



Regional Coastal Plan

for the West Coast

2001

**(including Plan Changes 1 and 2, and
amendments to remove Restricted Coastal
Activity provisions)**

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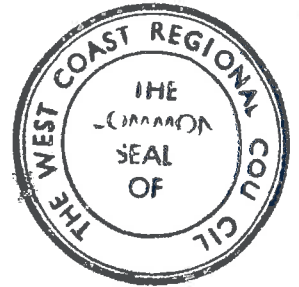



THE WEST COAST
REGIONAL COUNCIL

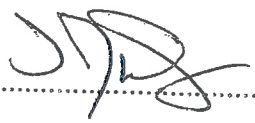
Regional Coastal Plan for the West Coast

Approved 13 June 2000

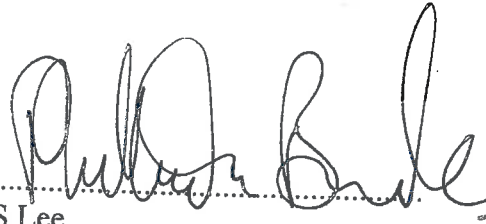
The Common Seal of the West Coast Regional Council
was affixed in the presence of:




.....
J Clayton
CHAIRMAN


.....
T Day
CHIEF EXECUTIVE OFFICER

The Minister of Conservation approved the Regional Coastal Plan, in
accordance with the First Schedule of the Resource Management Act
1991, on this 4th day of December 2000.


.....
S Lee
MINISTER OF CONSERVATION

Operative 7 February 2001



THE WEST COAST
REGIONAL COUNCIL

Plan Change 1 – Regional Coastal Plan for the West Coast

Adopted:

The Common Seal of the West Coast Regional Council
was affixed in the presence of:



J Clayton
CHAIRMAN

David Horn
CHIEF EXECUTIVE OFFICER

The Minister of Conservation approved the Plan Change 1 to the Regional Coastal Plan, in accordance with the First Schedule of the Resource Management Act 10991, on this 29 day of June 2004.

Chris Carter
MINISTER OF CONSERVATION

Operative: 1 August 2004



THE WEST COAST
REGIONAL COUNCIL

Plan Change 2 – Regional Coastal Plan for the West Coast

Adopted:

The Common Seal of the West Coast Regional Council
was affixed in the presence of:

Alan Ross Scarlett
CHAIRMAN



Chris Ingle
CHIEF EXECUTIVE OFFICER

The Minister of Conservation approved the Plan Change 2 to the Regional Coastal Plan, in accordance with the First Schedule of the Resource Management Act 1991, on this *25th* day of *September* 2010.

Kate Wilkinson
MINISTER OF CONSERVATION

Operative: 16 November 2010

WEST COAST REGIONAL COUNCIL LOGO

**REGIONAL COASTAL PLAN – RESTRICTED COASTAL ACTIVITY
AMENDMENT OPERATIVE ON 14 JANUARY 2011**

The West Coast Regional Council gives notice that the Amendment to remove Restricted Coastal Activity provisions from the Regional Coastal Plan for the West Coast will become operative on 14 January 2011.

Policy 29 of the new New Zealand Coastal Policy Statement no longer requires regional coastal plans to have Restricted Coastal Activities. Policy 29 further directs regional councils to amend regional coastal plans as soon as practicable without using the First Schedule submission process, under section 55 of the Resource Management Act 1991.

The Amendment to remove Restricted Coastal Activity provisions from the Regional Coastal Plan for the West Coast can be viewed at:

Council offices at 388 Main South Road, Paroa;

Council's web site at www.wcrc.govt.nz;

The main public libraries in Westport, Greymouth and Hokitika, the Karamea Information Centre, and the Department of Conservation office in Haast.

**REGIONAL COASTAL PLAN – PLAN CHANGE 2 OPERATIVE ON 16
NOVEMBER 2010**

The West Coast Regional Council gives notice that Plan Change 2 to the Regional Coastal Plan for the West Coast became operative on 16 November 2010.

Thank you to all parties who participated in the submission and hearing process.

Chris Ingle
CHIEF EXECUTIVE OFFICER

PLEASE ARRANGE INSERTION AND QUOTE ORDER NO. xxxx WHEN CHARGING

The Press	One Insertion	Friday, 17 December 2010
Hokitika Guardian	One Insertion	Friday, 17 December 2010
Westport News	One Insertion	Friday, 17 December 2010
Grey Evening Star	One Insertion	Friday, 17 December 2010
Public Notices - Double Column		

CHAIRMAN'S FOREWORD

~~It gives me great pleasure to present the operative Regional Coastal Plan for the West Coast Region.~~

~~The Proposed Regional Coastal Plan was publicly notified in December 1997. Preparation of the Plan has followed the statutory process of submissions, hearings and appeals, to the stage where it has become operative.~~

~~The Regional Coastal Plan has been developed to be consistent with the Regional Policy Statement, which is the Council's main policy document setting the framework for sustainable management of the West Coast's natural and physical resources.~~

~~Other regional plans prepared by the West Coast Regional Council include those that manage resources such as air quality, discharges of contaminants to land, and land and riverbed disturbance. These contain provisions to manage activities outside the coastal marine area which may have cross boundary effects. This suite of regional plans will assist Council to achieve an integrated approach to sustainable management of resources which are part of their functions under the Resource Management Act 1991.~~

~~The Minister of Conservation's written approval also confirms that the Regional Coastal Plan is consistent with the New Zealand Coastal Policy Statement, which sets out the national framework for coastal management. During the preparation of this Plan, the Department of Conservation provided useful technical information to better understand conservation values and coastal marine processes.~~

~~The Regional Coastal Plan will enable Council to sustainably manage activities in the coastal marine area of the region. The coastal area covered by this Plan has important ecological, economic, social and cultural values for local communities and visitors, while also being a dynamic environment subject to natural hazards. This Plan is intended to both enable low impact activities to be carried out as well as managing other uses with greater impacts, by way of regulatory and non-regulatory methods, in order to sustain the values associated with the coastal marine area.~~

~~On behalf of Council I would like to thank all of those who participated in the submission and hearings process. Your contributions have assisted us greatly in developing this Plan to manage the coastal marine area.~~

~~I look forward to continue to work with you toward a sustainable future.~~

John Clayton
CHAIRMAN

HOW TO USE THE REGIONAL COASTAL PLAN

This Regional Coastal Plan considers the use, development and protection of the coastal marine area of the West Coast and issues associated with that use, development and protection. It provides objectives, policies, rules and other methods of implementation in order to address those issues. The rules of the Plan determine the status of any particular activity and determine whether a consent is required before that activity can be carried out.

Activities that are specified as permitted activities are able to be carried out without obtaining a resource consent.

A resource consent is required for any activity which this Regional Coastal Plan specifies as being a:

- ~~_____ (a) Discretionary activity; or~~
- ~~_____ (b) Controlled activity; or~~
- ~~_____ (c) Restricted coastal activity.~~

A resource consent is also required for any activity that would otherwise not comply with this Plan (a non-complying activity).

In some cases, the Plan specifies certain activities as being prohibited activities. These are activities which may not occur within the West Coast coastal marine area, and are activities for which no resource consent will be issued.

When considering an activity within the West Coast coastal marine area, the following chapters of the Plan should be looked at to determine whether a resource consent is required before undertaking that activity:

Would the proposed activity result in any of the following?	See the following chapter of the Regional Coastal Plan
--	---

- ~~• The occupation of any space within the coastal marine area. Chapter 7 Public Access~~
 - ~~• The restriction or exclusion of the public to areas of the coastal marine area.~~
-
-

Activities involving structures including: Chapter 8 Structures

- Any erection or placement.
 - Any repair or maintenance.
 - Any extension, alteration, replacement or reconstruction.
 - Any demolition or removal.
-
-

Any alteration of the foreshore or seabed including: Chapter 9 Alteration of the Foreshore and Seabed

- Reclamations; or
 - Removal or deposition of sand, shingle, shell or other natural material; or
 - Disturbance.
-
-

Any discharge of contaminant or water, or activities involving hazardous substances. Chapter 10 Discharges

Any activity involving the taking, use, damming or diversion of coastal water. Chapter 11 Taking, Use, Damming or Diversion

Any activity which will generate noise. Chapter 12 Noise

Any activity involving the introduction of exotic plants. Chapter 13 Exotic Plants

Any activity located within or adjacent to a natural hazard. Chapter 14 Natural Hazards

Chapter 15 of the Plan prescribes the information that must be submitted with resource consent applications.

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1

Introduction

1.1 PURPOSE OF THE PLAN

~~The functions of the West Coast Regional Council (WCRC) under the Resource Management Act (the Act) include the control, in conjunction with the Minister of Conservation, of the coastal marine area¹ (section 30(1)(d)). The purpose of this Regional Coastal Plan (Plan) is to provide a framework to promote the integrated and sustainable management of the coastal marine area. A regional coastal plan is required by section 64 of the Act.~~

~~Within the coastal marine area, most activities that cause adverse effects require a resource consent, unless expressly allowed by a rule in this Plan. This Plan contains rules which establish the framework within which use and development of the coast may occur.~~

~~If this Plan did not contain these rules, all activities which otherwise contravened sections 12, 14 or 15 of the Act would continue to require a consent. The Plan also contains policies and other methods that aim to promote the sustainable and integrated management of the coastal marine area.~~

~~It should be noted that there are a number of activities that take place in the coastal marine area that do not require any licence or other authorisation under any of the Acts, regulations or bylaws revoked by the Act.~~

~~These activities include most recreational activities such as swimming, walking, horse riding, diving, surfing, windsurfing, canoeing, kayaking, boating, driving on the beach, launching and retrieval of vessels, fishing, whitebaiting, beach combing and the like. Unless there is a specific rule in this Plan to the contrary the approach taken by the WCRC is that these activities have minor adverse effects and may continue without a resource consent from the Regional Council.~~

*Cross Reference:
Policy 7.2.4.*

~~The Act enables the WCRC to control the adverse effects of ships and boats on the environment, including any adverse effects of noise on local residents and wildlife. However, these controls do not extend to the activities of ships, in respect of their navigation and safety needs. The Buller and Grey District Councils are responsible for navigation and safety within the gazetted harbour areas. Salvage activities are dealt with by the Harbourmasters within the harbour areas or the Director of Maritime Safety Authority outside these areas.~~

~~Outside the harbour limits, surface water activities are controlled by the Water Recreation Regulations 1979. Those regulations refer to: the speed of small craft; water skiing; access lanes; surfboards; mooring areas; and reserved areas for other activities. The provisions~~

¹ Refer to Section 1.4 for a definition of the coastal marine area.

of these regulations may be enforced by:

- ~~Ministry of Transport officials;~~
- ~~Honorary launch wardens appointed by the Secretary of Transport.~~

~~This Plan does not apply to the control of the harvesting or enhancement of populations of aquatic organisms, where the purpose of that control is to use, conserve, enhance, and develop any fishery resource which is the responsibility of the Minister of Fisheries under the Fisheries Act 1983 and 1996.~~

~~1.2 TRANSITIONAL REGIONAL COASTAL PLAN~~

~~Instruments that were in force within the coastal marine area at the time of commencement of the Act (1 October 1991) were deemed to form a Transitional Regional Coastal Plan (Section 370 of the Act). These will cease to be operative when this Regional Coastal Plan becomes operative.~~

~~1.3 AREA COVERED BY THE PLAN~~

~~This Plan covers the coastal marine area, which is defined by Section 2 of the Act as being:~~

~~“... the area of foreshore, seabed, and coastal water, and the air space above the water -~~

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

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

~~(i) One kilometre upstream from the mouth of the river; or~~

~~(ii) The point upstream that is calculated by multiplying the width of the river mouth by 5.”~~

~~The coastal marine area, extending from the line of mean high water springs, to the limits of the territorial sea at 12 nautical miles (22.2 kilometres) from Kahurangi Point in the north to Awarua Point in the south is shown in Figure 1.1. A cross section view of the coastal marine area is shown in Figure 1.2.~~

~~The three territorial authorities within the West Coast are:~~

- ~~Buller District Council;~~
- ~~Grey District Council;~~
- ~~Westland District Council.~~

~~The line of mean high water springs is the boundary between the area covered by their respective district plans and this Plan.~~

~~Mean high water springs is the average of the two highest water springs in a fourteen day period taken over a full tidal cycle of 18.6 years (or however much data is available). This level will be~~

determined on a case by case basis by the WCRC in consultation with the appropriate District Council and Department of Conservation as required.

