

# New Zealand Coastal Policy Statement 2010



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# Preamble

The New Zealand Coastal Policy Statement (NZCPS) is a national policy statement under the Resource Management Act 1991 ('the Act'). The purpose of the NZCPS is to state policies in order to achieve the purpose of the Act in relation to the coastal environment of New Zealand.

The coastal environment has characteristics, qualities and uses that mean there are particular challenges in promoting sustainable management:

- the coastal environment varies in nature and extent around the country;
- most existing towns and cities are in or close to a coastal location;
- the coastal environment contains established infrastructure connecting New Zealand internally and internationally such as ports, airports, railways, roads and submarine cables;
- natural and physical resources important to the economic and social wellbeing of the nation and communities, such as high quality coastal water, fresh water, renewable energy, and minerals are found within the coastal environment, including in areas with high natural character, landscape and amenity values;
- the natural and recreational attributes of the coast and its attraction as a place to live and visit combine with an increasingly affluent and mobile society to place growing pressure on coastal space and other resources;
- activities inland can have a major impact on coastal water quality;
- activities in the coastal environment are susceptible to the effects of natural hazards such as coastal erosion and tsunami, and those associated with climate change;
- there is continuing and growing demand for coastal space and resources for commercial activities as diverse as aquaculture and sand mining; and
- the coast has particular importance to tangata whenua, including as kaitiaki.

The coastal environment is facing the following key issues:

- the ability to manage activities in the coastal environment is hindered by a lack of understanding about some coastal processes and the effects of activities on them;
- loss of natural character, landscape values and wild or scenic areas along extensive areas of the coast, particularly in areas closer to population centres or accessible for rural residential development;
- continuing decline in species, habitats and ecosystems in the coastal environment under pressures from subdivision and use, vegetation clearance, loss of intertidal areas, plant and animal pests, poor water quality, and sedimentation in estuaries and the coastal marine area;
- demand for coastal sites for infrastructure uses (including energy generation) and for aquaculture to meet the economic, social and cultural needs of people and communities;
- poor and declining coastal water quality in many areas as a consequence of point and diffuse sources of contamination, including stormwater and wastewater discharges;
- adverse effects of poor water quality on aquatic life and opportunities for aquaculture, mahinga kai gathering and recreational uses such as swimming and kayaking;
- loss of natural, built and cultural heritage from subdivision, use, and development;

- compromising of the open space and recreational values of the coastal environment, including the potential for permanent and physically accessible walking public access to and along the coastal marine area;
- continuing coastal erosion and other natural hazards that will be exacerbated by climate change and which will increasingly threaten existing infrastructure, public access and other coastal values as well as private property; and
- the use of vehicles on beaches causing ecological damage and creating conflicts with other recreational uses and values of the coastal environment.

For the coastal environment of the Hauraki Gulf, the Hauraki Gulf Marine Park Act 2000 requires that sections 7 and 8 of that Act must be treated as a New Zealand coastal policy statement issued under the Act. Section 10(2) of the Hauraki Gulf Marine Park Act 2000 states that if there is a conflict between sections 7 and 8 and the provisions of the NZCPS, the NZCPS prevails.

# Application of this policy statement

This NZCPS is to be applied as required by the Act by persons exercising functions and powers under the Act. The Act itself should be consulted, but at the time of gazettal of this statement, its requirements in relation to this NZCPS are, in summary, that:

- regional policy statements, regional plans and district plans must give effect to this NZCPS (sections 62(3), 67(3)(b), 75(3)(b) refer);
- local authorities must amend regional policy statements, proposed regional policy statements, plans, proposed plans, and variations to give effect to NZCPS provisions that affect these documents as soon as practicable, using the process set out in Schedule 1 of the Act except where this NZCPS directs otherwise (section 55 refers);
- a consent authority, when considering an application for a resource consent and any submissions received, must, subject to Part 2 of the Act, have regard to, amongst other things, any relevant provisions of this NZCPS (section 104(1)(b)(iv) refers);
- when considering a requirement for a designation and any submissions received, a territorial authority must, subject to Part 2 of the Act, consider the effects on the environment of allowing the requirement, having particular regard to, amongst other things, any relevant provisions of this NZCPS (sections 168A(3)(a)(ii) and 171(1)(a)(ii) refer);
- when considering a requirement for a heritage order, a territorial authority must, subject to Part 2 of the Act, in addition to having regard to certain matters, have particular regard to, amongst other things, all relevant provisions of this NZCPS (section 191(1)(d) refers);
- in considering an application for a water conservation order, a special tribunal, in addition to having particular regard to certain matters, must have regard to, amongst other things, the relevant provisions of this NZCPS (section 207(c) refers);
- in conducting an inquiry in respect of the report of a special tribunal on an application for a water conservation order, the Environment Court, in addition to having particular regard to certain matters, must have regard to, amongst other things, the relevant provisions of this NZCPS (section 212(b) refers).



