indigenous vegetation, pest control or in accordance with Reserve Management Plans. When the standards are not met then the activities elevate to a restricted discretionary status. The matters of discretion are restricted to those included within policy CE-P3.

## **New buildings or structures**

Buildings and structures are regulated through the underlying zone provisions within the coastal environment. Outside of identified overlays and margins the underlying zone provisions are considered appropriate to control development, however if the relevant underlying zone provisions are not complied with, the location within the coastal environment and the potential effects on the natural character will become an additional matter of discretion.

Areas of the coastal environment that are sensitive to change due to biodiversity or landscape values are identified as SNAs, ONFLs and SALs. In addition, High Coastal Natural Character Areas have been identified as being sensitive to change. New buildings and structures within these identified areas are therefore managed as restricted discretionary activities and limited to a gross floor area of 50m<sup>2</sup> and a maximum height of 5m to maintain the high natural character values identified in SCHED13. Proposals not meeting the threshold for restricted discretionary activities are identified

as a discretionary activity to allow for a full assessment of any potential adverse effects of larger buildings and structures.

Buildings and structures within coastal and riparian margins within the most modified zones (Airport, Port, Stadium, Waterfront and CBD) are permitted subject to the underlying zone provisions and the location will only be considered in case of non-compliance with those underlying provisions. Within less modified areas new buildings in coastal and riparian margins are restricted discretionary.

Buildings and structures in ONFL, SALs and SNAs in the coastal environment are managed through the provisions within the respective NFL and ECO chapters.

### **Quarrying or mining activities**

The extension of existing legally established quarrying and mining activities is a restricted discretionary activity within the coastal environment where it is located outside of very high and high coastal natural character areas and outside of coastal and riparian margins within the CE.

New quarrying and mining activities anywhere in the landward extent of the coastal environment are non-complying activities.

This approach recognises the established Horokiwi quarry and allows for the consideration of the scale and degree of the effects of any extensions while also recognising the likelihood that these activities would have permanent significant adverse effects on the natural character values of the coastal environment. It is also consistent with the higher order direction to protect areas of high natural character from inappropriate use and development and to setback activities from the CMA and waterbodies in the CE.

### **Plantation forestry in Coastal High Natural Character Areas**

The NES-PF includes a number of regulations managing the effects of forestry on SNAs. The activity statuses are considered suitable to address the ongoing operation of existing plantation forestry. Afforestation (establishing new plantation forest) is identified as a restricted discretionary activity under Regulation 16 of the NESPF. However, the PDP discourages establishing new plantation forestry within the coastal environment by identifying such activities as non-complying. This is provided for by the regulations which enable rules in the plan to be more stringent where they protect matters in accordance with the NZCPS including Policy 13 (coastal character). This signals such activities are not anticipated and enables the s104D gateway assessment of any proposals with support from the PDP policy framework.

## **7.3 Infrastructure Coastal Environment – Proposed Provisions**

The provisions relating specifically to infrastructure in the coastal environment are located within the Infrastructure Coastal Environment (INF-CE) sub-chapter. The sub-chapter differentiates between general infrastructure and provisions for the National Grid (NG) and the Gas Transmission Pipeline Corridor (GTPC).

### **General Infrastructure**

The ongoing operation, maintenance and repair of existing infrastructure is recognised as a necessary activity and as such is permitted within the coastal environment if it is located outside of identified coastal natural character areas and margins, given the anticipated impact on coastal character would be indiscernible. Within identified coastal natural character areas and margins standards have been identified and where not met the activity would escalate to restricted

discretionary to enable consideration of the effect on the identified character values in SCHED13 or the natural character of the margins.

While upgrading can have a greater potential effect it is still considered appropriate as long as the activity is located outside of identified High Coastal Natural Character Areas and coastal and riparian margins. If located within coastal and riparian margins the underlying zoning is a significant factor; and therefore, in more modified environments the upgrading is permitted while in less modified environments it needs to be located underground or within road reserves to be permitted. If located aboveground or outside of road reserves the restricted discretionary status enables consideration of the effect on the natural coastal character. Upgrading within the identified more sensitive coastal natural character areas has a restricted discretionary starting point and elevates to fully discretionary if located aboveground or outside of road reserve.

New infrastructure has potential to significantly impact identified character and amenity values due to the scale of associated development and is therefore identified as a discretionary activity. However, if located outside of identified coastal natural character areas and margins it is considered appropriate to rely on the underlying provisions of the General Infrastructure chapter. Only where located within a coastal natural character overlay or a coastal or riparian margin it becomes a fully discretionary activity, which provides for the avoidance of significant adverse effects and the management of all other adverse effects.

### **National Grid and Gas Transmission Pipeline Corridor**

While the proposed provisions for the National Grid and the Gas Transmission Pipeline Corridor follow a similar approach and logic as the provisions for general infrastructure, they also take into consideration the provisions of the National Policy Statement for Electricity Transmission 2008 and the National Environmental Standards NES for Electricity Transmission Activities 2009 while also giving effect to the New Zealand Coastal Policy Statement.

As for general infrastructure the operation, maintenance and repair of NG and GTPC infrastructure are accepted as necessary activities and as such are permitted anywhere in the CE, including very high and high coastal natural character areas and coastal and riparian margins. This approach recognises the additional guidance provided by the NPS-ET and additional regulations included in the NES-ETA.

While upgrading also relates to already existing and established NG and GTPC structures it can have greater adverse effects on identified values and the natural character of coastal and riparian margins. It is therefore permitted where it is located outside of identified character areas and coastal and riparian margins.

If upgrading of the NG is proposed within an area of very high or high coastal natural character, it is a restricted discretionary activity which allows for the consideration of any adverse effects.

The upgrading of GTPC infrastructure within these overlays and margins has a restricted discretionary starting point if the infrastructure is located underground or within an existing road reserve. All other upgrades are fully discretionary. This split approach for the NG and the GTPC recognises the additional guidance and regulation that applies to the NG and the lack of such regulation for the GTPC.

New NG and GTPC infrastructure is a permitted activity where it is located within the coastal environment but outside of any coastal natural character overlays or margins if it complies with the general infrastructure provisions. Only where located within a coastal natural character overlay or a coastal or riparian margin it becomes a fully discretionary activity, which provides for the avoidance



of significant adverse effects and the management of all other adverse effects. This approach also recognises that the NES-ETA does not apply to new NG infrastructure.

<b>Infrastructure - Coastal Environment – INF-CE</b>	
<b>Policies</b>	<p>12 policies relating to infrastructure activities that provide guidance regarding:</p> <ul style="list-style-type: none"> <li>• <b>INF-CE-P14 Operation, maintenance and repair of existing infrastructure within the coastal environment outside of High Coastal Natural Character Areas and outside of coastal and riparian margins</b> are allowed.</li> <li>• <b>INF-CE-P15 Operation, maintenance and repair of existing infrastructure within the coastal environment within High Coastal Natural Character Areas</b> are provided for subject to earthworks standards and avoidance/management of effects.</li> <li>• <b>INF-CE-P16 Operation, maintenance and repair of existing infrastructure within the coastal environment in the Residential Zones, Commercial and Mixed Use Zones, Industrial Zones and Special Purpose Zones within coastal and riparian margins</b> allows for operation, maintenance and repair.</li> <li>• <b>INF-CE-P17 Operation, maintenance and repair of existing infrastructure within the coastal environment in the Rural Zones and Open Space and Recreation Zones within coastal and riparian margins</b> are provided for subject to earthworks standards and avoidance/management of effects.</li> <li>• <b>INF-CE-P18 Upgrading of existing infrastructure within the coastal environment outside of High Coastal Natural Character Areas; and outside of coastal and riparian margins</b> are allowed.</li> <li>• <b>INF-CE-P19 Upgrading of existing infrastructure within the coastal environment that is located underground or within an existing road reserve within High Coastal Natural Character Areas</b> is provided for.</li> <li>• <b>INF-CE-P20 Upgrading of existing infrastructure within the coastal environment that is located aboveground and outside an existing road reserve within High Coastal Natural Character Areas</b> is only allowed for where scale is appropriate, effects can be managed and there is a functional/operational need.</li> <li>• <b>INF-CE-21 Upgrading of existing infrastructure within the coastal environment of the Residential, Commercial and Mixed Use Zones, Industrial Zones, and Special Purpose Zones within coastal and riparian margins</b> is allowed for in these zones.</li> <li>• <b>INF-CE-P22 Upgrading of existing infrastructure within the coastal environment of the Rural Zones and Open Space and Recreation Zones that is located underground or within an existing road reserve within coastal and riparian margins</b> is provided for.</li> <li>• <b>INF-CE-P23 Upgrading of existing infrastructure within the coastal environment of the Rural Zones and Open Space and Recreation Zones that is located</b></li> </ul>

## Infrastructure - Coastal Environment – INF-CE

**aboveground and outside an existing road reserve within coastal and riparian margins**

is only allowed for where scale is appropriate, effects can be managed and there is a functional/operational need.

- **INF-CE-P24 New infrastructure within the coastal environment outside of High Coastal Natural Character Areas and outside of coastal and riparian margins** are allowed.
- **INF-CE-P25 New infrastructure within the coastal environment within High Coastal Natural Character Areas or within coastal and riparian margins** is only allowed for where scale is appropriate, effects can be managed and there is a functional/operational need.

Seven policies relating to National Grid and Gas Transmission Pipeline Corridor activities that provide guidance regarding:

- **INF-CE-P26 Operation, maintenance and repair of existing National Grid (NG) & Gas Transmission Pipeline Corridor (GTPC) infrastructure within the coastal environment** is allowed.
- **INF-CE-P27 Upgrading of existing National Grid (NG) & Gas Transmission Pipeline Corridor (GTPC) infrastructure within the coastal environment outside of High Coastal Natural Character Areas or outside of coastal or riparian margins** is allowed.
- **INF-CE-P28 Upgrading of existing National Grid (NG) infrastructure within the coastal environment within High Coastal Natural Character Areas or within coastal and riparian margins** is provided for where scale is appropriate, effects can be managed and there is a functional/operational need.
- **INF-CE29 Upgrading of existing Gas Transmission Pipeline Corridor (GTPC) infrastructure within the coastal environment that is located underground or within an existing road reserve within High Coastal Natural Character Areas or within coastal and riparian margins** is provided for.
- **INF-CE-P30 Upgrading of existing Gas Transmission Pipeline Corridor (GTPC) infrastructure within the coastal environment that is located aboveground and outside an existing road reserve within High Coastal Natural Character Areas or within coastal and riparian margins** is provided for where scale is appropriate, effects can be managed and there is a functional/operational need.
- **INF-CE-P31 New National Grid (NG) & Gas Transmission Pipeline Corridor (GTPC) infrastructure within the coastal environment outside of High Coastal Natural Character Areas or outside of coastal or riparian margins** is allowed.
- **INF-CE-P32 New National Grid (NG) & Gas Transmission Pipeline Corridor (GTPC) infrastructure within the coastal environment within High Coastal Natural Character Areas or within coastal and riparian margins** is only allowed where scale is appropriate, effects can be managed and there is a functional/operational need

## Infrastructure - Coastal Environment – INF-CE

### Rules

A rule framework that manages infrastructure activities and National Grid and Gas Transmission Pipeline Corridor activities as follows:

Infrastructure activities

- **INF-CE-R31 Operation, maintenance and repair of existing infrastructure within the coastal environment outside of High Coastal Natural Character Areas and outside of coastal and riparian margins** are permitted.
- **INF-CE-R32 Operation, maintenance and repair of existing infrastructure within the coastal environment within High Coastal Natural Character Areas** are permitted subject to compliance with standards and elevate to restricted discretionary.
- **INF-CE-R33 Operation, maintenance and repair of existing infrastructure within the coastal environment within coastal or riparian margins** are permitted in residential, commercial and mixed use, industrial and special purpose zones; and are permitted in rural and open space and recreation zones subject to compliance with standards and elevate to restricted discretionary.
- **INF-CE-R34 Upgrading of existing infrastructure within the coastal environment outside of High Coastal Natural Character Areas and outside of coastal and riparian margins** is permitted.
- **INF-CE-R35 Upgrading of existing infrastructure within the coastal environment within coastal or riparian margins** is permitted in residential, commercial and mixed use, industrial and special purpose zones and is permitted in rural and open space and recreation zones subject to compliance with standards and elevates to restricted discretionary.
- **INF-CE-R36 Upgrading of existing infrastructure within the coastal environment within High Coastal Natural Character Areas** is restricted discretionary subject to standards and elevates to discretionary.
- **INF-CE-R37 New infrastructure within the coastal environment outside of High Coastal Natural Character Areas and outside of coastal and riparian margins** is permitted.
- **INF-CE-R38 New infrastructure within the coastal environment within High Coastal Natural Character Areas or within coastal or riparian margins** is discretionary.

National Grid and Gas Transmission Pipeline Corridor activities

- **INF-CE-R39 Operation, maintenance, repair of existing National Grid (NG) & Gas Transmission Pipeline Corridor (GTPC) infrastructure within the coastal environment** is permitted.
- **INF-CE-R40 Upgrading of existing National Grid (NG) & Gas Transmission Pipeline Corridor (GTPC) infrastructure within the coastal environment - outside of High Coastal Natural Character Areas and outside of coastal or riparian margins** is permitted.

<b>Infrastructure - Coastal Environment – INF-CE</b>	
	<ul style="list-style-type: none"> <li>• <b>INF-CE-R41 Upgrading of existing National Grid (NG) infrastructure within the coastal environment within High Coastal Natural Character Areas or within coastal or riparian margins</b> is restricted discretionary</li> <li>• <b>INF-CE-R42 Upgrading of existing Gas Transmission Pipeline Corridor (GTPC) infrastructure within the coastal environment within High Coastal Natural Character Areas or within coastal or riparian margins</b> is restricted discretionary subject to compliance with standards and elevates to fully discretionary.</li> <li>• <b>INF-CE-R43 New National Grid (NG) &amp; Gas Transmission Pipeline Corridor (GTPC) infrastructure within the coastal environment - outside of High Coastal Natural Character Areas and outside of coastal or riparian margins</b> is permitted.</li> <li>• <b>INF-CE-R44 New National Grid (NG) &amp; Gas Transmission Pipeline Corridor (GTPC) infrastructure within the coastal environment within High Coastal Natural Character Areas or within coastal or riparian margins</b> is discretionary.</li> </ul>
<b>Standards</b>	No standards that are specific to the coastal environment

#### 7.4 Renewable Electricity Generation – Proposed Provisions Relating to CE

These provisions are located within the Renewable Electricity Generation (REG) chapter. The REG chapter identifies four broad types of renewable electricity generation activities:

- investigation activities
- small scale renewable electricity generation,
- community scale renewable electricity generation; and
- large scale renewable electricity generation.

The chapter further differentiates between

- the operation, maintenance and repair of existing renewable electricity generation and
- the upgrading of existing and installation of new renewable electricity generation

The activity status then correlates to the different scale and types of renewable electricity generation activities and also takes into consideration whether the activity is located in a district wide overlay and the sensitivity of these overlays.

In the case of very high and high coastal natural character areas and coastal and riparian margins within the coastal environment, the operation, maintenance and repair of existing renewable generation infrastructure is permitted given the effect of the renewable generation infrastructure is already established and the ongoing operation would have little impact on the identified values.

The upgrading of existing and the establishment of new small scale renewable generation infrastructure and investigation activities are identified as restricted discretionary activities if located within the coastal natural character overlays and margins and the matters of discretion refer to the relevant policies of the REG chapter and the CE chapter. This provides consideration of the relevant

matters at the time of consent processing and allows applications to be either approved with conditions or declined if the adverse effects are significant.

The upgrading of existing and the establishment of new community scale REG infrastructure is identified as a discretionary activity within coastal character overlays and margins. This allows consideration of all relevant matters and policies to assess the impact on the identified values and the natural character of coastal and riparian margins when determining a resource consent.

The upgrading of existing and the establishment of new large scale renewable generation activities within overlay areas and margins are identified as a non-complying activity. This signals that large scale activities are not anticipated within sensitive overlay areas and introduces the gateway test to the decision making process which includes policy REG-P9 which states locating such activities within an overlay must be avoided.

<b>Renewable Electricity Generation – REG</b>	
<b>Policies</b>	<p>References to High Coastal Natural Character Areas and coastal margins and riparian margins in the coastal environment are included the relevant policies that apply to overlays:</p> <ul style="list-style-type: none"> <li>• <b>REG-P3 Enabling existing renewable electricity generation activities -</b> allows for operation, maintenance and repair of existing REG activities anywhere within the CE</li> <li>• <b>REG-P4 Small scale renewable electricity generation and investigation activities outside of Overlays (new and upgrades) -</b> allows for these activities in the coastal environment where they are located in the coastal environment but outside of High Coastal Natural Character Areas and outside of coastal and riparian margins.</li> <li>• <b>REG-P5 Small-scale renewable electricity generation activities and investigation activities within Overlays and the coastal environment (new and upgrades) -</b> only allows for investigation, upgrading and new small scale REG within High Coastal Natural Character Areas or within coastal margins or riparian margins in the coastal environment where effects can be managed.</li> <li>• <b>REG-P6 Community scale renewable electricity generation activities in the General Rural, General Industrial and Natural Open Space zones, outside of Overlays (new and upgrades) -</b> provides for these activities where they are located in the coastal environment but outside of High Coastal Natural Character Areas and outside of coastal and riparian margins and where effects are managed.</li> <li>• <b>REG-P7 Community-scale renewable electricity generation activities within other zones, locations and Overlays (new and upgrades) -</b> only allows for upgrading and new community scale REG within areas of Very High and High Coastal Natural Character; or within coastal margins or riparian margins in the coastal environment where effects can be managed.</li> <li>• <b>REG-P8 Large scale renewable electricity generation activities in the General Rural and Natural Open Space zones outside of Overlays (new and upgrades) -</b> only allows for upgrading and new large scale REG within the coastal environment but outside of High Coastal Natural Character Areas and outside of coastal margins and riparian margins where effects can be managed.</li> </ul>

<b>Renewable Electricity Generation – REG</b>	
	<ul style="list-style-type: none"> <li>• <b>REG-P9 Large-scale renewable electricity generation activities in other zones, locations and Overlays (new and upgrades) -</b> avoid upgrading and new large scale REG within the coastal environment within High Coastal Natural Character Areas and within coastal margins and riparian margins in the coastal environment.</li> </ul>
<b>Rules</b>	<p>A rule framework that manages REG activities as follows:</p> <ul style="list-style-type: none"> <li>• <b>REG-R1 Operation, maintenance and repair, or removal of renewable electricity generation activities (including ancillary vehicle access tracks) -</b> are permitted subject to standards.</li> <li>• <b>REG-R2 Renewable electricity generation investigation activities - are permitted within the CE</b> are restricted discretionary where located within High Coastal Natural Character Areas and within coastal margins and riparian margins in the coastal environment.</li> <li>• <b>REG -R3 Small scale renewable electricity generation activities (new and upgrades) -</b> are permitted within the CE; are restricted discretionary where located within High Coastal Natural Character Areas and within coastal margins and riparian margins in the coastal environment.</li> <li>• <b>REG-R4 Community scale renewable electricity generation activities (new and upgrades) -</b> are restricted discretionary within the coastal environment in the General Rural, General Industrial and Natural Open Space zones; are discretionary within the coastal environment in all other zones; are discretionary where located within High Coastal Natural Character Areas and within coastal margins and riparian margins in the coastal environment.</li> <li>• <b>REG-R5 Large scale renewable electricity generation activities (new and upgrades) -</b> are discretionary within the coastal environment in General Rural and Natural Open Space zones; are non-complying within the coastal environment in all other zones; are non-complying where located within High Coastal Natural Character Areas and within coastal margins and riparian margins in the coastal environment.</li> </ul>
<b>Standards</b>	No standards that are specific to the coastal environment.

## 7.5 Subdivision – Proposed Provisions Relating to CE

Subdivision provides for additional development potential which is enabled by the permitted land use provisions of the underlying zone. It can enable sprawl of development along the coast which is discouraged by the NZCPS. The impact of such development can also have adverse effects on the identified characteristics and values of the coastal natural character overlay through an intensified pattern of development. Accordingly, subdivision of a site containing an area of very high or high coastal natural character is a restricted discretionary activity. The minimum allotment area for the underlying zone is not reduced, but the location of the future building platform outside the very high/high coastal natural character overlay is required. Where the underlying zone requirements for buildings cannot be met or a building platform outside the overlay is not identified then the proposal elevates to a non-complying status.

Subdivision of land containing coastal or riparian margins within the coastal environment has a controlled starting point where it is located in the highly modified Airport, Port, Stadium, Waterfront or City Centre Zones. In all other zones such subdivision is restricted discretionary and any future building platforms must be identified and located outside of the margins. Where the underlying zone requirements for buildings cannot be met or a building platform outside the margin is not identified the proposal elevates to a fully discretionary activity status

<b>Subdivision - SUB</b>	
<b>Policies</b>	<p>Policies relating to subdivision that provide guidance regarding:</p> <ul style="list-style-type: none"> <li>• <b>SUB-P21 Subdivision of land within the landward extent of the coastal environment -</b> provides for subdivision within the CE</li> <li>• <b>SUB-P22 Subdivision of land within High Coastal Natural Character Areas -</b> only allows for subdivision where effects can be avoided or managed.</li> <li>• <b>SUB-P23 Subdivision of land within coastal margins and riparian margins in the coastal environment located inside the Port Zone, Airport Zone, Stadium Zone, Waterfront Zone or City Centre Zone -</b> provides for subdivision</li> <li>• <b>Subdivision of land within coastal margins and riparian margins in the coastal environment located outside the Port Zone, Airport Zone, Stadium Zone, Waterfront Zone and the City Centre Zone -</b> only allows for subdivision where effects can be avoided or managed.</li> </ul>
<b>Rules</b>	<p>A rule framework that manages subdivision within the coastal environment as follows:</p> <ul style="list-style-type: none"> <li>• <b>SUB-R12 Subdivision within the coastal environment outside of areas of very high or high coastal natural character and outside of coastal and riparian margins</b> is controlled outside of Open Space and General Rural Zone with additional matters of control relating to public access, esplanade provisions and the coastal environment; is restricted discretionary within Open Space and General Rural Zone with additional matters of discretion relating to public access, esplanade provisions and the coastal environment.</li> <li>• <b>SUB-R13 Subdivision within the coastal environment within coastal and riparian margins -</b> is controlled in the Port, Airport, Stadium, Waterfront and City Centre zones with additional matters of control; is restricted discretionary in all other zones subject to the identification of new building platforms that comply with underlying zone provisions and are located outside the margins and elevates to discretionary in case of non-compliance.</li> <li>• <b>SUB-R14 Subdivision within the coastal environment within High Coastal Natural Character Areas -</b> is restricted discretionary subject to the identification of new building platforms that comply with underlying zone provisions and are located outside the character overlay and elevates to a non-complying activity status.</li> </ul>
<b>Standards</b>	No specific standards

## 7.6 Earthworks - Proposed Provisions Relating to CE

Earthworks are permitted in all zones within the coastal environment in accordance with the underlying zone standards. The more sensitive areas of the coastal environment are identified by overlays comprising SAL, ONFL, SNA and Very High and High Coastal Natural Character. Coastal margins and riparian margins within the coastal environment and outside of the highly modified Port, Airport, Stadium, Waterfront and City Centre Zones are also identified as sensitive areas. The permitted standards within these areas are further restricted to protect the identified natural character values which are sensitive to landform modification and visual amenity effects. For earthworks within high natural character areas and coastal margins and riparian margins in the coastal environment (outside highly modified areas) the following applies:

- Where earthworks exceed the more restrictive permitted standard, they are assessed as a restricted discretionary activity;
- The matters of discretion are restricted to
  - whether the scale and purpose of the earthworks are compatible with the identified values or natural character;
  - any measures to avoid significant effects and avoid, remedy or mitigate any other effect on the identified values and characteristics;
  - the functional or operational need; and
  - any measures to restore and rehabilitate disturbed areas.

The standards for earthworks within the ONFL, SAL and SNA overlays are addressed with the relevant Natural Environment chapters and also apply within the coastal environment.

<b>Earthworks - EW</b>	
<b>Policies</b>	<p>Policies relating to EW activities that provide guidance regarding:</p> <ul style="list-style-type: none"> <li>• <b>EW-P11 Earthworks within High Coastal Natural Character Areas within the coastal environment -</b> only allows for earthworks subject to scale, avoidance or management of effects and functional need.</li> <li>• <b>EW-P12 Earthworks within coastal and riparian margins within the coastal environment -</b> provides for earthworks subject depending on location, scale, functional need avoidance or management of effects and restoration</li> </ul>
<b>Rules</b>	<p>A rule framework that manages earthworks within the coastal environment as follows:</p> <ul style="list-style-type: none"> <li>• <b>EW-R8 Earthworks within High Coastal Natural Character Areas within the coastal environment -</b> are restricted discretionary subject to standards and elevate to discretionary</li> <li>• <b>EW-R9 Earthworks within coastal margins or riparian margins within the coastal environment -</b> are permitted in highly modified environments (Port, Airport, Stadium, Waterfront, City Centre Zones) subject to compliance with standards and elevate to restricted discretionary are restricted discretionary in all other zones subject to compliance with standards and elevate to discretionary</li> </ul>



Earthworks - EW	
<b>Standards</b>	Specific more restrictive earthworks standards relating to area and cut/fill apply.

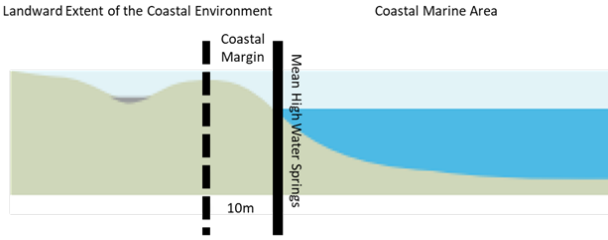
## 7.7 Other Overlays in the CE

The evaluation of provisions for natural environment overlays and coastal hazards can be found in the following s32 reports:

Overlay / Provisions	Section 32 Evaluation
Significant Natural Areas	ECO – Ecosystems and Indigenous Biodiversity
Outstanding Natural Landscapes and Features	NFL - Natural Features and Landscapes
Special Amenity Landscapes	
Ridgelines	
Coastal Hazards	NH – Natural Hazards

## 7.8 Definitions

The following definitions are particularly relevant to the CE:

Definition	Purpose
<b>Coastal environment</b> - means the area of the coast which is identified on the planning maps.	Supports provisions relating to the coastal environment.
<p><b>Coastal margin</b> - means all land within a horizontal distance of 10 metres landward from the coastal marine area.</p>  <p>The diagram shows a cross-section of the coastline. On the left is the land, and on the right is the sea. A vertical dashed line marks the 'Coastal Margin' at a distance of 10m landward from the 'Mean High Water Springs'. The area between the Coastal Margin and the Mean High Water Springs is shaded green and labeled 'Landward Extent of the Coastal Environment'. The area seaward of the Mean High Water Springs is shaded blue and labeled 'Coastal Marine Area'.</p>	Supports provisions relating to coastal margins and provides certainty where they apply.
<p><b>Customary harvesting (Hauhake)</b> - means harvesting is of indigenous vegetation by mana whenua in accordance with tikanga for traditional uses. These include:</p> <ol style="list-style-type: none"> <li>Kohi Kai (food gathering)</li> <li>Whakairo (carving)</li> <li>Rāranga (weaving)</li> <li>Rongoā (traditional medicine)</li> </ol>	Supports provisions referring to customary harvesting. Provides consistency across chapters providing for customary harvesting.
<b>High Coastal Natural Character Area</b> – means an area of very high or high coastal natural character identified in SCHED13 - High Coastal Natural Character Areas.	Supports provisions relating to High Coastal Natural Character Area and provides a link to Schedule 13.
<b>Functional need</b> - means the need for a proposal or activity to traverse, locate or operate in a particular	Supports policies and rules where they refer to functional and operational needs of activities.

environment because the activity can only occur in that environment.	
<b>Operational need</b> - means the need for a proposal or activity to traverse, locate or operate in a particular environment because of technical, logistical or operational characteristics or constraints.	
<b>Riparian margin</b> - means all land within a horizontal distance of 10 metres landward from the bed of a river.	Supports provisions relating to riparian margins and provides certainty where they apply.
<b>River</b> - has the same meaning as in section 2 of the RMA: means a continually or intermittently flowing body of fresh water; and includes a stream and modified watercourse; but does not include any artificial watercourse (including an irrigation canal, water supply race, canal for the supply of water for electricity power generation, and farm drainage canal). (NPS)	Supports provisions relating to rivers / riparian margins and provides certainty where they apply.

## 7.9 Notification Clauses

No public or limited notification preclusion clauses have been applied to any of the coastal environment provisions.

## 8.0 Qualifying Matters

### 8.1 Residential Zones

In December 2021 the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 ('Enabling Housing Supply Act') came into effect with sections 77G to 77M introducing intensification requirements in residential zones.