WCRC will use available data and surveying as appropriate to determine the level of mean high water springs. Where this data is not available or surveying is not considered appropriate, the following criteria will assist in determining the level of mean high water springs:

- The line of driftwood;
- Location of the frontal dune;
- Line of vegetation (where there is no well developed dune system).

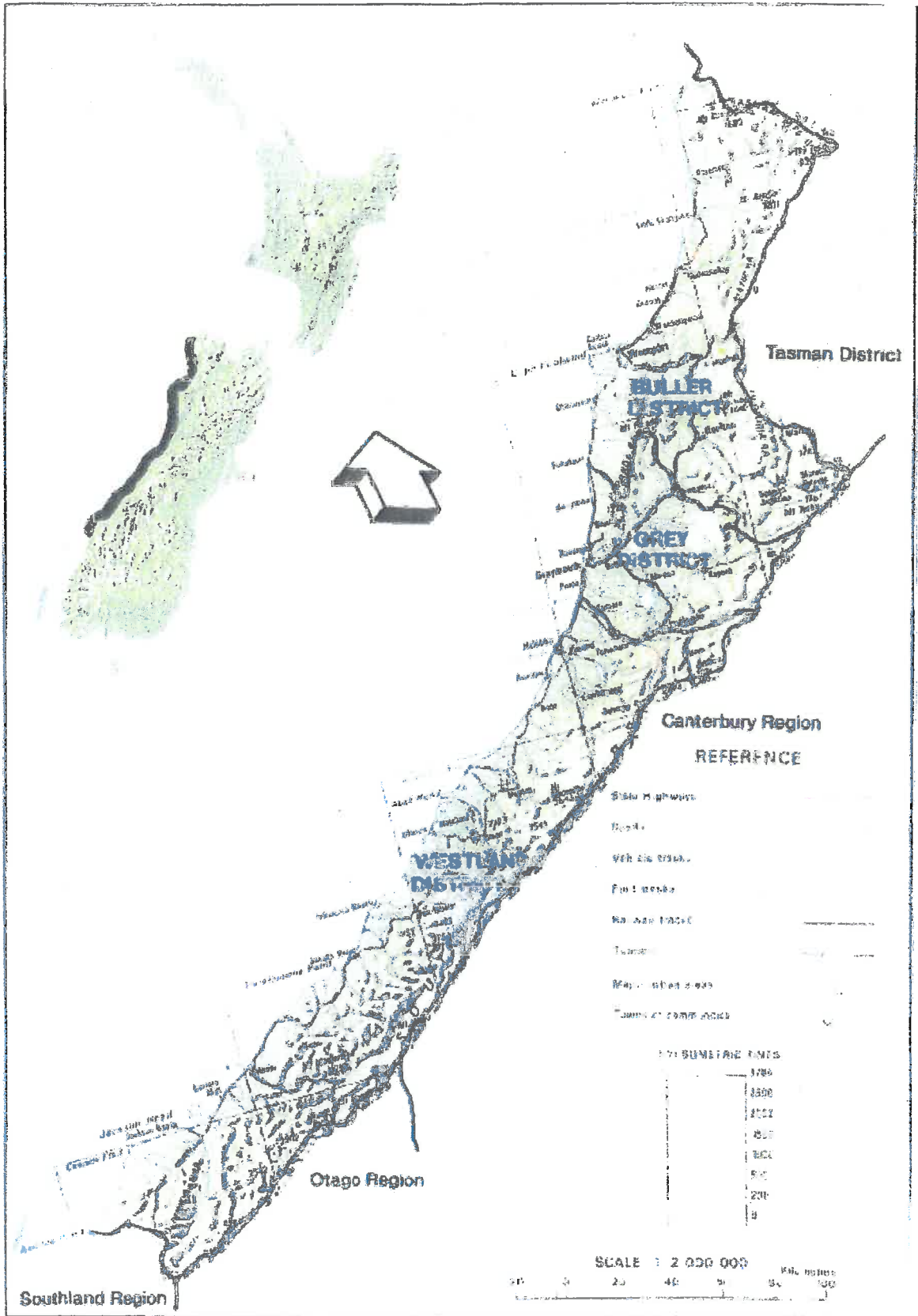


Figure 1-4: The West Coast's coastal marine area

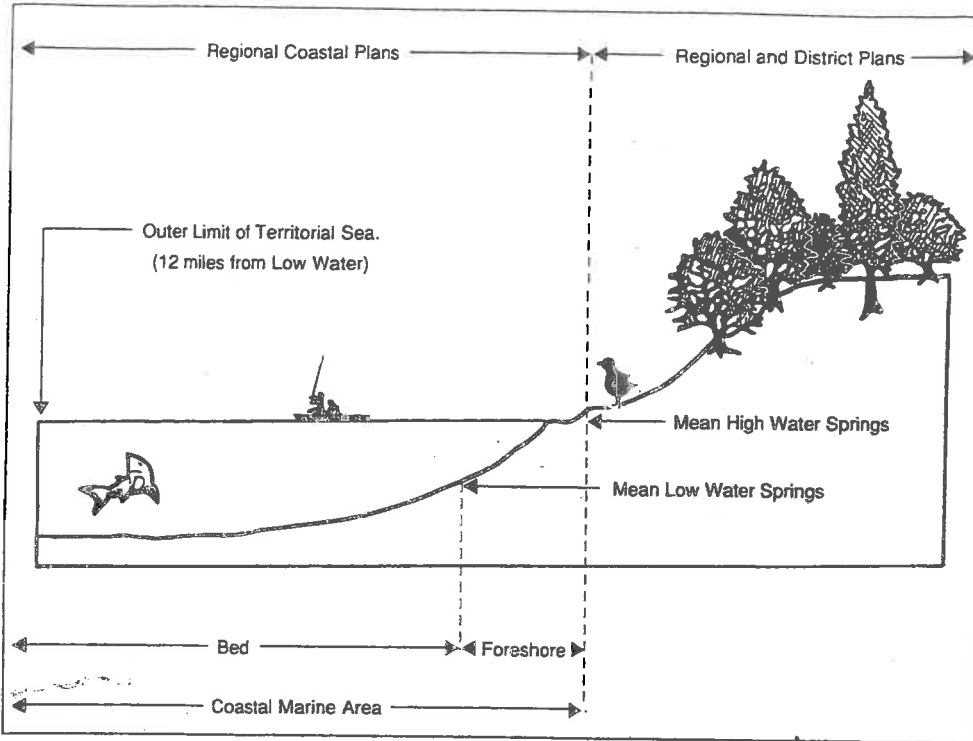


Figure 1-2: Cross section view of the coastal marine area.

With respect to the Westland District Council, the district boundary has been altered by a Local Government Boundary Alteration Notice.

The boundary has been extended to mean low water springs for the purpose of controlling nuisance activities such as dogs, fires and vehicles. ~~This alteration enables the District Council to retain control over these nuisance activities when the existing Foreshore Grant of Controls expire in 1999.~~

~~The boundary change has no implications to the Regional Council's functions under the Resource Management Act 1991, including the management framework of this Plan as this Plan does not deal with these types of nuisance activities.~~

The Grey and Buller District Council have an area of control with respect to safety and navigation of shipping, called the harbour area. These areas extend within two nautical miles of a signal station at the entrance to the Grey and Buller Rivers.

Island areas above mean high water springs are not subject to rules in this Plan. ~~However, the cross boundary policies outlined in Chapter 6 still apply. Rules covering land use activities should be included in the District Plan if the islands are within the district boundary.~~

1.4 STRUCTURE OF THE PLAN

~~This Plan has been divided into a number of general parts:~~

Chapters 1 to 4

This provides an introduction to the Plan, a description of the legislative framework applying to the coast, background information about the coastal marine area, and the Poutini Ngai Tahu perspective with respect to the coast.

Chapter 5

This Chapter recognises that some values are common to the entire coastal marine area, whilst other values are more site specific. The site specific values are recognised and provided for by the identification of four coastal management areas within the coastal marine area. The coastal management areas are:

- Coastal Protection Areas;
- Culturally Significant Areas;
- Coastal Recreation Areas; and
- Coastal Development Areas.

Details on the location of these areas and the values within each area are outlined in Schedule 2.

Hence, Chapter 5 contains general objectives and policies for the entire coastal marine area and objectives and policies for each of the coastal management areas.

Chapter 6

This Chapter recognises that some resource management issues will cross the line of mean high water springs. Activities carried out on land may impact on values within the coastal marine area and vice versa. Some values cover both sides of the line of mean high water spring, such as natural character.

The focus of this Chapter is to deal with cross boundary effects arising from activities in the coastal marine area. Hence, this chapter contains general cross boundary policies for the entire coastal marine area and specific cross boundary policies for each of the following cross boundary management areas:

- Marine Mammal and Bird Sites;
- Areas of Outstanding Natural Features and Landscapes;
- Coastal Hazard Areas.

Details on the location of these areas and the values within each area are outlined in Schedule 3.

Chapters 7 to 14

These Chapters identify the relevant coastal management issues, and contain objectives, policies, methods and, where appropriate, rules. It is this part of the Plan which users should have particular regard to when considering the undertaking of activities within the coastal marine area.

The rules in these Chapters outline whether activities are permitted, prohibited or whether they require a resource consent before they may be carried out.

Hence, there are three types of policies in this Plan. They are general coastal marine area policies (Chapter 5 and 6), site specific policies (Chapter 5 and 6) and activity specific policies (Chapter 7 to 14).

These Chapters of the Plan also provide a framework that provides persons/organisations with the opportunity to apply for consents to restore areas.

Chapters 15 to 17

These identify the main administrative issues that affect the use of the coastal marine area, specifying the information required with any resource consent application, the circumstances where a financial contribution may be required, and the processes to be used to review and monitor this Plan.

Schedules

These outline the:

1. Coastal marine area boundaries for the West Coast.
2. Coastal management areas within the coastal marine area.
3. Cross boundary management areas adjacent to the coastal marine area
4. Restricted coastal activities outlined in the New Zealand Coastal Policy Statement which apply within the coastal marine area.