# Interpretation

In this NZCPS:

- numbering of objectives and policies is solely for convenience and is not to be interpreted as an indication of relative importance; and
- section and policy headings indicate general subject matter and are relevant to the interpretation of objectives and policies.

Where bullet points in an objective or clauses in a policy take the form of a list:

- where the list is cumulative, the word 'and' is used before the last clause in the list; and
- where clauses are alternative, the word 'or' is used between all clauses.

Definitions contained in the Act are not repeated in the Glossary.

# Objectives

## Objective 1

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:

- maintaining or enhancing natural biological and physical processes in the coastal environment and recognising their dynamic, complex and interdependent nature;
- 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
- 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.

## Objective 2

To preserve the natural character of the coastal environment and protect natural features and landscape values through:

- recognising the characteristics and qualities that contribute to natural character, natural features and landscape values and their location and distribution;
- identifying those areas where various forms of subdivision, use, and development would be inappropriate and protecting them from such activities; and
- encouraging restoration of the coastal environment.

## Objective 3

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:

- recognising the ongoing and enduring relationship of tangata whenua over their lands, rohe and resources;
- promoting meaningful relationships and interactions between tangata whenua and persons exercising functions and powers under the Act;
- incorporating mātauranga Māori into sustainable management practices; and
- recognising and protecting characteristics of the coastal environment that are of special value to tangata whenua.

## Objective 4

To maintain and enhance the public open space qualities and recreation opportunities of the coastal environment by:

- recognising that the coastal marine area is an extensive area of public space for the public to use and enjoy;
- 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
- recognising the potential for coastal processes, including those likely to be affected by climate change, to restrict access to the coastal environment and the need to ensure that public access is maintained even when the coastal marine area advances inland.

### **Objective 5**

To ensure that coastal hazard risks taking account of climate change, are managed by:

- locating new development away from areas prone to such risks;
- considering responses, including managed retreat, for existing development in this situation; and
- protecting or restoring natural defences to coastal hazards.

### **Objective 6**

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:

- the protection of the values of the coastal environment does not preclude use and development in appropriate places and forms, and within appropriate limits;
- 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;
- functionally some uses and developments can only be located on the coast or in the coastal marine area;
- the coastal environment contains renewable energy resources of significant value;
- the protection of habitats of living marine resources contributes to the social, economic and cultural wellbeing of people and communities;
- the potential to protect, use, and develop natural and physical resources in the coastal marine area should not be compromised by activities on land;
- 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
- historic heritage in the coastal environment is extensive but not fully known, and vulnerable to loss or damage from inappropriate subdivision, use, and development.

### **Objective 7**

To ensure that management of the coastal environment recognises and provides for New Zealand's international obligations regarding the coastal environment, including the coastal marine area.

# Policies

## Policy 1 Extent and characteristics of the coastal environment

- (1) 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.
- (2) Recognise that the coastal environment includes:
  - (a) the coastal marine area;
  - (b) islands within the coastal marine area;
  - (c) areas where coastal processes, influences or qualities are significant, including coastal lakes, lagoons, tidal estuaries, saltmarshes, coastal wetlands, and the margins of these;
  - (d) areas at risk from coastal hazards;
  - (e) coastal vegetation and the habitat of indigenous coastal species including migratory birds;
  - (f) elements and features that contribute to the natural character, landscape, visual qualities or amenity values;
  - (g) items of cultural and historic heritage in the coastal marine area or on the coast;
  - (h) inter-related coastal marine and terrestrial systems, including the intertidal zone; and
  - (i) physical resources and built facilities, including infrastructure, that have modified the coastal environment.

## Policy 2 The Treaty of Waitangi, tangata whenua and Māori heritage

In taking account of the principles of the Treaty of Waitangi (Te Tiriti o Waitangi), and kaitiakitanga, in relation to the coastal environment:

- (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;
- (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;
- (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;
- (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;
- (e) take into account any relevant iwi resource management plan and any other relevant planning document recognised by the appropriate iwi authority or hapū

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<sup>1</sup> Mātauranga Māori: as defined in the Glossary.