Section 77G outlines Council's duty to incorporate Medium Density Residential Standards ('MDRS') and give effect to policy 3 of the NPS-UD in residential zones:

- (1) *Every relevant residential zone of a specified territorial authority must have the MDRS incorporated into that zone.*
- (2) *Every residential zone in an urban environment of a specified territorial authority must give effect to policy 3 or policy 5, as the case requires, in that zone.*
- (3) *When changing its district plan for the first time to incorporate the MDRS and to give effect to policy 3 or policy 5, as the case requires, and to meet its obligations in section 80F, a specified territorial authority must use an IPI and the ISPP.*
- (4) *In carrying out its functions under this section, a specified territorial authority may create new residential zones or amend existing residential zones.*
- (5) *A specified territorial authority—*
  - (a) *must include the objectives and policies set out in clause 6 of Schedule 3A:*
  - (b) *may include objectives and policies in addition to those set out in clause 6 of Schedule 3A, to—*

- (i) *provide for matters of discretion to support the MDRS; and*
- (ii) *link to the incorporated density standards to reflect how the territorial authority has chosen to modify the MDRS in accordance with section 77H.*

- (6) *A specified territorial authority may make the requirements set out in Schedule 3A or policy 3 less enabling of development than provided for in that schedule or by policy 3, if authorised to do so under section 77I. (emphasis added).*

Section 77I identifies a list of qualifying matters that may be applied in residential zones to modify the requirements set out in Schedule 3A (the MDRS standards) and the relevant building height and density standards under policy 3, to be less enabling. The preservation of the natural character of the coastal environment, the protection of outstanding natural features and landscapes in the CE and the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna in the CE are identified as qualifying matters under Section 77I (a) and (b).

As part of the full review of the District Plan Wellington City Council has spatially identified High Coastal Natural Character Areas (Schedule 13), Significant Natural Areas (Schedule 8) and Outstanding Natural Features and Landscapes (Schedule 11).

Section 77J outlines the requirements where a territorial authority is amending its district plan in accordance with section 77G and requires the additional evaluation matters in section 77J (3) and (4) to be included as part of the required section 32 evaluation:

- (3) *The evaluation report must, in relation to the proposed amendment to accommodate a qualifying matter, —*
  - (a) *demonstrate why the territorial authority considers—*
    - (i) *that the area is subject to a qualifying matter; and*
    - (ii) *that the qualifying matter is incompatible with the level of development permitted by the MDRS (as specified in Schedule 3A) or as provided for by policy 3 for that area; and*
  - (b) *assess the impact that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity; and*
  - (c) *assess the costs and broader impacts of imposing those limits.*
- (4) *The evaluation report must include, in relation to the provisions implementing the MDRS, —*
  - (a) *a description of how the provisions of the district plan allow the same or a greater level of development than the MDRS:*
  - (b) *a description of how modifications to the MDRS as applied to the relevant residential zones are limited to only those modifications necessary to accommodate qualifying matters and, in particular, how they apply to any spatial layers relating to overlays, precincts, specific controls, and development areas, including—*
    - (i) *any operative district plan spatial layers; and*
    - (ii) *any new spatial layers proposed for the district plan.*

In this case, it is not proposed to modify the MDRS standards or the height and density requirements in policy 3 to be less enabling for residential zoned sites that are affected by a qualifying matter in the identified overlays.

Instead, proposals on affected sites will continue to be assessed in accordance with the underlying zone provisions together with the proposed draft provisions for the relevant overlay chapter (CE/ECO/NFL). Accordingly, no further evaluation of the matters in 77J (3) and (4) is required as no change is proposed to those standards.

## **8.2 Non-Residential Zones**

The approach outlined above has also been applied to intensification requirements in non-residential zones as required by sections 77N to 77R. The identified overlays are not proposed to be used as qualifying matters to reduce the intensification requirements under policy 3. As for residential zones, any proposals on affected sites will continue to be assessed in accordance with the underlying zone provisions together with the proposed draft provisions for the relevant overlay chapter and therefore no further evaluation of the matters is required.

## **9.0 Evaluation of Proposed Objective/s**

### **9.1 Introduction**

Section 32(1)(a) of the RMA requires that the evaluation report examine the extent to which the objectives of the proposal are the most appropriate way to promote the sustainable management of natural and physical resources.

An examination of the proposed objectives along with reasonable alternatives is included below, with the relative extent of their appropriateness based on an assessment against the following criteria:

1. Relevance (i.e. Is the objective related to addressing resource management issues and will it achieve one or more aspects of the purpose and principles of the RMA?)
2. Usefulness (i.e. Will the objective guide decision-making? Does it meet sound principles for writing objectives? Does it clearly state the anticipated outcome?)
3. Reasonableness (i.e. What is the extent of the regulatory impact imposed on individuals, businesses or the wider community? Is it consistent with identified tangata whenua and community outcomes?)
4. Achievability (i.e. Can the objective be achieved with tools and resources available, or likely to be available, to the Council?)

## 9.2 Evaluation of Objectives

While not specifically required under s32, it is appropriate to also consider alternative objectives to those currently included in the Proposed District Plan, so as to ensure that the proposed objectives are the most appropriate to achieve the purpose of the RMA.

For the purposes of this evaluation, the Council has considered two sets of potential objectives:

1. The proposed objectives
2. The current most relevant objectives - the status quo

<b>Evaluation of Objectives</b>
<p><b>Proposed objectives:</b></p> <p><b>CE-O1 Coastal Environment</b></p> <p>The natural character and qualities that contribute to the natural character within the landward extent of the coastal environment are maintained and, where appropriate, restored or enhanced.</p> <p><b>CE-O2 High Coastal Natural Character Areas</b></p> <p>The identified characteristics and values of High Coastal Natural Character Areas in the landward extent of the coastal environment are preserved and protected from inappropriate subdivision, use and development.</p> <p><b>CE-O3 Coastal Margins and Riparian Margins</b></p> <p>Coastal margins and riparian margins in the landward extent of the coastal environment are protected from inappropriate subdivision, use and development.</p> <p><b>CE-O4 Customary Harvesting</b></p> <p>Tangata whenua are able to exercise customary harvesting within the landward extent of the coastal environment.</p>
<b>General intent:</b>
<p>The desired outcome of the proposed objectives are:</p> <ul style="list-style-type: none"><li>• the maintenance and, where appropriate, the restoration and enhancement of the natural character of the coastal environment.</li><li>• the preservation and protection of identified High Coastal Natural Character Areas</li></ul>

<b>Evaluation of Objectives</b>		
<ul style="list-style-type: none"> <li>the protection of coastal margins and riparian margins in the coastal environment.</li> <li>the provision for customary harvesting by tangata whenua.</li> </ul>		
<b>Other potential objectives</b>		
<p>Status quo:</p> <p>1.6.3 District Plan Objectives</p> <ul style="list-style-type: none"> <li>To maintain and enhance the quality of the City's coastal environment.</li> <li>To maintain and enhance natural features (including landscapes and ecosystems) that contribute to Wellington's natural environment.</li> <li>To facilitate the exercise of tino rangatiratanga and kaitiakitanga by Wellington's tangata whenua.</li> </ul> <p>Objective 4.2.9 - To maintain and enhance the quality of the coastal environment within and adjoining Residential Areas.</p> <p>Objective 12.2.12 - To maintain and enhance access to, and the quality of the coastal environment within and adjoining the Central Area</p> <p>Objective 14.2.6 - To maintain and enhance the quality of the coastal environment within and adjoining the Rural Area.</p> <p>Objective 33.2.10 - To maintain and enhance access to, and the quality of the coastal environment within and adjoining Business Areas</p>		
	<b>Preferred objective</b>	<b>Status quo</b>
<b>Relevance</b>		
<b>Addresses a relevant resource management issue</b>	Yes – the objectives recognise and address the issues identified in section 5.3 above.	Partially – the status quo objectives are very broad and do not address the issue of natural character directly. Instead, the focus is on 'maintaining and enhancing access to, and the quality of the coastal environment' in certain areas. However, the extent of the coastal environment is not identified, and the objectives lack reference to the protection of identified natural character values and to enabling customary harvesting. The status quo objectives do not apply to all zones of the District Plan.
<b>Assists the Council to undertake its functions under s31 RMA</b>	Yes - the objectives achieve the requirement under s31(1)(a) to manage the effects of the use, development or	Yes – the status quo objective is broadly consistent in assisting the council's functions by 'maintaining and

<b>Evaluation of Objectives</b>		
	protection of land and associated natural and physical resources of the district.	enhancing access to, and the quality of the coastal environment' in certain areas.
<b>Gives effect to higher level documents</b>	Yes – the objectives give effect to s6(a) of the RMA which requires ' <i>preservation of the natural character of the coastal environment... and the protection of them from inappropriate subdivision, use and development</i> '. The objectives also give effect to Policies 1, 6 and 13 of the NZCPS and policies 35 and 36 of the Regional Policy Statement which require preserving natural character and managing effects on natural character (recognising character is measured on a sliding scale from pristine to heavily modified).	No - the status quo objectives do not give effect to the higher order documents. They are not consistent with s6(a) and therefore do not achieve the purpose of the RMA. The objectives are not consistent with Policies 1, 6 or 13 of the NZCPS and do not give effect to RPS policies 35 or 36.
<b>Usefulness</b>		
<b>Guides decision-making</b>	Yes – the objectives provide a clear direction on the outcome sought for the protection of coastal environment, natural character and coastal and riparian margins and will guide decision making through the resource consent process under s104.	Partially – the status quo objectives refer to the maintenance and enhancement of the quality of the coastal environment but do not provide sufficient guidance in relation to the protection and preservation of natural character in the coastal environment.
<b>Meets best practice for objectives</b>	Yes – the objectives clearly state the intended outcomes and the desired end state which is consistent with national best practice.	No – it does not provide sufficient guidance.
<b>Reasonableness</b>		
<b>Will not impose unjustifiably high costs on the community/parts of the community</b>	Yes - while some additional costs may occur the objectives are balanced in order to avoid imposing unjustifiably high costs on the community. They avoid blunt 'avoidance' directions and will continue to enable appropriate subdivision, use and development. Some cost increases will be experienced for certain activities in clearly defined areas, but the objectives provide scope for these to be measured	Partially - may impose additional cost by creating uncertainty.

<b>Evaluation of Objectives</b>		
	through policies and rules to avoid any unjustifiable burden while still achieving the statutory requirements.	
<b>Acceptable level of uncertainty and risk</b>	Yes - the objectives provide certainty by clearly stating the outcomes sought and reduce risk through a foundation of robust evidence and community engagement. The approach is in line with best practice.	Partially - does not provide sufficient guidance as to expected outcomes and therefore creates uncertainty and risk.
<b>Achievability</b>		
<b>Consistent with identified tangata whenua and community outcomes</b>	Yes - the proposed objectives are consistent with identified tangata whenua and community outcomes.	Partially - the existing objectives may not be consistent with more recently identified tangata whenua and community outcomes.
<b>Realistically able to be achieved within the Council's powers, skills and resources</b>	Yes - the objectives are realistically able to be achieved based on the Council's responsibility in accordance with the higher order statutory requirements and procurement of a robust coastal character assessment and evidence base.	Yes - the scope of the operative objectives is able to be realistically achieved.
<b>Summary</b>		
<p>The above analysis indicates that the proposed objectives are the most appropriate way to achieve the purpose of the RMA.</p> <p>The proposed objectives address relevant resource management issues and are in line with national best practice. They implement and give effect to national and regional guidance and direction (s5, s6, s7 of the RMA, and the identified NZCPS and RPS policies) by describing the envisaged preservation and protection of natural character within the coastal environment and also stating the intention to provide for maintenance and enhancement of natural character as well as customary harvesting within riparian margins. They provide certainty and guidance to decision makers and plan users regarding the desired outcomes, are consistent with the wider PDP's strategic objectives and are balanced against the other competing directions for subdivision, use and development in the coastal environment.</p> <p>The existing objectives do not reflect or give full effect to higher level direction and do not provide certainty and guidance to decision makers and plan users.</p>		



## **10.0 Evaluation of Reasonably Practicable Options and Associated Provisions**

### **10.1 Introduction**

Under s32(1)(b) of the RMA, reasonably practicable options to achieve the objectives associated with this proposal need to be identified and examined. This section of the report evaluates the proposed policies and rules, as they relate to the associated objectives.

The technical and consultation input used to inform this process is outlined in section 5 of this report.

Council has identified the status quo as the only reasonably practicable alternative option to achieve the objectives.

### **10.2 Evaluation method**

For each potential approach an evaluation has been undertaken relating to the costs, benefits and the certainty and sufficiency of information (as informed by section 5 of this report) in order to determine the effectiveness and efficiency of the approach, and whether it is the most appropriate way to achieve the relevant objectives.

This evaluation is contained in the following section.

### 10.3 Provisions to achieve the Objectives

For the purpose of this evaluation, the Council has considered the following potential options:

1. The proposed provisions
2. The status quo

<b>Evaluation of provisions to achieve Objectives CE-O1, CE-O2, CE-O3 and CE-O4</b>							
<b>Objectives:</b>							
<b>CE-O1 Coastal Environment</b> The natural character and qualities that contribute to the natural character within the landward extent of the coastal environment are maintained and, where appropriate, restored or enhanced.							
<b>CE-O2 High Coastal Natural Character Areas</b> The identified characteristics and values of High Coastal Natural Character Areas in the landward extent of the coastal environment are preserved and protected from inappropriate subdivision, use and development.							
<b>CE-O3 Coastal Margins and Riparian Margins</b> Coastal margins and riparian margins in the landward extent of the coastal environment are protected from inappropriate subdivision, use and development.							
<b>CE-O4 Customary Harvesting</b> Tangata whenua are able to exercise customary harvesting within the landward extent of the coastal environment.							
<b>Option 1: Proposed provisions (recommended)</b>	<b>Costs</b>	<b>Benefits</b>	<b>Risk of Acting / Not Acting</b> if there is uncertain or insufficient information about the subject matter of the provisions				
<u><b>Coastal Environment Chapter</b></u> <u><b>CE-O1</b></u> <table border="1"> <thead> <tr> <th><b>Policies</b></th> <th><b>Rules</b></th> </tr> </thead> <tbody> <tr> <td>CE-P1</td> <td>CE-R2</td> </tr> </tbody> </table>	<b>Policies</b>	<b>Rules</b>	CE-P1	CE-R2	<b><i>Environmental</i></b> <ul style="list-style-type: none"> <li>There will be little to no environmental cost as the provisions are focused on preserving natural character within the coastal environment.</li> </ul>	<b><i>Environmental</i></b> <ul style="list-style-type: none"> <li>Restoration projects are supported with permitted standards to encourage ongoing rehabilitation.</li> <li>The areas of high natural character within the coastal environment are clearly</li> </ul>	It is considered that there is certain and sufficient information on which to assess the proposed provisions as they have been created in response
<b>Policies</b>	<b>Rules</b>						
CE-P1	CE-R2						

**Evaluation of provisions to achieve Objectives CE-O1, CE-O2, CE-O3 and CE-O4**

CE-P2	CE-R4
CE-P3	CE-R7
CE-P8	CE-R10
CE-P9	CE-R11
CE-P10	CE-R12

**CE-O2**

Policies	Rules	Standards
CE-P1	CE-R3	CE-S1
CE-P3	CE-R5	CE-S2
CE-P5	CE-R6	
CE-P8	CE-R9	
CE-P9	CE-R10	
CE-P10	CE-R11	
	CE-R13	

**CE-O3**

Policies	Rules
CE-P1	CE-R3
CE-P3	CE-R8
CE-P6	CE-R10
CE-P7	CE-R11
CE-P8	CE-R14
CE-P9	CE-R15
CE-P10	

**CE-O4**

Policies	Rules

identified and protected from further encroachment or loss through inappropriate subdivision, use or development.

- Coastal margins and riparian margins in the coastal environment are protected from inappropriate subdivision, use and development with a stronger level of protection in less modified environments
- Future generations will benefit from the retention of the remaining High Coastal Natural Character Areas and protection of coastal and riparian margins.
- Potentially inappropriate activities will be managed through the resource consent process to ensure environmental effects on the natural character in general and the identified values (SCHED13) in particular are assessed and appropriately managed.
- The coastal environment is protected from the adverse effects of new quarrying and mining activities and new plantation forestry.

**Economic**

- It is expected there will be some small increase in the consenting and development design costs associated with the provisions managing subdivision, use and development in the landward extent of the coastal environment and in particular

to higher order direction and supported with expert evidence.

The proposed provisions have been consulted on with the general public and key stakeholders and have been refined to address key issues raised during consultation. The proposed approach is generally supported by the community.

**Economic**

- Most activities within the coastal environment but outside of identified character areas and margins are still provided for as long as they comply with underlying zone provisions and district wide provisions.

**Evaluation of provisions to achieve Objectives CE-O1, CE-O2, CE-O3 and CE-O4**

CE-P1 CE-P3 CE-P4	CE-R1	<p>within identified High Coastal Natural Character Area and within coastal margins and riparian margins within the CE.</p> <ul style="list-style-type: none"> <li>Some landowners within a high natural character overlay may experience regulatory costs for new buildings, indigenous vegetation removal or earthworks where these don't comply with permitted standards if proposed within the overlay areas.</li> <li>Some landowners with land affected by coastal margins and riparian margins within the coastal environment in less modified areas may experience regulatory costs for activities that don't comply with rules and standards.</li> <li>Some landowners may perceive an opportunity cost where a development expectation is held for the land within a high natural character overlay.</li> <li>The extension of mining activities within High Coastal Natural Character Area and new mining and plantation forestry activities anywhere in the coastal environment will experience additional consenting and project costs.</li> <li>Upgrading existing and installing new infrastructure within High Coastal Natural</li> </ul>	<ul style="list-style-type: none"> <li>Within High Coastal Natural Character Areas and coastal and riparian margins activities that are appropriate and do not adversely affect natural character values are provided for with permitted standards.</li> <li>Certain activities and related earthworks are permitted within High Coastal Natural Character Areas and coastal and riparian margins which reduces the demand and cost on consent processing and provides for ongoing maintenance of existing activities with little impact on identified character values.</li> <li>Most of the High Coastal Natural Character Areas are remote and located on or near the coastal escarpments making these areas generally unsuitable or economically unfeasible for development. This reduces the degree of exposure to economic cost.</li> <li>Not all the land within the coastal environment, the High Coastal Natural Character Areas and the coastal and riparian margins is privately owned. Land within these overlays that is zoned Open Space and recreation and either owned or administered by WCC, GRWC or DoC has limited or no development expectations/potential. The proposed provisions therefore do not create an economic loss or cost in these areas.</li> </ul>	
<p><b>Provisions in other chapters:</b> <b>Infrastructure (INF-CE)</b></p>				
<p><b>Policies</b></p> INF-CE-P14 INF-CE-P15 INF-CE-P16 INF-CE-P17 INF-CE-P18 INF-CE-P19 INF-CE-P20 INF-CE-P21 INF-CE-P22 INF-CE-P23 INF-CE-P24 INF-CE-P25 INF-CE-P26 INF-CE-P27 INF-CE-P28 INF-CE-P29 INF-CE-P30 INF-CE-P31 INF-CE-P32	<p><b>Rules</b></p> INF-CE-R31 INF-CE-R32 INF-CE-R33 INF-CE-R34 INF-CE-R35 INF-CE-R36 INF-CE-R37 INF-CE-R38 INF-CE-R39 INF-CE-R40 INF-CE-R41 INF-CE-R42 INF-CE-R43 INF-CE-R44			

**Evaluation of provisions to achieve Objectives CE-O1, CE-O2, CE-O3 and CE-O4**

<p><b>Renewable Electricity Generation (REG)</b></p> <table border="1"> <thead> <tr> <th>Policies</th> <th>Rules</th> </tr> </thead> <tbody> <tr> <td>REG-P4</td> <td>REG-R2</td> </tr> <tr> <td>REG-P5</td> <td>REG-R3</td> </tr> <tr> <td>REG-P6</td> <td>REG-R4</td> </tr> <tr> <td>REG-P7</td> <td>REG-R5</td> </tr> <tr> <td>REG-P8</td> <td></td> </tr> <tr> <td>REG-P9</td> <td></td> </tr> </tbody> </table>	Policies	Rules	REG-P4	REG-R2	REG-P5	REG-R3	REG-P6	REG-R4	REG-P7	REG-R5	REG-P8		REG-P9		<p>Character Areas will experience additional consenting and project costs.</p> <ul style="list-style-type: none"> <li>Upgrading existing and installing new infrastructure within coastal margins and riparian margins in the coastal environment may experience additional consenting and project costs, depending on the underlying zone and whether or not the location benefits from a designation.</li> </ul>	<ul style="list-style-type: none"> <li>The provisions for coastal margins and riparian margins in the coastal environment that are located within highly modified environments such as the Port, Airport, Stadium, Waterfront or City Centre Zones are less restrictive in recognition of the lack of natural character values in these zones. The provisions thereby avoid additional consenting and project costs in these areas.</li> <li>Operation and maintenance of existing infrastructure is recognised and provided for through permitted provisions and would not require resource consent and thus avoid additional costs.</li> </ul>	
Policies	Rules																
REG-P4	REG-R2																
REG-P5	REG-R3																
REG-P6	REG-R4																
REG-P7	REG-R5																
REG-P8																	
REG-P9																	
<p><b>Subdivision (SUB)</b></p> <table border="1"> <thead> <tr> <th>Policies</th> <th>Rules</th> </tr> </thead> <tbody> <tr> <td>SUB-P21</td> <td>SUB-R12</td> </tr> <tr> <td>SUB-P22</td> <td>SUB-R13</td> </tr> <tr> <td>SUB-P23</td> <td>SUB-R14</td> </tr> <tr> <td>SUB-P24</td> <td></td> </tr> </tbody> </table>	Policies	Rules	SUB-P21	SUB-R12	SUB-P22	SUB-R13	SUB-P23	SUB-R14	SUB-P24		<p><b>Social</b></p> <ul style="list-style-type: none"> <li>It is unlikely the provisions will result in any discernible social cost given the provisions are focused on protecting the natural character of the coastal environment which in turn contributes to the amenity of Wellington and supports the enjoyment of some of these areas by the public.</li> </ul>	<p><b>Social</b></p> <ul style="list-style-type: none"> <li>Existing areas within the coastal environment that are accessible to the public will be protected and continue to support social benefits and enjoyment of coastal character.</li> <li>Provisions recognise the social benefits of public access tracks with maintenance of tracks supported through the provisions.</li> <li>The balanced approach of still providing for activities and development in the coastal environment where appropriate and where effects can be managed provides social benefits.</li> </ul>					
Policies	Rules																
SUB-P21	SUB-R12																
SUB-P22	SUB-R13																
SUB-P23	SUB-R14																
SUB-P24																	
<p><b>Earthworks (EW)</b></p> <table border="1"> <thead> <tr> <th>Policies</th> <th>Rules</th> <th>Standards</th> </tr> </thead> <tbody> <tr> <td>EW-P11</td> <td>EW-R8</td> <td>EW-S11</td> </tr> <tr> <td>EW-P12</td> <td>EW-R9</td> <td></td> </tr> </tbody> </table> <p><b>Other Methods:</b></p> <ul style="list-style-type: none"> <li>Spatial overlays on Planning Maps identifying</li> </ul>	Policies	Rules	Standards	EW-P11	EW-R8	EW-S11	EW-P12	EW-R9									
Policies	Rules	Standards															
EW-P11	EW-R8	EW-S11															
EW-P12	EW-R9																

**Evaluation of provisions to achieve Objectives CE-O1, CE-O2, CE-O3 and CE-O4**

<p>the landward extent of the coastal environment and Coastal High Natural Character overlays.</p> <ul style="list-style-type: none"> <li>• Schedule of identified High Coastal Natural Character Areas</li> </ul>	<p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>• The proposed provisions may result in additional consenting costs and constrain the extent of development where Māori owned land is located within the high natural character area overlay or coastal and riparian margins.</li> </ul>	<p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>• Natural resources within the coastal environment valued as taonga by tangata whenua will be recognised and protected.</li> <li>• The principles of the Treaty of Waitangi are incorporated into the provisions through the principles of kaitiakitanga and recording of tangata whenua values within in the ONFLs and SALs in the coastal environment.</li> <li>• The relationship of tangata whenua and traditional cultural practices are recognised and provided for through permissive standards for cultural harvesting.</li> <li>• The balanced approach of still providing for activities and development in the coastal environment where appropriate and where effects can be managed provides cultural benefits.</li> </ul>	
<p><b>Effectiveness and efficiency</b></p>	<p><b>Effectiveness</b></p> <p>The proposed provisions are the most appropriate method of meeting the objectives for the coastal environment. The objectives are focused on protecting maintaining and enhancing the natural character within the coastal environment, preserving and protecting the identified characteristics and values of High Coastal Natural Character Areas from inappropriate subdivision, use and development, protecting coastal margins and riparian margins in the coastal environment from inappropriate subdivision, use and development and enabling tangata whenua to exercise</p>	<p><b>Efficiency</b></p> <p>The proposed provisions are the most efficient method of meeting the objectives for the coastal environment by avoiding broad regulatory controls and focusing on activities within the identified overlay areas. As identified above the benefits outweigh the costs.</p>	

<b>Evaluation of provisions to achieve Objectives CE-O1, CE-O2, CE-O3 and CE-O4</b>			
	customary harvesting. The objectives give clear direction on the anticipated outcomes and the proposed policies and rules provide a practical and balanced framework to achieve these outcomes by providing stronger protection for sensitive areas and values, while still enabling appropriate subdivision, use and activities.		
<b><u>Overall evaluation</u></b>	<p>This option is the most appropriate way to achieve the preferred objectives by representing regulatory certainty and an effective provision of social and economic well-being.</p> <p>The proposed provisions are the most appropriate way to achieve the objectives because they are effective and efficient. They achieve regulatory certainty and enable people and communities to provide for their social, economic, and cultural well-being.</p> <p>It is considered that this option will achieve the objectives because:</p> <ul style="list-style-type: none"> <li>• The proposed provisions ensure that <ul style="list-style-type: none"> <li>○ the natural character of the coastal environment is maintained and where possible enhanced;</li> <li>○ identified values in High Coastal Natural Character Areas are preserved and protected;</li> <li>○ the natural character values of coastal margins and riparian margins within the coastal environment are protected; and</li> <li>○ tangata whenua are able to exercise customary harvesting.</li> </ul> </li> <li>• The framework enables appropriate activities, manages potentially inappropriate activities and avoids inappropriate activities.</li> <li>• The proposed provisions align with and give effect to higher order documents and legislation.</li> </ul>		
<b>Option 2: Status Quo</b>	<b>Costs</b>	<b>Benefits</b>	<b>Risk of Acting / Not Acting</b> if there is uncertain or insufficient information about the subject matter of the provisions
<b><u>Policies and rules as outlined in section 5.2.1 and Appendix 5 of this report</u></b>	<b><i>Environmental</i></b> <ul style="list-style-type: none"> <li>• The current provisions do not identify the landward extent of the coastal environment or High Coastal Natural Character Areas as</li> </ul>	<b><i>Environmental</i></b> <ul style="list-style-type: none"> <li>• The current provisions provide for limited protection of coastal and riparian margins, however the focus is not on the</li> </ul>	It is considered that there is certain and sufficient information on which to base

**Evaluation of provisions to achieve Objectives CE-01, CE-02, CE-03 and CE-04**

	<p>required by the NZCPS. Accordingly, the current provisions cannot provide sufficient protection of these values.</p> <ul style="list-style-type: none"> <li>• While the operative provisions include objectives and policies relating to the protection of the coastal environment, the current rules only limit activities and subdivision within coastal and riparian margins.</li> <li>• The lack of identification and protection of high coastal natural character areas could result in further loss and degradation of these values which would be a significant environmental cost.</li> </ul>	<p>preservation and protection of identified natural character values.</p>	<p>the proposed policies and methods.</p>
	<p><b>Economic</b></p> <ul style="list-style-type: none"> <li>• Limited costs to private landowners through limitations in coastal and riparian margins.</li> <li>• Additional costs due to a lack of certainty.</li> </ul>	<p><b>Economic</b></p> <ul style="list-style-type: none"> <li>• Development and urban expansion are not constrained by the operative provisions enabling more opportunity to develop in the coastal environment and extend along the coastline.</li> <li>• Landowners and infrastructure providers are significantly less exposed to the need for resource consents or processing costs.</li> </ul>	
	<p><b>Social</b></p> <ul style="list-style-type: none"> <li>• Loss of identified natural character in the coastal environment would occur at a cost to the community. The lack of specific identification or protection through the provisions results in a degradation of</li> </ul>	<p><b>Social</b></p> <ul style="list-style-type: none"> <li>• The current provisions provide for limited protection of coastal and riparian margins which may result in their retention for the community and future generations to enjoy.</li> </ul>	



<b>Evaluation of provisions to achieve Objectives CE-O1, CE-O2, CE-O3 and CE-O4</b>			
	natural character thus representing a cost carried by the community.		
	<p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>Potential for ongoing loss of identified taonga within the coastal environment through lack of identified natural character areas or protection of coastal values.</li> </ul>	<p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>No cultural benefits have been identified.</li> </ul>	
<b><u>Effectiveness and efficiency</u></b>	<p><b>Effectiveness</b></p> <p>The status quo provisions do not contribute towards achieving the identified objectives because they do not identify the landward extent of the coastal environment or areas of high coastal natural character but instead only focus on the protection of coastal and riparian margins. The policies existing policies relating to the coastal environment are not supported by adequate rules.</p> <p>There is no specific coastal environment chapter comprising identified natural character overlays with supporting rules. Instead, the limited range of indirect rules are spread throughout the various zone based chapters.</p>	<p><b>Efficiency</b></p> <p>The current provisions are inefficient as they do not provide sufficient identification and protection of coastal natural character. At the same time, they may result in unnecessary consenting costs for activities that are supported by the proposed objectives (e.g. restoration of natural character and customary harvesting) or have a functional or operational need to locate in coastal or riparian margins.</p>	
<b><u>Overall evaluation</u></b>	<p>This option is not the most appropriate way to achieve the objectives, because the current provisions</p> <ul style="list-style-type: none"> <li>do not provide sufficient protection for High Coastal Natural Character areas and coastal and riparian margins in the coastal environment;</li> <li>may result in further degradation of the natural character and the permanent loss of areas of high coastal natural character.</li> <li>do not provide for restoration activities or customary harvesting within coastal and riparian margins.</li> </ul> <p>The current provisions are not the most efficient and effective way of achieving the objectives and do not give effect to higher order documents and legislation.</p>		

## 11.0 Conclusion

This evaluation has been undertaken in accordance with section 32 of the RMA in order to identify the need, benefits and costs and the appropriateness of the proposal having regard to its effectiveness and efficiency relative to other means in achieving the purpose of the RMA. The evaluation demonstrates that this proposal is the most appropriate option as it:

- Best gives effect to higher order documents, including the section 6 of the RMA, the New Zealand Coastal Policy Statement and the National Planning Standards;
- Is the most effective and efficient way to achieve the purpose of the Act and the PDP's strategic objectives; and
- Addresses the identified issues.