Glossary

This contains a Glossary of terms used in the Plan.

1.5 INTEGRATED MANAGEMENT

This Regional Coastal Plan seeks to promote sustainable management of the natural and physical coastal resources of the region. This requires an integrated approach, taking an all embracing, holistic view of resource management.

Integrated management requires that decision making about any particular resource takes into account the likely effects on other natural and physical resources. For example, decisions about discharges to water require an assessment of the actual or potential effects on ecosystem and human health. Also, integrated management requires integration of management responses across management agencies.

~~In order to achieve the Act's requirement that the Regional Coastal Plan provide for integrated management of the region's coastal resources, its provisions must be read as a whole.~~

~~To assist with this, the Plan uses a system of cross referencing to provide linkage between chapters, and between issues, objectives, policies and methods within each chapter.~~

~~1.6 — CONSULTATION~~

~~The WCRC views the process of consultation with the people of the West Coast as a very important element of its activities. The development of policies and plans, the undertaking of works and the consideration of resource consents all require a well informed public to have their say. The WCRC will actively seek the views of the West Coast's communities, and will provide information and advice to those communities as required to ensure their participation.~~

~~The following principles in respect of consultation emerged from the Court of Appeal in **Wellington International Airport v Air New Zealand (1993) 1 NZLR 671**:~~

- ~~● Sufficient information needs to be made available to the consulted party or parties, including further information should this be requested.~~
- ~~● Meetings should be held with the consulted parties and these should be entered into with an open mind.~~
- ~~● Due notice should be taken of what consulted parties have to say.~~
- ~~● The consulting party should wait until all parties have had their say before making its decision.~~

~~The WCRC will actively seek the views of West Coast communities and will be guided by the Court of Appeal's principles in seeking those views. It will seek to use the consultation methods best suited to the particular circumstances and to develop consultation protocols with affected communities. It will provide adequate timeframes, adequate information, and advice to those communities as required to ensure their participation.~~

~~In developing this Regional Coastal Plan, the WCRC has consulted with a variety of individuals, groups and agencies including:~~

- ~~1. — The Department of Conservation;~~
- ~~2. — The Ministry of Fisheries;~~
- ~~3. — The Ministry for the Environment;~~
- ~~4. — Maritime Safety Authority, Ministry of Transport;~~
- ~~5. — Poutini Ngai Tahu;~~
- ~~6. — Buller District Council;~~
- ~~7. — Grey District Council;~~
- ~~8. — Westland District Council;~~
- ~~9. — A variety of user and interest groups.~~

~~1.7 BACKGROUND INFORMATION~~

~~The WCRC has available a number of documents which provide information that were used to develop this Plan. These include:~~

- ~~• The New Zealand Coastal Policy Statement;~~
- ~~• Proposed West Coast Regional Policy Statement 1996;~~
- ~~• West Coast draft Conservation Management Strategy;~~
- ~~• West Coast Coastal Resource Inventory;~~
- ~~• The 12 Mile Coastal Protection Works Management Plan;~~
- ~~• Discussion Document on Fisheries Issues and Policies for the West Coast;~~
- ~~• The West Coast Regional Economic Profile;~~
- ~~• Tourism and Tourism Impacts - The West Coast;~~
- ~~• Environmental Monitoring - Riverbed and Coastal Beach Profiles;~~
- ~~• Coastal Hazards in the West Coast Region - South Island New Zealand.~~

~~Also available from the Department of Conservation is a report identifying areas that the Department considers have significant conservation value within and adjacent to the coastal marine area. The values identified in these areas were used to assist in identifying the coastal management areas (Schedule 2) and cross boundary management areas (Schedule 3).~~

2

**~~Legislative and
Policy Framework~~**

2.1 — BACKGROUND

The principal statute under which the WCRC manages natural and physical resources of the coastal marine area is the Resource Management Act. It provides a statutory basis for specific policy statements (i.e. New Zealand Coastal Policy Statement and Regional Policy Statements) which have an impact on the management of the coast. Some activities, such as fishing activities, are also subject to the specific requirements of other statutes. This chapter provides a brief overview of the relevant statutes and their relationship to this Regional Coastal Plan.

2.2 — PART II OF THE ACT

The Act provides the framework for the management of the coastal marine area. Part II of the Act contains a number of specific provisions which must be taken into account in considering the use, development or protection of the coastal marine area.

Purpose

Section 5 of the Act states:

(1) — The purpose of this Act is to promote the sustainable management of natural and physical resources.

(2) — In this Act, "sustainable management" means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well being 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.

This Plan is to enable the WCRC to promote the sustainable management of the natural and physical resources of the coastal marine area.

Matters of national importance

Section 6 of the Act identifies a number of matters of national importance that the WCRC must recognise and provide for in managing the use, development, and protection of the natural and physical resources of the coastal marine area:

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

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

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

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

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

~~These matters have been recognised and provided for within the framework of this Plan. The Plan contains a number of areas which identify those matters, and objectives, policies, rules and other methods which recognise and provide for the matters identified.~~

Other matters

~~Section 7 of the Act identifies a number of additional matters that the WCRC must have particular regard to in managing the use, development, and protection of the natural and physical resources of the coastal marine area:~~

~~(a) Kaitiakitanga:~~

~~(b) The efficient use and development of natural and physical resources:~~

~~(c) The maintenance and enhancement of amenity values:~~

~~(d) Intrinsic values of ecosystems:~~

~~(e) Recognition and protection of the heritage values of sites, buildings, places, or areas:~~

~~(f) Maintenance and enhancement of the quality of the environment:~~

~~(g) Any finite characteristics of natural and physical resources:~~

~~(h) The protection of the habitat of trout and salmon.~~

~~Particular regard has been had to the matters identified and they have been provided for within the framework of this plan. The Plan contains a number of objectives, policies, rules and other methods which have particular regard to the matters identified.~~

Treaty of Waitangi

~~Section 8 of the Act requires that the WCRC take into account the principles of the Treaty of Waitangi:~~

~~In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).~~

~~Poutini Ngai Tahu papatipu runanga have been consulted throughout all stages of development of this Regional Coastal Plan through a consultative working group established in conjunction with Poutini Ngai Tahu. The Plan includes a chapter outlining their perspective on the coast, identifies culturally significant areas and includes issues, objectives and policies reflecting their concerns.~~

~~2.32 RELATIONSHIP TO OTHER RESOURCE MANAGEMENT DOCUMENTS~~

~~This Regional Coastal Plan fits within a framework of national, regional and local resource management plans and other documents. These documents and how they interrelate are described below. There is a need for consistency between all these documents.~~

*Cross Reference
2.10 Other
Legislation*

~~New Zealand Coastal Policy Statement~~

~~This Regional Coastal Plan cannot be inconsistent with the New Zealand Coastal Policy Statement which was gazetted on 5 May 1994 . The restricted coastal activities identified in the First Schedule to that policy statement have been provided for within the contents of this Plan.. In addition the New Zealand Coastal Policy Statement contains a number of principles which the WCRC will have regard to when managing the coastal marine area~~

*Cross Reference:
Schedule 4*

- ~~1. — 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 well being" of "people and communities". Functionally, certain activities can only be located on the coast or in the coastal marine area.~~
- ~~2. — The protection of the values of the coastal environment need not preclude appropriate use and development in appropriate places.~~
- ~~3. — The proportion of the coastal marine area under formal protection is very small and therefore management under the Act is an important means by which the natural resources of the coastal marine area can be protected.~~
- ~~4. — Expectations differ over the appropriate allocation of resources and space in the coastal environment and the processes of the Act are to be used to make the appropriate allocations and to determine priorities.~~
- ~~5. — People and communities expect that lands of the Crown in the coastal marine areas shall generally be available for free public use and enjoyment.~~
- ~~6. — The protection of habitats of living marine resources contribute to the social, economic and cultural well being of people and communities.~~
- ~~7. — The coastal environment is particularly susceptible to the effects of natural hazards.~~

- ~~8. — Cultural, historical, spiritual, amenity and intrinsic values are the heritage of future generations and damage to these values is often irreversible.~~
- ~~9. — The tangata whenua are the kaitiaki of the coastal environment.~~
- ~~10. — It is important to maintain biological and physical processes in the coastal environment in as natural a condition as possible, and to recognise their dynamic, complex and interdependent nature.~~
- ~~11. — It is important to protect representative or significant natural ecosystems and sites of biological importance, and to maintain the diversity of New Zealand's indigenous coastal flora and fauna.~~
- ~~12. — The ability to manage activities in the coastal environment sustainably is hindered by the lack of understanding about coastal processes and the effects of activities. Therefore, an approach which is precautionary but responsive to increased knowledge is required for coastal management.~~
- ~~13. — A function of sustainable management of the coastal environment is to identify the parameters within which persons and communities are free to exercise choices.~~
- ~~14. — The potential for adverse effects of activities to spread beyond regional boundaries may be significant in the coastal marine area.~~

The contents of the New Zealand Coastal Policy Statement have been considered ~~and taken into account~~ in the development of this Plan and ~~have been~~ incorporated in a regionally appropriate manner.

Regional Policy Statement for the West Coast

~~The Proposed Regional Policy Statement for the West Coast was publicly notified on 8 May 1996. The objectives, policies and methods have been taken into account in the development of this Regional Coastal Plan. This Plan cannot be inconsistent with the Regional Policy Statement.~~

Other Regional Plans

~~The Council does have a Marine Oil Spill Contingency Plan which provides a response system for marine oil spills.~~

~~The Regional Air Quality Plan being developed by the WCRC will deal with discharges to air within the coastal marine area. Other regional plans developed by the WCRC will deal with natural and physical resource issues outside of the coastal marine area.~~

District Plans

~~District Plans developed by the district council with responsibilities for the land areas adjacent to the coastal marine area control land uses on that land.~~

Conservation Management Strategy

~~The Conservation Management Strategy is developed by the Department of Conservation to implement general policies and~~

~~establish objectives for the integrated management of all land, natural and historic resources within its care and all those resources for which it has responsibility under Section 6 of the Conservation Act.~~

~~2.4 — RESTRICTIONS ON USE~~

~~There are a number of specific restrictions stated in the Act relating to the use of the coastal marine area. Section 12 provides for restrictions on the use of the coastal marine area. Section 14 provides for restrictions relating to the taking, use, damming or diversion of coastal water. Section 15 provides for restrictions on the discharge of contaminants into the coastal marine area. The rules section of this Plan reflects the specific restrictions contained within Sections 12, 14 and 15 of the Act.~~

~~2.5 — STATUS OF ACTIVITIES~~

~~The rules within this Plan determine the status of any particular activity and determine whether consent is required before that activity can be carried out. Resource consent is required for any activity which this Regional Coastal Plan specifies as being a controlled activity, a discretionary activity, a restricted coastal activity, or an activity that does not comply with the provisions of this Plan (a non-complying activity). The Plan also specifies permitted activities and prohibited activities.~~

*Cross Reference:
Glossary*

Permitted Activity

~~Activities which are specified as permitted activities can occur, without the need to obtain a resource consent, if they are able to comply with the conditions stated within the rule.~~