<sup>2</sup> Pūkenga: as defined in the Glossary.

and lodged with the council, to the extent that its content has a bearing on resource management issues in the region or district; and

- (i) where appropriate incorporate references to, or material from, iwi resource management plans in regional policy statements and in plans; and
  - (ii) consider providing practical assistance to iwi or hapū who have indicated a wish to develop iwi resource management plans;
- (f) provide for opportunities for tangata whenua to exercise kaitiakitanga over waters, forests, lands, and fisheries in the coastal environment through such measures as:
- (i) bringing cultural understanding to monitoring of natural resources;
  - (ii) providing appropriate methods for the management, maintenance and protection of the taonga of tangata whenua;
  - (iii) 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
- (g) 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) recognise the importance of Māori cultural and heritage values through such methods as historic heritage, landscape and cultural impact assessments; and
  - (ii) 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.

### **Policy 3    Precautionary approach**

- (1) Adopt a precautionary approach towards proposed activities whose effects on the coastal environment are uncertain, unknown, or little understood, but potentially significantly adverse.
- (2) In particular, adopt a precautionary approach to use and management of coastal resources potentially vulnerable to effects from climate change, so that:
  - (a) avoidable social and economic loss and harm to communities does not occur;
  - (b) natural adjustments for coastal processes, natural defences, ecosystems, habitat and species are allowed to occur; and
  - (c) the natural character, public access, amenity and other values of the coastal environment meet the needs of future generations.

### **Policy 4    Integration**

Provide for the integrated management of natural and physical resources in the coastal environment, and activities that affect the coastal environment. This requires:

- (a) co-ordinated management or control of activities within the coastal environment, and which could cross administrative boundaries, particularly:
  - (i) the local authority boundary between the coastal marine area and land;
  - (ii) local authority boundaries within the coastal environment, both within the coastal marine area and on land; and
  - (iii) where hapū or iwi boundaries or rohe cross local authority boundaries;

- (b) 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
- (c) particular consideration of situations where:
  - (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
  - (ii) public use and enjoyment of public space in the coastal environment is affected, or is likely to be affected; or
  - (iii) 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
  - (iv) land use activities affect, or are likely to affect, water quality in the coastal environment and marine ecosystems through increasing sedimentation; or
  - (v) significant adverse cumulative effects are occurring, or can be anticipated.

**Policy 5 Land or waters managed or held under other Acts**

- (1) Consider effects on land or waters in the coastal environment held or managed under:
  - (a) the Conservation Act 1987 and any Act listed in the 1st Schedule to that Act; or
  - (b) other Acts for conservation or protection purposes;
 and, having regard to the purposes for which the land or waters are held or managed:
  - (c) avoid adverse effects of activities that are significant in relation to those purposes; and
  - (d) otherwise avoid, remedy or mitigate adverse effects of activities in relation to those purposes.
- (2) 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.

**Policy 6 Activities in the coastal environment**

- (1) In relation to the coastal environment:
  - (a) 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;
  - (b) 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;
  - (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;

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<sup>3</sup> Papakāinga: as defined in the Glossary.

- (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) consider where development that maintains the character of the existing built environment should be encouraged, and where development resulting in a change in character would be acceptable;
  - (g) 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;
  - (h) 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;
  - (i) 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
  - (j) 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
    - (iii) 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.

## **Policy 7 Strategic planning**

- (1) In preparing regional policy statements, and plans:
  - (a) 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:
  - (b) identify areas of the coastal environment where particular activities and forms of subdivision, use and development:
    - (i) are inappropriate; and
    - (ii) 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.

- (2) 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.

## **Policy 8 Aquaculture**

Recognise the significant existing and potential contribution of aquaculture to the social, economic and cultural well-being of people and communities by:

- (a) including in regional policy statements and regional coastal plans provision for aquaculture activities in appropriate places in the coastal environment, recognising that relevant considerations may include:
  - (i) the need for high water quality for aquaculture activities; and
  - (ii) the need for land-based facilities associated with marine farming;
- (b) taking account of the social and economic benefits of aquaculture, including any available assessments of national and regional economic benefits; and
- (c) ensuring that development in the coastal environment does not make water quality unfit for aquaculture activities in areas approved for that purpose.