**Appendix 1: Advice Received from Taranaki Whānui and Ngāti Toa Rangatira**

## Appendix 2: Feedback on Draft District Plan 2021

CE		
Who	Feedback Received	Response
Horokiwi Quarries Ltd	Horokiwi Quarries is concerned about the number of overlays that apply to the Horokiwi site and the implications for the operation and potential expansion of the quarry	<b>No changes requested</b>
	Horokiwi Quarries requests to amend the boundary of the coastal environment to exclude some of the quarry land and reflect the original ridgeline before quarrying.	<b>Reject</b>  The landward extent of the coastal environment has been identified by experts using the relevant criteria of the NZCPS and the RPS. No evidence for the requested amendment of the boundary has been provided other than the inclusion of active quarry areas.
	Support for CE-P7, CE-R4	<b>No changes requested</b>
	Horokiwi Quarries requests to amend Policy CE-P1 to recognise lawfully established existing activities:  <i>Provide for use and development in the landward extent of the coastal environment where it:</i>  1. <i>Consolidates existing urban areas; and</i>  2. <i>Does not establish new urban sprawl along the coastline.</i>  3. <i>Relates to an existing lawfully established activity.</i>	<b>Reject</b>  Existing lawfully established activities are covered by existing use rights.
	Horokiwi Quarries requests to amend Policy CE-P8 to provide greater policy direction as to what the effects the policy is seeking to manage.	<b>Accept</b>  CE-P8 has been amended and a new policy specifically relating to quarrying and mining activities in the coastal environment has been introduced.
	Horokiwi Quarries requests to	<b>Accept</b>

CE		
Who	Feedback Received	Response
	<p>Retain Rule CE-R7</p> <p>And</p> <p>Insert a new Restricted Discretionary activity rule for those activities which are not otherwise listed as permitted, restricted discretionary or non-complying and are not within areas of very high or high coastal natural character; or within coastal or riparian margins.</p>	<p>Rule CE-R7 has been split into three rules to improve certainty and provide a more appropriate rule framework that better reflects and responds to the location of the activity in the coastal environment, in High Coastal Natural Character Areas or in coastal or riparian margins.</p>
	<p>Horokiwi Quarries requests to amend rule CE-R8 to ensure that the non-complying activity status does not apply to an extension to the existing quarry site:</p> <p><i>CE-R8 New quarrying (excluding an extension to an existing), mining, plantation forestry and intensive indoor primary production activities within the coastal environment</i></p> <p><i>All zones</i></p> <p><i>1. Activity status: Non-complying</i></p>	<p><b>Accept</b></p> <p>A new rule has been introduced specific to the extension of existing mining and quarrying activities. This clarifies that the extension of existing quarrying activities is provided for where it is located outside of High Coastal Natural Character Areas and outside of coastal and riparian margins in the coastal environment.</p> <p>Extension within High Coastal Natural Character Areas or within coastal and riparian margins in the coastal environment and new quarrying and mining activities anywhere in the coastal environment remain non-complying activities.</p>
COR Associates Ltd	COR Associates fully support the inclusion of this section in the final District Plan	<b>No changes requested</b>
Meridian Energy Ltd	<p>Meridian Energy consider there is uncertainty regarding the extent and values of character areas.</p> <p>Meridian Energy seeks clarity about the definition of the physical extent and values of the high coastal natural character area and the need to acknowledge the physical presence within part of the coastal environment of existing wind generation structures</p>	<p><b>Accept</b></p> <p>Schedule 13 and the planning maps have been updated to correctly list and show the identified areas of High and Very High Coastal Natural Character.</p> <p>The updated maps and SCHED13 show that none of the existing wind generation structures are located within the identified natural character areas.</p>

CE		
Who	Feedback Received	Response
	Meridian Energy seeks an amendment to CE-P7 to provide for vegetation removal in the coastal environment where necessary to maintain the functionality of regionally significant infrastructure	<p><b>Reject:</b></p> <p>CE-P7 (now CE-P8) does not limit vegetation removal in the coastal environment in general but provides guidance for removal in High Coastal Natural Character Areas.</p> <p>The updated maps and SCHED13 show that none of the existing wind generation structures are located within the identified natural character areas.</p>
	Meridian Energy considers that CE-P1 duplicates CE-O3	<p><b>Reject</b></p> <p>CE-O3 states the intended outcome while CE-P1 provides direction regarding the use and development that is anticipated and provided for within the CE</p>
	Meridian Energy seeks clarity about what is considered to be 'inappropriate' in Policy CE-P8.	<p><b>Accept</b></p> <p>CE-P8 has been amended to provide better guidance</p>
	Meridian Energy considers that the proposed rules CE-R7, CE-R10 and CE-R11 may cause duplication or conflict with provisions of the INF-CE and REG chapter rules and seeks greater clarity.	<p><b>Reject</b></p> <p>The introduction to the Infrastructure chapter clearly states that</p> <p><i>“The provisions within this chapter apply on a City-wide basis. As such the rules in the zone chapters and earthworks chapter do not apply to infrastructure unless specifically stated within an infrastructure rule or standard. Likewise, the rules in the Overlay chapters do not apply to infrastructure. Instead, infrastructure sub-chapters address the requirements particular to the overlays as follows:...”</i></p>
Aggregate and Quarry Association	Aggregate and Quarry Association considers it Important to provide flexibility to quarrying and points out that much of the available rock in Wellington runs along the fault line, adjacent to State Highway 2 and that the presence of the new coastal environment overlay in this area must not become a barrier to new or expanding quarries in this area.	<p><b>No changes requested</b></p> <p>Policies and rules have been amended to better provide for existing quarrying activities in the coastal environment.</p>

CE		
Who	Feedback Received	Response
Greater Wellington Regional Council (GWRC)	<p>GWRC considers that the removal of any non-indigenous vegetation being a permitted activity in SNAs is not appropriate in these areas, so ECO-R2 and CE-R5 should be removed.</p> <p>GWRC consider that the removal of pest plants is permitted under rule ECO-R3.1a(ii) and that any non-indigenous plants within SNAs that are not pest plants may provide significant habitat for indigenous biodiversity such as birds, bats and lizards.</p> <p>GWRC request to amend rules and standards throughout plan (where relevant) to change 'indigenous vegetation' to 'vegetation'.</p>	<p><b>Reject</b></p> <p>CE-R5 applies to High Coastal Natural Character Areas, not SNAs. Where a SNA is located in the CE the relevant provisions of the ECO chapter apply.</p> <p>To identify areas of high or very high coastal natural character three key character components have been assessed:</p> <ul style="list-style-type: none"> <li>• Abiotic Characteristics – topography, landforms, soils</li> <li>• Biotic Characteristics – vegetation, fauna</li> <li>• Experiential Characteristics – sounds, smells, wild, scenic, natural darkness</li> </ul>
	<p>GWRC consider that policies CE-P4 and CE-P7 give effect to the New Zealand Coastal Policy Statement 13(1)(c) in areas of high/very high natural character, but do not provide a policy direction as to how to give effect to Policy 13(1)(c) in other parts of the coastal environment, such as areas of moderate natural character.</p> <p>GWRC request to include policy direction for natural character in other parts of the coastal environment.</p>	<p><b>Reject</b></p> <p>The NZCPS requires Council to assess the natural character of the coastal environment (which has been done) and to protect the coastal natural character by avoiding adverse effects in areas of outstanding natural character and avoiding significant effects and avoiding, remedying or mitigating other adverse effects in areas of very high and high natural character. There is no specific requirement to preserve and protect the natural character outside those areas.</p> <p>Council's position is to provide specific protection for identified areas of high and very high coastal natural character as required by Policy 13(c) and (d).</p> <p>Areas of low or moderate coastal natural character are considered to be sufficiently covered by the general CE provisions.</p>
	<p>GWRC supports the intent of policy CE-P8 but requests clarification of what is meant by the 'establishment of inappropriate activities'.</p>	<p><b>Accept</b></p> <p>Policy CE-P8 has been amended</p>

CE		
Who	Feedback Received	Response
	<p>GWRC requests the addition of the removal of pest plants into the permitted activity specifications of CE-R3</p> <p>Amend 1a(ii) as follows:</p> <p>ii. Carrying out animal pest animal and pest plant control activities;</p>	<p><b>Accept</b></p> <p>Amend rule CE-R3 as requested.</p>
	<p>GWRC requests the specification of the effects management hierarchy to be applied in the event of standard infringement at least where it applies to impacts on ecological values.</p>	<p><b>Accept/Reject in part</b></p> <p>Remove reference to ecology and landscape values from the matters of discretion for CE-S1.</p> <p>The intention of the proposed indigenous vegetation clearance standard is to protect the identified values – these include abiotic, biotic and experiential character values.</p> <p>The identified values vary from area to area and therefore reference to these values provides for an appropriate level of consideration of the relevant values. Thus the additional reference to ecological and landscape values is not required</p>
Wellington International Airport Ltd (WIAL)	<p>WIAL considers that the Airport site should not be classified as CE. WIAL is concerned that there is no clear rationale as to how the coastal environment has been determined and no further clarification is provided via the current definition. Without a sound evidential basis, WIAL does not agree that the majority of its site should be classified as being within the coastal environment and considers that the classification in this location is at odds with the New Zealand Coastal Policy Statement. WIAL considers that this has broader and potentially significant ramifications from a national and regional planning perspective and requests that the costs associated with this need to be properly considered in applying this overlay in this location.</p>	<p><b>Reject</b></p> <p>The inland extent of the coastal environment was identified as set out in Policy 1 of the NZCPS and Policy 4 of the RPS. The identification of the extent of the coastal environment (in particular the inland extent) was undertaken as step 1 of assessment process that identified the areas of high, very high and outstanding coastal natural character. The Coastal Natural Character Assessment was prepared by Boffa Miskell in co-operation with NIWA for Wellington City Council and Hutt City Council in 2016.</p> <p>Policy 1 of the NZCPS specifically refers to physical resources and built facilities, including infrastructure, that have modified the coastal environment (2)(i).</p>



CE		
Who	Feedback Received	Response
		<p>Policy 4 of the RPS lists any landform affected by active coastal processes as one of the criteria to consider when identifying the landward extent of the coastal environment.</p> <p>There are only very limited provisions that apply in the coastal environment in general and trigger an additional need for consenting. Furthermore, a more permissive approach has been introduced for coastal and riparian margins in the coastal environment where they are located in highly modified areas such as the Airport Zone.</p>
	WIAL considers that a number of the provisions within the Coastal Environment chapter effectively duplicate other provisions in the draft District Plan, as well as rules which are contained in the regional planning documents.	<p><b>Reject</b></p> <p>Provisions have been specifically drafted for the coastal environment to give effects to higher order documents and legislation. No evidence has been provided for the indicated duplication of other provisions.</p>
	WIAL considers that CE-P7, CE-R4, CE-R5 and CE-R6 appear to duplicate similar provisions within the Ecosystems and Indigenous Biodiversity chapter of the Plan.	<p><b>Reject</b></p> <p>Provisions in the ECO chapter specifically refer to identified SNAs (including SNAs in the coastal environment).</p> <p>CE-P7 and CE-R4 to CE-R6 apply to exotic and indigenous vegetation in the CE that has not been identified as being an SNA.</p>
	WIAL considers that they should be enabled to carry out essential work on hazard mitigation structures under CE-R9.	<p><b>Accept/Reject in part</b></p> <p>Remove CE-R9 as it refers to coastal hazard mitigation measures which are sufficiently covered by the coastal hazard provisions.</p>
Waka Kotahi NZ Transport Agency	Waka Kotahi considers that CE-P7 should not only apply to walking tracks but also to roads and state highways	<p><b>Reject</b></p> <p>Roads and State Highways are infrastructure and covered by the relevant infrastructure provision in the INF-CE chapter which</p>

CE		
Who	Feedback Received	Response
		provides for the operation, maintenance and repair of existing infrastructure in the coastal environment.

INF-CE		
Who	Feedback Received	Response
WCC Environmental Group	Agree with INF-CE-P15, INF-CE-P17, INF-CE-P19, INF-CE-P22, INF-CE-23, INF-CE-R35 and INF-CE-R36.	<b>No changes requested</b>
	Amend INF-CE-P16 as follows: <i>Allow the operation, maintenance, repair and upgrading of existing infrastructure and for new infrastructure within the coastal environment <u>where the effects are no more than minor.</u></i>	<b>Reject</b> Where activities comply with the permitted activity standards the assumption is that effects are acceptable / no more than minor.
	Amend INF-CE-P16 as follows: <i>Allow for the operation, maintenance and repair of existing infrastructure within areas of coastal and riparian margins in the Residential, City Centre, Waterfront, Mixed Use, General Industrial, Airport and Port Zones <u>while minimising the effects on the coastal and riparian margins.</u></i>	<b>Reject</b> Policy refers to operation, maintenance and repair of existing infrastructure in highly modified urban areas - therefore effects are considered to be acceptable.
	Amend INF-CE-P18 as follows: <i>Provide for the upgrading of existing infrastructure within areas of very high or high coastal natural character where the infrastructure is located underground or within an existing road reserve <u>while minimising the effects on the Coastal Natural Character.</u></i>	<b>Reject</b> Policy only applies to the upgrading of existing infrastructure that is located underground or within the road reserve – therefore effects are considered to be acceptable.
	Amend INF-CE-P20 as follows: <i>Allow for the upgrading of existing infrastructure within coastal and riparian margins in the Residential Zones, Commercial and Industrial Zones, Airport</i>	<b>Reject</b>

INF-CE		
Who	Feedback Received	Response
	<p><i>and Port Zones <u>while ensuring the effects on the coastal and riparian margins are minimised.</u></i></p>	<p>Policy only applies to the upgrading of existing infrastructure that is located in highly modified urban areas – therefore effects are considered to be acceptable.</p>
	<p>Amend INF-CE-P21 as follows:</p> <p><i>Provide for the upgrading of existing infrastructure within coastal and riparian margins in the Rural Zones and Open Space Zones where the infrastructure is located underground or within an existing road reserve <u>while ensuring the effects on the coastal and riparian margins are minimised.</u></i></p>	<p><b>Reject</b></p> <p>Policy only relates to the upgrading of existing infrastructure that is located underground or within the road reserve – therefore effects on are considered to be acceptable.</p>
	<p>Amend INF-CE-R31 as follows:</p> <p>1. <i>Activity status: Permitted <u>where the effects are minor</u></i></p>	<p><b>Reject</b></p> <p>Where activities are permitted (or comply with the permitted activity standards) the assumption is that their effects are acceptable / no more than minor. Permitted activities do not go through a process that allows for the assessment of effects.</p>
	<p>Amend INF-CE-R32 as follows:</p> <p><i>Operation, maintenance and repair of existing infrastructure within the coastal environment - within areas of Very High and High Coastal Natural Character</i></p> <p><i>All Zones</i></p> <p>1. <i>Activity status: Permitted</i></p> <p><i>Where:</i></p> <p>a. <i>Compliance is achieved with INF-S3.</i></p> <p><i><u>b. AND the effects are no more than minor</u></i></p> <p>Agree with INF-CE-R32.2</p>	<p><b>Reject</b></p> <p>Where activities are permitted (or comply with the permitted activity standards) the assumption is that their effects are acceptable / no more than minor. Permitted activities do not go through a process that allows for the assessment of effects.</p>

INF-CE		
Who	Feedback Received	Response
	<p>Amend INF-CE-R33 as follows:</p> <p><i>Operation, maintenance and repair of existing infrastructure within the coastal environment - within coastal or riparian margins</i></p> <p><i>Residential Zones, Commercial and Industrial Zones, Airport and Port Zones</i></p> <p>1. <i>Activity status: Permitted <u>when the effects are no more than minor</u></i></p> <p><i>Rural Zones, Open Space Zones</i></p> <p>2. <i>Activity status: Permitted</i></p> <p><i>Where:</i></p> <p>a. <i>Compliance is achieved with INF-S3</i></p> <p><i><u>b. AND the effects are no more than minor</u></i></p> <p><i>Rural Zones, Open Space Zones, Conservation Zones</i></p> <p>3. <i>Activity status: Restricted Discretionary</i></p> <p><i>Where:</i></p> <p>a. <i>Compliance with INF-S3 cannot be achieved <u>and/or the effects are more than minor.</u></i></p> <p><i>Matters of discretion are restricted to:</i></p> <p>1. <i>The matters in INF-P16 and CE-P6</i></p> <p>2. <i>The matters in PA-P1 and PA-P2</i></p>	<p><b>Reject</b></p> <p>Where activities are permitted (or comply with the permitted activity standards) the assumption is that their effects are acceptable / no more than minor. Permitted activities do not go through a process that allows for the assessment of effects.</p> <p>For restricted discretionary activities the level of effect will be assessed at the consenting stage and will determine whether the consent can be granted or not.</p>
	Amend INF-CE-R34 as follows:	<b>Reject</b>

INF-CE		
Who	Feedback Received	Response
	<p><i>Upgrading of existing infrastructure within the coastal environment - within coastal or riparian margins</i></p> <p><i>Residential Zones, Commercial and Industrial Zones, Airport and Port Zones</i></p> <p>1. Activity status: Permitted <u>where the effects are no more than minor</u></p> <p><i>Rural Zones, Open Space Zones</i></p> <p>2. Activity status: Permitted</p> <p>Where:</p> <p>a. The infrastructure is located underground; or</p> <p>b. The infrastructure is located within an existing road reserve.</p> <p>c. <u>AND the effects are no more than minor</u></p> <p><i>Rural Zones, Open Space Zones, Conservation Zones</i></p> <p>3. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with the requirements of INF-CE-R34. cannot be achieved. <u>NOTE: this doesn't make sense. This is part of R34. Should it be R34.2</u></p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in INF-CE-P18 and CE-P6</p> <p>2. The matters in PA-P1 and PA-P2</p>	<p>Where activities are permitted (or comply with the permitted activity standards) the assumption is that their effects are acceptable / no more than minor. Permitted activities do not go through a process that allows for the assessment of effects.</p> <p>For restricted discretionary activities the level of effect will be assessed at the consenting stage and will determine whether the consent can be granted or not.</p>

INF-CE		
Who	Feedback Received	Response
	WCC Environmental Group requests that the comments on INF-CE policies above be applied to the policies for the National Grid and the Gas Transmission Pipeline Corridor accordingly.	<p><b>Reject</b></p> <p>Where activities are permitted (or comply with the permitted activity standards) the assumption is that their effects are acceptable / no more than minor. Permitted activities do not go through a process that allows for the assessment of effects.</p> <p>For restricted discretionary activities the level of effect will be assessed at the consenting stage and will determine whether the consent can be granted or not.</p>
	WCC Environmental Group requests that the comments on INF-CE rules above be applied to the rules for the National Grid and the Gas Transmission Pipeline Corridor accordingly.	<p><b>Reject</b></p> <p>Where activities are permitted (or comply with the permitted activity standards) the assumption is that their effects are acceptable / no more than minor. Permitted activities do not go through a process that allows for the assessment of effects.</p> <p>For restricted discretionary activities the level of effect will be assessed at the consenting stage and will determine whether the consent can be granted or not.</p>
Centre Port Ltd	<p>Centre Port considers that clarity is required as to how District Wide provisions apply to port areas (as defined). Infrastructure (including within the coastal environment) objectives, policies and rules appear to apply city wide, including within the Special Purpose Port Zone (PORTZ), which creates plan interpretation difficulties, and could have significant implications for port development.</p> <p>Centre Port considers that provisions for new infrastructure and upgrades to existing infrastructure within the coastal margin within the coastal environment (INF-CE-P23, INF-CE-R31, R34, R36) would apply city wide, but also appear to apply to new port structures in the PORTZ and believe this undermines the intent of</p>	<p><b>Reject</b></p> <p>The Infrastructure chapter provides clear guidance regarding the application and interaction between rules and chapters.</p> <p>In general, it is considered that Port Activities are not subject to the infrastructure provisions but are regulated by the provisions of the Port Zone.</p> <p>In this case the provisions of the CE chapter (not the INF-CE chapter) would apply. These provisions have been amended to clearly provide for activities that are allowed for under the underlying Port Zone provisions, even in coastal and riparian margins.</p>

INF-CE		
Who	Feedback Received	Response
	the PORTZ and that the PORTZ should be excluded from such provisions.	
Transpower NZ Ltd	<p>Transpower queries the number of Infrastructure sub chapters, policies and rules relating to Infrastructure.</p> <p>Transpower requests to Amend the Energy, Infrastructure and Transport chapter to remove the sub categories and reduce the number of policies and rules.</p> <p>And</p> <p>While Transpower supports the provision of 16 National Grid specific policies and rules, it seeks that:</p> <ul style="list-style-type: none"> <li>- In order to give effect to the NPSET, a separate policy framework be provided for the National Grid which recognises and provides of the benefits of the National Grid, manages the effects of the National Grid, and the effects of other activities on the National Grid (these are provided in Appendix 3 to these comments);</li> <li>- The National Grid be separated from the Gas Corridor</li> <li>- The number of National Grid specific policies and rules be condensed and reduced</li> <li>- Cross reference or clarification be provided as to what rules apply to the National Grid, with explicit reference that other rules do not apply.</li> </ul>	<p><b>Reject</b></p> <p>The proposed structure and the overlay related subchapters are considered to provide clarity and certainty.</p> <p>Combining the policies and rules for the NG and the GTPC does not reduce the significance and importance of the NG or prevent the implementation of the NPSET.</p>
	Notwithstanding that Transpower seeks an amended policy framework specific to the National Grid, Transpower is not opposed to INF-CE-P24. The use of the term 'allow' within the policy is supported. It should be noted that the references to 'coastal margin' with the CE chapter are not linked to the definitions.	<p><b>Reject/Accept in part</b></p> <p>The proposed policies and rules have been rearranged and amended to provide greater certainty.</p>

INF-CE		
Who	Feedback Received	Response
	<p>Transpower has existing assets within the coastal environment, and understands that Oteranga Bay (designation TPR4) and Te Hikowhenua Shore Electrode Station (designation TPR5) are within areas of "High" Natural Character. Given the national significance of the NPSET and the nature of the existing National Grid assets within these areas, Transpower opposes the application of the policy to the National Grid. The NPSET applies to the coastal environment and within areas of high natural character, Policy 8 of the NPSET imposes a seek to avoid approach as opposed to the avoid approach adopted within the policy.</p> <p>Transpower seeks deletion of the policy as it applies to the National Grid and an amended policy framework specific to the National Grid that gives effect to the NPSET.</p>	<p><b>Reject/Accept in part</b></p> <p>The proposed policies and rules have been rearranged and amended to provide greater certainty.</p> <p>TPR4 is located almost completely outside of the High Natural Character Area at Oteranga Bay. However, in the few small areas where the HNC area and the designation overlap the designation will override any underlying plan provisions.</p> <p>TPR5 is partially located within a High Natural Character Area, however as outlined above, all activities that are covered by the existing designation are not required to comply with underlying DP provisions.</p>
	<p>Notwithstanding that Transpower seeks an amended policy framework specific to the National Grid, Transpower is not opposed to INF-CE-P26. However, the policy does in part duplicate INF-CE-P27 which relates to the rural and open space zone. The rationale for a different policy approach based on zoning is not clear when both policies relate to existing infrastructure.</p>	<p><b>Reject/Accept in part</b></p> <p>The proposed policies and rules have been rearranged and amended to provide greater certainty.</p> <p>INF-CE-P26 and INF-CE-P27 apply to different zones, therefore there is no duplication.</p> <p>The effects of the operation, maintenance and repair of existing infrastructure on coastal and riparian margins in highly modified urban areas are generally expected to be acceptable. However, these effects can be more significant in the less developed rural and open space zones and therefore a slightly more restrictive framework is proposed.</p>
	<p>Transpower has two primary concerns with policy INF-CEP27:</p>	<p><b>Reject/Accept in part</b></p> <p>The proposed policies and rules have been rearranged and amended to provide greater certainty.</p>



INF-CE		
Who	Feedback Received	Response
	<ol style="list-style-type: none"> <li>1. The policy in part duplicates INF-CE-P26. The rationale for a different policy approach based on zoning is not clear when both policies relate to existing infrastructure.</li> <li>2. Noting that the policy relates to the operation, maintenance and upgrade of infrastructure, the policy does not give effect to the NPSET in that the NPSET does not require earthworks to be of a scale that maintains or restores natural character, and does not require significant adverse effects be avoided.</li> </ol>	<ol style="list-style-type: none"> <li>1. The split between more developed urban zones and less developed rural/open space zones acknowledges the different levels of effects that OMR activities in these different environments may have.</li> <li>2. The NPSET silence on certain matters should not be inferred as a direction.  This policy addresses upgrading infrastructure. The relevant NPS policy context for this is: <ul style="list-style-type: none"> <li>• The NPSET objective requires "... managing the adverse effects of the network...".</li> <li>• Policy 4 requires decision makers to have regard to the extent of adverse effects and how they are avoided, remedied or mitigated.</li> <li>• Policy 8 requires transmission standards to 'seek to avoid' adverse effects on "areas of high natural character... and existing sensitive areas".</li> <li>• The NESETA regulations provide further direction on how this is to be achieved with activity status ranging from PER to RDIS with the matters of control &amp; discretion including "visual, landscape, and ecological effects..." See following Regulations: 31(2)(b), 32(2)(d) &amp; 34(2)(d). However, regulation only applies to natural areas, which by definition includes ECO and ONFL but not NATC/CE. Therefore, there is a gap in the framework that needs to be filled to give effect to NZCPS</li> </ul> <p>Requirements to show functional or operational need and to avoid effects are not necessary for OMR - delete</p> </li> </ol>

INF-CE		
Who	Feedback Received	Response
	<p>INF-CE-P28</p> <ol style="list-style-type: none"> <li>1. While not shown on the draft planning maps, it is understood the Oteranga Bay (designation TPR4) and Te Hikowhenua Shore Electrode Station (designation TPRS) are within areas of "High" Natural Character. In addition, Oteranga Bay (designation TPR4) and Te Hikowhenua Shore Electrode Station (designation TPRS) are likely within the defined Coastal margin.</li> <li>2. Transpower has concerns the policy does not give effect to the NPSET (noting the NPSET also applies to the coastal environment) in that: The NPSET does not require that natural character be maintained or restored. Rather Policy 8 of the NPSET requires a 'seek to avoid' approach with policies 3 and 4 prescribing the matters to consider and have regard to. The NPSET does not require significant adverse effects be avoided, rather policy 8 prescribes a seek to avoid approach.</li> <li>3. The reference to 'reasonably practical alternative locations' is not necessary given the definitions of operational and functional need which provide clear parameters as to the necessity of the activity to occur in that location. Transpower also has concerns with the term 'practical' as it is not a commonly used planning term and therefore introduces uncertainty in how the policy could be interpreted and applied. The term 'practicable' is more readily understood.</li> </ol>	<p><b>Reject/Accept in part</b></p> <p>The proposed policies and rules have been rearranged and amended to provide greater certainty.</p> <ol style="list-style-type: none"> <li>1. TPR4 is located almost completely outside of the High Natural Character Area at Oteranga Bay. However, in the few small areas where the HNC area and the designation overlap the designation will override any underlying plan provisions.</li> </ol> <p>TPR5 is partially located within a High Natural Character Area, however as outlined above, all activities that are covered by the existing designation are not required to comply with underlying DP provisions.</p> <ol style="list-style-type: none"> <li>2. The NPSET silence on certain matters should not be inferred as a direction.</li> </ol> <p>This policy addresses UPGRADING infrastructure. The relevant NPS policy context for this is:</p> <ul style="list-style-type: none"> <li>• The NPSET objective requires "... managing the adverse effects of the network...".</li> <li>• Policy 4 requires decision makers to have regard to the extent of adverse effects and how they are avoided, remedied or mitigated.</li> <li>• Policy 6 requires that substantial upgrades be used as an opportunity to reduce existing adverse effects.</li> <li>• Policy 8 requires transmission standards to 'seek to avoid' adverse effects on "areas of high natural character... and existing sensitive areas".</li> </ul> <ol style="list-style-type: none"> <li>3. Agree – reference to alternative locations can be deleted.</li> </ol>