Controlled Activity

~~A controlled activity is an activity which the WCRC will grant a resource consent for. That consent will include conditions relating to the matters which the Council has stated that it will exercise its control over.~~

Discretionary Activity

~~A discretionary activity is an activity over which the WCRC has retained its discretion as to whether it will grant the resource consent or not. The Council will, in considering any application for a discretionary activity, be guided by the policies contained within the Plan, the Proposed Regional Policy Statement for the West Coast, any policies and requirements of the New Zealand Coastal Policy Statement and the requirements of the Act. Conditions may be included on any resource consent granted.~~

Restricted Coastal Activity

~~A restricted coastal activity is an activity for which the Minister of~~

~~Conservation is the consent authority. The Minister is able to either grant or decline the application. Where an activity is specified as being a restricted coastal activity, an application is still made to the WCRC and that application is considered by a Regional Council hearings panel which has one Ministerial appointment to it. That panel makes a recommendation to the Minister of Conservation who makes the final decision.~~

*Cross Reference:
Schedule 4*

~~The WCRC is responsible for administration and enforcement of coastal permits issued through this process.~~

~~Non-Complying Activity~~

~~A resource consent is also required for any activity that would otherwise not comply with this Regional Coastal Plan (a non-complying activity). A resource consent may either be granted or declined.~~

~~Prohibited Activity~~

~~In some cases, the Plan specifies certain activities as being prohibited activities. These are activities which may not occur within the coastal marine area, and are activities for which no resource consent will be issued.~~

~~2.6 — INFORMATION REQUIREMENTS~~

~~Applications for consents must comply with the requirements of section 88 of the Act. Additional information may be required by the Council in order to be able to assess the effects of any application. These general information requirements are contained in Chapter 15 of this Plan.~~

*Cross Reference:
Chapter 15.*

~~2.7 — NOTIFICATION OF CONSENTS~~

~~The Act makes provision for the public notification of resource consent applications. There are some circumstances where the consent authority can decide that an application need not be notified. In making an assessment of the need to notify individual consent applications, the WCRC will act in accordance with section 94 of the Act.~~

~~2.8 — FINANCIAL CONTRIBUTION~~

~~A financial contribution may be required as a condition on a resource consent. A financial contribution is defined by section 108(9) of the Act as:~~

*Cross Reference:
Chapter 16.*

- ~~(a) — Money; or~~
- ~~(b) — Land, including an esplanade reserve or esplanade strip (other than in relation to a subdivision consent) but excluding Maori land within the meaning of the Maori Land Act 1993 unless that Act provides otherwise; or~~

~~or any combination thereof, made for the purposes specified in the plan (including the purpose of ensuring positive effects on the environment to offset any adverse effect) and which does not exceed in value the maximum amount specified in, or determined in accordance with, the plan.~~

~~Chapter 16 of this Regional Coastal Plan outlines the circumstances in which a financial contribution may be required, the purpose of the contribution and the maximum amount of the contribution.~~

~~2.9 — SECTION 32~~

~~Section 32 of the Act requires councils to be objective in preparing regional plans, and in particular in determining objectives, policies and methods, having regard to alternatives that may be available and the reasons for and against options, including their costs and benefits. The WCRC has considered these matters in preparing this Plan and is satisfied that the selected objectives, policies and methods are necessary in achieving the purpose of the Act and the most appropriate means having regard to their efficiency and effectiveness.~~

~~The principal reasons for adopting the objectives, policies, rules and other methods explain why those objectives, policies, rules and other methods have been included in this Plan.~~

~~2.10 — OTHER LEGISLATION~~

~~While this Regional Coastal Plan considers the use, development and protection of the coastal marine area pursuant to the Act, there are a number of other statutes which can affect activities occurring in the coastal marine area. These statutes, briefly described below, may themselves require authorisations, in addition to any required by this Plan, for an activity.~~

~~Harbours Act 1950~~

~~The Harbours Act applies to all vessels and provides the framework for control of harbours and the implementation of regulations or bylaws to address navigation and safety issues. The Act and its regulations or bylaws made pursuant to the Act apply to all craft including recreational craft. The Act vests in the Harbourmaster various powers to enable controls to be implemented. This Act is currently under review by Government. Standards for the operation of commercial craft are established under the provisions of the Maritime Transport Act 1994.~~

~~The Grey District Council and the Buller District Council are the harbour authorities for the Grey and Buller River harbour areas respectively. They operate under bylaws made pursuant to the Harbours Act.~~

Fisheries Act 1983

The Fisheries Act 1996 provides for the utilisation of New Zealand's fisheries resources while ensuring they are maintained at a sustainable level and any adverse effects of the fishing on the environment are avoided, remedied or mitigated. The Ministry of Fisheries is the Crown agency responsible, under the Fisheries Act 1996, for that sustainable utilisation.

The Fisheries Act 1996 will be progressively implemented over the next three to four years. Until the provisions of the Act are completely implemented a number of provisions in the Fisheries Act 1983 still apply.

The WCRC and the Minister of Conservation are specifically excluded from having any functions under the RMA relating to the control over fisheries management where that control seeks to use, conserve, enhance or develop any fishery resource controlled by the Fisheries Act 1996.

The Fisheries Act also makes provision for the establishment of Taiapure and Mātaitai Reserve areas within the coastal marine area, being areas set aside for Maori customary fishing purposes.

This Regional Coastal Plan does not contain any provisions relating to the management or allocation of the fishery resource within the coastal marine area.

Whitebait Fishing (West Coast) Regulations 1994

These regulations, controlling the whitebait fishery, are administered by the Department of Conservation. WCRC is responsible for issuing consents for whitebait structures. These consents must recognise the requirements of The Whitebait Fishing (West Coast) Regulations 1994.

Biosecurity Act 1993

This Act provides for the exclusion and management of unwanted pests and organisms. It contains border control measures administered by the Ministry of Agriculture, which has relevance to ports and to shipping. In addition, it allows Regional Council to prepare Pest Management Strategies for the control of plant and animal pests, including within the coastal marine area.

Hazardous Substances and New Organisms Act 1996

This Act regulates the use, storage and disposal of hazardous substances. Territorial local authorities have a role in enforcing the Act, including dangerous goods such as fuel depots. Parts of the Act overlap with the Resource Management Act 1991 in that Councils are able to control hazardous substances through regional and district plans.

Building Act 1991

The Building Act 1991 and the Building Regulations 1992 provide a performance based building control system which applies to the construction, alteration, demolition and maintenance of structures within the coastal marine area. The WCRC administers the Building Act and associated Regulations within the coastal marine area. The Building Act functions may be transferred to the District Councils from time to time.

Marine Pollution Act 1974

The Marine Pollution Act 1974 makes provision for preventing and dealing with pollution of the sea. This Act is administered by the Maritime Safety Authority and is currently under review.

Maritime Transport Act 1994

Central Government has the responsibility of implementing this Act. This Act is concerned with the protection of the marine environment from pollution associated with ships and offshore installations, and is also concerned with the protection of the marine environment from discharge, dumping, incineration and the storing of wastes.

Also, it establishes the framework for responding to marine oil spills through the development of Marine Oil Spill Contingency Plans. Regional Council has the responsibility of implementing a Regional Marine Oil Spill Contingency Plan.

In addition to the environmental matters mentioned, this Act provides the mechanisms for the operation and standards of vessels. Standards set under the Act relate to the qualification of crew, the standards of the vessel and the management of small commercial craft. From 1 February 1998, any commercial operator will be required to be a member of a Safe Ship Management System and will need to comply with the requirements of the company managing the system.

Part IX of the Act deals with wreck and salvage law for ships and aircraft.

*Cross Reference:
Policy 8.4.4.*

Marine Reserves Act 1971

The Marine Reserves Act 1971 provides for the setting up and management of areas of the sea and foreshore as marine reserves for the purpose of preserving them in their natural state as the habitat of marine life for scientific study. The Marine Reserves Act is administered by the Department of Conservation, which can establish marine reserves with the concurrence of the Minister of Fisheries.

Marine Mammal Protection Act 1978

The Marine Mammal Protection Act 1978 makes provision for the protection, conservation and management of marine mammals within

~~New Zealand and within New Zealand fisheries waters. The Act is administered by the Department of Conservation.~~

~~Foreshore and Seabed Endowment Revesting Act 1991~~

~~The Foreshore and Seabed Endowment Revesting Act 1991 revoked certain endowments of foreshore and seabed and re-vested those endowments with the Crown. The Department of Conservation administers the land.~~

~~Conservation Act 1987~~

~~The Conservation Act 1987 is administered by the Department of Conservation. Some of the Act's provisions apply to part of the coastal marine area. This Act's purpose is the conservation of New Zealand's natural and historic resources. Within parts of the coastal marine area this Act is used to protect foreshore conservation areas and marine reserves. Section 39 of the Conservation Act 1987 details what is construed as an offence in a conservation area.~~

~~Wildlife Act 1953~~

~~This Act provides for the protection and control of certain animals and birds, including protection for certain native animals and the controlled hunting of game birds and animals. The Act is administered by the Department of Conservation and the Fish and Game Councils.~~

~~Health and Safety in Employment Act 1992~~

~~Introduces requirements for work place safety. Employers must take all practicable steps to avoid, eliminate, and minimise safety risks in the workplace. This includes work being carried out in the coastal marine area, including areas to which the public have access. Both employers and employees have duties to ensure that members of the public are not exposed to safety hazards. The Act is administered by the Occupational Safety and Health service (OSH) of the Department of Labour. Ship safety is administered under the Maritime Transport Act 1994.~~

~~The Defence Act 1990~~

~~The Defence Act 1990 identifies the purposes for which the New Zealand Defence Force has been raised and maintained and defines defence areas. The Act also provides for access to defence areas, including areas utilised for temporary military training activities, to be restricted.~~

~~Historic Places Act 1993~~

~~The Historic Places Act 1993 promotes the identification, protection, preservation and conservation of the historical and cultural heritage of New Zealand. The provisions of the Act apply in the coastal marine area.~~

Local Government Act 1974

There is an ability under the Local Government Act to extend the territorial authority boundaries down to mean low water spring. This would enable territorial local authorities to make bylaws controlling animals, vehicles, fires and litter amongst other things, down to this new boundary.

Westland District Council has extended its boundary to mean low water springs for this purpose.

Health Act 1956

This Act makes provision for the protection of public health in terms of sanitary works, refuse and sanitary services, buildings, nuisances, offensive trades, pollution of water courses, infectious and communicable diseases and quarantine.

Within the coastal marine area, this service covers any matters that may impact or affect the health of the public, and includes recreational and shellfish gathering water quality, sewage disposal, waste management, environmental noise management and contaminated sites.

2.11 INTERNATIONAL OBLIGATIONS

New Zealand is a party to many international obligations concerning environmental management. Where the Government has accepted international obligations which affect the coastal environment, the intention is that guidelines shall be issued from time to time by the Government outlining the manner in which these obligations can best be carried out and implemented. Some examples of New Zealand's international obligations¹ which relate directly to the coastal marine area are:

- The London Convention which seeks to prevent and control pollution of the sea caused by the dumping of waste and other matter. To achieve this the Government will promote effective control of pollution of the marine environment and take all practicable steps to prevent pollution of the sea that is harmful to people, marine life, amenity or legitimate uses of the sea.
- The Marpol Convention which seeks to prevent pollution of the marine environment by oil and other harmful substances and the minimisation of accidental discharge of these substances.