## **Policy 9 Ports**

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:

- (a) 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
- (b) 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.

## **Policy 10 Reclamation and de-reclamation**

- (1) Avoid reclamation of land in the coastal marine area, unless:
  - (a) land outside the coastal marine area is not available for the proposed activity;
  - (b) the activity which requires reclamation can only occur in or adjacent to the coastal marine area;
  - (c) there are no practicable alternative methods of providing the activity; and
  - (d) the reclamation will provide significant regional or national benefit.
- (2) 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:
  - (a) the potential effects on the site of climate change, including sea level rise, over no less than 100 years;
  - (b) the shape of the reclamation, and, where appropriate, whether the materials used are visually and aesthetically compatible with the adjoining coast;
  - (c) 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;
  - (d) 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;



- (e) the ability to remedy or mitigate adverse effects on the coastal environment;
  - (f) whether the proposed activity will affect cultural landscapes and sites of significance to tangata whenua; and
  - (g) the ability to avoid consequential erosion and accretion, and other natural hazards.
- (3) 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.
- (4) De-reclamation of redundant reclaimed land is encouraged where it would:
- (a) restore the natural character and resources of the coastal marine area; and
  - (b) provide for more public open space.

### **Policy 11 Indigenous biological diversity (biodiversity)**

To protect indigenous biological diversity in the coastal environment:

- (a) avoid adverse effects of activities on:
  - (i) indigenous taxa<sup>4</sup> that are listed as threatened<sup>5</sup> or at risk in the New Zealand Threat Classification System lists;
  - (ii) taxa that are listed by the International Union for Conservation of Nature and Natural Resources as threatened;
  - (iii) indigenous ecosystems and vegetation types that are threatened in the coastal environment, or are naturally rare<sup>6</sup>;
  - (iv) habitats of indigenous species where the species are at the limit of their natural range, or are naturally rare;
  - (v) areas containing nationally significant examples of indigenous community types; and
  - (vi) areas set aside for full or partial protection of indigenous biological diversity under other legislation; and
- (b) avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on:
  - (i) areas of predominantly indigenous vegetation in the coastal environment;
  - (ii) habitats in the coastal environment that are important during the vulnerable life stages of indigenous species;
  - (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;
  - (iv) habitats of indigenous species in the coastal environment that are important for recreational, commercial, traditional or cultural purposes;
  - (v) habitats, including areas and routes, important to migratory species; and
  - (vi) ecological corridors, and areas important for linking or maintaining biological values identified under this policy.

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<sup>4</sup> Taxa: as defined in the Glossary.

<sup>5</sup> Examples of taxa listed as threatened are: Maui's dolphin, Hector's dolphin, New Zealand fairy tern, Southern New Zealand dotterel.

<sup>6</sup> Naturally rare: as defined in the Glossary.

**Policy 12 Harmful aquatic organisms**

- (1) Provide in regional policy statements and in plans, as far as practicable, for the control of activities in or near the coastal marine area that could have adverse effects on the coastal environment by causing harmful aquatic organisms<sup>7</sup> to be released or otherwise spread, and include conditions in resource consents, where relevant, to assist with managing the risk of such effects occurring.
- (2) Recognise that activities relevant to (1) include:
  - (a) the introduction of structures likely to be contaminated with harmful aquatic organisms;
  - (b) the discharge or disposal of organic material from dredging, or from vessels and structures, whether during maintenance, cleaning or otherwise; and whether in the coastal marine area or on land;
  - (c) the provision and ongoing maintenance of moorings, marina berths, jetties and wharves; and
  - (d) the establishment and relocation of equipment and stock required for or associated with aquaculture.

**Policy 13 Preservation of natural character**

- (1) To preserve the natural character of the coastal environment and to protect it from inappropriate subdivision, use, and development:
  - (a) avoid adverse effects of activities on natural character in areas of the coastal environment with outstanding natural character; and
  - (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:
    - (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
    - (d) ensuring that regional policy statements, and plans, identify areas where preserving natural character requires objectives, policies and rules, and include those provisions.
- (2) Recognise that natural character is not the same as natural features and landscapes or amenity values and may include matters such as:
  - (a) natural elements, processes and patterns;
  - (b) biophysical, ecological, geological and geomorphological aspects;
  - (c) natural landforms such as headlands, peninsulas, cliffs, dunes, wetlands, reefs, freshwater springs and surf breaks;
  - (d) the natural movement of water and sediment;
  - (e) the natural darkness of the night sky;
  - (f) places or areas that are wild or scenic;
  - (g) a range of natural character from pristine to modified; and
  - (h) experiential attributes, including the sounds and smell of the sea; and their context or setting.