INF-CE		
Who	Feedback Received	Response
	<p>Transpower opposes INF-CE-P31 and as outlined in other comments, is proposing an amended policy framework specific to the National Grid.</p> <p>Transpower has concerns the policy does not give effect to the NPSET (noting the NPSET also applies to the coastal environment) in that:</p> <ol style="list-style-type: none"> <li>1. The NPSET does not require that natural character be maintained or restored. Rather Policy 8 of the NPSET requires a 'seek to avoid' approach with policies 3 and 4 prescribing the matters to consider and have regard to.</li> <li>2. The NPSET does not require significant adverse effects be avoided, rather policy 8 prescribes a seek to avoid approach.</li> <li>3. The reference to 'reasonably practical alternative locations' is not necessary given the definitions of operational and functional need which provide clear parameters as to the necessity of the activity to occur in that location. Transpower also has concerns with the term 'practical' as it is not a commonly used planning term and therefore introduces uncertainty in how the policy could be interpreted and applied. The term 'practicable' is more readily understood.</li> <li>4. The directive wording "only allow" within the policy does not reflect the enabling wording used in the NPSET.</li> </ol> <p>It is also noted that although the National Grid is recognised of national significance within the NPSET (being a higher order policy document) it is afforded the exact same policy framework as other infrastructure (as provided in INF-CE P23). This further reinforces Transpower's concerns the draft plan does not give effect to the NPSET.</p>	<p><b>Reject/Accept in part</b></p> <p>The proposed policies and rules have been rearranged and amended to provide greater certainty.</p> <ol style="list-style-type: none"> <li>1. The NPSET silence on certain matters should not be inferred as a direction. However, the NESETA does fill that gap.  This policy addresses NEW infrastructure. The relevant NPS policy context for this is: <ul style="list-style-type: none"> <li>• The NPSET objective requires "... managing the adverse effects of the network...".</li> <li>• Policy 4 requires decision makers to have regard to the extent of adverse effects and how they are avoided, remedied or mitigated.</li> <li>• Policy 8 requires transmission standards to 'seek to avoid' adverse effects on "areas of high natural character... and existing sensitive areas".</li> <li>• The NESETA regulations provide further direction on how this is to be achieved with activity status ranging from PER to RDIS with the matters of control &amp; discretion including "visual, landscape, and ecological effects..." See following Regulations: 31(2)(b), 32(2)(d) &amp; 34(2)(d).</li> </ul> </li> <li>2. Policy 13 (1)(b) of the NZCPS requires the avoidance of significant adverse effects and to avoid, remedy or mitigate other adverse effects of activities on natural character in all other areas of the coastal environment which is reflected by this policy.</li> <li>3. Agree - reference to alternative locations can be deleted.</li> </ol>

INF-CE		
Who	Feedback Received	Response
		4. The direction is “only allow, where” and therefore provides for the activity subject to certain matters.
	<p>Specific to the National Grid, the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (“NESETA”) provides prevailing provisions for maintenance, reconductoring, increasing voltage, structure addition or replacement, and removal, for the National Grid.</p> <p>On this basis INF-CE-R37 is of limited relevance to Transpower, but as notified, is supported.</p> <p>As a note, given Rule R37 and R38 both provide a permitted activity status, the necessity for separate rules is queried.</p> <p>Delete reference to the National Grid within INF-CE-R37</p>	<p><b>Reject/Accept in part</b></p> <p>The proposed policies and rules have been rearranged and amended to provide greater certainty.</p> <p>R37 to R39 provide for different activities in different areas:</p> <ul style="list-style-type: none"> <li>• R37 covers OMR and Upgrading, applies outside of character areas and coastal and riparian margins.</li> <li>• R38 covers OMR, within character areas and coastal and riparian margins.</li> <li>• R39 covers upgrading within character areas and coastal and riparian margins.</li> </ul>
	<p>Specific to the National Grid, the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (“NESETA”) provides prevailing provisions for maintenance, reconductoring, increasing voltage, structure addition or replacement, and removal, for the National Grid, and on this basis, R38 for existing National Grid structures captured by the NESETA is of limited relevance to Transpower in respect of rule application. It is noted the NESETA provides a Discretionary activity status under Regulations 39 of the NESETA for those activities subject to the NESETA but not otherwise captured under other regulations in the NESETA.</p> <p>Delete reference to the National Grid within INF-CE-R38</p>	<p>R37 to R39 are not more restrictive than the NESETA and therefore do not create any conflict with the NESETA.</p> <p>While NESETA provisions cover a wide range of activities, R37 to R39 are intended to capture and provide for all those operation, maintenance, repair and upgrading activities that are not specifically provided for and covered by the NESETA (clause 4).</p>
	<p>Specific to the National Grid, the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (“NESETA”) provides prevailing provisions for maintenance, reconductoring, increasing voltage, structure addition</p>	

INF-CE		
Who	Feedback Received	Response
	<p>or replacement, and removal, for the National Grid, and on this basis, R39 for existing National Grid structures captured by the NESETA is of limited relevance to Transpower in respect of rule application. It is noted the NESETA provides a Discretionary activity status under Regulations 39 of the NESETA for those activities subject to the NESETA but not otherwise captured under other regulations in the NESETA.</p> <p>Delete INF-CE-R39</p>	
	<p>The NESETA does not apply to new National Grid assets. On this basis, Transpower supports the default discretionary activity rule as it provides a robust consenting framework whilst still recognising the national significance of the National Grid.</p> <p>Retain INF-CE-R41</p>	<b>No change requested</b>
Meridian Energy Ltd	<p>Meridian seeks clarity about whether INF-CE-P15 applies in addition to the REG chapter provisions.</p> <p>Meridian seeks an amendment to consideration number 2 of policy INF-CE-P15 to refer to 'significant adverse effects on natural character' (not 'significant adverse effects' generally).</p> <p>Meridian seeks an amendment to consideration 3 of policy INF-CE-P15 as it provides for operation, maintenance and repair where there is a function or operational need for the location. The policy only applies to existing infrastructure and the submission notes that as the infrastructure already exists, then the functional or operational need has already been resolved.</p>	<p><b>Accept</b></p> <p>If an activity is a REG activity the REG provisions apply. If it is an infrastructure activity but not a REG activity the INF provisions apply.</p> <p>Amending INF-CE-P15.2 to refer to adverse effects on the identified values (or similar) will provide clarity and certainty.</p> <p>Retain INF-CE-P15.3 – agree</p>
	<p>Meridian seeks clarity as to whether this policy applies alongside the INF chapter policies that require consideration of the benefits of</p>	<p><b>Reject/Accept in part</b></p> <p>The introduction to the Infrastructure chapter clearly outlines the relationship between chapters and provisions:</p>

INF-CE		
Who	Feedback Received	Response
	<p>infrastructure. Concerned that if there is no consideration of the remaining INF chapter provisions, this balance would be absent.</p> <p>Meridian considers the policy is an example of where the values described in SCHED13 do not provide sufficient guidance for decision-making</p>	<p><i>“The provisions of the preceding overlay sub-chapters apply in addition to the provisions of this chapter. In the case of conflict with any provisions of this chapter and a sub-chapter, the provisions of the sub-chapter will prevail.”</i></p> <p>Schedule 13 and the planning maps have been updated to correctly list / show the identified High Coastal Natural Character Areas.</p>
	<p>Meridian considers Policy INF-CE-P23 and Rules INF-CE-R35 and INF-CE-R36 are examples of where there needs to be clarity about whether the INF-CE policies apply in addition to, or separately and independently from, the INF Chapter and CE Chapter provisions.</p>	<p><b>Reject</b></p> <p>The introduction to the Infrastructure chapter clearly outlines the relationship between chapters and provisions:</p> <p><i>“The provisions of the preceding overlay sub-chapters apply in addition to the provisions of this chapter. In the case of conflict with any provisions of this chapter and a sub-chapter, the provisions of the sub-chapter will prevail.”</i></p>
Chorus, Spark, Vodafone	<p>Chorus, Spark, Vodafone consider it is unclear how customer connections from existing networks fall within the rules for operation, maintenance, repair and upgrading, and for new infrastructure and requests clarification.</p> <p>Chorus, Spark, Vodafone request to amend the rules package for the coastal environment as necessary to make a clear rules framework for customer connections and any consequential changes to INF-CE policies as necessary to support rule(s).</p>	<p><b>Reject</b></p> <p>The activity status depends on the starting point of the connection - any changes to existing are covered either by OMR or Upgrade. New connections are covered by the provisions for new infrastructure.</p> <p>New infrastructure outside of areas of very high and high coastal natural character and outside of coastal and riparian margins is permitted.</p> <p>Only new infrastructure within areas of very high and high coastal natural character and within coastal and riparian margins is discretionary – however there are very few existing or anticipated customers that need connecting in these areas</p>
	<p>NZCPS Policy 13 requires that significant adverse effects are avoided in coastal environment and other adverse effects are avoided, remedied or mitigated for natural character that is not outstanding. A number of policies in the coastal environment</p>	<p>Requirement to avoid significant adverse effects and avoid, remedy, mitigate other adverse effects stems from NZCPS policy 13 and is considered appropriate.</p>

INF-CE		
Who	Feedback Received	Response
	<p>section include a clause that requires any significant adverse effects to be avoided and other adverse effects avoided, remedied or mitigated, but the same policies require either earthworks or the activity to maintain or restore the identified values in Sched 13 or natural character in non-scheduled areas. There is a concern that this requirement to maintain or restore the natural character values is a proxy avoid policy as minor (but not significant) adverse effects could be assessed as not maintaining or restoring the scheduled or existing natural character values.</p> <p>Chorus, Spark, Vodafone request to amend Policies INF-CE-P15, INF-CE-P17, INF-CE-P19, INF-CE-P22, INF-CE-P23 as necessary to ensure infrastructure that is demonstrated to be needed within the coastal environment does not need to avoid all adverse effects to meet the policy test of maintaining or restoring natural character values.</p>	<p>Requirement for EW to be of an appropriate scale to maintain or restore identified values gives additional guidance.</p> <p>The provisions apply to very limited areas within the CE.</p>
KiwiRail Holdings Ltd	<p>KiwiRail note that areas of very high and high coastal natural character could not be located on the planning maps.</p> <p>KiwiRail note that the rail corridor is adjacent to the Wellington Harbour and therefore parts of the rail network are within the coastal environment area identified on the planning maps.</p> <p>KiwiRail support the Draft Plan in providing for the operation, maintenance, repair and upgrading of existing infrastructure, and new infrastructure within:</p> <ul style="list-style-type: none"> <li>- the coastal environment; and</li> <li>- coastal and riparian margins.</li> </ul> <p>The clear policy direction enabling the ability to operate, maintain, repair and upgrade infrastructure and the rail network is supported.</p>	<p><b>Accept</b></p> <p>Schedule 13 and the planning maps have been updated to correctly list / show the identified High Coastal Natural Character Areas.</p>

INF-CE		
Who	Feedback Received	Response
	<p>Recognition that there are specific circumstances in which the upgrade of existing, or new, infrastructure may be appropriate on significant sites is supported. In particular, that these policies link to functional and operational needs is supported.</p> <p>KiwiRail request that all areas be mapped so rule can be interpreted as intended.</p>	
	<p>KiwiRail support that the operation, maintenance and repair of existing infrastructure is provided for as a permitted activity in the coastal environment.</p> <p>KiwiRail support the ability to upgrade existing infrastructure as a permitted activity, subject to standards.</p> <p>Retain INF-CE-R31, INF-CE-R33, INF-CE-R34 as proposed</p>	<b>No change requested</b>

REG		
Who	Feedback Received	Response
Meridian Energy Ltd	<p>Meridian considers there is quite a difference in the policy considerations in REG-P6 and REG-P7 between small scale and community scale renewable electricity generation and seeks clarity as to why this is the case. Meridian considers the considerations should be similar</p>	<p><b>Reject</b></p> <p>It is considered appropriate to apply a differentiated approach and policy consideration to small scale and community scale REG activities due to their difference in scale and potential adverse effects.</p> <p>Further changes have been made to the policy and rule framework for REG activities in the coastal environment to better reflect the sensitivity of the receiving environment.</p>
	<p>Meridian questions the merit of REG-P11 as it precludes new and upgrading of renewable electricity generation anywhere within the 'Terawhiti' area identified in SCHED13. Meridian considers there</p>	<b>Reject</b>



REG		
Who	Feedback Received	Response
	<p>are already numerous wind turbines in this area and re-powering or upgrading of wind turbines may be appropriate. Meridian considers the policy conflicts with REG-P1 and REG-P2 and does not give effect to the NPS-REG.</p>	<p>Schedule 13 and the planning maps have been amended to correctly list and show the identified High Coastal Natural Character Areas. The updated maps confirm that none of the existing turbines are located within the identified High Coastal Natural Character Areas.</p> <p>P11 does not conflict with P1 or P2 but clarifies the approach for upgrading or new REG within the coastal environment</p> <p>It is considered appropriate that new large scale REG activities such as windfarms within the CE are required to actively manage adverse effects on the coastal environment.</p> <p>Further changes have been made to the policy and rule framework for REG activities in the coastal environment to better reflect the sensitivity of the receiving environment.</p>
	<p>In relation to REG-R2 Meridian considers that in the matters of discretion, policy consideration REG-P5 is highly specific in only allowing investigation activities outside areas of high and very high coastal natural character and is concerned that includes the whole of the (undefined) 'Terawhiti' high coastal natural character area. Meridian considers that the effect of the combination of this rule and Policy REG-P5 conflicts with proposed Policy REG-P1 and REG-P2 and fails to give effect to the NPS-REG.</p>	<p><b>Reject</b></p> <p>Schedule 13 and the planning maps have been amended to correctly list and show the identified High Coastal Natural Character Areas. The updated maps confirm that none of the existing turbines are located within the identified High Coastal Natural Character Areas.</p> <p>It is considered appropriate that new investigation activities within high and very high natural character areas in the CE are required to actively manage adverse effects on the identified values.</p>

EW		
Who	Feedback Received	Response
Greater Wellington Regional Council (GWRC)	<p>GWRC considers that outstanding natural features and landscapes, significant natural areas, riparian zones (within the coastal zone and outside) are important places to be protected from use and development in the first instance and that the relevant matters for discretion are inadequately confined to just a few policies. Therefore, this policy framework would not take into account all effects possible in these important zones. GWRC considers the status should be set to discretionary.</p>	<p><b>Accept in part</b></p> <p>The activity status for Earthworks in High Coastal Natural Character Areas has been amended to a restricted discretionary starting point to better allow for the consideration of potential adverse effects on identified values. The related policy has been amended accordingly.</p> <p>The activity status for Earthworks in coastal and riparian margins in less modified environments has also been amended to a restricted discretionary starting point to better allow for the consideration of potential adverse effects on the natural character. The related policy has been amended accordingly.</p> <p>Overall, the amended policies and matters of discretion are considered appropriate.</p>

## Appendix 3: Full Wording of NZCPS Relevant Objectives and Policies

<b>NZCPS – Objectives and Policies</b>	
<b>Objective 1</b>	<p><i>To safeguard the integrity, form, functioning and resilience of the coastal environment and sustain its ecosystems, including marine and intertidal areas, estuaries, dunes and land, by:</i></p> <ul style="list-style-type: none"> <li>• <i>maintaining or enhancing natural biological and physical processes in the coastal environment and recognising their dynamic, complex and interdependent nature;</i></li> <li>• <i>protecting representative or significant natural ecosystems and sites of biological importance and maintaining the diversity of New Zealand’s indigenous coastal flora and fauna; and</i></li> <li>• <i>maintaining coastal water quality, and enhancing it where it has deteriorated from what would otherwise be its natural condition, with significant adverse effects on ecology and habitat, because of discharges associated with human activity</i></li> </ul>
<b>Objective 2</b>	<p><i>To preserve the natural character of the coastal environment and protect natural features and landscape values through:</i></p> <ul style="list-style-type: none"> <li>• <i>recognising the characteristics and qualities that contribute to natural character, natural features and landscape values and their location and distribution;</i></li> <li>• <i>identifying those areas where various forms of subdivision, use, and development would be inappropriate and protecting them from such activities; and</i></li> <li>• <i>encouraging restoration of the coastal environment.</i></li> </ul>
<b>Objective 3</b>	<p><i>To take account of the principles of the Treaty of Waitangi, recognise the role of tangata whenua as kaitiaki and provide for tangata whenua involvement in management of the coastal environment by:</i></p> <ul style="list-style-type: none"> <li>• <i>recognising the ongoing and enduring relationship of tangata whenua over their lands, rohe and resources;</i></li> <li>• <i>promoting meaningful relationships and interactions between tangata whenua and persons exercising functions and powers under the Act;</i></li> <li>• <i>incorporating mātauranga Māori into sustainable management practices; and</i></li> <li>• <i>recognising and protecting characteristics of the coastal environment that are of special value to tangata whenua.</i></li> </ul>
<b>Objective 4</b>	<p><i>To maintain and enhance the public open space qualities and recreation opportunities of the coastal environment by:</i></p> <ul style="list-style-type: none"> <li>• <i>recognising that the coastal marine area is an extensive area of public space for the public to use and enjoy;</i></li> <li>• <i>maintaining and enhancing public walking access to and along the coastal marine area without charge, and where there are exceptional reasons that mean this is not practicable providing alternative linking access close to the coastal marine area; and</i></li> <li>• <i>recognising the potential for coastal processes, including those likely to be affected by climate change, to restrict access to the coastal environment and</i></li> </ul>

<b>NZCPS – Objectives and Policies</b>	
	<i>the need to ensure that public access is maintained even when the coastal marine area advances inland.</i>
<b>Objective 5</b>	<p><i>To ensure that coastal hazard risks taking account of climate change, are managed by:</i></p> <ul style="list-style-type: none"> <li>• <i>locating new development away from areas prone to such risks;</i></li> <li>• <i>considering responses, including managed retreat, for existing development in this situation; and</i></li> <li>• <i>protecting or restoring natural defences to coastal hazards.</i></li> </ul>
<b>Objective 6</b>	<p><i>To enable people and communities to provide for their social, economic, and cultural wellbeing and their health and safety, through subdivision, use, and development, recognising that:</i></p> <ul style="list-style-type: none"> <li>• <i>the protection of the values of the coastal environment does not preclude use and development in appropriate places and forms, and within appropriate limits;</i></li> <li>• <i>some uses and developments which depend upon the use of natural and physical resources in the coastal environment are important to the social, economic and cultural wellbeing of people and communities;</i></li> <li>• <i>functionally some uses and developments can only be located on the coast or in the coastal marine area;</i></li> <li>• <i>the coastal environment contains renewable energy resources of significant value;</i></li> <li>• <i>the protection of habitats of living marine resources contributes to the social, economic and cultural wellbeing of people and communities;</i></li> <li>• <i>the potential to protect, use, and develop natural and physical resources in the coastal marine area should not be compromised by activities on land;</i></li> <li>• <i>the proportion of the coastal marine area under any formal protection is small and therefore management under the Act is an important means by which the natural resources of the coastal marine area can be protected; and</i></li> <li>• <i>historic heritage in the coastal environment is extensive but not fully known, and vulnerable to loss or damage from inappropriate subdivision, use, and development.</i></li> </ul>
<b>Policy 1</b> <b>Extent and characteristics of the Coastal Environment</b>	<p>(1) <i>Recognise that the extent and characteristics of the Coastal Environment vary from region to region and locality to locality; and the issues that arise may have different effects in different localities.</i></p> <p>(2) <i>Recognise that the Coastal Environment includes:</i></p> <ul style="list-style-type: none"> <li>a. <i>the coastal marine area;</i></li> <li>b. <i>islands within the coastal marine area;</i></li> <li>c. <i>areas where coastal processes, influences or qualities are significant, including coastal lakes, lagoons, tidal estuaries, saltmarshes, coastal wetlands, and the margins of these;</i></li> <li>d. <i>areas at risk from coastal hazards;</i></li> </ul>

<b>NZCPS – Objectives and Policies</b>	
	<ul style="list-style-type: none"> <li>e. coastal vegetation and the habitat of indigenous coastal species including migratory birds;</li> <li>f. elements and features that contribute to the natural character, landscape, visual qualities or amenity values;</li> <li>g. items of cultural and historic heritage in the coastal marine area or on the coast;</li> <li>h. inter-related coastal marine and terrestrial systems, including the intertidal zone; and</li> <li>i. physical resources and built facilities, including infrastructure, that have modified the Coastal Environment.</li> </ul>
<p><b>Policy 2</b></p> <p><b>The Treaty of Waitangi, tangata whenua and Māori heritage</b></p>	<p><i>In taking account of the principles of the Treaty of Waitangi (Te Tiriti o Waitangi), and kaitiakitanga, in relation to the Coastal Environment:</i></p> <ul style="list-style-type: none"> <li>a. recognise that tangata whenua have traditional and continuing cultural relationships with areas of the Coastal Environment, including places where they have lived and fished for generations;</li> <li>b. involve iwi authorities or hapū on behalf of tangata whenua in the preparation of regional policy statements, and plans, by undertaking effective consultation with tangata whenua; with such consultation to be early, meaningful, and as far as practicable in accordance with tikanga Māori;</li> <li>c. with the consent of tangata whenua and as far as practicable in accordance with tikanga Māori, incorporate mātauranga Māori<sup>1</sup> in regional policy statements, in plans, and in the consideration of applications for resource consents, notices of requirement for designation and private plan changes;</li> <li>d. provide opportunities in appropriate circumstances for Māori involvement in decision making, for example when a consent application or notice of requirement is dealing with cultural localities or issues of cultural significance, and Māori experts, including pūkenga<sup>2</sup>, may have knowledge not otherwise available;</li> <li>e. take into account any relevant iwi resource management plan and any other relevant planning document recognised by the appropriate iwi authority or hapū and lodged with the council, to the extent that its content has a bearing on resource management issues in the region or district; and <ul style="list-style-type: none"> <li>i. where appropriate incorporate references to, or material from, iwi resource management plans in regional policy statements and in plans; and</li> <li>ii. consider providing practical assistance to iwi or hapū who have indicated a wish to develop iwi resource management plans;</li> </ul> </li> </ul>

<sup>1</sup> defined as: Māori customary knowledge, traditional knowledge or intergenerational knowledge.

<sup>2</sup> defined as: A person skilled or versed in the customary and traditional knowledge, tikanga, arts, histories and genealogies of a particular iwi or hapū.

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	<p>f. <i>provide for opportunities for tangata whenua to exercise kaitiakitanga over waters, forests, lands, and fisheries in the Coastal Environment through such measures as:</i></p> <ul style="list-style-type: none"> <li>i. <i>bringing cultural understanding to monitoring of natural resources;</i></li> <li>ii. <i>providing appropriate methods for the management, maintenance and protection of the taonga of tangata whenua;</i></li> <li>iii. <i>having regard to regulations, rules or bylaws relating to ensuring sustainability of fisheries resources such as taiāpure, mahinga mātaītai or other non-commercial Māori customary fishing; and</i></li> </ul> <p>g. <i>in consultation and collaboration with tangata whenua, working as far as practicable in accordance with tikanga Māori, and recognising that tangata whenua have the right to choose not to identify places or values of historic, cultural or spiritual significance or special value:</i></p> <ul style="list-style-type: none"> <li>i. <i>recognise the importance of Māori cultural and heritage values through such methods as historic heritage, landscape and cultural impact assessments; and</i></li> <li>ii. <i>provide for the identification, assessment, protection and management of areas or sites of significance or special value to Māori, including by historic analysis and archaeological survey and the development of methods such as alert layers and predictive methodologies for identifying areas of high potential for undiscovered Māori heritage, for example coastal pā or fishing villages.</i></li> </ul>
<b>Policy 3</b> <b>Precautionary approach</b>	<p>(1) <i>Adopt a precautionary approach towards proposed activities whose effects on the Coastal Environment are uncertain, unknown, or little understood, but potentially significantly adverse.</i></p> <p>(2) <i>In particular, adopt a precautionary approach to use and management of coastal resources potentially vulnerable to effects from climate change, so that:</i></p> <ul style="list-style-type: none"> <li>a. <i>avoidable social and economic loss and harm to communities does not occur;</i></li> <li>b. <i>natural adjustments for coastal processes, natural defences, ecosystems, habitat and species are allowed to occur; and</i></li> <li>c. <i>the natural character, public access, amenity and other values of the Coastal Environment meet the needs of future generations.</i></li> </ul>
<b>Policy 4</b> <b>Integration</b>	<p><i>Provide for the integrated management of natural and physical resources in the Coastal Environment, and activities that affect the Coastal Environment. This requires:</i></p> <ul style="list-style-type: none"> <li>a. <i>co-ordinated management or control of activities within the Coastal Environment, and which could cross administrative boundaries, particularly:</i> <ul style="list-style-type: none"> <li>i. <i>the local authority boundary between the coastal marine area and land;</i></li> <li>ii. <i>local authority boundaries within the Coastal Environment, both within the coastal marine area and on land; and</i></li> </ul> </li> </ul>

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	<ul style="list-style-type: none"> <li>iii. <i>where hapū or iwi boundaries or rohe cross local authority boundaries;</i></li> <li>b. <i>working collaboratively with other bodies and agencies with responsibilities and functions relevant to resource management, such as where land or waters are held or managed for conservation purposes; and</i></li> <li>c. <i>particular consideration of situations where:</i> <ul style="list-style-type: none"> <li>i. <i>subdivision, use, or development and its effects above or below the line of mean high-water springs will require, or is likely to result in, associated use or development that crosses the line of mean high-water springs; or</i></li> <li>ii. <i>public use and enjoyment of public space in the Coastal Environment is affected, or is likely to be affected; or</i></li> <li>iii. <i>development or land management practices may be affected by physical changes to the Coastal Environment or potential inundation from coastal hazards, including as a result of climate change; or</i></li> <li>iv. <i>land use activities affect, or are likely to affect, water quality in the Coastal Environment and marine ecosystems through increasing sedimentation; or</i></li> <li>v. <i>significant adverse cumulative effects are occurring or can be anticipated.</i></li> </ul> </li> </ul>
<p><b>Policy 5</b></p> <p><b>Land or waters managed or held under other Acts</b></p>	<ul style="list-style-type: none"> <li>(1) <i>Consider effects on land or waters in the Coastal Environment held or managed under:</i> <ul style="list-style-type: none"> <li>a. <i>the Conservation Act 1987 and any Act listed in the 1st Schedule to that Act; or</i></li> <li>b. <i>other Acts for conservation or protection purposes; and, having regard to the purposes for which the land or waters are held or managed:</i></li> <li>c. <i>avoid adverse effects of activities that are significant in relation to those purposes; and</i></li> <li>d. <i>otherwise avoid, remedy or mitigate adverse effects of activities in relation to those purposes.</i></li> </ul> </li> <li>(2) <i>Have regard to publicly notified proposals for statutory protection of land or waters in the Coastal Environment and the adverse effects of activities on the purposes of that proposed statutory protection.</i></li> </ul>
<p><b>Policy 6</b></p> <p><b>Activities in the Coastal Environment</b></p>	<ul style="list-style-type: none"> <li>(1) <i>In relation to the Coastal Environment:</i> <ul style="list-style-type: none"> <li>a. <i>recognise that the provision of infrastructure, the supply and transport of energy including the generation and transmission of electricity, and the extraction of minerals are activities important to the social, economic and cultural well-being of people and communities;</i></li> <li>b. <i>consider the rate at which built development and the associated public infrastructure should be enabled to provide for the reasonably foreseeable needs of population growth without compromising the other values of the Coastal Environment;</i></li> </ul> </li> </ul>

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- c. encourage the consolidation of existing coastal settlements and urban areas where this will contribute to the avoidance or mitigation of sprawling or sporadic patterns of settlement and urban growth;*
  - d. recognise tangata whenua needs for papakāinga<sup>3</sup>, marae and associated developments and make appropriate provision for them;*
  - e. consider where and how built development on land should be controlled so that it does not compromise activities of national or regional importance that have a functional need to locate and operate in the coastal marine area;*
  - f. take into account the potential of renewable resources in the Coastal Environment, such as energy from wind, waves, currents and tides, to meet the reasonably foreseeable needs of future generations;*
  - g. consider how adverse visual impacts of development can be avoided in areas sensitive to such effects, such as headlands and prominent ridgelines, and as far as practicable and reasonable apply controls or conditions to avoid those effects;*
  - h. set back development from the coastal marine area and other water bodies, where practicable and reasonable, to protect the natural character, open space, public access and amenity values of the Coastal Environment; and*
  - i. where appropriate, buffer areas and sites of significant indigenous biological diversity, or historic heritage value.*
- (2) Additionally, in relation to the coastal marine area:*
- a. recognise potential contributions to the social, economic and cultural wellbeing of people and communities from use and development of the coastal marine area, including the potential for renewable marine energy to contribute to meeting the energy needs of future generations:*
  - b. recognise the need to maintain and enhance the public open space and recreation qualities and values of the coastal marine area;*
  - c. recognise that there are activities that have a functional need to be located in the coastal marine area, and provide for those activities in appropriate places;*
  - d. recognise that activities that do not have a functional need for location in the coastal marine area generally should not be located there; and*
  - e. promote the efficient use of occupied space, including by:*
    - i. requiring that structures be made available for public or multiple use wherever reasonable and practicable;*
    - ii. requiring the removal of any abandoned or redundant structure that has no heritage, amenity or reuse value; and*