¹ Refer to the following document for a more complete reference to New Zealand's international obligations; Hewison, Grant, J. 1994. A guideline of New Zealand's International Obligations affecting the coastal environment. Department of Conservation.

• ~~Ramsar Convention. This convention was signed by New Zealand in 1976. It places general obligations on parties to conserve wetlands and special obligations to conserve those wetlands which have been designated of international importance.~~

3

**~~West Coast Coastal~~
~~Description~~**

3.1 — BACKGROUND

West Coast's Coastal Environment

West Coast's 600 kilometre coastline runs from Kahurangi in the north to Awarua Point in the south. The coastline is diverse and many parts of it are rugged and remote from human habitation and roads. The combination of these factors has led to retention of much of the coastline's natural character, seascapes and landscapes compared to other more accessible coastal areas in other parts of New Zealand.

The coastline cuts across a number of geographical boundaries (mountains) running off the spine of the Southern Alps and adjoining ranges. This is reflected in a broad pattern of long beach shorelines of sands and gravels, interrupted by lengths of steep rocky coast, wherever mountain ranges meet the Tasman Sea.

Rivers range in size from New Zealand's third largest river, the Buller River, to many small fresh water creeks. These rivers carry large flood flows and sediment loads to the sea. Hence, the West Coast's beaches are well supplied with sand and gravel.

Beach type at any location reflects coastal stability, and depends largely on the sediments supplied from nearby rivers. The movement of sand and gravel along the West Coast beaches by wave action (littoral drift) is predominantly northward.

This wave action arises from predominantly westerly winds across the Tasman Sea. Due to the process of wave refraction, the waves 'bend' towards the coast (which runs from the north to the southwest) and tend to arrive sub-parallel to the shore. Approximately twice as many wave events arrive from the southern quarter compared to the northern quarter. The general northward littoral drift is partially offset by the occasional northerly storm which pushes sediment to the south.

Offshore, the continental shelf slopes gently off to the Challenger Plateau in the north, whilst towards the south, the sea bed drops off sharply into deep water. Two submarine canyons approach to within ten kilometres of the mouths of the Hokitika and Cook Rivers. These offshore canyons drain some of the littoral drift of coastal sediment into deep water and beyond the continental shelf.

Many of the river mouths form estuarine wetlands of significant importance to both marine and freshwater wildlife. These include nine major tidal estuaries and many ribbon lagoons which are a distinct

feature of the West Coast.

Estuaries and lagoons contain gradients between salt and fresh water that change with the tide. Consequently, they provide a great abundance and diversity of species and habitats. Seventeen of New Zealand's twenty seven 'freshwater' fish are known to spend part of their lives in the sea and in estuaries and lagoons. Many other marine fish species utilise these nutrient rich areas for breeding and larval nurseries.

Offshore, the marine environment includes a diverse range of habitats such as stacks, islands and reefs. Near to shore, often sparse soft shore and benthic fauna and flora cling on despite often violent seas. The West Coast's abundant marine life depend on offshore and rocky shore communities for their food.

A number of seaweeds, shellfish and other marine species reach their southern or northern limits on the West Coast. This is indicative of latitudinal variations and the broad Subtropical Convergence Zone where subtropical waters meet cooler subantarctic currents.

Further offshore, the bed of the continental shelf slopes from depths of about 200 metres down into the deep water of the open Tasman Sea. This deep water supports communities of invertebrates and marine mammals.

The West Coast's commercial inshore fishery includes flatfish and rock lobster. Further offshore the abyssal canyons provide habitat for a number of species, including the orange roughy and lantern fish, and are hoki spawning grounds. Large populations of arrow squid also occur further offshore.

Representatives of New Zealand's seabird species include shags, petrels and terns, the endemic Westland petrel, Fiordland-crested penguin and blue penguin.

There are several New Zealand fur seal colonies located on rocky shores along the length of the coastline. The seals rest and breed at the colonies and feed across the broad continental shelf, diving to depths of 200 metres or more.

The threatened endemic Hector's dolphin lives close inshore throughout the year. The Tasman Sea is a migratory route for some whales. Occasionally individual whales may be washed ashore.

Many of the rocky shores and a good proportion of the coastal plains of

South Westland retain their indigenous vegetative cover, although land clearance for farmland has occurred, particularly on the coastal plains north of the Wanganui River. On the seaward side, apart from some localised areas of development around coastal towns, much of the coast below the line of mean high water springs is relatively undeveloped and unmodified.

Resource use and development within the coastal environment

Human occupation on the West Coast dates back many hundreds of years, with coastal and inland routes being used to provide access to taonga, pounamu (greenstone). Coupled with its cultural resources, settlements spread from the Heaphy River in the north to Awarua Point in the south.

Early European explorers including Heaphy and Brunner also travelled the coast. Following the West Coast Gold rushes in 1865 many thousands of people came to the region in search of fortune.

Black sand mining for gold (blacksanding) was first undertaken in 1866 on South Beach. The main areas for blacksanding also included Charleston, Punakaiki, Rapahoe, Greymouth, Bold Head, 3 5 Mile, Gillespies Beach and Greens Beach.

Settlements built during the gold rush were focused primarily around river mouths or on the beach because rivers and the sea provided the main forms of transport. The largest number of shipwrecks in New Zealand occurred on the West Coast around this time. These early settlements built on beaches such as 5 Mile, Okarito, Brighton and Westport have been largely lost to coastal erosion.

Today, there are three main urban areas, all of which are located adjacent to the coast: Westport (4,600 people); Greymouth (7,000 people); and Hokitika (3,400 people).

Coastal shipping is still an important transport link for the West Coast, especially for servicing Jackson Bay. Westport and Greymouth are home to the region's two main commercial ports. Both ports are river based and were originally designed to ship out gold and timber and bring in supplies.

However, as the West Coast diversified into coal mining, fishing, and in the case of Westport cement manufacturing, the ports expanded to support these industries. The existing nature of activities within and immediately adjacent to these commercial port areas are of a commercial and ongoing nature.

Recently, there has been a significant increase in tourism throughout the West Coast. This has been encouraged by a combination of improved roading and visitor services in the area. The natural character of the coastline and some outstanding natural coastal features, seascapes and landscapes attract a number of these visitors to the area. These include: Cape Foulwind; Pancake Rocks; and Knights Point. Coastal features are also an integral part of Kahurangi, Paparoa and Westland National Park.

The vast majority of structures associated with Westport and Greymouth Ports are located outside the coastal marine area as these are river based ports. Hence, there are relatively few structures, with the exception of a significant number of whitebait stands, in the coastal marine area. Of note are the river protection works at the mouth of the Buller, Grey and Hokitika Rivers and the wharf located in Jackson Bay.

There are also a number of rock wall groynes and other beach protection works and a few stormwater outfall structures located near the urban areas. A limited number of navigational structures are located in the coastal marine area.

The coastal marine area is also the receiving environment for a limited number of discharges. These include stormwater and sewage discharges, discharges from ships and litter disposal.

Commercial goldmining and gravel extraction does occur on the foreshore. Also, it is necessary to carry out maintenance dredging of the entrances to the commercial port areas, and to dispose of the dredge spoil, in order to provide for navigational safety.

Residents and visitors pursue various recreational activities in the coastal environment. The coast is used for many active recreational pursuits such as fishing, whitebaiting, gathering shellfish, fossicking for pounamu or gold, collecting driftwood, boating, beach transport and surfing.

It is also a popular location for passive pursuits such as walking along the foreshore, or simply admiring the view from the residential properties, beaches and rest areas which overlook the coast.

There are many protected areas along the landward edge of the coastline, including National Parks, Conservation Areas and Reserves. Most of these fall under the jurisdiction of the Department of Conservation with the rest being primarily managed by territorial authorities. Currently, there are no marine reserves, taiapure or maataitai reserves.

4

**Poutini Ngai
Tahu Values**

4.1 BACKGROUND

~~This chapter of the Regional Coastal Plan has been contributed by Poutini Ngai Tahu.~~

Poutini Ngai Tahu is defined as the section of Ngai Tahu who, by whakapapa, derive their status as tangata whenua from their ancestors who held the customary title and rights to the lands of Westland (West Coast) at the time of the signing of the Treaty of Waitangi in 1840.

~~The Runanga of Te Tai Poutini who developed this chapter of the Plan and who were consulted over the development of the entire Plan were:~~

● ~~Te Runanga O Makawhio~~
Centred at: ~~Bruce Bay~~

● ~~Te Runaka O Kati Waewae~~
Centred at: ~~Arahura~~

~~This Regional Coastal Plan has taken account of the concerns that Poutini Ngai Tahu hold over cultural and environmental issues associated with Te Tai Poutini coastal marine area.~~

4.2 TE TAI O POUTINI – THE TIDES OF THE WEST COAST

This is the name given to the seas of the West Coast of the South Island. Traditional pakiwaitara (stories) tell of how Poutini a taniwha (sea monster) captured a beautiful woman named Waitaiki from her home at Tuhua (Mayor Island) and brought her to the Arahura River where he changed her into pounamu (greenstone).

Poutini still rages up and down the seas off the Coast and today is acknowledged by Ngai Tahu as the spiritual guardian of pounamu, the land and its' people.

The tangata whenua of the West Coast identify with and take their name from this guardian taniwha. Today they are known as Poutini Ngai Tahu.

4.3 PLACE-NAMES

The traditional place-names are an oral record of history, traditions and customs. Placenames provide an indicator for a wide range of values that personify the coast, and are a source of the accumulated knowledge of generations that have gone before. They are indicators for today's generation of the resources that were once, and still are, available in the coastal environment.

Ingoa tawhito (traditional ancestral names) also speak of the spiritual values associated with the coast and reaffirm the creation traditions that underline the culture of Poutini Ngai Tahu.

4.4 RESOURCES

Te Tai Poutini coastal environment is still rich with natural resources and despite the impacts of modern civilisation, have remained intact.

For past generations, coastal resources were a pataka (food storage) that was of central importance to the survival of the coastal dwelling communities. Of such importance that protocols of access, take and management are deeply embedded in the culture and attitude of Poutini Ngai Tahu.

~~For the present and future generations of Poutini Ngai Tahu, the coastal environment holds many values that range from the spiritual realm to the practical use of coastal resources. It is a taonga (treasure) that has sustained the generations.~~

~~Pounamu is a treasured resource that lies within the coastal marine area. On 14 June 1996, the Crown entered into a Deed of "On Account" Settlement with Te Runanga O Ngai Tahu which provides for the vesting in Te Runanga O Ngai Tahu of pounamu within the takiwa of Ngai Tahu Whanui and in the territorial sea adjacent to it. The Act, among other Acts, will continue to apply to any future mining of pounamu. Local and regional authorities will still regulate the effects of any mining activities and resource consents will be required.~~

4.5 CREATION TRADITION

~~Respect for resources evolved from Poutini Ngai Tahu creation traditions. These traditions are linked to the whakapapa Poutini Ngai Tahu, and relate to the beginning of time, the separation of the Earth Mother and the Sky Father, and the arrival of the Waka o Aoraki (South Island). This was the celestial canoe that descended from the domain of the Sky Father, a canoe captained by Aoraki, son of the Sky Father.~~

~~The creation of bays, harbours and the estuaries important to human habitation is the work of Tuterakiwhanoa, the atua (Lord of creation) who was given the task of making Te Waipounamu (South Island) habitable for the children of Tane still to come. Associated with Tuterakiwhanoa in his work was Marokura who stocked the sea with all manner of fish and sea life.~~

4.6 PRESENT AND FUTURE MANAGEMENT

Recreational, commercial and domestic use of the coastal region is recognised by Poutini Ngai Tahu as being for the good of the society to which all belong.