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<sup>7</sup> Harmful aquatic organisms: as defined in the Glossary.

## **Policy 14 Restoration of natural character**

Promote restoration or rehabilitation of the natural character of the coastal environment, including by :

- (a) identifying areas and opportunities for restoration or rehabilitation;
- (b) providing policies, rules and other methods directed at restoration or rehabilitation in regional policy statements, and plans;
- (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) restoring indigenous habitats and ecosystems, using local genetic stock where practicable; or
  - (ii) encouraging natural regeneration of indigenous species, recognising the need for effective weed and animal pest management; or
  - (iii) creating or enhancing habitat for indigenous species; or
  - (iv) rehabilitating dunes and other natural coastal features or processes, including saline wetlands and intertidal saltmarsh; or
  - (v) restoring and protecting riparian and intertidal margins; or
  - (vi) reducing or eliminating discharges of contaminants; or
  - (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
  - (viii) restoring cultural landscape features; or
  - (ix) redesign of structures that interfere with ecosystem processes; or
  - (x) decommissioning or restoring historic landfill and other contaminated sites which are, or have the potential to, leach material into the coastal marine area.

## **Policy 15 Natural features and natural landscapes**

To protect the natural features and natural landscapes (including seascapes) of the coastal environment from inappropriate subdivision, use, and development:

- (a) avoid adverse effects of activities on outstanding natural features and outstanding natural landscapes in the coastal environment; and
- (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;

including by:

- (c) identifying and assessing the natural features and natural landscapes of the coastal environment of the region or district, at minimum by land typing, soil characterisation and landscape characterisation and having regard to:
  - (i) natural science factors, including geological, topographical, ecological and dynamic components;
  - (ii) the presence of water including in seas, lakes, rivers and streams;
  - (iii) legibility or expressiveness—how obviously the feature or landscape demonstrates its formative processes;
  - (iv) aesthetic values including memorability and naturalness;
  - (v) vegetation (native and exotic);

- (vi) transient values, including presence of wildlife or other values at certain times of the day or year;
  - (vii) whether the values are shared and recognised;
  - (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;
  - (ix) historical and heritage associations; and
  - (x) wild or scenic values;
- (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
- (e) including the objectives, policies and rules required by (d) in plans.

**Policy 16 Surf breaks of national significance**

Protect the surf breaks<sup>8</sup> of national significance for surfing listed in Schedule 1, by:

- (a) ensuring that activities in the coastal environment do not adversely affect the surf breaks; and
- (b) avoiding adverse effects of other activities on access to, and use and enjoyment of the surf breaks.

**Policy 17 Historic heritage identification and protection**

Protect historic heritage<sup>9</sup> in the coastal environment from inappropriate subdivision, use, and development by:

- (a) identification, assessment and recording of historic heritage, including archaeological sites;
- (b) providing for the integrated management of such sites in collaboration with relevant councils, heritage agencies, iwi authorities and kaitiaki;
- (c) initiating assessment and management of historic heritage in the context of historic landscapes;
- (d) recognising that heritage to be protected may need conservation;
- (e) facilitating and integrating management of historic heritage that spans the line of mean high water springs;
- (f) including policies, rules and other methods relating to (a) to (e) above in regional policy statements, and plans;
- (g) imposing or reviewing conditions on resource consents and designations, including for the continuation of activities;
- (h) requiring, where practicable, conservation conditions; and
- (i) considering provision for methods that would enhance owners' opportunities for conservation of listed heritage structures, such as relief grants or rates relief.

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<sup>8</sup> Surf break: as defined in the Glossary.

<sup>9</sup> Refer to definition in section 2 of the Act.

## **Policy 18 Public open space**

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:

- (a) 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;
- (b) 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;
- (c) maintaining and enhancing walking access linkages between public open space areas in the coastal environment;
- (d) 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
- (e) recognising the important role that esplanade reserves and strips can have in contributing to meeting public open space needs.