<sup>3</sup> Defined as: Development of a communal nature on ancestral land owned by Māori



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	<p>iii. <i>considering whether consent conditions should be applied to ensure that space occupied for an activity is used for that purpose effectively and without unreasonable delay.</i></p>
<p><b>Policy 7</b> <b>Strategic planning</b></p>	<p>(1) <i>In preparing regional policy statements, and plans:</i></p> <p>a. <i>consider where, how and when to provide for future residential, rural residential, settlement, urban development and other activities in the Coastal Environment at a regional and district level, and:</i></p> <p>b. <i>identify areas of the Coastal Environment where particular activities and forms of subdivision, use and development:</i></p> <p>i. <i>are inappropriate; and</i></p> <p>ii. <i>may be inappropriate without the consideration of effects through a resource consent application, notice of requirement for designation or Schedule 1 of the Act process; and provide protection from inappropriate subdivision, use, and development in these areas through objectives, policies and rules.</i></p> <p>(2) <i>Identify in regional policy statements, and plans, coastal processes, resources or values that are under threat or at significant risk from adverse cumulative effects. Include provisions in plans to manage these effects. Where practicable, in plans, set thresholds (including zones, standards or targets), or specify acceptable limits to change, to assist in determining when activities causing adverse cumulative effects are to be avoided.</i></p>
<p><b>Policy 9</b> <b>Ports</b></p>	<p><i>Recognise that a sustainable national transport system requires an efficient national network of safe ports, servicing national and international shipping, with efficient connections with other transport modes, including by:</i></p> <p>a. <i>ensuring that development in the Coastal Environment does not adversely affect the efficient and safe operation of these ports, or their connections with other transport modes; and</i></p> <p>b. <i>considering where, how and when to provide in regional policy statements and in plans for the efficient and safe operation of these ports, the development of their capacity for shipping, and their connections with other transport modes.</i></p>
<p><b>Policy 10</b> <b>Reclamation and de-reclamation</b></p>	<p>(1) <i>Avoid reclamation of land in the coastal marine area, unless:</i></p> <p>a. <i>land outside the coastal marine area is not available for the proposed activity;</i></p> <p>b. <i>the activity which requires reclamation can only occur in or adjacent to the coastal marine area;</i></p> <p>c. <i>there are no practicable alternative methods of providing the activity; and</i></p> <p>d. <i>the reclamation will provide significant regional or national benefit.</i></p> <p>(2) <i>Where a reclamation is considered to be a suitable use of the coastal marine area, in considering its form and design have particular regard to:</i></p> <p>a. <i>the potential effects on the site of climate change, including sea level rise, over no less than 100 years;</i></p>

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	<ul style="list-style-type: none"> <li>b. <i>the shape of the reclamation, and, where appropriate, whether the materials used are visually and aesthetically compatible with the adjoining coast;</i></li> <li>c. <i>the use of materials in the reclamation, including avoiding the use of contaminated materials that could significantly adversely affect water quality, aquatic ecosystems and indigenous biodiversity in the coastal marine area;</i></li> <li>d. <i>providing public access, including providing access to and along the coastal marine area at high tide where practicable, unless a restriction on public access is appropriate as provided for in policy 19;</i></li> <li>e. <i>the ability to remedy or mitigate adverse effects on the Coastal Environment;</i></li> <li>f. <i>whether the proposed activity will affect cultural landscapes and sites of significance to tangata whenua; and</i></li> <li>g. <i>the ability to avoid consequential erosion and accretion, and other natural hazards.</i></li> </ul> <p>(3) <i>In considering proposed reclamations, have particular regard to the extent to which the reclamation and intended purpose would provide for the efficient operation of infrastructure, including ports, airports, coastal roads, pipelines, electricity transmission, railways and ferry terminals, and of marinas and electricity generation.</i></p> <p>(4) <i>De-reclamation of redundant reclaimed land is encouraged where it would:</i></p> <ul style="list-style-type: none"> <li>a. <i>restore the natural character and resources of the coastal marine area; and</i></li> <li>b. <i>provide for more public open space.</i></li> </ul>
<p><b>Policy 11</b></p> <p><b>Indigenous biological diversity (biodiversity)</b></p>	<p><i>To protect indigenous biological diversity in the Coastal Environment:</i></p> <ul style="list-style-type: none"> <li>a. <i>avoid adverse effects of activities on:</i> <ul style="list-style-type: none"> <li>i. <i>indigenous taxa<sup>4</sup> that are listed as threatened or at risk in the New Zealand Threat Classification System lists;</i></li> <li>ii. <i>taxa that are listed by the International Union for Conservation of Nature and Natural Resources as threatened;</i></li> <li>iii. <i>indigenous ecosystems and vegetation types that are threatened in the Coastal Environment, or are naturally rare<sup>5</sup>;</i></li> <li>iv. <i>habitats of indigenous species where the species are at the limit of their natural range, or are naturally rare;</i></li> <li>v. <i>areas containing nationally significant examples of indigenous community types; and</i></li> </ul> </li> </ul>

<sup>4</sup> Defined as: Named biological classification units assigned to individuals or sets of species (e.g. species, subspecies, genus, order, variety).

<sup>5</sup> Defined as: Originally rare: rare before the arrival of humans in New Zealand

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	<ul style="list-style-type: none"> <li>vi. areas set aside for full or partial protection of indigenous biological diversity under other legislation; and</li> <li>b. avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on:             <ul style="list-style-type: none"> <li>i. areas of predominantly indigenous vegetation in the Coastal Environment;</li> <li>ii. habitats in the Coastal Environment that are important during the vulnerable life stages of indigenous species;</li> <li>iii. indigenous ecosystems and habitats that are only found in the Coastal Environment and are particularly vulnerable to modification, including estuaries, lagoons, coastal wetlands, dunelands, intertidal zones, rocky reef systems, eelgrass and saltmarsh;</li> <li>iv. habitats of indigenous species in the Coastal Environment that are important for recreational, commercial, traditional or cultural purposes;</li> <li>v. habitats, including areas and routes, important to migratory species; and</li> <li>vi. ecological corridors, and areas important for linking or maintaining biological values identified under this policy</li> </ul> </li> </ul>
<p><b>Policy 13</b> <b>Preservation of natural character</b></p>	<ul style="list-style-type: none"> <li>(1) To preserve the natural character of the Coastal Environment and to protect it from inappropriate subdivision, use, and development:             <ul style="list-style-type: none"> <li>a. avoid adverse effects of activities on natural character in areas of the Coastal Environment with outstanding natural character; and</li> <li>b. avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on natural character in all other areas of the Coastal Environment; including by:</li> <li>c. assessing the natural character of the Coastal Environment of the region or district, by mapping or otherwise identifying at least areas of high natural character; and</li> <li>d. ensuring that regional policy statements, and plans, identify areas where preserving natural character requires objectives, policies and rules, and include those provisions.</li> </ul> </li> <li>(2) Recognise that natural character is not the same as natural features and landscapes or amenity values and may include matters such as:             <ul style="list-style-type: none"> <li>a. natural elements, processes and patterns;</li> <li>b. biophysical, ecological, geological and geomorphological aspects;</li> <li>c. natural landforms such as headlands, peninsulas, cliffs, dunes, wetlands, reefs, freshwater springs and surf breaks;</li> <li>d. the natural movement of water and sediment;</li> <li>e. the natural darkness of the night sky;</li> <li>f. places or areas that are wild or scenic;</li> </ul> </li> </ul>

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	<ul style="list-style-type: none"> <li><i>g. a range of natural character from pristine to modified; and</i></li> <li><i>h. experiential attributes, including the sounds and smell of the sea; and their context or setting.</i></li> </ul>
<b>Policy 14</b> <b>Restoration of natural character</b>	<p><i>Promote restoration or rehabilitation of the natural character of the Coastal Environment, including by:</i></p> <ul style="list-style-type: none"> <li><i>a. identifying areas and opportunities for restoration or rehabilitation;</i></li> <li><i>b. providing policies, rules and other methods directed at restoration or rehabilitation in regional policy statements, and plans;</i></li> <li><i>c. where practicable, imposing or reviewing restoration or rehabilitation conditions on resource consents and designations, including for the continuation of activities; and recognising that where degraded areas of the Coastal Environment require restoration or rehabilitation, possible approaches include:</i> <ul style="list-style-type: none"> <li><i>i. restoring indigenous habitats and ecosystems, using local genetic stock where practicable; or</i></li> <li><i>ii. encouraging natural regeneration of indigenous species, recognising the need for effective weed and animal pest management; or</i></li> <li><i>iii. creating or enhancing habitat for indigenous species; or</i></li> <li><i>iv. rehabilitating dunes and other natural coastal features or processes, including saline wetlands and intertidal saltmarsh; or</i></li> <li><i>v. restoring and protecting riparian and intertidal margins; or</i></li> <li><i>vi. reducing or eliminating discharges of contaminants; or</i></li> <li><i>vii. removing redundant structures and materials that have been assessed to have minimal heritage or amenity values and when the removal is authorised by required permits, including an archaeological authority under the Historic Places Act 1993; or</i></li> <li><i>viii. restoring cultural landscape features; or</i></li> <li><i>ix. redesign of structures that interfere with ecosystem processes; or</i></li> <li><i>x. decommissioning or restoring historic landfill and other contaminated sites which are, or have the potential to, leach material into the coastal marine area.</i></li> </ul> </li> </ul>
<b>Policy 15</b> <b>Natural features and natural landscapes</b>	<p><i>To protect the natural features and natural landscapes (including seascapes) of the Coastal Environment from inappropriate subdivision, use, and development:</i></p> <ul style="list-style-type: none"> <li><i>a. avoid adverse effects of activities on outstanding natural features and outstanding natural landscapes in the Coastal Environment; and</i></li> <li><i>b. avoid significant adverse effects and avoid, remedy, or mitigate other adverse effects of activities on other natural features and natural landscapes in the Coastal Environment;</i></li> </ul> <p><i>including by:</i></p> <ul style="list-style-type: none"> <li><i>c. identifying and assessing the natural features and natural landscapes of the Coastal Environment of the region or district, at minimum by land</i></li> </ul>

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	<p>typing, soil characterisation and landscape characterisation and having regard to:</p> <ul style="list-style-type: none"> <li>i. natural science factors, including geological, topographical, ecological and dynamic components;</li> <li>ii. the presence of water including in seas, lakes, rivers and streams;</li> <li>iii. legibility or expressiveness—how obviously the feature or landscape demonstrates its formative processes;</li> <li>iv. aesthetic values including memorability and naturalness;</li> <li>v. vegetation (native and exotic);</li> <li>vi. transient values, including presence of wildlife or other values at certain times of the day or year;</li> <li>vii. whether the values are shared and recognised;</li> <li>viii. cultural and spiritual values for tangata whenua, identified by working, as far as practicable, in accordance with tikanga Māori; including their expression as cultural landscapes and features;</li> <li>ix. historical and heritage associations; and</li> <li>x. wild or scenic values;</li> </ul> <p>d. ensuring that regional policy statements, and plans, map or otherwise identify areas where the protection of natural features and natural landscapes requires objectives, policies and rules; and</p> <p>e. including the objectives, policies and rules required by (d) in plans</p>
<p><b>Policy 17</b> <b>Historic heritage identification and protection</b></p>	<p>Protect historic heritage<sup>6</sup> in the Coastal Environment from inappropriate subdivision, use, and development by:</p> <ul style="list-style-type: none"> <li>a. identification, assessment and recording of historic heritage, including archaeological sites;</li> <li>b. providing for the integrated management of such sites in collaboration with relevant councils, heritage agencies, iwi authorities and kaitiaki;</li> <li>c. initiating assessment and management of historic heritage in the context of historic landscapes;</li> <li>d. recognising that heritage to be protected may need conservation;</li> <li>e. facilitating and integrating management of historic heritage that spans the line of mean high-water springs;</li> <li>f. including policies, rules and other methods relating to (a) to (e) above in regional policy statements, and plans;</li> <li>g. imposing or reviewing conditions on resource consents and designations, including for the continuation of activities;</li> <li>h. requiring, where practicable, conservation conditions; and</li> </ul>

<sup>6</sup> Has the same meaning as in section 2 of the RMA 1991

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	<ul style="list-style-type: none"> <li>i. <i>considering provision for methods that would enhance owners’ opportunities for conservation of listed heritage structures, such as relief grants or rates relief.</i></li> </ul>
<b>Policy 18</b> <b>Public open space</b>	<p><i>Recognise the need for public open space within and adjacent to the coastal marine area, for public use and appreciation including active and passive recreation, and provide for such public open space, including by:</i></p> <ul style="list-style-type: none"> <li>a. <i>ensuring that the location and treatment of public open space is compatible with the natural character, natural features and landscapes, and amenity values of the Coastal Environment;</i></li> <li>b. <i>taking account of future need for public open space within and adjacent to the coastal marine area, including in and close to cities, towns and other settlements;</i></li> <li>c. <i>maintaining and enhancing walking access linkages between public open space areas in the Coastal Environment;</i></li> <li>d. <i>considering the likely impact of coastal processes and climate change so as not to compromise the ability of future generations to have access to public open space; and</i></li> <li>e. <i>recognising the important role that esplanade reserves and strips can have in contributing to meeting public open space needs.</i></li> </ul>
<b>Policy 19:</b> <b>Walking access</b>	<ul style="list-style-type: none"> <li>(1) <i>Recognise the public expectation of and need for walking access to and along the coast that is practical, free of charge and safe for pedestrian use.</i></li> <li>(2) <i>Maintain and enhance public walking access to, along and adjacent to the coastal marine area, including by:</i> <ul style="list-style-type: none"> <li>a. <i>identifying how information on where the public have walking access will be made publicly available;</i></li> <li>b. <i>avoiding, remedying or mitigating any loss of public walking access resulting from subdivision, use, or development; and</i></li> <li>c. <i>identifying opportunities to enhance or restore public walking access, for example where:</i> <ul style="list-style-type: none"> <li>i. <i>connections between existing public areas can be provided; or</i></li> <li>ii. <i>improving access would promote outdoor recreation; or</i></li> <li>iii. <i>physical access for people with disabilities is desirable; or</i></li> <li>iv. <i>the long-term availability of public access is threatened by erosion or sea level rise; or</i></li> <li>v. <i>access to areas or sites of historic or cultural significance is important; or</i></li> <li>vi. <i>subdivision, use, or development of land adjacent to the coastal marine area has reduced public access or has the potential to do so.</i></li> </ul> </li> </ul> </li> <li>(3) <i>Only impose a restriction on public walking access to, along or adjacent to the coastal marine area where such a restriction is necessary:</i> <ul style="list-style-type: none"> <li>a. <i>to protect threatened indigenous species; or</i></li> </ul> </li> </ul>

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	<ul style="list-style-type: none"> <li>b. to protect dunes, estuaries and other sensitive natural areas or habitats; or</li> <li>c. to protect sites and activities of cultural value to Māori; or</li> <li>d. to protect historic heritage; or</li> <li>e. to protect public health or safety; or</li> <li>f. to avoid or reduce conflict between public uses of the coastal marine area and its margins; or</li> <li>g. for temporary activities or special events; or</li> <li>h. for defence purposes in accordance with the Defence Act 1990; or</li> <li>i. to ensure a level of security consistent with the purpose of a resource consent; or</li> <li>j. in other exceptional circumstances sufficient to justify the restriction.</li> </ul> <p>(4) Before imposing any restriction under (3), consider and where practicable provide for alternative routes that are available to the public free of charge at all times.</p>
<b>Policy 20 Vehicle Access</b>	<p>(1) Control use of vehicles, apart from emergency vehicles, on beaches, foreshore, seabed and adjacent public land where:</p> <ul style="list-style-type: none"> <li>a. damage to dune or other geological systems and processes; or</li> <li>b. harm to ecological systems or to indigenous flora and fauna, for example marine mammal and bird habitats or breeding areas and shellfish beds; or</li> <li>c. danger to other beach users; or</li> <li>d. disturbance of the peaceful enjoyment of the beach environment; or</li> <li>e. damage to historic heritage; or</li> <li>f. damage to the habitats of fisheries resources of significance to customary, commercial or recreational users; or</li> <li>g. damage to sites of significance to tangata whenua; might result.</li> </ul> <p>(2) Identify the locations where vehicular access is required for boat launching, or as the only practicable means of access to private property or public facilities, or for the operation of existing commercial activities, and make appropriate provision for such access.</p> <p>(3) Identify any areas where and times when recreational vehicular use on beaches, foreshore and seabed may be permitted, with or without restriction as to type of vehicle, without a likelihood of any of (1)(a) to (g) occurring.</p>
<b>Policy 21 Enhancement of water quality</b>	<p>Where the quality of water in the Coastal Environment has deteriorated so that it is having a significant adverse effect on ecosystems, natural habitats, or water based recreational activities, or is restricting existing uses, such as aquaculture, shellfish gathering, and cultural activities, give priority to improving that quality by:</p> <ul style="list-style-type: none"> <li>a. identifying such areas of coastal water and water bodies and including them in plans;</li> <li>b. including provisions in plans to address improving water quality in the areas identified above;</li> </ul>

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	<ul style="list-style-type: none"> <li>c. <i>where practicable, restoring water quality to at least a state that can support such activities and ecosystems and natural habitats;</i></li> <li>d. <i>requiring that stock is excluded from the coastal marine area, adjoining intertidal areas and other water bodies and riparian margins in the Coastal Environment, within a prescribed time frame; and</i></li> <li>e. <i>engaging with tangata whenua to identify areas of coastal waters where they have particular interest, for example in cultural sites, wāhi tapu, other taonga, and values such as mauri, and remedying, or, where remediation is not practicable, mitigating adverse effects on these areas and values.</i></li> </ul>
<b>Policy 22 Sedimentation</b>	<ul style="list-style-type: none"> <li>(1) <i>Assess and monitor sedimentation levels and impacts on the Coastal Environment.</i></li> <li>(2) <i>Require that subdivision, use, or development will not result in a significant increase in sedimentation in the coastal marine area, or other coastal water.</i></li> <li>(3) <i>Control the impacts of vegetation removal on sedimentation including the impacts of harvesting plantation forestry.</i></li> <li>(4) <i>Reduce sediment loadings in runoff and in stormwater systems through controls on land use activities.</i></li> </ul>
<b>Policy 24 Identification of coastal hazards</b>	<ul style="list-style-type: none"> <li>(1) <i>Identify areas in the Coastal Environment that are potentially affected by coastal hazards (including tsunami), giving priority to the identification of areas at high risk of being affected. Hazard risks, over at least 100 years, are to be assessed having regard to:</i> <ul style="list-style-type: none"> <li>a. <i>physical drivers and processes that cause coastal change including sea level rise;</i></li> <li>b. <i>short-term and long-term natural dynamic fluctuations of erosion and accretion;</i></li> <li>c. <i>geomorphological character;</i></li> <li>d. <i>the potential for inundation of the Coastal Environment, taking into account potential sources, inundation pathways and overland extent;</i></li> <li>e. <i>cumulative effects of sea level rise, storm surge and wave height under storm conditions;</i></li> <li>f. <i>influences that humans have had or are having on the coast;</i></li> <li>g. <i>the extent and permanence of built development; and</i></li> <li>h. <i>the effects of climate change on:</i> <ul style="list-style-type: none"> <li>i. <i>matters (a) to (g) above;</i></li> <li>ii. <i>storm frequency, intensity and surges; and</i></li> <li>iii. <i>coastal sediment dynamics; taking into account national guidance and the best available information on the likely effects of climate change on the region or district.</i></li> </ul> </li> </ul> </li> </ul>
<b>Policy 25 Subdivision, use, and development in</b>	<i>In areas potentially affected by coastal hazards over at least the next 100 years:</i>



<b>NZCPS – Objectives and Policies</b>	
<b>areas of coastal hazard risk</b>	<ul style="list-style-type: none"> <li>a. <i>avoid increasing the risk<sup>7</sup> of social, environmental and economic harm from coastal hazards;</i></li> <li>b. <i>avoid redevelopment, or change in land use, that would increase the risk of adverse effects from coastal hazards;</i></li> <li>c. <i>encourage redevelopment, or change in land use, where that would reduce the risk of adverse effects from coastal hazards, including managed retreat by relocation or removal of existing structures or their abandonment in extreme circumstances, and designing for relocatability or recoverability from hazard events;</i></li> <li>d. <i>encourage the location of infrastructure away from areas of hazard risk where practicable;</i></li> <li>e. <i>discourage hard protection structures and promote the use of alternatives to them, including natural defences; and</i></li> <li>f. <i>consider the potential effects of tsunamis and how to avoid or mitigate them.</i></li> </ul>
<b>Policy 26 Natural defences against coastal hazards</b>	<ul style="list-style-type: none"> <li>(1) <i>Provide where appropriate for the protection, restoration or enhancement of natural defences that protect coastal land uses, or sites of significant biodiversity, cultural or historic heritage or geological value, from coastal hazards.</i></li> <li>(2) <i>Recognise that such natural defences include beaches, estuaries, wetlands, intertidal areas, coastal vegetation, dunes and barrier islands.</i></li> </ul>
<b>Policy 27 Strategies for protecting significant existing development from coastal hazard risk</b>	<ul style="list-style-type: none"> <li>(1) <i>In areas of significant existing development likely to be affected by coastal hazards, the range of options for reducing coastal hazard risk that should be assessed includes:</i> <ul style="list-style-type: none"> <li>a. <i>promoting and identifying long-term sustainable risk reduction approaches including the relocation or removal of existing development or structures at risk;</i></li> <li>b. <i>identifying the consequences of potential strategic options relative to the option of ‘do-nothing’;</i></li> <li>c. <i>recognising that hard protection structures may be the only practical means to protect existing infrastructure of national or regional importance, to sustain the potential of built physical resources to meet the reasonably foreseeable needs of future generations;</i></li> <li>d. <i>recognising and considering the environmental and social costs of permitting hard protection structures to protect private property; and</i></li> <li>e. <i>identifying and planning for transition mechanisms and timeframes for moving to more sustainable approaches.</i></li> </ul> </li> <li>(2) <i>In evaluating options under (1):</i> <ul style="list-style-type: none"> <li>a. <i>focus on approaches to risk management that reduce the need for hard protection structures and similar engineering interventions;</i></li> </ul> </li> </ul>

<sup>7</sup> Defined as: Risk is often expressed in terms of a combination of the consequences of an event (including changes in circumstances) and the associated likelihood of occurrence (AS/NZS ISO 31000:2009 Risk management – Principles and guidelines, November 2009).

<b>NZCPS – Objectives and Policies</b>	
	<p>b. <i>take into account the nature of the coastal hazard risk and how it might change over at least a 100-year timeframe, including the expected effects of climate change; and</i></p> <p>c. <i>evaluate the likely costs and benefits of any proposed coastal hazard risk reduction options.</i></p> <p>(3) <i>Where hard protection structures are considered to be necessary, ensure that the form and location of any structures are designed to minimise adverse effects on the Coastal Environment.</i></p> <p>(4) <i>Hard protection structures, where considered necessary to protect private assets, should not be located on public land if there is no significant public or environmental benefit in doing so.</i></p>
<p><b>Policy 28</b></p> <p><b>Monitoring and reviewing the effectiveness of the NZCPS</b></p>	<p>(1) <i>To monitor and review the effectiveness of the NZCPS in achieving the purpose of the Act, the Minister of Conservation should:</i></p> <p>a. <i>in collaboration with local authorities collect data for, and, as far as practicable, incorporate district and regional monitoring information into a nationally consistent monitoring and reporting programme;</i></p> <p>b. <i>undertake other information gathering or monitoring that assists in providing a national perspective on coastal resource management trends, emerging issues and outcomes;</i></p> <p>c. <i>within six years of its gazettal, assess the effect of the NZCPS on regional policy statements, plans, and resource consents, and other decision making; and</i></p> <p>d. <i>publish a report and conclusions on matters (a) to (c) above</i></p>

## Appendix 4: Full Wording of PNRP Relevant Objectives and Policies

<b>PNRP</b>	
Objective O1* Ki uta ki tai: mountains to the sea	<i>Air, land, fresh water bodies and the coastal marine area are managed as integrated and connected resources; ki uta ki tai – mountains to the sea.</i>
Objective O2 Ki uta ki tai: mountains to the sea	<i>The importance and contribution of air, land, water and ecosystems to the social, economic and cultural well-being and health of people and the community are recognised in the management of those resources.</i>
Objective O3 Ki uta ki tai: mountains to the sea	<i>Mauri particularly the mauri of fresh and coastal waters is sustained and, where it has been depleted, natural resources and processes are enhanced to replenish mauri.</i>
Objective O4 Ki uta ki tai: mountains to the sea	<i>The intrinsic values of fresh water and marine ecosystems are recognised and the life supporting capacity of water is safeguarded.</i>
Objective O9 Beneficial use and development	<i>The recreational values of the coastal marine area, rivers and lakes and their margins and natural wetlands are maintained and where appropriate for recreational purposes, is enhanced.</i>
Objective O10 Beneficial use and development	<i>Public access to and along the coastal marine area and rivers and lakes is maintained and enhanced, other than in exceptional circumstances, in which case alternative access is provided where practicable.</i>
Objective O12 Beneficial use and development	<i>The social, economic, cultural and environmental benefits of regionally significant infrastructure, renewable energy generation activities and the utilisation of mineral resources are recognised.</i>
Objective O14 Māori relationships	<p><i>The relationships of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga are recognised and provided for, including:</i></p> <ul style="list-style-type: none"> <li><i>(a) maintaining and improving opportunities for Māori customary use of the coastal marine area, rivers, lakes and their margins and natural wetlands, and</i></li> <li><i>(b) maintaining and improving the availability of mahinga kai species, in terms of quantity, quality and diversity, to support Māori customary harvest, and</i></li> <li><i>(c) providing for the relationship of mana whenua with Ngā Taonga Nui a Kiwa, including by maintaining or improving Ngā Taonga Nui a Kiwa so that the huanga identified in Schedule B are provided for, and</i></li> <li><i>(d) protecting sites with significant mana whenua values from use and development that will adversely affect their values and restoring those sites to a state where their characteristics and qualities sustain the identified values.</i></li> </ul>
Objective O17 Natural character, form and function	<i>The natural character of the coastal marine area, natural wetlands, and rivers, lakes and their margins is preserved and protected from inappropriate use and development.</i>
Objective O20 Natural Hazards	<i>The hazard risk and residual hazard risk, from natural hazards and adverse effects of climate change, on people, the community, the environment and infrastructure are acceptable.</i>

<b>PNRP</b>	
Objective O21 Natural Hazards	<i>Inappropriate use and development in high hazard areas is avoided.</i>
Objective O24* Water quality	<i>Rivers, lakes, natural wetlands and coastal water are suitable for contact recreation and Māori customary use, including by:</i>  <i>(a) maintaining water quality, or</i> <i>(b) improving water quality in:</i>  <i>(i) significant contact recreation fresh water bodies and sites with significant mana whenua values and Ngā Taonga Nui a Kiwa to meet, as a minimum, the primary contact recreation objectives in Table 3.1, and</i>  <i>(ii) coastal water and sites with significant mana whenua values and Ngā Taonga Nui a Kiwa to meet, as a minimum, the primary contact recreation objectives in Table 3.3, and</i>  <i>(iii) all other rivers and lakes and natural wetlands to meet, as a minimum, the secondary contact recreation objectives in Table 3.2.</i>
Objective O25* Biodiversity, aquatic ecosystem health and mahinga kai	<i>Biodiversity, aquatic ecosystem health and mahinga kai in fresh water bodies and the coastal marine area are safeguarded such that:</i>  <i>(a) water quality, flows, water levels and aquatic and coastal habitats are managed to maintain biodiversity, aquatic ecosystem health mahinga kai, and</i>  <i>(b) where an objective in Tables 3.4, 3.5, 3.6, 3.7 or 3.8 is not met, a fresh water body or coastal marine area is improved over time to meet that objective.</i>
Objective O27* Biodiversity, aquatic ecosystem health and mahinga kai	<i>Vegetated riparian margins are established, maintained or restored to enhance water quality, aquatic ecosystem health, mahinga kai and indigenous biodiversity of rivers, lakes, natural wetlands and the coastal marine area.</i>
Objective O36 Sites with significant values	<i>Significant geological features in the coastal marine area are protected from inappropriate use and development.</i>
Objective O53 Coastal Management	<i>Use and development shall generally not be located in the coastal marine area unless it has a functional need or operational requirement to be located there</i>
Objective O54 Coastal Management	<i>Use and development makes efficient use of any occupied space in the coastal marine area.</i>
Objective O55 Coastal Management	<i>The need for public open space in the coastal marine area is recognised.</i>
Objective O56 Coastal Management	<i>New development in the coastal marine area is of a scale, density and design that is compatible with its function and its location in the coastal environment.</i>
Objective O57 Coastal Management	<i>Use and development is appropriate in the Lambton Harbour Area when it is compatible with its surroundings and the Central Area of Wellington City.</i>
Objective O58 Coastal Management	<i>Noise, including underwater noise, from activities in the coastal marine area is managed to maintain the health and well-being of marine fauna, and the health and amenity value of users of the coastal marine area.</i>
Objective O59 Coastal Management	<i>The efficient and safe passage of vessels and aircraft that support the movement of people, goods and services is provided for in the coastal marine area.</i>