However, any use and management must respect the rights and traditions of Poutini Ngai Tahu and leave a sustainable environment for future generations. Ngai Tahu have areas of cultural value along the coast, the significance of which has either been ignored or legislated against.

The consultation process that this Plan puts in place must acknowledge and provide respect for and consideration of areas of cultural significance. Past insensitive treatment of such areas must be remedied and care taken to avoid similar occurrences in the future.

The coastal region provides commercial, recreational, cultural and other benefits for many Poutini Ngai Tahu. Proper care and management of the coastal environment will ensure these benefits are sustainable.

Poutini Ngai Tahu have looked to the past to find the real value and relevance of traditional areas for today. They look to the future to ensure that the decisions made will protect their values and leave a suitable environment for the generations of New Zealanders, Maori and Pakeha alike.

4.7 KAITIAKITANGA AND RANGATIRATANGA

Derived from the word 'Kaitiaki' which includes the concepts of guardianship, care and wise management. The term has received recognition in Section 7a of the Act and is defined as: "The exercise of guardianship; and in relation to a resource, includes the ethic of stewardship, based on the nature of the resource itself".

The exercise of kaitiakitanga (guardianship) rests with the two papatipu Runanga who are responsible to future generations for the protection of their cultural values.

The exercise of rangatiratanga (customary authority) also rests with the two papatipu Runanga.

4.8 HOLISTIC VIEW

Poutini Ngai Tahu hold a holistic view of the environment in that all things are interrelated. This includes people and their interaction with the environment. Poutini Ngai Tahu input into resource management policy and plans is driven by this view of an all embracing concern for the total environment.

4.9 CONSULTATION

Through consultation, Poutini Ngai Tahu will ~~retain an active~~ relationship with the WCRC ~~and resource users~~. Consultation occurs in both resource consent and planning processes. Runanga are provided with ~~schedules~~ of all resource consent applications received by Council and are given the opportunity to comment. Together with representation on the Council committees, this enables tangata whenua to have an early and active input into resource management.

These methods of consultation provide an opportunity for integration and consistency across planning areas, in recognising that management of waterbodies and land uses will impact on the coastal marine area. This is compatible with the holistic view of the environment held by tangata whenua in all things that are interrelated.

The Ngai Tahu Act 1996 states that within the Tai Poutini (*West Coast*) Te Runaka O Kati Waewae and ~~Te Runanga O Te Koeti Turanga~~ (*Te Runanga O Makaawhio*) are the two papatipu marae-based Runanga which have manawhenua over Tai Poutini from Piopiotahi (*Milford Sound*) in the south, to Kahurangi in the north and into the middle of the Southern Alps.

Council recognise that there are other people and groups who have interests in Tai Poutini, who are not affiliated to the two Runanga. The Ngai Tahu Act does not preclude Council from dialogue with these people.

Poutini Ngai Tahu may initiate consultation at any time through the Regional Council.

5

**Coastal
Management**

5.1 — BACKGROUND Introduction

Some of the land adjacent to the coastal marine area has been developed by generations of West Coast citizens. Other than supporting a significant commercial fishery, the coastal marine area has been developed in only a few locations. The most intensively developed parts of the coastal marine area are around the mouths of the Buller, Grey and Hokitika Rivers.

The West Coast is also home to a variety of habitats and areas which contain conservation, heritage, cultural, or environmental values of regional, national or international importance.

This Chapter recognises that some values are common to the entire coastal marine area, whilst other values are more site specific. The site specific values are recognised and provided for by the identification of four coastal management areas within the coastal marine area. The coastal management areas are:

- Coastal Protection Areas;
- Culturally Significant Areas;
- Coastal Recreation Areas; and
- Coastal Development Areas.

Details on the location of these areas and the values within each area are outlined in Schedule 2.

*Cross
Reference:
Schedule 2*

Hence, this Chapter contains general objectives and policies for the entire coastal marine area and specific policies for each of the coastal management areas.

The specific policies for each coastal management area creates a second layer of policy for that area in addition to the general policies. Therefore, both sets of policies must be looked at by decision makers. The different wording in the area specific policies is deliberate, and creates a variation in the level of protection between each type of area. Where any areas overlap the appropriate policies will apply concurrently.

A more detailed description of the coastal management areas and how they were derived is outlined below.

Coastal Protection Area

These areas have been identified on the basis of their ecosystem values of regional, national or international significance. These areas and the values in each area are listed in Schedule 2.1. Priority will be given to avoiding adverse effects on the ecosystem values associated with these areas.

*Cross
Reference:
Schedule 2.1*

Culturally Significant Areas

These areas have been identified on the basis of their cultural value to Poutini Ngai Tahu. These areas and the cultural values in each area are listed in Schedule 2.2. Priority will be given to avoiding adverse effects on the values associated with these areas.

*Cross
Reference:
Schedule 2.2.*

Coastal Development Areas

These areas provide for the recognition of existing structures, facilities and associated infrastructure required by the commercial activities occurring in those areas. These areas are listed in Schedule 2.3. Priority will be given to the need to provide for the values and uses associated with existing development within these areas.

*Cross
Reference:
Schedule 2.3.*

Coastal Recreation Areas

These areas have been identified because of their accessibility by the public, their frequency of recreational use and the facilities and infrastructure associated with this use. These areas are listed in Schedule 2.4. Priority will be given to the need to provide for and protect the recreational values associated with these areas.

*Cross
Reference:
Schedule 2.4.*

5.2 — ISSUES

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

Explanation

Not all parts of the coastal marine area are the same. Many areas are still relatively pristine, while others have been developed. The values associated with different areas depend upon:

*Cross
Reference
Objective
5.3.1
Policies 5.4.1
to 5.4.2*

- (a) The degree of existing use and the physical resources associated with that use;
- (b) Any cultural values associated with the area;
- (c) The degree to which the area is already developed;
- (d) The presence or absence of important ecological habitats;
- (e) The natural character of the area, including any scenic and landscape features;
- (f) The existence and nature of any physical processes acting on the area; and
- (g) The physical characteristics of the area including substrate type and water quality.

In considering the management of the coastal marine area, this Plan must recognise the different values of the various areas of the West Coast's coastline, and provide an appropriate framework to consider the effects of all activities and uses on these values.

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

Explanation

~~In considering the sustainable management of the entire coastal marine area this Plan must provide a framework which recognises that there are amenity, cultural, heritage, scenic and ecosystem values associated with the entire coastal marine area. These values may be lost over time, in areas where inappropriate subdivision, use and development occur.~~

*Cross
reference
Objective
5.3.1, 5.3.2
Policies 5.4.1,
5.4.2.*

5.3 — OBJECTIVES

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

Principal reasons for adopting

~~There are a variety of activities undertaken within the coastal marine area. The effects of those activities may be adverse within some areas of the coastal marine area and not in others. This Plan identifies several coastal management areas which have differing sensitivity to activities. The objectives, policies and methods in this Plan reflect that differing sensitivity, and establish a framework which will better ensure the efficient, effective and sustainable management of the coastal marine area.~~

*Cross
reference
Policies 5.4.1,
5.4.2.*

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

Principal reasons for adopting

~~Section 7 of the Act requires all persons, exercising function and powers under it, to have particular regard to a number of matters, including the maintenance and enhancement of amenity values, intrinsic values of ecosystems and the recognition and protection of the heritage values of sites, buildings, places or areas. It is important that those values are recognised and provided for within this Plan in order that those values are not lost from the coastal marine area.~~

*Cross
reference
Policies 5.4.2.*

~~5.3.3 To recognise the preservation of natural character.~~

Principal reasons for adopting

~~Section 6 of the Act requires all persons, exercising function and powers under it, to recognise and provide for this matter of national importance.~~

*Cross
reference
Policies 5.4.2.*

5.4 — POLICIES

5.4.1 — Coastal Management Areas

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

CPA 1	Oparara Estuary
CPA 2	Karamea / Otumahana Estuary
CPA 3	Little Wanganui Head and River
CPA 4	Orowaiti Lagoon
CPA 5	Okari Lagoon
CPA 6	Griegs to Nine Mile Bluff
CPA 7	Totara Lagoon
CPA 8	Saltwater Lagoon
CPA 9	Okarito Lagoon
CPA 10	Three Mile Lagoon
CPA 11	Five Mile Lagoon
CPA 12	Open Bay Islands
CPA 13	Cascade River Mouth

*Cross
reference
Schedule 2.1*

Explanation

The coastal protection area includes those areas below the line of mean high water springs that are considered to be of regional, national or international importance in terms of their ecosystem values. They are not the only areas with these values. Most estuarine areas along the West Coast's coast have been included in the Coastal Protection Areas because they are particularly valuable in terms of biological productivity. This productivity results from the continuous flow of nutrients down rivers, the relative shelter compared to the open coast, and the relatively high (in coastal terms) amounts of light available. Estuaries provide a benign environment for flora and fauna and are believed to act as both nursery areas and nutrient suppliers for the open coast and deeper ocean waters.

A full description of the areas, including the values associated with each area that need to be considered when managing the coastal marine area, and maps showing boundaries for each area are contained in Schedule 2.1 of this Plan.

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

Explanation

Priority will be given to avoiding adverse effects on the values associated with any Coastal Protection Area. These areas have a wide variety of important values which must be protected when undertaking activities. Where avoidance is not practicable, then adverse effects must be remedied or mitigated.

*Cross
reference
Schedule 2.1*

Principal reasons for adopting

To avoid adverse effects on the values identified in the Coastal Protection Areas. These policies recognise and give effect to Section 6 (e) of the Act and Policy 1.1.2. of the New Zealand Coastal Policy Statement.

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

*Cross
reference
Schedule 2.2*

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

Explanation

The Culturally Significant Areas include those areas below the line of mean high water springs that are considered to be culturally significant to Poutini Ngai Tahu. They include: mahinga maataitai; tauranga waka; waahi tapu; and waahi taonga. The identification of these areas does not diminish the importance of the entire coastal marine area to Poutini Ngai Tahu.

A full description of the areas, including the values associated with each area that need to be considered when managing the coastal marine area, and maps showing boundaries for each area are contained in Schedule 2.2 of this Plan.

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

Explanation

Priority will be given to avoiding adverse effects on the values associated with any Culturally Significant Area. These values are outlined in Schedule 2.2, along with maps showing the boundaries for each area.

*Cross-reference
Schedule 2.2*

Principal reasons for adopting

To avoid adverse effects on the values identified in the Culturally Significant Areas. These policies recognise and give effect to Section 6 (e) of the Act and Policy 3.1.2. of the New Zealand Coastal Policy Statement.