## **Policy 19 Walking access**

- (1) 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.
- (2) Maintain and enhance public walking access to, along and adjacent to the coastal marine area, including by:
  - (a) identifying how information on where the public have walking access will be made publicly available;
  - (b) avoiding, remedying or mitigating any loss of public walking access resulting from subdivision, use, or development; and
  - (c) identifying opportunities to enhance or restore public walking access, for example where:
    - (i) connections between existing public areas can be provided; or
    - (ii) improving access would promote outdoor recreation; or
    - (iii) physical access for people with disabilities is desirable; or
    - (iv) the long-term availability of public access is threatened by erosion or sea level rise; or
    - (v) access to areas or sites of historic or cultural significance is important; or
    - (vi) subdivision, use, or development of land adjacent to the coastal marine area has reduced public access, or has the potential to do so.
- (3) Only impose a restriction on public walking access to, along or adjacent to the coastal marine area where such a restriction is necessary:
  - (a) to protect threatened indigenous species; or
  - (b) to protect dunes, estuaries and other sensitive natural areas or habitats; or
  - (c) to protect sites and activities of cultural value to Māori; or
  - (d) to protect historic heritage; or
  - (e) to protect public health or safety; or
  - (f) to avoid or reduce conflict between public uses of the coastal marine area and its margins; or
  - (g) for temporary activities or special events; or
  - (h) for defence purposes in accordance with the Defence Act 1990; or

- (i) to ensure a level of security consistent with the purpose of a resource consent; or
  - (j) in other exceptional circumstances sufficient to justify the restriction.
- (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.

**Policy 20 Vehicle access**

- (1) Control use of vehicles, apart from emergency vehicles, on beaches, foreshore, seabed and adjacent public land where:
  - (a) damage to dune or other geological systems and processes; or
  - (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
  - (c) danger to other beach users; or
  - (d) disturbance of the peaceful enjoyment of the beach environment; or
  - (e) damage to historic heritage; or
  - (f) damage to the habitats of fisheries resources of significance to customary, commercial or recreational users; or
  - (g) damage to sites of significance to tangata whenua; might result.
- (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.
- (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.

**Policy 21 Enhancement of water quality**

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:

- (a) identifying such areas of coastal water and water bodies and including them in plans;
- (b) including provisions in plans to address improving water quality in the areas identified above;
- (c) where practicable, restoring water quality to at least a state that can support such activities and ecosystems and natural habitats;
- (d) requiring that stock are 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
- (e) 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.

**Policy 22 Sedimentation**

- (1) Assess and monitor sedimentation levels and impacts on the coastal environment.
- (2) Require that subdivision, use, or development will not result in a significant increase in sedimentation in the coastal marine area, or other coastal water.
- (3) Control the impacts of vegetation removal on sedimentation including the impacts of harvesting plantation forestry.
- (4) Reduce sediment loadings in runoff and in stormwater systems through controls on land use activities.

**Policy 23 Discharge of contaminants**

- (1) In managing discharges to water in the coastal environment, have particular regard to:
  - (a) the sensitivity of the receiving environment;
  - (b) the nature of the contaminants to be discharged, the particular concentration of contaminants needed to achieve the required water quality in the receiving environment, and the risks if that concentration of contaminants is exceeded; and
  - (c) the capacity of the receiving environment to assimilate the contaminants; and:
  - (d) avoid significant adverse effects on ecosystems and habitats after reasonable mixing;
  - (e) use the smallest mixing zone necessary to achieve the required water quality in the receiving environment; and
  - (f) minimise adverse effects on the life-supporting capacity of water within a mixing zone.
- (2) In managing discharge of human sewage, do not allow:
  - (a) discharge of human sewage directly to water in the coastal environment without treatment; and
  - (b) the discharge of treated human sewage to water in the coastal environment, unless:
    - (i) there has been adequate consideration of alternative methods, sites and routes for undertaking the discharge; and
    - (ii) informed by an understanding of tangata whenua values and the effects on them.
- (3) Objectives, policies and rules in plans which provide for the discharge of treated human sewage into waters of the coastal environment must have been subject to early and meaningful consultation with tangata whenua.
- (4) In managing discharges of stormwater take steps to avoid adverse effects of stormwater discharge to water in the coastal environment, on a catchment by catchment basis, by:
  - (a) avoiding where practicable and otherwise remedying cross contamination of sewage and stormwater systems;
  - (b) reducing contaminant and sediment loadings in stormwater at source, through contaminant treatment and by controls on land use activities;
  - (c) promoting integrated management of catchments and stormwater networks; and
  - (d) promoting design options that reduce flows to stormwater reticulation systems at source.