<b>PNRP</b>	
<p><i>Policy P1 Ki uta ki tai and integrated catchment management</i></p>	<p><i>Air, land, fresh water bodies and the coastal marine area will be managed recognising ki uta ki tai by using the principles of integrated catchment management. These principles include:</i></p> <ul style="list-style-type: none"> <li><i>(a) decision-making using the catchment as the spatial unit, and</i></li> <li><i>(b) applying an adaptive management approach to take into account the dynamic nature and processes of catchments, and</i></li> <li><i>(c) coordinated management, with decisions based on best available information and improvements in technology and science, and</i></li> <li><i>(d) taking into account the connected nature of resources and natural processes within a catchment, and</i></li> <li><i>(e) recognising links between environmental, social, cultural and economic sustainability of the catchment.</i></li> </ul>
<p><i>Policy P7 Uses of land and water</i></p>	<p><i>The cultural, social and economic benefits of using land and water for:</i></p> <ul style="list-style-type: none"> <li><i>(a) treatment, dilution and disposal of wastewater and stormwater, and</i></li> <li><i>(b) industrial processes and commercial uses associated with the potable water supply network, and</i></li> <li><i>(c) community and domestic water supply, and</i></li> <li><i>(d) food production and harvesting (including aquaculture), and</i></li> <li><i>(e) gravel extraction from rivers for flood protection and control purposes, and</i></li> <li><i>(f) irrigation and stock water, and</i></li> <li><i>(g) firefighting (emergency or training purposes), and</i></li> <li><i>(h) contact recreation and Māori customary use, and</i></li> <li><i>(i) transportation, including along, across, and access to, water bodies, and</i></li> <li><i>(j) enabling urban development where it maintains the quality of the natural environment, and</i></li> <li><i>(k) waste management facilities.</i></li> </ul> <p><i>shall be recognised.</i></p>
<p><i>Policy P8 Beneficial activities</i></p>	<p><i>The following activities are recognised as beneficial and generally appropriate:</i></p> <ul style="list-style-type: none"> <li><i>(a) activities for the purpose of restoring natural character, aquatic ecosystem health, mahinga kai, outstanding water bodies, sites with significant mana whenua values, and sites with significant indigenous biodiversity values, and</i></li> <li><i>(b) activities that restore natural features such as beaches, dunes or wetlands that can buffer development from natural hazards, and</i></li> <li><i>(c) day-lighting of piped streams, and</i></li> <li><i>(d) removal of aquatic weeds, and pest plants and animal pests, and</i></li> <li><i>(e) the establishment of river crossings (culverts and bridges) or fences and fence structures that will result in the exclusion of regular livestock access from a water body, and</i></li> <li><i>(f) the retirement, fencing and planting and management of riparian margins, and</i></li> </ul>

<b>PNRP</b>	
	<p>(g) the retirement of erosion prone land from livestock access, and</p> <p>(h) maintenance, and use and upgrade of existing structures in the coastal marine area, natural wetlands and the beds of rivers and lakes (noting that Policy P35 will apply with respect to fish passage), and</p> <p>(i) removal of dangerous or derelict structures in the coastal marine area, natural wetlands and beds of lakes and rivers, and</p> <p>(j) structures necessary to provide for monitoring resource use or the state of the environment in the coastal marine area, natural wetlands and beds of lakes and rivers, and</p> <p>(k) activities necessary to maintain safe navigation, and</p> <p>(l) artworks that support and enhance public open space.</p>
<p><b>Policy P9</b> Public access to and along the coastal marine area and the beds of lakes and rivers</p>	<p>Maintain and enhance the extent or quality of public access to and along the coastal marine area and the beds of lakes and rivers except where it is necessary to:</p> <p>(a) protect the values of estuaries, sites with significant mana whenua values identified in Schedule C (mana whenua), sites with significant historic heritage value identified in Schedule E (historic heritage) and sites with significant indigenous biodiversity value identified in Schedule F (indigenous biodiversity), or</p> <p>(b) protect public health and safety, or protect Wellington International Airport and Commercial Port Area security, or</p> <p>(d) provide for a temporary activity such as construction, a recreation or cultural event or stock movement, and where the temporary restrictions shall be for no longer than reasonably necessary before access is fully reinstated, and</p> <p>with respect to (a) and (b), where it is necessary to permanently restrict or remove existing public access, the loss of public access shall be mitigated or offset by providing enhanced public access at a similar or nearby location to the extent reasonably practicable.</p>
<p><b>Policy P10</b> Contact Recreation and Maori customary use</p>	<p>Use and development avoid, remedy or mitigate any adverse effects on contact recreation and Māori customary use in fresh and coastal water, including by:</p> <p>(a) providing water quality and, in rivers, flows suitable for the community's objectives for contact recreation and Māori customary use, and</p> <p>(b) managing activities to maintain or enhance contact recreation values in the beds of lakes and rivers, including by retaining existing swimming holes and maintaining access to existing contact recreation locations, and</p> <p>(c) encouraging improved access to suitable swimming and surfing locations, and</p> <p>(d) providing for the passive recreation and amenity values of fresh water bodies and the coastal marine area.</p>
<p><b>Policy P12</b> Benefits of regionally significant infrastructure and</p>	<p>When considering proposals that relate to the provision of regionally significant infrastructure, or renewable energy generation activities, particular regard will be given to the benefits of those activities.</p>

<b>PNRP</b>	
<i>renewable electricity generation facilities</i>	
<i>Policy P12A Benefits of mineral resource utilisation</i>	<i>When considering proposals that relate to the use of the Region's mineral resources, particular regard will be given to the benefits from the utilisation of those resources.</i>
<i>Policy P13 Providing for regionally significant infrastructure and renewable electricity generation activities</i>	<p><i>The use, development, operation, maintenance, and upgrade of regionally significant infrastructure and renewable energy generation activities are provided for, in appropriate places and ways. This includes by having particular regard to:</i></p> <ul style="list-style-type: none"> <li><i>(a) the strategic integration of infrastructure and land use, and</i></li> <li><i>(b) the location of existing infrastructure and structures, and</i></li> <li><i>(c) the need for renewable energy generation activities to locate where the renewable energy resources exist, and</i></li> <li><i>(d) the functional need and operational requirements associated with developing, operating, maintaining and upgrading regionally significant infrastructure and renewable energy generation activities.</i></li> </ul>
<i>Policy P13A The National Grid</i>	<ul style="list-style-type: none"> <li><i>1) Recognise and provide for the benefits of the National Grid.</i></li> <li><i>2) Enable the operation, maintenance or upgrade of existing National Grid assets.</i></li> <li><i>3) Where the National Grid has a functional need or operational requirement to locate in the coastal environment, lakes, rivers or wetlands, manage the adverse effects of its activities on natural character, natural features and natural landscapes, and indigenous biodiversity by:</i> <ul style="list-style-type: none"> <li><i>(a) Seeking to avoid adverse effects of new development or major upgrades on values of:</i> <ul style="list-style-type: none"> <li><i>(i) outstanding natural character,</i></li> <li><i>(ii) natural attributes and characteristics of outstanding natural features and landscapes,</i></li> <li><i>(iii) indigenous biodiversity values of the aquatic ecosystems, habitats, species and areas listed in Policy P39A(a).</i></li> </ul> </li> <li><i>(b) Seeking to avoid significant adverse effects of new development or major upgrades on:</i> <ul style="list-style-type: none"> <li><i>(i) other areas of natural character in the coastal environment,</i></li> <li><i>(ii) natural attributes and characteristics of other natural features and landscapes in the coastal environment,</i></li> <li><i>(iii) indigenous biodiversity values that meet the criteria in Policy P11(b) of the NZCPS.</i></li> </ul> </li> <li><i>(c) Having regard to the extent to which adverse effects have been avoided, remedied or mitigated:</i> <ul style="list-style-type: none"> <li><i>(i) through the route, site and method selection process, and</i></li> <li><i>(ii) given the constraints imposed by the activity's operational requirements.</i></li> </ul> </li> </ul> </li> </ul>

<b>PNRP</b>	
	<p>(d) <i>Recognising there may be some areas in the coastal environment where:</i></p> <p>(i) <i>avoidance of adverse effects is required to protect the values, natural attributes and characteristics identified within 3(a) (i), (ii) and (iii) above.</i></p> <p>(ii) <i>avoidance of significant adverse effects is required to protect the values, natural attributes and characteristics identified within 3(b) (i), (ii) and (iii) above.</i></p> <p>4) <i>Remedy or mitigate any adverse effects from the operation, maintenance, upgrade, major upgrade or development of the National Grid which cannot be avoided. In the event of any conflict with any other objectives and policies in the Plan relating to indigenous biodiversity within Policy P39A, natural character, and natural features and natural landscapes, Policy P13A takes precedence.</i></p>
<i>Policy P19 Māori values</i>	<i>The cultural relationship of Māori with air, land and water shall be recognised and the adverse effects on this relationship and their values shall be minimised</i>
<i>Policy P20 Exercise of kaitiakitanga</i>	<p><i>Kaitiakitanga shall be recognised and provided for by involving mana whenua in the assessment and decision-making processes associated with use and development of natural and physical resources including;</i></p> <p>(a) <i>managing activities in sites with significant mana whenua values listed in Schedule C (mana whenua) in accordance with tikanga and kaupapa Māori as exercised by mana whenua, and</i></p> <p>(b) <i>the identification and inclusion of mana whenua attributes and values in the kaitiaki information and monitoring strategy in accordance with Method M2, and</i></p> <p>(c) <i>identification of mana whenua values and attributes and their application through tikanga and kaupapa Māori in the maintenance and enhancement of mana whenua relationships with Ngā Taonga Nui a Kiwa.</i></p>
<i>Policy P24 Identification of outstanding/high natural character and outstanding natural features and landscapes</i>	<p>(a) <i>Identify in the Plan areas of outstanding and high natural character in the coastal environment (including the coastal marine area) and in wetlands, rivers, lakes and their margins.</i></p> <p>(b) <i>Identify in the Plan outstanding natural features and landscapes within the coastal environment (including the coastal marine area) and in wetlands, rivers, lakes and their margins.</i></p> <p>(c) <i>Until areas of high and outstanding natural character and outstanding natural features and landscapes in the coastal environment are mapped in this Plan, as assessment may be required as to whether an activity is within:</i></p> <p>(i) <i>An area of high or outstanding natural character</i></p> <p>(ii) <i>An outstanding natural feature or landscape. The need for such an assessment will depend on the level or scale of potential effects and the sensitivity of the receiving environment and shall take into account Policies 3 and 25 of the Regional Policy Statement. Any assessment shall be commensurate with the scale and significance of the effects that the use or development may have on the environment.</i></p>



<b>PNRP</b>	
<p><i>Policy P25 Preserving and protecting natural character from inappropriate use and development</i></p>	<p><i>To preserve natural character and protect it from inappropriate use and development by:</i></p> <ul style="list-style-type: none"> <li><i>(a) avoiding adverse effects of activities on the natural character of areas within the coastal environment that have outstanding natural character , and</i></li> <li><i>(b) avoiding significant adverse effects and avoid remedy and mitigate other adverse effects of activities on the natural character of areas within the coastal environment that do not have outstanding natural character, and</i></li> <li><i>(c) outside the coastal environment, avoiding and, where avoidance is not practicable, remedying or mitigating adverse effects of activities on the natural character of wetlands, rivers, lakes and their margins that have outstanding natural character, provided that the outstanding natural character of the area taken as a whole is retained, and</i></li> <li><i>(d) outside the coastal environment, avoiding and, where avoidance is not practicable, remedying or mitigating significant adverse effects of activities on the natural character of wetlands, rivers, lakes and their margins that have high natural character, provided that the high natural character of the area taken as a whole is retained, and</i></li> <li><i>(e) outside the coastal environment, avoiding, remedying or mitigating other adverse effects of activities on the natural character of wetlands, rivers, lakes and their margins that are not addressed under (c) or (d) of Policy P25.</i></li> </ul>
<p><i>Policy P27 High hazard areas</i></p>	<p><i>Use and development, including hazard mitigation methods, in on or over high hazard areas shall be managed to ensure that:</i></p> <ul style="list-style-type: none"> <li><i>(a) they have a functional need or operational requirement or there is no practicable alternative to be so located, and</i></li> <li><i>(b) an overall increase in risk of social, environmental and economic harm is avoided, and</i></li> <li><i>(c) the hazard risk and/or residual hazard risk to the development, assessed using a risk-based approach, is acceptable or as low as reasonably practicable, recognising that in some instances an increase in risk to the development may be appropriate, and</i></li> <li><i>(d) the development does not cause or exacerbate hazard risk in other areas, and unless effects are avoided, remedied or mitigated in accordance with a hazard risk management strategy, and</i></li> <li><i>(e) adverse effects on natural processes (coastal, riverine and lake processes) are avoided, remedied, or mitigated, and</i></li> <li><i>(f) natural cycles of erosion and accretion and the potential for natural features to fluctuate in position over time, including movements due to climate change and sea level rise over at least the next 100 years, are taken into account.</i></li> </ul>
<p><i>Policy P27A Diversion of flood waters in a floodplain</i></p>	<p><i>The diversion of flood waters from any river or lake resulting from earthworks or the erection, placement or extension of a structure within stopbanks or through the creation of new stopbanks shall be managed to ensure:</i></p> <ul style="list-style-type: none"> <li><i>(a) any increase in hazard risk or residual hazard risk in other areas as a result of the diversion is avoided or mitigated, and</i></li> </ul>

<b>PNRP</b>	
	<p>(b) any adverse effects on natural processes are avoided, remedied, or mitigated, and</p> <p>(c) natural cycles of erosion and accretion and the potential for natural features to fluctuate in position over time, including movements due to climate change over at least the next 100 years, are taken into account.</p>
<p><b>Policy P28</b> Hazard mitigation measures</p>	<p>Hard hazard engineering mitigation and protection methods shall be discouraged except where it is necessary to protect:</p> <p>(a) existing, or upgrades to, infrastructure including regionally significant infrastructure, or</p> <p>(b) new regionally significant infrastructure, or</p> <p>(c) significant existing development, and</p> <p>in respect of (a), (b) and (c):</p> <p>(d) there is no reasonable or practicable alternatives to mitigate hazard risk and residual hazard risk, and</p> <p>(e) the mitigation and protection methods are suitably located and designed, and where appropriate certified by a qualified, professional engineer, and</p> <p>(f) the use of soft engineering options are incorporated and used, where appropriate,</p> <p>and either:</p> <p>(g) any adverse effects are no more than minor, or</p> <p>(h) where the environmental effects are more than minor the works form part of a hazard risk management strategy.</p>
<p><b>Policy P29</b> Effects of climate change</p>	<p>Particular regard shall be given to the potential for climate change</p> <p>(a) to threaten biodiversity, aquatic ecosystem health and mahinga kai, or</p> <p>(b) to cause or exacerbate natural hazard events over at least the next 100 years that could adversely affect use and development including as a result of:</p> <p>(c) coastal erosion and inundation (storm surge), and</p> <p>(d) river and lake flooding and erosion, aggradation, decreased minimum flows, and</p> <p>(e) stormwater ponding and impeded drainage, and</p> <p>(f) relative sea level rise, reliable scientific data for the Wellington region.</p>
<p><b>Policy P30</b> Natural buffers</p>	<p>Provide for the restoration or enhancement of natural features such as beaches, dunes or wetlands that buffer development from natural hazards and ensure the adverse effects of use and development on them are avoided, remedied, or mitigated.</p>
<p><b>Policy P31</b> Biodiversity, aquatic ecosystem health and mahinga kai</p>	<p>Manage the adverse effects of use and development on biodiversity, aquatic ecosystem health and mahinga kai to:</p> <p>Hydrology</p>

<b>PNRP</b>	
	<p>(a) <i>maintain or where practicable restore natural flow characteristics and hydrodynamic processes and the natural pattern and range of water level fluctuations in rivers, lakes and natural wetlands</i></p> <p><i>Water quality</i></p> <p>(b) <i>maintain or improve water quality, and including to assist with achieving objectives in Tables 3.4, 3.5, 3.6, 3.7 and 3.8 of Objective O25, and</i></p> <p><i>Aquatic habitat diversity and quality</i></p> <p>(c) <i>maintain or where practicable the restore aquatic habitat diversity and quality, including</i></p> <p style="padding-left: 20px;">(i) <i>the form, frequency rivers, and</i></p> <p style="padding-left: 20px;">(ii) <i>and pattern of pools, runs, and riffles in the natural form of rivers, lakes, marine area, and</i></p> <p>(d) <i>where practicable natural wetlands and the coastal restore the connections between fragmented aquatic habitats, and</i></p> <p><i>Critical habitat for indigenous aquatic species and indigenous birds</i></p> <p>(e) <i>maintain or where practicable restore habitats that are important to the life cycle and survival of indigenous aquatic species and the habitats of indigenous birds in the coastal marine area, natural wetlands and the beds of lakes and rivers and their margins that are used for breeding, roosting, feeding, and migration, and</i></p> <p><i>Critical life cycle periods</i></p> <p>(f) <i>avoid, minimise or remedy adverse effects on aquatic species at times which will most affect the breeding, spawning, and dispersal or migration of those species, including timing the activity, or the adverse effects of the activity, to avoid times of the year when adverse effects may be more significant, and</i></p> <p><i>Riparian habitats</i></p> <p>(g) <i>maintain or, where practicable restore riparian habitats, and</i></p> <p><i>Pests</i></p> <p>(h) <i>avoid the introduction, and restrict the spread, of aquatic pest plants and animals</i></p>
<p><i>Policy P38A Restoring Te Awarua-o-Porirua Harbour, Wellington Harbour (Port Nicholson) and Wairarapa Moana</i></p>	<p><i>The ecological health and significant values of Te Awarua-o-Porirua Harbour, Wellington Harbour (Port Nicholson) and Wairarapa Moana will be restored including by:</i></p> <p>(a) <i>managing activities, erosion-prone land, and riparian margins to reduce sedimentation rates and pollutant inputs, to meet the water quality, aquatic ecosystem health and mahinga kai objectives set out in Tables 3.4 to 3.8, and</i></p> <p>(b) <i>undertaking planting and pest management programmes in harbour and lake habitats and ecosystems.</i></p>
<p><i>Policy P39A Indigenous biodiversity values</i></p>	<p><i>To protect the indigenous biodiversity values, use and development within the coastal environment shall:</i></p>

<b>PNRP</b>	
<i>within the coastal environment</i>	<p>(a) <i>avoid adverse effects on indigenous biodiversity values that meet the criteria in Policy 11(a) of the New Zealand Coastal Policy Statement (NZCPS) namely:</i></p> <ul style="list-style-type: none"> <li>(i) <i>indigenous taxa listed as threatened or at risk in the NZ Threat classification system lists or as threatened by the International Union for Conservation of Nature and Natural Resources, and</i></li> <li>(ii) <i>indigenous ecosystems and vegetation types in the coastal environment that are threatened or are naturally rare, and</i></li> <li>(iii) <i>habitats of indigenous species where the species are at the limit of their natural range, or are naturally rare, and</i></li> <li>(iv) <i>areas in the coastal environment containing nationally significant examples of indigenous community types, and</i></li> <li>(v) <i>areas set aside for full or partial protection of indigenous biological diversity under other legislation, and</i></li> </ul> <p>(b) <i>avoid significant adverse effects, on indigenous biodiversity values that meet the criteria in Policy 11(b) (i) – (vi) of the NZCPS, and</i></p> <p>(c) <i>manage non-significant adverse effects of activities on indigenous biodiversity values that meet the criteria in Policy 11(b) of the NZCPS by:</i></p> <ul style="list-style-type: none"> <li>(i) <i>avoiding adverse effects where practicable, and</i></li> <li>(ii) <i>where adverse effects cannot be avoided, minimising them where practicable, and</i></li> <li>(iii) <i>where adverse effects cannot be minimised, they are remedied where practicable, and</i></li> <li>(iv) <i>where residual adverse effects cannot be avoided, minimised, or remedied, biodiversity offsetting is provided where possible, and</i></li> <li>(v) <i>if biodiversity offsetting of residual adverse effects is not possible, the activity itself is avoided unless the activity is regionally significant infrastructure then biodiversity compensation is provided, and</i></li> <li>(vi) <i>the activity itself is avoided if biodiversity compensation cannot be undertaken in a way that is appropriate as set out in Schedule G3, including Clause 2 of that schedule, and</i></li> </ul> <p>(d) <i>for all other sites within the coastal environment not meeting Policy 11(a) or (b) of the NZCPS, manage significant adverse effects on indigenous biodiversity values using the effects management hierarchy set out in (b) to (g) of Policy P32.</i></p>
<i>Policy P39B Existing regionally significant infrastructure and renewable energy generation activities within a site that meets any of the criteria in Policy</i>	<p><i>Consider providing for the operation, maintenance, upgrade and extension of existing regionally significant infrastructure and renewable energy generation activities within a site in the coastal environment that meets any of the criteria in Policy P39A(a)(i) (v) or (b) or included in Schedule F5 where:</i></p> <ul style="list-style-type: none"> <li>(a) <i>there is a functional need or operational requirement for the activity to locate in that area, and</i></li> <li>(b) <i>there is no practicable alternative on land or elsewhere in the coastal environment for the activity to be located, and</i></li> </ul>

<b>PNRP</b>	
<i>P39A(a)(i) (v) or (b) or included in Schedule F5</i>	<i>(c) the activity provides for the maintenance and, where practicable, the enhancement or restoration of the affected significant indigenous biodiversity values and attributes at, and in proximity to, the affected area, taking into account any consultation with the Wellington Regional Council, the Department of Conservation and mana whenua</i>
<i>Policy P39C Kaiwharawhara Stream Estuary</i>	<i>When considering the effects of port related activities in the Kaiwharawhara Stream Estuary in Schedule F4 (which includes aquatic ecosystems, habitats, species and areas listed in Policy P39A(a)(i) (v) or (b)) or included in Schedule F5 recognise:</i>  <i>(a) that the estuary is located within a working port that needs to provide for efficient and safe operations, the development of capacity for shipping and take account of connections to other transport modes, and</i>  <i>(b) that there must be a functional need or operational requirement for the activity to locate in that area and there is no practicable alternative on land or elsewhere in the coastal marine area for the activity to be located, and</i>  <i>(c) the extent to which the significant indigenous biodiversity values and attributes at and in proximity to the estuary, are enhanced or restored as part of a biodiversity management plan that sets out how the significant indigenous biodiversity values and attributes will be affected by the activity, and</i>  <i>(d) the matters in Policy P39B</i>
<i>Policy P39D Wellington Airport South Coastal Environment</i>	<i>When considering the effects of airport related activities within a site that meets any of the criteria in Policy 39A(a)(i) -(v) or (b) or included in Schedule F5 recognise:</i>  <i>(a) that the existing airport is located in the coastal environment and the airport needs to provide for its efficient and safe operations, and the development of capacity to sustain the potential of the airport to meet the reasonably foreseeable needs of future generations, and</i>  <i>(b) that there must be a functional need or operational requirement for the activity to locate in that area and there is no practicable alternative on land or elsewhere in the coastal marine area for the activity to be located, and</i>  <i>(c) the extent to which any significant indigenous biodiversity values and attributes are enhanced or restored as part of a biodiversity management plan that sets out how the significant indigenous biodiversity values and attributes will be affected by the activity, and</i>  <i>(d) the matters in Policy P39B.</i>
<i>Policy P40 Ecosystems and habitats with significant indigenous biodiversity values</i>	<i>Protect in accordance with Policy P32 and Policies P39A-D and where appropriate restore the following ecosystems and habitats with significant indigenous biodiversity values:</i>  <i>(a) the rivers and lakes with significant indigenous ecosystems identified in Schedule F1 (rivers/lakes), and</i>  <i>(b) the habitats for indigenous birds identified in Schedule F2 (bird habitats), and</i>  <i>(c) natural wetlands, including the natural wetlands identified in Schedule F3 (identified natural wetlands), and</i>

<b>PNRP</b>	
	<p>(d) <i>the ecosystems and habitat-types with significant indigenous biodiversity values in the coastal marine area identified in Schedule F4 (coastal sites) and Schedule F5 (coastal habitats).</i></p> <p><i>Note: All natural wetlands in the Wellington Region are considered to be ecosystems and habitats with significant indigenous biodiversity values as they meet at least two of the criteria listed in Policy 23 of the Regional Policy Statement 2013 for identifying indigenous ecosystems and habitats with significant indigenous biodiversity values; being representativeness and rarity.</i></p>
<p><i>Policy P48 Protecting natural features and landscapes from inappropriate use and development</i></p>	<p><i>To protect natural features and landscapes (including seascapes) of the coastal environment, rivers, lakes and their margins and natural wetlands and their values, from inappropriate use and development by:</i></p> <p>(a) <i>avoiding adverse effects of activities on the natural attributes and characteristics of outstanding natural features and landscapes in the coastal environment, and</i></p> <p>(b) <i>avoiding significant adverse effects of activities on the natural attributes and characteristics of natural features and landscapes in the coastal environment and avoid, remedy and mitigate other adverse effects of activities on other natural features and natural landscapes in the coastal environment, and</i></p> <p>(c) <i>outside the coastal environment, avoiding and, where avoidance is not practicable, remedying or mitigating adverse effects of activities on the natural attributes and characteristics of outstanding natural features and landscapes, provided that the values of the natural features or landscapes that contribute to its outstanding status are retained.</i></p>
<p><i>Policy P101 Management of riparian margins</i></p>	<p><i>Maintain or restore water quality, aquatic ecosystem health, mahinga kai and natural character, and reduce the amount of contaminants entering surface water bodies, through the management of riparian margins including:</i></p> <p>(a) <i>the exclusion or restricted access of livestock likely to affect riparian margins or water quality,</i></p> <p>(b) <i>set-back distances from surface water bodies for some land use activities including earthworks, vegetation clearance, cultivation and break-feeding,</i></p> <p>(c) <i>encouraging the planting of appropriate riparian vegetation, and</i></p> <p>(d) <i>the control of pest plants and animals.</i></p>
<p><i>Policy P132 Functional need and efficient use</i></p>	<p><i>Use and development in the coastal marine area shall:</i></p> <p>(a) <i>have a functional need, or</i></p> <p>(b) <i>have an operational requirement to locate within the coastal marine area, and no reasonable or practicable alternative to locating in the coastal marine area, or</i></p> <p>(c) <i>be use or redevelopment of, or on, existing structures in the Lambton Harbour Area; or</i></p> <p>(d) <i>for any other activity, it shall have no reasonable or practicable alternative to locating in the coastal marine area, and:</i></p>

<b>PNRP</b>	
	<p>(e) <i>be made available for public or multiple use unless a restriction on public access is necessary, and</i></p> <p>(f) <i>result in the removal of structures once redundant, except where operational requirements prevent this within the Cook Strait Cable Protection Zone and adjacent foreshore, and</i></p> <p>(g) <i>concentrate in locations where similar use and development already exists where practicable, and</i></p> <p>(h) <i>in respect of (a), (b) and (d) above, only use the minimum area necessary, and</i></p> <p>(i) <i>in respect of (c), makes efficient use of any occupied space</i></p>
<i>Policy P133 Recreational values</i>	<i>The adverse effects of use and development in the coastal marine area on recreational values shall be managed by providing for a diverse range of recreational opportunities while avoiding conflicts and safety issues.</i>
<i>Policy P134 Public open space values and visual amenity</i>	<p><i>The adverse effects of new use and development on public open space and visual amenity viewed within, to and from the coastal marine area shall be avoided, remedied or mitigated by:</i></p> <p>(a) <i>having particular regard to any relevant provisions contained in any bordering territorial authorities' proposed and/or operative district plan, and</i></p> <p>(b) <i>managing use and development to be of a scale, location, density and design which is compatible with the natural character, natural features and landscapes and amenity values of the coastal environment and the functional needs, operational requirements and locational constraints of the Commercial Port Area and the Wellington International Airport, and</i></p> <p>(c) <i>taking account of the future need for public open space in the coastal marine area.</i></p>
<i>Policy P138 Structures in sites with significant values</i>	<p><i>New structures, replacement of a structure or any addition or alteration to a structure in the coastal marine area in a site identified in Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) and Schedule J (geological features) shall be avoided, except where:</i></p> <p>(a) <i>the new structure, replacement of the structure or any addition or alteration to the structure is for the specific purpose of providing protection for the values identified in Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features), or</i></p> <p>(b) <i>the structure is for educational, scientific or research purposes that will enhance the understanding and long-term protection of the coastal marine area, or</i></p> <p>(c) <i>the structure will provide for navigational safety, or</i></p> <p>(d) <i>it is necessary to enable the development, operation, maintenance and upgrade of regionally significant infrastructure,</i></p> <p><i>and in respect of (a) to (d):</i></p> <p>(e) <i>there are no practicable alternative locations or methods of providing for the activity.</i></p>