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

*Cross-reference
Schedule 2.3*

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

Explanation

There are a limited number of developed areas within the coastal marine area. These areas are characterised by having a mixture of structures, facilities and associated infrastructure required by the commercial activities occurring in those areas.

The proposed development area at Rapahoe has been included for its technical potential, recognising its ability to operate as a commercial port due to sufficient deep water, the area's natural shelter from the prevailing wind and swell and proximity to necessary infrastructure. It has been included because it is significant to the region and provides a framework which enables people and communities to provide for their social, economic and cultural wellbeing.

A full description of the areas, together with the values associated with each area that need to be considered when managing the coastal marine area, and maps showing boundaries for each area are contained in Schedule 2.3 of this Plan.

It must be recognised that although these are the main areas of development and proposed development a number of other structures supporting commercial interests are found in the coastal marine area. Also, commercial fishing occurs out of a number of river mouths.

Principal reasons for adopting

This policy recognises the importance of the facilities, services, and infrastructure associated with the developed areas for the social, cultural and economic well being of the West Coast's communities.

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

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

Explanation

The consideration of new activities in the area must be set within the context of the existing uses and values provided for within the coastal development areas. In relation to CDA4, Ngakawau, resource consents have been granted for development to proceed.

*Cross
reference
Schedule
2.3*

The Council shall have particular regard to the identified values and uses associated with CDA5 and its suitability for future development when considering the use, development or protection of the coastal marine area.

Principal reasons for adopting

The continued use and development where appropriate of areas already developed within the coastal marine area is important for the social, economic, and cultural well being of the people of the West Coast. It is also important for the people of the West Coast's social, economic and cultural wellbeing to identify areas which are suitable for future development.

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

*Cross
reference
Schedule
2.4*

CRA 1 — Heaphy Track

CRA 2 — North Beach

CRA 3 — Lower Buller River

CRA 4 — Carters Beach

CRA 5 — Tauranga Bay

CRA 6 — Punakaiki/Pororari Beach

CRA 7 — Rapahoe Beach to Point Elizabeth

CRA 8 — Cobden Beach

CRA 9 — Lower Grey River

CRA 10	Blaketown Beach to Karoro
CRA 11	Beach on north side Hokitika River
CRA 12	Lower Hokitika River
CRA 13	Harihari Coastal Walk
CRA 14	Okarito Lagoon
CRA 15	Gillespies Beach
CRA 16	Bruce Bay
CRA 17	Ship Creek
CRA 18	Jackson Bay

Explanation

While all of the coastal marine area is used for recreation, there are parts which are particularly important recreation areas to a variety of local residents and visitors. It is important to recognise the values in these areas when managing activities in the coastal marine area.

A full description of the areas, together with the recreational uses associated with each area that need to be considered when managing the coastal marine area, and maps showing boundaries for each area are contained in Schedule 2.4 of this Plan.

Principal reasons for adopting

Policy 3.1.2 of the New Zealand Coastal Policy Statement requires identification of those recreational areas which are of district or regional importance.

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

Explanation

Recreation is one of the important uses associated with the coastal marine area. It is important that any adverse or beneficial effect on recreational values is taken into account when managing use, development and protection of the coastal marine area.

*Cross reference
Schedule 2.4
List of values
p-236*

Principal reason for adopting

Policy 3.1.2 of the New Zealand Coastal Policy Statement requires that recreational values be given appropriate protection. Also, the Council recognises the importance of the coast for recreational activities.

5.4.2 General Coastal Marine Area Policies

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

Explanation

Each management area identified in the Plan contains values which the Plan recognises and provides for. In some cases an activity undertaken in the coastal marine area, (including activities in any particular management area), may adversely affect the values associated with adjoining management areas. In such cases, the values of the adjoining management area will be taken into account, in order to achieve integrated management of the coastal marine area.

Principal reasons for adopting

To promote integrated management of the coastal marine area.

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

*Cross
Reference:
Policies
6.4.2*

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

Explanation

The natural character of the coastal marine area is made up of a number of components which together give an area its character. While this Plan identifies areas of particular importance in the coastal management areas, and in the cross boundary management areas (Chapter 6), it is important that all those elements that contribute to the natural character of the coast be properly recognised.

Principal reasons for adopting

Section 6(a) of the Act requires, as a matter of national importance, the preservation of the natural character of the coastal environment, including the coastal marine area, and the protection of it from inappropriate subdivision, use and development. Policies 1.1.2, 1.1.3 and 1.1.4 of the New Zealand Coastal Policy Statement identify elements that are part of the natural character of an area. This policy recognises those elements that have not been provided for elsewhere in this Plan.

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

Explanation

This policy recognises the cumulative effects of activities in the coastal marine area. These effects may arise over time or in combination with other activities. WCRC recognises the importance of monitoring to implement this policy, as outlined in Chapter 17.

Principal reasons for adopting

To promote integrated management of the effects of activities in the coastal marine area and to avoid, remedy or mitigate these cumulative adverse effects.

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

Explanation

It is important that particular regard is had to any of those amenity, cultural, heritage, scenic and ecosystem values that might be adversely affected by an activity, when managing any subdivision, use or development in the coastal marine area. Ecosystem values include, but are not limited to the following: the life supporting capacity of aquatic habitats; the natural movement of biota; natural biodiversity, productivity and biotic patterns; shellfish areas; whitebait and other fish spawning and nursery areas; bird breeding and nursery areas; fish and bird migration; feeding patterns; habitats important to the continued survival of any indigenous species; wildlife and indigenous marine biota; and the intrinsic values of ecosystems.

Principal reasons for adopting

To ensure that management of the coastal marine area is undertaken in a manner that has regard to amenity, cultural, heritage, scenic and ecosystem values.

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

*Cross
Reference:
Method 5.6.1.1*

Explanation

Activities undertaken in the coastal marine area may cause adverse effects on archaeological sites and historic places. This policy recognises the importance of archaeological sites and historic places.

Principal reasons for adopting

This was included in order to give effect to Section 7 (e) of the Act, and will ensure that management of the coastal marine area is undertaken in a manner that avoids, remedies or mitigates adverse effects of activities on archaeological sites and historic places.

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

Explanation

~~This policy ensures that the lands of the Crown which have special status are identified and taken into account when the Council assesses resource consents for activities in the coastal marine area. The Conservation Management Strategy contains information on the location and extent of these lands, and will be used to identify the areas.~~

Principal reasons for adopting

~~Policy 4.1.1 of the New Zealand Coastal Policy Statement requires that the Regional Coastal Plan should identify land and areas under the Conservation Act 1987, and other land administered by the Department of Conservation. This Policy gives effect to Policy 4.1.1 of the NZCPS.~~

5.5 — RULES

~~No specific rules are contained within this chapter. The objectives and policies contained within this chapter give guidance to the consideration of activities that require resource consents under any or all of the other chapters of this plan.~~

5.6 — OTHER METHODS**5.6.1.1**

~~The WCRC will notify the New Zealand Archaeological Association of all applications for coastal permits which are likely to adversely affect any archaeological sites and historic places identified in the New Zealand Archaeological database.~~

Principal reasons for adopting

~~There are a number of historic places and archaeological sites scattered along the entire coastline. Many of the places are recorded with the Association's West Coast File Keeper. There may also be other unrecorded but significant sites. This method allows the input of the NZ Archaeological Association to coastal permit applications where cultural and historic values are likely to be adversely affected.~~

5.6.1.2

~~The WCRC may participate in the establishment of marine reserves, taiapure and maataitai reserves to the extent that they relate to the Council's coastal management functions.~~

5.6.1.3

~~The WCRC may support the establishment of marine reserves where it considers that they are an appropriate method to achieve Objective 5.3.~~

5.7 — ANTICIPATED ENVIRONMENTAL RESULTS**5.7.1**

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

*Cross
Reference:
Chapter
16*

5.7.2

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

*Cross
Reference:
Chapter
16.*

5.7.3

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

5.7.4

~~Natural character of the coastal environment is preserved.~~

5.7.5

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

5.7.6

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

*Cross
Reference:
Chapter 16*

6

**~~Cross Boundary~~
~~Issues~~**

6.1 — BACKGROUND

The control and management of the coastal marine area is the responsibility of the WCRC in conjunction with the Minister of Conservation. The control and management of land use outside the coastal marine area (ie above mean high water springs including upstream of the coastal marine area in water bodies) is the responsibility of the territorial authority (District Council).

*Cross Reference:
Schedule 3.*

Whilst this Plan manages activities occurring in the coastal marine area, it is important to consider that these activities may cause adverse effects outside the coastal marine area (ie above mean high water springs, including upstream of the coastal marine area in water bodies). Some examples of this are:

- noise created in the coastal marine area that is affecting residents in adjacent areas;
- coastal protection works, such as groynes, transferring erosion problems to other areas down stream of the littoral drift;
- structures restricting the passage of marine mammals and birds between the coastal marine area and adjacent land;
- loss of natural character from inappropriate development.
- migration of fish.

These types of adverse effects, which occur outside the area administered by this Plan, but are caused by activities inside the coastal marine area, are called cross boundary issues. They are addressed in this section of the Plan in order to promote integrated management of the coastal environment.

This Chapter of the Plan recognises that some cross boundary issues are common to the entire coastal environment, whilst others are more site specific. The site specific values are recognised and provided for by the identification of three Cross Boundary Management Areas. These are:

- Marine Mammal and Bird Sites;
- Outstanding Natural Features and Landscapes;
- Coastal Hazard Areas.

The WCRC recognises the potential for cross boundary issues with Southland Regional Council and/or Tasman District Council in the coastal marine area.

It is important to note that activities on land and in water bodies may cause adverse effects within the coastal marine area. However, these types of cross boundary issues are not dealt with in this Plan. They are managed through the Regional Policy Statement, Regional and District Plans.

~~Some activities such as gravel extraction, placement of jetties or reclamations may take place on both sides of the administrative boundary (ie they straddle the line of mean high water springs). Furthermore, activities within the coastal marine area (such as construction of a jetty or a marine farm) may also require car parking, buildings or other facilities on land outside the coastal marine area. These types of activities should be considered by the Regional Council and the District Council together.~~

Hence, establishing processes between local authorities in order to deal with all these cross boundary issues is required to promote integrated management of the coastal environment.

6.2 — ISSUES

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

Explanation

~~Within the coastal environment, the effects of activities on either side of the line of mean high water springs may impact on the other side. Recognition of the actual and potential transfer of adverse effects between areas is required in order to promote integrated management of West Coast's coastal environment. Establishing processes between local authorities and other affected parties in order to deal with those issues that cross administrative boundaries is required.~~

*Cross reference
Objective 6.3.1
Policies 6.4.1,
6.4.2*

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

Explanation

~~Activities occurring within the coastal marine area have the potential to result in a loss of the outstanding natural features and landscapes above the line of mean high water springs. Activities can also adversely affect marine mammals and birds that utilise areas located above the line of mean high water springs, but which move between those areas and the coastal marine area. Inappropriately located or designed structures, reclamations or other activities such as removal of sand and gravel may disrupt that movement and result in the loss of important marine mammal and bird conservation sites from the West Coast's coastal environment.~~

*Cross reference
Objective 6.3.1
Policies 6.4.1.1,
6.4.1.2, 6.4.2*

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

Explanation

Coastal processes are continually acting on the coastline. The movement of sand, gravel and water along the coast results in a coastline that is continually changing. In some areas, there is a net sediment loss and the coastline erodes as a result. In many instances the eroding coastline threatens property and infrastructure above mean high water springs.