- (5) In managing discharges from ports and other marine facilities:
  - (a) require operators of ports and other marine facilities to take all practicable steps to avoid contamination of coastal waters, substrate, ecosystems and habitats that is more than minor;
  - (b) require that the disturbance or relocation of contaminated seabed material, other than by the movement of vessels, and the dumping or storage of dredged material does not result in significant adverse effects on water quality or the seabed, substrate, ecosystems or habitats;
  - (c) require operators of ports, marinas and other relevant marine facilities to provide for the collection of sewage and waste from vessels, and for residues from vessel maintenance to be safely contained and disposed of; and
  - (d) consider the need for facilities for the collection of sewage and other wastes for recreational and commercial boating.

**Policy 24 Identification of coastal hazards**

- (1) 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:
  - (a) physical drivers and processes that cause coastal change including sea level rise;
  - (b) short-term and long-term natural dynamic fluctuations of erosion and accretion;
  - (c) geomorphological character;
  - (d) the potential for inundation of the coastal environment, taking into account potential sources, inundation pathways and overland extent;
  - (e) cumulative effects of sea level rise, storm surge and wave height under storm conditions;
  - (f) influences that humans have had or are having on the coast;
  - (g) the extent and permanence of built development; and
  - (h) the effects of climate change on:
    - (i) matters (a) to (g) above;
    - (ii) storm frequency, intensity and surges; and
    - (iii) 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.



**Policy 25 Subdivision, use, and development in areas of coastal hazard risk**

In areas potentially affected by coastal hazards over at least the next 100 years:

- (a) avoid increasing the risk<sup>10</sup> of social, environmental and economic harm from coastal hazards;
- (b) avoid redevelopment, or change in land use, that would increase the risk of adverse effects from coastal hazards;
- (c) 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;
- (d) encourage the location of infrastructure away from areas of hazard risk where practicable;
- (e) discourage hard protection structures and promote the use of alternatives to them, including natural defences; and
- (f) consider the potential effects of tsunamis and how to avoid or mitigate them.

**Policy 26 Natural defences against coastal hazards**

- (1) 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.
- (2) Recognise that such natural defences include beaches, estuaries, wetlands, intertidal areas, coastal vegetation, dunes and barrier islands.

**Policy 27 Strategies for protecting significant existing development from coastal hazard risk**

- (1) 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:
  - (a) promoting and identifying long-term sustainable risk reduction approaches including the relocation or removal of existing development or structures at risk;
  - (b) identifying the consequences of potential strategic options relative to the option of 'do-nothing';
  - (c) 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;
  - (d) recognising and considering the environmental and social costs of permitting hard protection structures to protect private property; and
  - (e) identifying and planning for transition mechanisms and timeframes for moving to more sustainable approaches.
- (2) In evaluating options under (1):
  - (a) focus on approaches to risk management that reduce the need for hard protection structures and similar engineering interventions;

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<sup>10</sup> Risk: as defined in the Glossary.

- (b) 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
  - (c) evaluate the likely costs and benefits of any proposed coastal hazard risk reduction options.
- (3) 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.
  - (4) 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.

**Policy 28 Monitoring and reviewing the effectiveness of the NZCPS**

- (1) To monitor and review the effectiveness of the NZCPS in achieving the purpose of the Act, the Minister of Conservation should:
  - (a) 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;
  - (b) undertake other information gathering or monitoring that assists in providing a national perspective on coastal resource management trends, emerging issues and outcomes;
  - (c) 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
  - (d) publish a report and conclusions on matters (a) to (c) above.

**Policy 29 Restricted Coastal Activities**

- (1) The Minister of Conservation does not require any activity to be specified as a restricted coastal activity in a regional coastal plan.
- (2) Local authorities are directed under sections 55 and 57 of the Act to amend documents as necessary to give effect to this policy as soon as practicable, without using the process in Schedule 1 of the Act, with the effect that:
  - (a) any activity specified as a discretionary activity and a restricted coastal activity becomes a discretionary activity only;
  - (b) any activity specified as a non-complying activity and a restricted coastal activity becomes a non-complying activity only.
- (3) Any application for a coastal permit for an activity specified as a restricted coastal activity that has been publicly notified before the date the amendments in clause (2) are made shall continue to be treated as an application for a restricted coastal activity for the purposes of section 117 of the Act.
- (4) Any other application for an activity specified as a restricted coastal activity made before the date of the amendments in clause (2), shall be considered as a discretionary or non-complying activity in accordance with the regional coastal plan or proposed regional coastal plan's classification and section 117 does not apply.