<b>PNRP</b>	
<i>Policy P139 Seawalls</i>	<p><i>The construction of a new seawall or the addition to or alteration or replacement of an existing seawall is inappropriate except where the seawall is required to protect:</i></p> <ul style="list-style-type: none"> <li><i>(a) existing, or upgrades to, infrastructure, or</i></li> <li><i>(b) new regionally significant infrastructure, or</i></li> <li><i>(c) significant existing development,</i></li> </ul> <p><i>and in respect of (a), (b) and (c):</i></p> <ul style="list-style-type: none"> <li><i>(d) there is no reasonable or practicable alternative means, and</i></li> <li><i>(e) suitably located, designed and certified by a qualified, professional engineer, and</i></li> <li><i>(f) designed to incorporate the use of soft engineering options where appropriate.</i></li> </ul>
<i>Policy P140 New boatsheds</i>	<p><i>New boatsheds shall be managed by:</i></p> <ul style="list-style-type: none"> <li><i>(a) avoiding the development of boatsheds outside Boatshed Management Areas (shown on Map 31), and</i></li> <li><i>(b) requiring that new boatsheds are compatible in scale, size and character to existing boatsheds.</i></li> </ul>
<i>Policy P141 Boatsheds</i>	<p><i>The use of boatsheds for residential or other non-water-based activities shall be avoided.</i></p>
<i>Policy P142 Lambton Harbour Area</i>	<p><i>When considering whether use and development of the Lambton Harbour Area is appropriate, have regard to the extent which it:</i></p> <ul style="list-style-type: none"> <li><i>(a) provides for a range of activities appropriate to the harbour/city interface, and</i></li> <li><i>(b) is compatible with the urban form of the city, and</i></li> <li><i>(c) recognises where relevant, the heritage character, development and associations the wharf edges, reclamation edges, and finger wharves and their contribution to understanding and appreciation of the Lambton Harbour Area, and</i></li> <li><i>(d) does not detract from the amenity of the area, and</i></li> <li><i>(e) recognises that the Lambton Harbour Area is adjacent to the Commercial Port Area, which is a working port, and</i></li> <li><i>(f) ensures that the development of noise sensitive activities is adequately acoustically insulated in order to manage reverse sensitivity effects, and</i></li> <li><i>(g) enables social and economic benefits to Wellington City and the wider region, and</i></li> <li><i>(h) provides for open space, pedestrian and cycle through routes and access to and from the water, and</i></li> <li><i>(i) recognises mana whenua waka and waka ama uses and enables them to continue, and</i></li> <li><i>(j) addresses provisions, including design guides, contained in the Wellington City District Plan and any relevant proposed plan changes or variations, including the following matters: amenity values; noise and vibration; views; traffic; wind; lighting and glare; sunlight and shading; height, bulk and form; and urban design.</i></li> </ul>



<b>PNRP</b>	
<i>Policy P143 Deposition in a site with significant values</i>	<p><i>Deposition of sand, shingle or shell in a site in the coastal marine area identified in Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) and Schedule J (geological features) shall be avoided except where:</i></p> <ul style="list-style-type: none"> <li><i>(a) the activity is for the specific purpose of providing protection for the values identified in Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) and Schedule J (geological features), or</i></li> <li><i>(b) it involves renourishment for the purpose of managing coastal erosion, or</i></li> <li><i>(c) it provides for public amenity, or</i></li> <li><i>(d) the activity is carried out for the purposes of flood protection and/or erosion mitigation, and</i></li> <li><i>(e) the activity is carried out by or for local authorities, or</i></li> <li><i>(f) it is necessary to enable the efficient development, operation, maintenance and upgrade of regionally significant infrastructure,</i></li> </ul> <p><i>and in respect of (a) to (f):</i></p> <ul style="list-style-type: none"> <li><i>(g) there are no practicable alternative locations or methods of providing for the activity.</i></li> </ul>
<i>Policy P144 Dumping in a site with significant values</i>	<p><i>Dumping in the coastal marine area in a site identified in Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) and Schedule J (geological features) shall be avoided except where:</i></p> <ul style="list-style-type: none"> <li><i>(a) it is necessary to enable the development, operation, maintenance and upgrade of regionally significant infrastructure, and</i></li> <li><i>(b) there are no practicable alternative methods of providing for the activity.</i></li> </ul>
<i>Policy P147 Motor vehicles on the foreshore</i>	<p><i>District and city councils may restrict the use of motor vehicles on the foreshore, with the exception of vehicles associated with:</i></p> <ul style="list-style-type: none"> <li><i>(a) surf lifesaving operations, or</i></li> <li><i>(b) emergency situations, including (but not restricted to) firefighting, oil spills, rescue operations, salvage of vessels and marine mammal strandings, or</i></li> <li><i>(c) local authority activities, or</i></li> <li><i>(d) the development, operation, maintenance and upgrade of regionally significant infrastructure.</i></li> </ul>
<i>Policy P148 Motor vehicles in sites with significant value</i>	<p><i>The use of motor vehicles on the foreshore and seabed in a site identified in Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F2c (birds-coastal), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) shall be avoided, except when required for surf lifesaving, emergency, law enforcement, Department of Conservation, local authority or regionally significant infrastructure purposes.</i></p>
<i>Rule R99</i>	<i>Earthworks – permitted activity</i>
<i>Rule R100</i>	<i>Vegetation clearance on erosion prone land – permitted activity</i>
<i>Rule 103</i>	<i>Earthworks and vegetation clearance – discretionary activity</i>

<b>PNRP</b>	
<i>Rule R121*</i>	<i>Maintenance of drains and highly modified rivers or streams within an individual property– permitted activity</i>
<i>Rule R122*</i>	<i>Removing vegetation from the bed of any river or lake – permitted activity</i>
<i>Rule R123*</i>	<i>Planting – permitted activity</i>
<i>Rule R127*</i>	<i>Reclamation of the beds of rivers or lakes – non-complying activity</i>
<i>Rule R149</i>	<i>Maintenance or repair of structures.</i>
<i>Rule R150</i>	<i>Minor additions or alterations to structures.</i>
<i>Rule R151</i>	<i>Additions or alterations to structures.</i>
<i>Rule R152</i>	<i>Removal or demolition of a structure or part of a structure.</i>
<i>Rule R153</i>	<i>Removal or demolition of a structure or part of a structure</i>
<i>Rule R154</i>	<i>New temporary structures outside sites of significance.</i>
<i>Rule R155</i>	<i>New temporary structures</i>
<i>Method M22</i>	<i>Integrated management of the coast</i>

## Appendix 5: Provisions in the ODP relating to Coastal Environment

### Coastal Environment

#### Residential Area:

##### Objective - Character and Sense of Place

- 4.2.1 To enhance the City's natural containment, accessibility and residential amenity by promoting the efficient use and development of natural and physical resources in Residential Areas.**

##### **Policy 4.2.2.2**

**Ensure that development within the Residential Coastal Edge recognises and responds to the unique character of the coastal edge.**

*The Residential Coastal Edge covers the pockets of residential development dotted around the coast from Point Jerningham, into Evans Bay, around the Miramar Peninsula, and along the south coast to Owhiro Bay. This area has a special character that contributes to the city's unique sense of place, and provides an important visual amenity to local residents and the public generally. The Residential Coastal Edge also has important recreational and tourism value to Wellington. The drive, walk or cycle along the coastal edge is a high quality, stimulating experience resulting from the areas unique combination of the built and natural character.*

*The character of the Residential Coastal Edge derives from the unique relationship between the openness of the coast, the linear nature of the road, existing development (mostly residential houses), and the vegetated escarpment behind. The plan identifies specific areas that warrant further protection from inappropriate or unsympathetic development. These areas are identified in Appendix 2, Chapter 5 and include parts of Owhiro Bay, Island Bay, Houghton Bay, Lyall Bay, Moa Point, Breaker Bay, Worser Bay, Karaka Bay and Evans Bay.*

*Within these areas the Plan is focussed on maintaining and enhancing the collective character of the Residential Coastal Edge. In particular the Plan discourages activities that can threaten the intactness of the escarpment. This includes development that creeps up or down the escarpment, removal of vegetation, tall or bulky buildings that may obscure views of the escarpment and visual intrusion from access ways and buildings at the top of the escarpment. Retaining structures and exposed shot-crete slopes can also exacerbate the visual effects of development on the escarpment.*

*Controls are also placed on the erection of solid fences above the 13 metre contour. While post and wire fences can be established on the escarpment with little visual effect, solid fences demarcating property boundaries can detrimentally impact on the continuous visual character of the escarpment.*

*Development on the slopes of the escarpment above the 13 metre contour may be appropriate if it can be demonstrated that the proposal will not detract from the visual qualities of the escarpment. Council will seek to ensure that any new proposals remain visually unobtrusive.*

*The Plan also includes specific rules to maintain the strongly defined, fine grained, active building edge that lines the coastal road. In particular wide vehicle access to the sites and solid front fences over 1.2 metres in height will be discouraged as these would be disruptive elements, detrimental to the current townscape character.*

*To help manage the effects of activities on the coastal escarpment the Plan includes policies and rules in the Earthworks chapter to control the negative impact of earthworks on the appearance and character of coastal areas.*

*In addition, the residential provisions contain special height controls to help manage the potential negative effects of new buildings and structures on the coastal escarpment. While the height of new buildings and structures is set at 8 metres (measured above ground level), an additional control requires that new buildings and structures remain below the 13 metre contour. This is intended to discourage development creeping up the escarpment, potentially altering existing development patterns and reducing the amenity provided by the green, vegetated slopes. Accordingly, development that extends above the 13 metre contour line in the Residential Coastal Edge area will generally be discouraged.*

*Within the Residential Coastal Edge there are a number of existing buildings and structures that are located above the 13 metre contour. Additions and alterations to these properties are exempt the requirement to remain below the 13 metre contour. Proposals that increase the number of household units on properties above the 13 metre contour will require consent to allow Council to consider the potential impact of the more intensive development on the character and visual amenity of the surrounding area.*

*Controls are also placed on the erection of solid fences above the 13 metre contour. While post and wire fences can be established on the escarpment with little visual effect, solid fences demarcating property boundaries can detrimentally impact on the continuous visual character of the escarpment*

*Development on the slopes of the escarpment above the 13 metre contour may be appropriate if it can be demonstrated that the proposal will not detract from the visual qualities of the escarpment. Council will seek to ensure that any new proposals remain visually unobtrusive.*

*The Plan also includes specific rules to maintain the strongly defined, fine grained, active building edge that lines the coastal road. In particular wide vehicle access to the sites and solid front fences over 1.2 metres in height will be discouraged as these would be disruptive elements, detrimental to the current townscape character.*

*Multi-unit development along the Residential Coastal Edge is a Discretionary Activity (Restricted). New multi-unit housing can significantly alter townscape character, particularly where smaller sites are amalgamated and established development patterns are changed. Proposals for multi-unit development will be assessed against the Residential Design Guide to ensure that common development patterns are maintained. The purpose of the design guides is not to impose specific design solutions but to identify design principles that will promote better development and enhance the Residential Coastal Edge area.*

*Matters to consider when assessing applications for infill or multi-unit developments within the Residential Coastal Edge, or proposals for building works that extend above the 13 metre contour, include:*

- whether the proposal is compatible with the predominant development patterns of the surrounding area, particularly patterns relating to frontage widths, building setbacks, and façade articulation.*
- whether the proposal enhances the local townscape character*
- the level of visual impact of any proposal, when viewed from surrounding public spaces (from both short and long range)*
- whether the existing vegetation or topography will reduce the prominence or visibility of any development that extends above the 13 metre contour.*

## **Objective – Urban Form**

- 4.2.3 Ensure that new development within Residential Areas is of a character and scale that is appropriate for the area and neighbourhood in which it is located.**

#### **Policy 4.2.3.8**

#### **Control the siting and design of structures on or over roads and promote townscape improvements.**

*... Along the coastal edge special consideration will be given to the impact of the proposed structure (and any associated excavations or earthworks) on the visual amenity and character of the coastal environment. The impact of earthworks will also be considered under the earthworks provisions in Chapters 29 and 30.*

#### **Objective – Subdivision**

#### **4.2.6 To ensure that the adverse effects of new subdivisions are avoided, remedied or mitigated.**

#### **Policy 4.2.6.2**

#### **Ensure the sound design, development and servicing of all subdivisions.**

*...Access to waterways and the coast remains an important issue. Council aims to continue to provide access to waterbodies and the coastal marine area and to conserve their natural values. Each subdivision is assessed on its merits. Each application for subdivision should address the issue of providing esplanade land in the context of the listed criteria. Esplanade land may also be considered for reserves contributions where esplanade reserves or strips are not deemed to be necessary. With regard to esplanade land, section 345(3) of the Local Government Act, 1974 also applies. ...*

*Matters to consider when assessing all applications for subdivision include:*

- Whether esplanade land is required to be set aside as part of the subdivision. Esplanade land to a maximum of 20 metres is required as a part of subdivision on the following water bodies or the coastal marine area where they meet the criteria specified in the Act:*
  - all parts of the Wellington Coast*
  - the Porirua Stream and tributaries*
  - the Kaiwharawhara Stream and tributaries.*

*A reduction in the width of land required and the appropriate type of land tenure will be assessed as part of the subdivision application. The need for esplanade land will be assessed against the following:*

- whether the land holds conservation or ecological values*
- whether the land is necessary to maintain or enhance conservation or ecological values of the adjacent land, water or the water quality of the waterbody or coastal water*
- whether the land is necessary to provide or maintain public access, both present and future, to or along the edge of the waterbody or the coastal marine area*
- whether the land is necessary to maintain or enhance other natural values of the esplanade land.*

*The requirement to provide 20 metres of esplanade land may be waived totally where the land will not:*

- contribute to the protection of conservation values*
- enable public access along or to water bodies or the coastal marine area*
- enable public recreational use of esplanade land or waterbodies or the coastal marine area.*

*Where there is no necessity for Council to own esplanade land to achieve these outcomes, esplanade strips will be considered as a way of ensuring access or maintaining natural values.*

## **Objective – Natural Features**

- 4.2.8 To maintain and enhance natural features (including landscapes and ecosystems) that contribute to Wellington's natural environment.**

### **Policy 4.2.8.1**

**Protect significant escarpments, coastal cliffs and areas of open space from development and visual obstruction.**

*The Wellington faultscarp, coastal cliffs, and areas of open space are important components of the city's visual character, which Council seeks to preserve. Where these are not protected by public ownership, Council aims to restrict and avoid, remedy or mitigate the visual impact of any development. The Open Space and Rural rules deal primarily with this issue. However, where possible, Council will seek added protection where subdivision or other non-permitted residential development is proposed.*

*Of particular note is the escarpment below St Gerard's Monastery in Oriental Bay. The escarpment serves as a prominent backdrop to the City, as well as providing the setting for the monastery, and has been identified as a key open space feature in the area. Building heights within the Oriental Bay Height Area have been set at levels that will ensure the retention of important public views of the monastery and the 'green ribbon' of the escarpment above the rooftops of Oriental Parade buildings, maintain appropriate levels of amenity in the surrounding area, and maintain the primacy of the Monastery in its setting (refer to the Oriental Bay Height Area in Appendix 4, Chapter 5).*

*Council is also focussed on maintaining and enhancing the quality of the escarpment within the Residential Coastal Edge. The vegetated coastal escarpments give the area a visual prominence and intensity that makes it more sensitive to change than a typical suburban townscape.*

## **Objective – Coastal Environment**

- 4.2.9 To maintain and enhance the quality of the coastal environment within and adjoining Residential Areas.**

### **Policy 4.2.9.1**

**Maintain the public's ability to use and enjoy the coastal environment by requiring that access to and along the coastal marine area is maintained, and enhanced where appropriate and practicable.**

### **Policy 4.2.9.2**

**Enhance the natural values of the urban coastal environment by requiring developers to consider the ecological values that are present, or that could be enhanced on the site.**

### **Policy 4.2.9.3**

**Ensure that any developments near the coastal marine area are designed to maintain and enhance the character of the coastal environment.**

*The coastal environment is an important asset for Wellington, and Council is concerned that its qualities and character should not be lost through inappropriate activities or development. Council aims to maintain and enhance the character and public amenity of the coastal environment by means of rules and strategies.*

*Maintenance and enhancement of public access to and along the coast is an important issue. However, there are occasions when public access will not be appropriate or practicable. "Appropriate and practicable" means:*

*"Public access may not be appropriate where it is necessary to protect any Area of Significant Conservation Value, Area of Important Conservation Value, sites of significance to tangata whenua, public health or for safety, animal health, security, defence purposes, or quarantine facilities. In other*

*cases, particularly along sections of coastal cliff, access along the foreshore may not be practicable." Practicable includes recognition of both technical and financial constraints." (Coastal Plan for Wellington Region – Explanation to policy 4.2.17).*

## **Rules - Setbacks**

### **5.6.2.2 Yards**

**5.6.2.2.11** *No building or structure, including a fence or wall, shall be located closer than 10 metres to the Porirua Stream (and its tributaries), 10 metres to the coastal marine area, or 5 metres to any other water body, excluding artificial ponds or channels. For the purpose of this standard the tributaries to the Porirua Stream include any part of the Stebbings Stream below the toe of the Stebbings Dam and the stream below the Seton Nossitor Dam.*

**5.6.2.2.12** *No impervious surface associated with the use of the site shall extend closer than 5 metres to a waterbody or the coastal marine area, excluding artificial ponds or channels.*

## **Subdivision standards**

**5.6.4.6** **No part of any allotment being subdivided may be within 20 metres of any river whose bed has an average width of 3 metres or more where the river flows through or adjoins an allotment.**

**5.6.4.7** **No part of any allotment being subdivided may be within 20 metres of the line of mean high water springs.**

## **Centres**

### **Objective – Subdivision**

**6.2.7** **To ensure that the adverse effects of new subdivisions are avoided, remedied or mitigated.**

#### **Policy 6.2.7.1**

**Ensure the sound design, development and servicing of all subdivisions.**

*Matters to consider in assessing all applications for subdivisions adjoining the coast and waterbodies include:*

- *the extent to which the coast's natural and physical character is maintained or enhanced;*
- *the provision of public access to, and along, the coast and waterbodies;*
- *whether esplanade land is required to be set aside as part of the subdivision. Esplanade land to a maximum of 20 metres is required as a part of subdivision on the following waterbodies or the coastal marine area where they meet the criteria specified within the Resource Management Act*
  - *all parts of the Wellington Coast*
  - *the Porirua Stream and tributaries*
  - *the Kaiwharawhara Stream and tributaries.*

*A reduction in the width of land required and the appropriate type of land tenure will be assessed as part of the subdivision application. The need for esplanade land will be assessed against whether the land:*

- *holds conservation or ecological values;*
- *is necessary to provide or maintain access to the coast or waterbodies for recreational purposes;*
- *is necessary to maintain or enhance conservation or ecological values of the adjacent land, water or the water quality of the sea or waterbodies;*

- *is necessary to provide or maintain public access, both present and future, along the coast or waterbodies;*
- *is necessary to maintain or enhance other natural values of the esplanade land.*

*The requirement to provide 20 metres of esplanade land may be waived totally where the land will not:*

- *contribute to the protection of conservation values;*
- *enable public access along or to water bodies or the coastal marine area; or*
- *enable public recreational use of esplanade land or waterbodies or the coastal marine area.*

*Where there is no necessity for Council to own esplanade land to achieve these outcomes, esplanade strips will be considered as a way of ensuring access or maintaining natural values.*

*Esplanade land may also be considered for financial contributions where esplanade reserves or strips are not deemed to be necessary. With regard to esplanade land, section 345(3) of the Local Government Act 1974 also applies.*

## **Rules - Yards**

### **7.6.2.5 Yards**

#### **7.6.2.5.1 No structure or building shall be located closer than:**

- **10 metres to the Porirua Stream and its tributaries; provided that this standard does not apply to areas located within an identified Hazard (Flooding) Area, which are dealt with under Rules 7.3.9 and 7.4.4; or**
- **5 metres to any other waterbody, excluding artificial ponds or channels.**

#### **7.6.2.5.2 No impervious surface associated with the use of the site shall extend closer than 5 metres to a waterbody or the coastal marine area, excluding artificial ponds or channels.**

## **Rules - Setbacks**

### **Subdivision standards**

#### **7.6.4.1.6 No part of any allotment being subdivided may be within 20 metres of any river whose bed has an average width of 3 metres or more where the river flows through or adjoins an allotment.**

#### **7.6.4.1.7 No part of any allotment being subdivided may be within 20 metres of the line of mean high water springs. This rule shall not apply in the Operational Port Area, provided the land is utilised for operational port purposes.**

## **Airport and Golf Course Recreation Precinct**

### **Objective**

#### **10.2.4 Protect the character and amenities of identified areas within the Airport area from inappropriate non-airport related uses and development**

##### **Policy 10.2.4.5**

**Allow non-airport activities in the South Coast Area in a manner which will protect and enhance the character of the south coast.**

*Council will be guided by the following matters when assessing applications for resource consent:*

- (1) *sensitive land uses such as residential use are generally inappropriate in this location given the constraints posed by the airport and sewage treatment plant;*



- (2) *development proposals involving the creation of an enhanced secondary gateway to the airport will be encouraged;*
- (3) *Low rise development may be acceptable on land fronting Moa Point Road provided:*
  - *compliance with Wellington airport's Obstacle Limitation Surface (OLS)*
  - *views within and through the site are maintained;*
  - *development protects and enhances the natural character of the south coast in this locality.*

## Central Area

### Objectives - Activities

- 12.2.2 To facilitate a vibrant, dynamic Central Area by enabling a wide range of activities to occur, provided that adverse effects are avoided, remedied or mitigated.**

#### **Policy 12.2.2.4**

##### **Control the adverse effects of noise in the Central Area.**

*Noise generated in the Coastal Marine Area (which includes the InterIslander Terminal Wharves at Kaiwharawhara and other port company city wharves, and the wharf areas of Queens Wharf, Taranaki Street Wharf and Overseas Passenger Terminal Wharf in the Lambton Harbour Area) is subject to the Regional Coastal Plan administered by Greater Wellington Regional Council.*

*The port company will manage the noise generated in the Operational Port Area and the Coastal Marine Area through the operation of the Port Noise Management Plan. Regular monitoring will test the effectiveness of the management plan and its implementation in managing port noise.] VAR3*

### Objective – Sensitive Development Areas

- 12.2.4 To ensure that any future development of large land holdings within the Central Area is undertaken in a manner that is compatible with, and enhances the contained urban form of the Central Area.**

#### **Policy 12.2.4.1**

**Enhance the public environment of the Port Redevelopment Precinct (shown in Appendix 2, Chapter 13) by managing the design of new buildings and public space development, by enhancing accessibility to and within the precinct, and by providing for a range of activities and uses.**

*...Public access to the waters edge is a key feature of the master-plan for the Port Redevelopment Precinct (see Appendix 2), and Council will seek to facilitate the provision of pedestrian access along the waters edge to enhance the existing waterfront route. However, at present the operational requirements of the Port mean that a freight way is needed along the waters edge adjacent to Glasgow Wharf and Kings Wharf to allow freight to be moved from these wharves to the container port. While this freight way is in place, public access to the waters edge in this area will be restricted.*

### Objective – Lambton Harbour Area

- 12.2.8 To ensure that the development of the Lambton Harbour Area, and its connections with the remainder of the city's Central Area, maintains and enhances the unique and special components and elements that make up the waterfront**

#### **Policy 12.2.8.2**

**Ensure that a range of public open spaces, public walkways and through routes for pedestrians and cyclists and opportunities for people, including people with mobility restrictions, to gain access to and from the water are provided and maintained.**

*Substantial and varied areas of open space near and adjacent to the water are important to ensure that uninterrupted public access to the water's edge is maintained and enhanced. Some water-based activities (such as rowing) require vehicular access and short term parking. There will be a public walkway/promenade along the length of the waterfront, predominantly at the water's edge. A series of different open spaces that cater for diverse uses and activities will predominate. In addition to Frank Kitts Park there will be a second large green open space at Chaffers.*

#### **Policy 12.2.8.9**

**Encourage and provide for consistency in the administration of resource management matters across the line of mean high water springs (MHWS).**

*Parts of the waterfront that are below mean high water springs (such as the Outer Tee at Queens Wharf and the Overseas Passenger Terminal) are administered by Greater Wellington – The Regional Council. These areas fall within the jurisdiction of the Regional Coastal Plan for the Wellington Region.*

*Both the Wellington City Council and Greater Wellington - The Regional Council are committed to working closely together to ensure consistency in administration of the coastal edge.*

*Policy 4.2.46 of the Regional Coastal Plan signals Greater Wellington - The Regional Council's intention to align the provisions of the Regional Coastal Plan with those of the District Plan. This policy reads:*

*"To vary or change the Plan, if necessary, as soon as practicable after the Wellington City District Plan becomes operative, to align rules in the Lambton Harbour Area (for activities and structures on wharves on the seaward side of the coastal maritime area boundary) with the rules in Wellington City Council's District Plan for the Lambton Harbour Area (for activities and structures on the landward side of the coastal marine area boundary)".*

*In explanation of this Regional Coastal Plan Policy Greater Wellington – The Regional Council has stated that:*

*"The Lambton Harbour Area has special characteristics that need to be recognised and provided for in the Regional Coastal Plan. At the time of writing the Plan and Committee deliberations, the provisions of the Wellington City District Plan for the Lambton Harbour Area were subject to alteration through submission, decision making and appeal process. In order to establish a consistent set of provisions across the line of mean high water springs within the Lambton Harbour Area, Greater Wellington - The Regional Council will undertake a variation/change to the Coastal Plan to align the provisions of the coastal plan with those developed by the City Council for the landward side of the coastal marine area boundary. This will achieve a consistent set of provisions for the Lambton Harbour Area".*

#### **Objective - Subdivision**

**12.2.11 To ensure that the adverse effects of new subdivisions are avoided, remedied or mitigated.**

##### **Policy 12.2.11.1**

**Ensure the sound design, development and servicing of all subdivisions.**

*Council wishes to ensure that all new subdivisions are developed to high standards, and imposes controls to bring this about. Council seeks to ensure that all new sites in the Central Area are suitable for their intended use, and that appropriate site arrangements are established at the time of subdivision. In particular, continued access to off-street loading facilities is to be safeguarded together with efficient arrangement of units. Important matters for land subdivision adjoining the coastal environment are to maintain and enhance public access to this area and the natural and conservation values of the coastal environment. Within the Pipitea Precinct public access to the coastal environment is restricted by the operational requirements of the port. As a result, providing*

*public access to the water's edge may be inappropriate as long as the land to be subdivided is required for operational port activities.*

## **Objective – Coastal Environment**

### **12.2.12 To maintain and enhance access to, and the quality of the coastal environment within and adjoining the Central Area.**

#### **Policy 12.2.12.1**

**Maintain the public's ability to use the coastal environment by requiring that, except in Operational Port Areas, public access to and along the coastal marine area is maintained and enhanced where appropriate and practicable.**

#### **Policy 12.2.12.2**

**Enhance the natural values of the urban coastal environment by requiring developers to consider the ecological values that are present, or that could be enhanced, on the site.**

#### **Policy 12.2.12.3**

**Ensure that any developments near the coastal marine area are designed to maintain and enhance the character of the coastal environment.**

#### **Policy 12.2.12.4**

**To recognise the special relationship of the port to the coastal marine area through identification of the Operational Port Area.**

*The coastal environment is an important asset for Wellington, and Council is concerned that its qualities and character are not degraded through inappropriate activities or development. Council aims to maintain and enhance the character and public amenity of the coastal environment by means of rules and strategies. The development of the Lambton Harbour Area as a unique and special part of the city and as a predominantly public area is an important element of the Council's coastal policy.*

*Maintaining and enhancing public access to and along the coast is an important issue. This is particularly important with regard to requiring esplanade land in respect of subdivision. In this regard, each application shall be assessed on its merit, including:*

- *In relation to subdivisions adjoining the coast*
  - *the extent to which the coast's natural and physical character is maintained or enhanced*
  - *the provision of public access to, and along the coast*
  - *whether esplanade land is required to be set aside as part of the subdivision.*
- *Esplanade land to a maximum of 20 metres is required as a part of subdivision on the Wellington Coast where the criteria specified in Part X of the Act are met.*
- *A reduction in the width of land required and the appropriate type of land tenure will be assessed as part of the subdivision application. The need for esplanade land will be assessed against whether the land:*
  - *is necessary to provide or maintain access to the coast for recreational purposes*
  - *holds conservation or ecological values*
  - *is necessary to maintain or enhance conservation or ecological values of the adjacent land, water or the water quality of the sea*
  - *is necessary to provide or maintain public access, both present and future, along the coast*
  - *is necessary to maintain or enhance other natural values of the esplanade land.*

- *The requirement to provide 20 metres of esplanade land may be waived totally where the land will not:*
  - *contribute to the protection of conservation values;*
  - *enable public access along or to waterbodies; or*
  - *enable public recreational use of esplanade land or waterbodies.*
- *Where there is no necessity for Council to own esplanade land to achieve the above outcomes, esplanade strips will be considered as mechanisms to ensure access or the maintenance of natural values.*
- *For structures in the coastal yard, consider whether public access to, and along, the coastal marine area is maintained or enhanced where appropriate and practicable.*

*There are occasions when public access will not be appropriate or practicable. The term “appropriate and practicable” means:*

*“Public access may not be appropriate where it is necessary to protect any Area of Significant Conservation Value, Area of Important Conservation Value, sites of significance to tangata whenua, public health or for safety, animal health, security, defence purposes, or quarantine facilities. In other cases, particularly along sections of coastal cliff, access along the foreshore may not be practicable. Practicable includes recognition of both technical and financial constraints.” (Coastal Plan for the Wellington Region - Explanation to Policy 4.2.17). Greater Wellington Regional Council is responsible for the resource management administration of activities and structures on wharves on the seaward side of the coastal marine area boundary eg. the Outer Tee at Queens Wharf and Overseas Passenger Terminal (refer Policy 4.2.45 of the Regional Coastal Plan).*

*Landward of the coastal marine area (ie mean high water springs) is the boundary of Wellington City Council’s resource management jurisdiction.*

*Within the Operational Port Areas access may need to be restricted. In this area, safety, security and operational requirements, as well as the existence of wharves below mean high water springs, means that esplanade land is not required. This exception only applies as long as the land is utilised for operational port purposes.*

## **Rules –**

### **13.6.3.3 View Protection**

#### **13.6.3.3.1 No building or structure shall intrude on any viewshaft as shown in Appendix 11**

**13.6.3.3.2 Standard 13.6.3.3.1 does not apply to any building or structure within the coastal marine area. Viewshafts 17, 18, 19 and 21 do not apply to land within the ‘Operational Port Area’. Elsewhere within the ‘Operational Port Area’, the viewshaft standards do not apply to cranes, elevators and similar cargo or passenger handling equipment and lighting poles.**

### **13.6.3.9 Coastal Yards**

**Except in the Operational Port Area and Port Redevelopment Precinct, any development on land adjoining the coast must maintain a minimum yard width of 6 metres measured from the line of mean high water springs.**

## **Rural Area**

### **Objective**

- 14.2.4 To ensure that the adverse effects of new subdivisions in the Rural Area are avoided, remedied or mitigated and that subdivision is consistent with the approach to containment of the urban area in this Plan.**

#### **Policy 14.2.4.4**

**To require esplanade areas along identified streams and the coast to protect conservation values, provide public access or other recreational use.**

*Esplanade areas are required on all new lots that are less than 4 hectares (including boundary adjustments) that are created along identified streams or the sea coast to protect conservation values, provide public access or other recreational use. In addition to the coast, the esplanade rules apply to the following streams:*

- *Porirua Stream and tributaries*
- *Makara Estuary*
- *Makara Stream and tributaries including Ohariu Stream*
- *Oteranga Stream and tributaries*
- *Karori Stream and tributaries*

*Because of significant conservation values in the case of the Makara Estuary esplanade reserves will be required rather than esplanade strips.*

*The environmental result will be the provision of esplanade areas to provide for conservation values, public access and recreational use.*

#### **Objective**

**14.2.5 To maintain and enhance natural features (including landscapes and ecosystems) that contribute to Wellington's natural environment.**

##### **Policy 14.2.5.1**

**Protect significant escarpments and coastal cliffs from development and visual obstruction.**

*The Wellington faultscarp, coastal cliffs, areas of open space and skylines are important parts of the City's visual character. Where these are not protected by public ownership, Council aims to restrict development and avoid, remedy or mitigate its visual impact. The Open Space and Rural rules will be the main methods of dealing with this issue, but where possible Council also seeks added protection where subdivision or other non-permitted rural development is proposed.*

#### **Objective**

**14.2.6 To maintain and enhance the quality of the coastal environment within and adjoining the Rural Area.**

##### **Policy 14.2.6.1**

**Maintain the public's ability to use and enjoy the coastal environment by requiring that public access to and along the coastal marine area is maintained, and enhanced where appropriate and practicable.**

##### **Policy 14.2.6.2**

**Enhance the natural values of the rural coastal environment by requiring developers to consider the ecological values that are present, or that could be enhanced, on the site.**

##### **Policy 14.2.6.3**

**Ensure that any developments near the coastal marine area are designed to maintain and enhance the character of the coastal environment.**

*The coastal environment is an important asset for Wellington, and Council is concerned that its qualities and character should not be lost through inappropriate activities or development. Council*

*aims to maintain and enhance the character and public amenity of the coastal environment by means of rules and strategies.*

*Maintenance and enhancement of public access to and along the coast is an important issue. However, there are occasions when public access will not be appropriate or practicable. "Appropriate and practicable" means:*

*"Public access may not be appropriate where it is necessary to protect any Area of Significant Conservation Value, Area of Important Conservation Value, sites of significance to tangata whenua, public health or for safety, animal health, security, defence purposes, or quarantine facilities. In other cases, particularly along sections of coastal cliff, access along the foreshore may not be practicable. Practicable includes recognition of both technical and financial constraints." (Coastal Plan for the Wellington Region - Explanation to policy 4.2.17).*

## **Rules - Subdivision**

### **15.1.3.5 Septic Tank Location:**

**Septic tanks (including the outer edge of the associated drainage field) shall be located no closer than 20 metres to a waterbody or the coastal marine area, or no closer than 5 metres from a property boundary other than a road boundary.**

### **15.2.2, 15.4.5, 15.4.6, 15.4.7 Esplanade areas**

**Where a new allotment, of less than 4 hectares, is created adjoining the Makara Estuary, an esplanade reserve of 20 metres is required.**

**Where a new allotment, of less than 4 hectares, is created along a stream, an esplanade strip of 20 metres is required where the stream bed has an average width of three metres or more where it flows through or adjoins the allotment. This rule applies to the following streams:**

- **Porirua Stream and tributaries**
- **Makara Stream and tributaries including Ohariu Stream**
- **Oteranga Stream and tributaries**
- **Karori Stream and tributaries.**

**Where a new allotment, of less than 4 hectares, is created along any part of the Wellington Coast, an esplanade strip of 20 metres is required.**

#### ***Assessment Criteria***

*A 20 metre wide esplanade reserve or esplanade strip is required on all new lots of less than 4 hectares that are created along streams or the sea coast to protect conservation values, provide public access or other recreational use. Any proposal to waive or reduce the width of the esplanade reserve or esplanade strip requires resource consent under Rule 15.4.8.*

### **15.4.8 Any subdivision of land that requires an esplanade area that does not meet the standards and terms of Rules 15.2.2, 15.4.5, 15.4.6 or 15.4.7, where:**

- **the proposal is to reduce the width of the esplanade reserve or esplanade strip to less than 20 metres**
- **the proposal is to waive the esplanade reserve or esplanade strip**

**is a Discretionary Activity (Unrestricted).**

#### ***Non-notification***

The written approval of affected persons will not be necessary in respect of any subdivisions of land involved in the adjustment or relocation of the boundaries of existing allotments (except any

subdivision that results in the creation of an additional allotment). Notice of applications need not be served on affected persons and applications need not be notified.

### **Standards and Terms**

Any subdivisions of land involved in the adjustment or relocation of the boundaries of existing allotments (except any subdivision that results in the creation of an additional allotment) must meet all the standards and terms for Rule 15.2.2, except for the standards and terms for esplanade areas.

Any subdivisions on land in the rural area subject to Rule 15.4.5 must meet all the standards and terms for Rule 15.4.5, except for the standards and terms for esplanade areas

Any subdivisions on land in Appendices 4, 5, 6 and 7 must meet all the standards and terms for Rule 15.4.6, except for the standards and terms for esplanade areas.

Any subdivisions on land in Appendix 2 must meet all the standards and terms for Rule 15.4.7, except for the standards and terms for esplanade areas.

### **Assessment Criteria**

***In determining whether to grant consent and what conditions, if any, to impose, Council will have regard to the following criteria:***

**15.4.8.1 *A reduction in the width of an esplanade reserve or an esplanade strip will be assessed against the following:***

- whether the land will contribute to maintaining or enhancing the natural functioning of the adjacent stream or area of sea.***
- whether the land will contribute to maintaining or enhancing the water quality of the stream or area of sea.***
- whether the land will contribute to maintaining or enhancing the aquatic habitats of plants, insects, shellfish, fish, birds and other stream or sea life.***
- whether the proposal will contribute to protecting the natural values associated with the esplanade land***
- whether the land will contribute to mitigating slipping, flooding or other natural hazards.***
- whether the land will contribute to protecting any other conservation values.***
- whether the land enables public access to the stream or sea coast, or along the stream or sea coast. Council will consider the potential for the land to be joined with other esplanade land, to provide public access at a future date.***
- whether the esplanade area enables recreational use of the land itself or the adjacent stream, coast or area of sea. The recreational use must be compatible with conservation values.***

**15.4.8.2 *The requirement to provide 20 metres of esplanade land may be waived totally where the land will not:***

- contribute to the protection of conservation values***
- enable public access along or to streams or the sea coastal; or***
- enable public recreational use of esplanade land or the adjoining stream or sea, where this use is consistent with conservation values.***

### **Assessment of other matters**

**15.4.8.3 *Any subdivisions of land involved in the adjustment or relocation of the boundaries of existing allotments (except any subdivision that results in the creation of an additional allotment); the assessment criteria set out in 15.2.2.8 to 15.2.2.16.***

**15.4.8.4** For subdivisions in the main rural area subject to Rule 15.4.5; the assessment criteria set out in rules 15.4.5.1 to 15.4.5.9.

**15.4.8.5** For subdivisions on land in Appendix 4, 5 and 6; the assessment criteria set out in rules 15.4.6.1 to 15.4.5.10.

**15.4.8.6** For subdivisions on land in Appendix 2; the assessment criteria set out in rules 15.4.7.1 to 15.4.5.8.

*The District Plan requires an esplanade reserve or esplanade strip on all new lots of less than 4 hectares that are created along streams or the sea coast, to protect conservation values, to provide public access or for other recreational use.*

*The Act provides for rules in the District Plan to indicate the streams or parts of the coast where esplanade land will be required. It also provides for the use of an esplanade strip, rather than an esplanade reserve, where the land remains in private ownership subject to a legal instrument on the title of the property.*

*The Act also permits Council to include rules in the District Plan to consider esplanade reserves or esplanade strips of less than 20 metres or to waive the esplanade requirement altogether.*

## Open Space

### 16.3 Open Space B

Open Space B land is valued for its natural character and informal open spaces. It involves areas that are used for types of recreation that, in the broadest sense, do not involve buildings or structures. The intention is to keep such areas in an unbuilt or natural state. This type of open space encompasses both formal and informal open space elements. It includes walkways, scenic areas and open grassed areas where buildings are inappropriate. Its characteristics are minimal structures, largely undeveloped areas and open expanses of land. Most Open Space B areas are vegetated and often have ecological values or may buffer Conservation Sites.

### Objective

**16.5.2** To maintain and enhance natural features (including landscapes and ecosystems) that contribute to Wellington's natural environment.

#### Policy 16.5.2.1

**Identify and protect from development and visual obstruction landforms and landscape elements that are significant in the context of the Wellington landscape, and in particular significant escarpments and coastal cliffs.**

*The Wellington faultscarp, coastal cliffs, skylines, areas of open space and areas of existing native vegetation are important components of Wellington's visual character. Where these are not protected by public ownership Council aims to restrict, and avoid, remedy or mitigate the visual impact of, any development.*

## Utility

### Rules

**23.1.4.3** No utility structure is located on an identified ridgeline or hilltop, or on the seaward side of identified coastal roads next to the coastal marine area as shown in Appendix 1

**23.1.4.3** No utility structure is located on an identified ridgeline or hilltop, or on the seaward side of identified coastal roads next to the coastal marine area as shown in Appendix 1



- 23.1.8A.2** No mast is located on an identified ridgeline or hilltop, or on the seaward side of identified coastal roads next to the coastal marine area as shown in Appendix1, or on a site that is, or contains a listed heritage item. In respect of listed heritage areas, no mast shall be located on a site within a heritage area or any area of legal road within that heritage area.
- 23.1.17.5** The mast and attached antennas are not:
- on an Identified Ridgeline and Hilltops, or
  - on the seaward side of identified coastal roads in Appendix 1 or
  - located on a site that is, or contains, a listed heritage item. In respect of listed heritage areas, the mast and attached antennas must also not be located on a site within a listed heritage area or any area of legal road within that heritage area.
- 23.2.1A.8** [The extent to which utility structures located on the seaward side of a road identified in Appendix 1 will affect the character of the coastal environment and visual amenity. In particular the Council seeks to protect the area on the seaward side of: ...
- 23.3.1.3b** visual and character effects on the seaward side of identified coastal roads next to the coastal marine area
- 23.3.1.9b** The extent to which the visual effects from masts and antennas on coastal character and visual amenity are avoided, remedied or mitigated by:
- the co-location of utilities on existing masts or using micro antenna on existing structures to avoid, remedy or mitigate their visual impact
  - mitigating against potential adverse visual effects of development by sensitive siting and design and appropriate planting and/or screening
  - the use of external colour and materials to minimise the visual contrast with the surrounding environment
- 23.4.1.3** The extent to which the visual effects from masts and antennas on coastal character and visual amenity are avoided, remedied or mitigated by:
- the co-location of utilities on existing masts or using micro antenna on existing structures to avoid, remedy or mitigate their visual impact
  - mitigating against potential adverse visual effects of development by sensitive siting and design and appropriate planting and/or screening
  - the use of external colour and materials to minimise the visual contrast with the surrounding environment

## **Renewable Energy**

### **Objective**

- 25.2.1** To encourage efficiency in energy use, and the development and use of energy from renewable sources.

#### **Policy 25.2.1.1**

Provide for renewable energy development, while:

- Avoiding, remedying or mitigating adverse effects on the environment; and
- Recognising the potential renewable energy resources that exist in the Rural Area including in identified ridgeline and hilltop areas.

*Renewable energy provides recognised environmental and economic benefits. But renewable energy developments, such as wind energy facilities can have adverse effects that must be carefully considered. Wind energy facilities often need to be sited on ridgelines, hilltops or other elevated positions. This can lead to potential conflict with landscape and amenity values. It is considered that renewable energy developments such as wind energy facilities can successfully exist within the Wellington City boundary if adverse effects on the environment, including the natural character of the coast, ecological, heritage and amenity values, and cumulative impacts are avoided, remedied or mitigated. This potential conflict needs to be carefully managed and assessed on a case by case basis. The Discretionary (Unrestricted) Rule will ensure that the effects and benefits of any application are given full consideration through the resource consent process.*

## **Rules**

### **26.3.1 Wind energy facilities in the Rural Areas are Discretionary Activities (Unrestricted).**

#### **Assessment Criteria**

##### **26.3.1.3 The visual effects of the proposal, including:**

- **The extent to which the proposal will impact on rural character;**
- **The extent to which the proposal will be visible from residences, key public places including roads, and recreation areas;**
- **The relationship of the proposal to the Ridgelines and Hilltop overlay;**
- **The visibility of the proposed development;**
- **The extent to which the proposal will impact on the natural character of the coastal environment, including on cliffs and coastal escarpments;**
- **The extent to which any aspects of the proposal can be sited underground.**
- **The scale of any proposed development, including the number of turbines, their height and the cumulative visual effects of the development as a whole.**

## **Earthworks:**

### **Objective**

**29.2.1 To provide for the use, development and protection of land and physical resources while avoiding, remedying or mitigating any adverse effects of earthworks and associated structures on the environment.**

#### **Policy 29.2.1.4**

**Require earthworks to be designed and managed to minimise erosion, and the movement of dust and sediment beyond the area of the work, particularly to streams, rivers, wetlands and the coastal marine area.**

*Erosion can take place on exposed or excavated soils. Dust and dirt carried by wind or water or vehicles from an area of earthworks can cause a nuisance to neighbouring properties, on roads and footpaths, in drainage channels and sumps, and in the stormwater system. Sediment carried into rivers, streams, wetlands the harbour and the coastal marine area can adversely impact on water quality while multiple earthworks projects can have a cumulative effect on suspended and bedload sediment levels within a river or stream system, the harbour or the coastal marine area.*

*The potential effects of dust and sediment can be minimised by requiring those undertaking earthworks for subdivision, construction or other activities, to use the best practical options as recognised by the Council and the Greater Wellington Regional Council. These options include, minimising the area of disturbance preventing water running onto the site, the control of erosion,*

*managing dust, and installing sediment control structures and maintaining these structures to ensure their ongoing effectiveness.*

*Earthworks are restricted close to rivers and streams, wetlands and the coastal marine area to prevent direct contamination and to protect vegetation cover. Vegetation has an important role in capturing sediment and associated nutrients, which are carried across the ground by rainwater. The effectiveness of vegetated riparian areas is dependent on a range of factors including the width of the riparian strip and type of vegetation beside the river or stream, the slope of surrounding land and amount of pasture or disturbed ground draining to the river or stream.*

*Erosion, dust and sediment control in relation to rivers, streams, wetlands and the coastal marine area is controlled by rules in both the District Plan and the regional plans administered by Greater Wellington Regional Council. The issue is addressed in the District Plan because erosion, dust and sediment are all matters that are a direct effect of earthworks that the District Plan controls.*

*In situations where resource consents are required from both authorities for activities involving earthworks, the Council will work with the Regional Council to ensure a coordinated approach to consent issues.*

*When assessing applications that do not comply with the permitted activity standards the following matters will be taken into account:*

- The extent that vegetation, natural soil structure and natural drainage patterns are retained, to intercept dust or precipitation, filter sediment and to reduce the volume and speed of runoff from the site. Particular consideration will be given to the protection or restoration of suitable vegetation, soils and drainage patterns, adjacent to rivers, streams, wetlands and the seashore*
- The extent that the work will be designed and managed to address the principles and methods in Greater Wellington Regional Council's "Erosion and sediment control guidelines for the Wellington Region" 2003, or it's "Erosion and sediment control for small sites" 2006*
- Whether any special measures are necessary to prevent dust and sediment entering and clogging street channels (gutters), drainage sumps or stormwater pipes*
- The extent that the work or subsequent erosion will cumulatively add to existing or expected sediment levels in the relevant stream system, the harbour or the coastal marine area.*
- The extent that the proposal uses 'soft engineering' practices to control erosion, dust and sediment, to prevent short term and long term effects beyond the area of the work, particularly to rivers and, streams, wetlands and coastal waters.*
- The extent that dust or sediment will be a nuisance to residents of other properties or affect the amenities of streets or public places*
- The need for an earthworks and construction plan to define acceptable performance standards for environmental and amenity protection and public safety during the construction process.*

*The environmental result will be earthworks that are designed and managed to minimise the effects of erosion, and the movement of dust and sediment beyond the area of the work, particularly to rivers, streams, wetlands, the coastal marine area.*

#### **Policy 29.2.1.9**

**Control earthworks in the Urban Coastal Edge, areas within the Ridgelines and Hilltops Overlay, Open Space B Areas Conservation Sites, Heritage Areas and on sites containing listed Heritage Items to protect the character, visual amenity or heritage value these areas provide to their immediate surrounds and the City.**

*The earthworks provisions that apply have been developed having consideration for the visually sensitive nature of these different areas.*

*Suburban coastal roads and the residential and commercial properties and open space areas along suburban coastal roads, are a distinctive component of Wellington City's landscape character. Some of these areas are a "cultural landscape"; the character resulting from a combination of natural landforms and patterns of building and development. A strong and defining element is the coastal escarpments and headlands that provide a natural backdrop to the houses and other buildings on the coastal terraces. Earthworks have the potential to visually impact on these steep slopes and have an adverse effect on the character and visual amenity of these areas.*

*Wellington's Ridgelines and Hilltops are an important and sensitive feature of the landscape. Earthworks will be carefully assessed to ensure they are undertaken in a sensitive manner responsive to the local natural features. The Rural Area Design Guide will assist in the management and assessment of the effects of proposed earthworks within identified Ridgelines and Hilltops.*

*Open Space B Areas can often be enjoyed and experienced from a distance creating a visual distinction between built and unbuilt areas. Conservation Sites are significant areas of Wellington's natural heritage with high ecological values. Earthworks have the potential to impact on the visual and ecological values these areas provide to the city and therefore the earthworks in these areas will be controlled. However, earthworks are necessary to create tracks for public access within reserve areas and therefore earthworks for the purpose of providing walking and cycling tracks are provided for.*

*When assessing an application for resource consent, in addition to the matters outlined below it is also necessary to have regard to the objectives and policies of the relevant are or topic based chapter.*

*Matters to consider within the Urban Coastal Edge:*

- Whether the proposed earthworks and any associated structures will have a negative visual impact on the appearance and character of areas along coastal roads*
- The extent to which the natural characteristics of the site will be altered or modified by the earthworks.*
- Whether mitigation will be effective in addressing the visual effects of the earthworks and associated structures*
- The extent that indigenous or naturalised species are used in landscaping.*
- All relevant matters listed for assessment under Policy 29.2.1.7.*

## **Rules**

### **30.1.1 Earthworks in the:**

- (i) Residential Area (except the Urban Coastal Edge shown on Map 62 and Map 63);**
- (ii) Centres and Business Areas (except the Churton Park Concept Area as shown in Appendix 1 to this chapter);**
- (iii) Institutional Precincts;**
- (iv) Rural Area (excluding the Ridgelines and Hilltops Overlay); and**
- (v) Open Space A and C Areas;**

**are Permitted Activities provided that they comply with the following conditions:**

#### **30.1.1.2 The cut or fill is no closer than the following (measured on a horizontal plane) to a river (including streams), a wetland or the coastal marine area:**

<b>Rural Area</b>	<b>20m</b>
<b>Centres and Business Areas adjoining the Porirua Stream</b>	<b>10m</b>
<b>All other areas</b>	<b>5m</b>

**30.1.2 Earthworks in the:**

- (i) Urban Coastal Edge (as shown on Map 62 and Map 63);
- (ii) Open Space B Areas
- (iii) Conservation Sites
- (iv) Ridgelines and Hilltops Overlay (Rural Area) ; and
- (v) in Heritage Areas and on sites containing listed Heritage Items;

are Permitted Activities provided that they comply with the following conditions:

**30.1.2.2 The cut or fill is no closer than the following (measured on a horizontal plane) to a river (including streams), a wetland or the coastal marine area:**

<i>Ridgelines and Hilltops (Rural Area), Conservation Sites, Open Space B</i>	<i>20m</i>
<i>Centres and Business Areas adjoining the Porirua Stream</i>	<i>10m</i>
<i>All other areas</i>	<i>5m</i>

**30.1.3 Earthworks in the:**

- (i) Central Area (excluding in Heritage Areas and sites containing listed Heritage Items)

are Permitted Activities provided that they comply with the following conditions:

**30.1.3.3 The cut or fill is no closer than 5m to the coastal marine area (except for the maintenance of reclamation facings and the maintenance of foundations which support existing equipment and structures in the Operational Port Area and the Port Redevelopment Precinct).**

**30.2.1.1 For non compliance with the permitted activity conditions in 30.1.1 the Council has restricted its discretion to**

- (v) *Earthworks and structures associated with rivers (including streams) and the coastal marine area where the cut or fill is closer than the following (measured on a horizontal plane) to a river (including streams), wetland or the coastal marine area:*

<i>Rural Area</i>	<i>20m</i>
<i>All other areas</i>	<i>5m</i>

**30.2.1.2 For non compliance with the permitted activity conditions in Rule 30.1.2 the Council has restricted its discretion to**

- (v) *earthworks and structures associated with rivers (including streams) and the coastal marine area where the cut or fill is closer than the following (measured on a horizontal plane) to a river (including streams) or the coastal marine area:*

<i>Rural Area</i>	<i>20m</i>
<i>All other areas</i>	<i>5m</i>

## **Business Area:**

### **Objective – Subdivision**

**33.2.8 To ensure that the adverse effects of new subdivisions are avoided, remedied or mitigated.**

#### **Policy 33.2.8.1**

**Ensure the sound design, development and appropriate servicing of all subdivisions.**

*Within the Miramar/Burnham Wharf Operational Port Area public access to the coastal environment is restricted by the operational requirements of the port. As a result providing public access to the*

waters edge may be inappropriate, as long as the land to be subdivided is required for operational port activities.

...

Matters to consider in assessing all applications for subdivisions adjoining the coast and waterbodies include:

- the extent to which the coast's natural and physical character is maintained or enhanced;
- the provision of public access to, and along, the coast and waterbodies;
- whether esplanade land is required to be set aside as part of the subdivision.

Esplanade land to a maximum of 20 metres is required as a part of subdivision on the following waterbodies or the coastal marine area where they meet the criteria specified within the Resource Management Act:

- all parts of the Wellington Coast
- Porirua Stream and tributaries
- Kaiwharawhara Stream and tributaries.

A reduction in the width of land required and the appropriate type of land tenure will be assessed as part of the subdivision application. The need for esplanade land will be assessed against the following criteria and whether the land:

- holds conservation or ecological values;
- is necessary to provide or maintain access to the coast or waterbodies for recreational purposes;
- is necessary to maintain or enhance conservation or ecological values of the adjacent land, water or the water quality of the sea or waterbodies;
- is necessary to provide or maintain public access, both present and future, along the coast or waterbodies;
- is necessary to maintain or enhance other natural values of the esplanade land.

The requirement to provide 20 metres of esplanade land may be waived totally where the land will not:

- contribute to the protection of conservation values;
- enable public access along or to waterbodies or the Coastal Marine Area; or
- enable public recreational use of esplanade land, waterbodies or the coastal marine area.

Where there is no necessity for Council to own esplanade land to achieve the above outcomes, esplanade strips will be considered as mechanisms to ensure access or the maintenance of natural values.

Esplanade land may also be considered for financial contributions where esplanade reserves or strips are not deemed to be necessary. With regard to esplanade land, section 345(3) of the Local Government Act 1974 also applies.

## **Objective – Coastal Environment**

### **33.2.10 To maintain and enhance access to, and the quality of the coastal environment within and adjoining Business Areas.**

#### **Policy 33.2.10.1**

**Maintain the public's ability to use and enjoy the coastal environment by requiring that, except in the Operational Port Areas, public access to and along the coastal marine area is maintained, and enhanced where appropriate and practicable.**

### **Policy 33.2.10.2**

**Ensure that any developments near the coastal marine area are designed to maintain and enhance the character of the coastal environment and waterbodies.**

### **Policy 33.2.10.3**

**To recognise the special relationship of the port to the coastal marine area through identification of the Operational Port Area.**

*The coastal environment is an important asset for Wellington, and Council is concerned that its qualities and character are not lost through inappropriate activities or development. Council aims to maintain and enhance the character and public amenity of the coastal environment by means of rules and strategies.*

*Additional provisions cover re/development of site which may affect the coastal environment. These rules include limiting the scale and intensity of developments and the control of potential adverse effects, particularly in relation to Greta Point and Shelly Bay.*

*Maintaining and enhancing public access to and along the coast is an important issue. There are occasions when public access will not be appropriate or practicable. "Appropriate and practicable" means:*

*"Public access may not be appropriate where it is necessary to protect any Area of Significant Conservation Value, Area of Important Conservation Value, sites of significance to tangata whenua, public health or for safety, animal health, security, defence purposes, or quarantine facilities. In other cases, particularly along sections of coastal cliff, access along the foreshore may not be practicable. Practicable includes recognition of both technical and financial constraints." (Coastal Plan for the Wellington Region - Explanation to policy 4.2.17).*

*Within the Operational Port Areas access is to be restricted. In this area, safety, security and operational requirements, as well as the existence of wharves below mean high water springs, means that esplanade land is not required. This exception only applies where the land is utilised for operational port purposes.*

### **Rules – Buildings and structures**

**34.3.5 The construction of, or the addition to, buildings and structures in Business 1 Areas resulting in a total gross floor area exceeding 500m<sup>2</sup> are Discretionary Activities (Restricted) in respect of:**

**34.3.5.8 the quality of the built edge and its relationship to the character of the Lyall Bay coastal environment (relates only to lots fronting Lyall Parade)**

### **Rules – Setbacks**

#### **34.6.2.4 Yards**

**34.6.2.4.2 No structure or building shall be located closer than:**

**10 metres to the Porirua Stream and its tributaries; provided that this standard does not apply to areas located within an identified Hazard (Flooding) Area, which are dealt with under Rules 34.3.11 and 34.4.10; or**

**10 metres to the coastal marine area, excluding artificial ponds or channels; or**

**5 metres to any other waterbody, excluding artificial ponds or channels.**

**34.6.2.4.3 No impervious surface associated with the use of the site shall extend closer than 5 metres to a waterbody or the coastal marine area, excluding artificial ponds or channels.**

## **Subdivision standards**

**34.6.4.1.6** *No part of any allotment being subdivided may be within 20 metres of any river whose bed has an average width of 3 metres or more where the river flows through or adjoins an allotment.*

**34.6.4.1.7** *No part of any allotment being subdivided may be within 20 metres of the line of mean high water springs. This rule shall not apply in the Operational Port Area, provided the land is utilised for operational port purposes.*