# Schedule 1

## Surf Breaks of National Significance

### **Northland**

Peaks - Shipwreck Bay

Peaks - Super tubes - Mukie 2 - Mukie 1

### **Waikato**

Manu Bay - Raglan

Whale Bay - Raglan

Indicators - Raglan

### **Taranaki**

Waiwhakaiho

Stent Road - Backdoor Stent - Farmhouse Stent

### **Gisborne**

Makorori Point - Centres

Wainui - Stock Route - Pines - Whales

The Island

### **Coromandel**

Whangamata Bar

### **Kaikoura**

Mangamaunu

Meatworks

### **Otago**

The Spit

Karitane

Whareakeake

Papatowai

# Glossary

<b>Hard protection structure</b>	Includes a seawall, rock revetment, groyne, breakwater, stop bank, retaining wall or comparable structure or modification to the seabed, foreshore or coastal land that has the primary purpose or effect of protecting an activity from a coastal hazard, including erosion.
<b>Harmful aquatic organisms</b>	Aquatic organisms which, if introduced into coastal water, may adversely affect the environment or biological diversity, pose a threat to human health, or interfere with legitimate use or protection of natural and physical resources in the coastal environment.
<b>Infrastructure</b>	As defined in section 2 of the Resource Management Act 1991, notwithstanding the reference in section 2 to section 30.
<b>Intertidal zone or area</b>	The landward boundary of the intertidal zone or area is the extreme high water of spring tides, which is the average of the two highest tides at the period of the year when the range of the tides is greatest. The seaward boundary of the intertidal zone or area is the extreme low water of spring tides, which is the average of the two lowest tides at the period of the year when the range of the tides is greatest.
<b>Land Typing</b>	Describes land types which form the basis over which land cover, land use and association information are addressed as the basis for land characterisation.
<b>Landscape characterisation</b>	Utilises the land typing base and overlay with land cover, land use and associations affecting or affected by coastal processes.
<b>Marine facilities</b>	Include ports, dry docks, slipways, moorings, marinas, moorings, boat servicing grids, wharves, jetties and ramps, offshore platforms, navigational aids, and associated structures and activities.
<b>Mātauranga Māori</b>	Māori customary knowledge, traditional knowledge or intergenerational knowledge.
<b>Mixing Zone</b>	The area within which ‘reasonable mixing’ of contaminants from discharges occurs in receiving waters and within which the relevant water quality standards do not apply.
<b>Naturally rare</b>	Originally rare: rare before the arrival of humans in New Zealand.
<b>Papakāinga development</b>	Development of a communal nature on ancestral land owned by Māori.
<b>Predictive Modelling</b>	Mathematical and computer modelling of archaeological location.
<b>Pūkenga</b>	A person skilled or versed in the customary and traditional knowledge, tikanga, arts, histories and genealogies of a particular iwi or hapū.

<b>Risk</b>	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 <i>Risk management – Principles and guidelines</i> , November 2009).
<b>Substrate</b>	Material that forms the surface of the foreshore and seabed.
<b>Surf break</b>	A natural feature that is comprised of swell, currents, water levels, seabed morphology, and wind. The hydrodynamic character of the ocean (swell, currents and water levels) combines with seabed morphology and winds to give rise to a ‘surfable wave’. A surf break includes the ‘swell corridor’ through which the swell travels, and the morphology of the seabed of that wave corridor, through to the point where waves created by the swell dissipate and become non-surfable. ‘Swell corridor’ means the region offshore of a surf break where ocean swell travels and transforms to a ‘surfable wave’. ‘Surfable wave’ means a wave that can be caught and ridden by a surfer. Surfable waves have a wave breaking point that peels along the unbroken wave crest so that the surfer is propelled laterally along the wave crest.
<b>Taxa</b>	Named biological classification units assigned to individuals or sets of species (e.g. species, subspecies, genus, order, variety).

The New Zealand Coastal Policy Statement is a national policy statement under the Resource Management Act 1991. Its purpose is to state policies in order to achieve the purpose of the Act—‘to promote the sustainable management of natural and physical resources’—in relation to the coastal environment of New Zealand.

For information on coastal resource management, visit the Department of Conservation website: [www.doc.govt.nz](http://www.doc.govt.nz)



Department of  
Conservation  
*Te Papa Atawhai*