*Cross-reference
Objective 6.3.1
Policies 6.4.1.3,
6.4.2
Chapter 14.*

6.3 — OBJECTIVES

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

Principal reasons for adopting

Activities occurring within the coastal marine area can result in adverse effects across the line of mean high water springs. The potential for cross boundary adverse effects needs to be taken into account when considering resource consent applications and the management of the coastal marine area in order to bring about the integrated management of the coastal environment.

*Cross-reference
Policies 6.4.1,
6.4.2*

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

*Cross-Reference:
Methods 6.6.1
and 6.6.3*

Principal reason for adopting

Activities occurring adjacent to the coastal marine area can result in adverse effects in the coastal marine area. These issues may be addressed through other regional plans which are relevant to WCRC functions and through liaison with district councils in order to promote integrated management.

6.4 — POLICIES

6.4.1 — Cross Boundary Management Area Policies

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

*Cross-reference:
Schedule 3.1*

MMB 1	Toropuihi to Wekakura Point
MMB 2	Kongahu Point
MMB 3	Three Steeples and Black Reef

MMB 4	Wall Island and adjacent coast
MMB 5	North End of Nine Mile Beach (Buller)
MMB 6	Charleston
MMB 7	South of Deep Creek
MMB 8	Seal Island to Perpendicular Point
MMB 9	Dolomite Point
MMB 10	North Barrytown Flats
MMB 11	Shag Rock, Big Rock and Point Elizabeth
MMB 12	Wanganui Bluff
MMB 13	Abut Head
MMB 14	Okarito Bluffs
MMB 15	Galway Point to Gillespies Point
MMB 16	Heretaniwha Point
MMB 17	Butress Point
MMB 18	Hanata Island
MMB 19	Titira Head
MMB 20	Awataikato Point
MMB 21	Abbey Rocks
MMB 22	Otumotu Point
MMB 23	Murphy Beach
MMB 24	Arnott Point
MMB 25	Seal Point
MMB 26	Open Bay Islands
MMB 27	Jackson Head
MMB 28	Stafford Bay to Cascade Point
MMB 29	Halfway Bluff
MMB 30	Cascade Bay
MMB 31	Browne Island
MMB 32	North of Gorge River

Explanation

The margins of the coastal marine area are home to a variety of marine mammals and birds including blue penguins, Fiordland crested penguins, and NZ fur seals. These animals move over land between nesting and resting areas on land, and the water of the coastal marine area. That movement can be disrupted by inappropriate activities that create barriers to that movement. Whilst the entire coastline may be used by marine mammals and birds, the significant sites have been chosen for added protection. These sites are called Marine Mammal and Bird Sites. Inappropriate activities in the coastal marine area adjacent to these sites may cause adverse effects on the marine mammals and birds.

A full description of the areas, together with the values associated with each area that need to be considered when managing the coastal marine area, and maps showing boundaries for each area are contained in Schedule 3.1 of this Plan.

Principal reasons for adopting

Many marine mammals and birds, such as little blue penguins, Fiordland crested penguins and NZ fur seals move over land between nesting and resting sites on land and the coastal marine area. The potential adverse effect of activities on that movement, and on the nesting and resting areas themselves, needs to be recognised. Policy 1.1.2 of the New Zealand Coastal Policy Statement requires that this plan recognise and provide for the protection of such areas.

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

*Cross
reference:
Schedule 3.2*

ONFL 1	Kahurangi Point to Kohaihai River
ONFL 2	Little Wanganui to Gentle Annie Point
ONFL 3	Cape Foulwind
ONFL 4	Parsons Hill to Razorback Point
ONFL 5	Seventeen Mile Bluff to Motukeikei Rocks
ONFL 6	Point Elizabeth
ONFL 7	Waitahi Bluff to Otorokua Point
ONFL 8	Hunt Beach to Waita River
ONFL 9	West Jackson Bay to Awarua Point

Explanation

Areas identified as outstanding natural features and landscapes within and adjacent to the coastal marine area will be protected from the adverse effects of activities that may result in a loss of the values associated with those features and landscapes.

A full description of the areas, together with the values associated with each area that need to be considered when managing the coastal marine area, and maps showing boundaries for each area are contained in Schedule 3.2 of this Plan.

Principal reasons for adopting

Section 6(b) of the Act requires, as a matter of national importance, the protection of outstanding natural features and landscapes from inappropriate subdivision, use and development.

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

*Cross reference
Schedule 3.3.*

CHA 1 — Oparara River to Little Wanganui River

CHA 2 — Gentle Annie Point to Miko

CHA 3 — Dean Stream to Orowaiti River

CHA 4 — Tauranga Bay

CHA 5 — Nine Mile Beach (Buller) and Little Beach

CHA 6 — Woodpecker Bay

CHA 7 — Punakaiki Village (Pororari River) beach

CHA 8 — Punakaiki River beach

CHA 9 — Barrytown Beach

CHA 10 — 17 Mile to Motukiekie Rocks

CHA 11 — Rapahoe

CHA 12 — Cobden Beach to Karoro

CHA 13 — Beach south of Taramakau River

CHA 14 — Arahura River to Hokitika golf course

CHA 15 — Okarito

CHA 16 — South west end Hunts Beach

CHA 17 — Bruce Bay

CHA 18 — Okuru River to Waiaototo River

Explanation

The areas are recognised by WCRC as being existing coastal hazard areas. They have been selected on the basis that existing adjoining land, property or structures of value to the community are at risk from inundation or erosion. The area and type of hazard listed will be recognised and taken into account by WCRC when undertaking coastal management functions, including coastal permit applications. The areas and hazards identified are general in nature and are intended to highlight the existence of the hazard. Any development in the coastal marine area seaward of a Coastal Hazard Area that could potentially exacerbate hazards in a Coastal Hazard Area will require experts to further investigate the hazards on a case by case basis.

Areas that have not been highlighted may be subject to the impact of coastal processes but they did not have adjoining land, property or structures of value and at risk at the time this Plan was drafted. Development adjacent to the coastal marine area should consider the impact of coastal processes outside the areas highlighted.

Schedule 3.3 of this Plan contains a full description of the areas, and maps showing boundaries for each area, along with the hazards associated with each area.

Principal reasons for adopting

~~New Zealand Coastal Policy Statement, Policy 3.4.1, requires the identification of areas in the coastal environment where natural hazards exist. The potential for adverse effects to arise from existing coastal hazards should be taken into account when considering activities in the coastal environment.~~

6.4.2 General Cross Boundary Management Policies

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

*Cross Reference:
Policy 9.4.2,
9.4.3,
Chapter 14*

Explanation

~~Coastal processes can result in erosion of the shoreline and in the loss of property and infrastructure. The natural physical coastal process which results in such erosion will be recognised.~~

Principal reasons for adopting

~~The action of coastal processes within the coastal marine area and the potential adverse effects resulting on land need to be considered in the management and control of the use, development and protection of the coastal environment.~~

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

Explanation

~~When undertaking coastal management functions, including applications for resource consents for activities, regard will be given to the likely adverse effects, if any, on values associated with land areas adjacent to the coastal marine area. The need for a consent from an adjacent district council or statutory land management agency will also be considered.~~

Principal reasons for adopting

~~This policy recognises that activities within the coastal marine area have the potential to adversely affect values associated with land areas above the line of mean high water springs, and that resource consents may be required from other agencies before the activity can occur.~~

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

*Cross Reference:
Policy 5.4.2.2*

(a) Natural coastal processes;

(b)	Water quality;
(c)	Landscapes, seascapes, landforms; and
(d)	Coastal ecosystems.

Explanation

The West Coast's coastal environment is made up of a number of components which together give an area its natural character. While this Plan identifies areas of particular importance in the coastal protection areas, and in the cross boundary provisions, it is important that all those elements that contribute to the natural character of the coastal environment are properly recognised.

Principal reasons for adopting

Section 6(a) of the Act requires, as a matter of national importance, the preservation of the natural character of the coastal environment, including the coastal marine area, and the protection of it from inappropriate subdivision, use and development. Policies 1.1.2, 1.1.3 and 1.1.4 of the New Zealand Coastal Policy Statement identify elements that are part of the natural character of an area. This policy recognises those elements that have not been provided for elsewhere in this Plan.

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

Explanation

This policy links in with policy 5.4.1.2 and recognises that the marine birds that live in Coastal Protection Areas (below mean high water springs) also roost and nest in areas adjacent to Coastal Protection Areas. These areas have a wide variety of important values which must be protected when undertaking activities. Also, it recognises that areas adjacent to the entire coastal marine area may provide habitat for protected marine bird and marine mammal species.

*Cross reference
Schedule 2.1*

Principal reasons for adopting

This policy recognises and gives effect to Section 6 (c) of the Act and Policy 1.1.2. of the New Zealand Coastal Policy Statement. It also promotes integrated management.

6.5 — RULES

There are no rules contained within this chapter. The objectives and policies contained within this chapter give guidance to the consideration of activities that require resource consents under any or all of the other chapters of this plan.

6.6 — OTHER METHODS

6.6.1 — Liaison

6.6.1.1

To hold joint hearings, where appropriate, with the relevant territorial authority when considering applications for resource consents for:

- (a) Reclamations of the coastal marine area; or
- (b) Structures having a connection to the shoreline and which have a need for land based facilities requiring a consent from the relevant territorial authority; or
- (c) Activities within the coastal marine area which require land based facilities; or
- (d) Disturbance of land; or
- (e) Removal of natural material.

6.6.1.2

To liaise with the relevant territorial authority with responsibility for areas adjacent to the coastal marine area over:

- (a) Issues of concern that cross the line of mean high water springs; and
- (b) The inclusion of appropriate mechanisms within the district plans to take account of cross boundary issues, particularly in areas adjacent to areas described in Schedules 2 and 3 of this Plan.

6.6.1.3

To liaise with the adjacent regional council and unitary authority with responsibility for areas adjacent to the West Coast coastal marine area over cross boundary issues of concern within the coastal marine area.

6.6.1.4

To liaise with landowners and other land management agencies adjacent to the coastal marine area on matters of coastal management that could affect them or be affected by them.

Principal reasons for adopting

The holding of joint hearings with the adjacent territorial authority for the activities identified ensures that the effects of the activity, both within the coastal marine area and on any adjacent land areas is taken into account. Liaising with adjacent district councils allows for the identification and resolution of issues that cross the line of mean high water springs, and which require a coordinated response. These methods are necessary to achieve integrated management of the coastal marine area and related parts of the coastal environment.

6.6.2 — Transfer of power

6.6.2.1

The WCRC may consider the transfer of its functions, powers or

duties, in accordance with section 33 of the Act, where it is satisfied that the transfer is desirable on all of the following grounds:

- (a) The authority to which the transfer is made represents the appropriate community of interest relating to the exercise or performance of the function, power or duty;
- (b) Efficiency;
- (c) Technical or special capability or expertise of the public authority to which the transfer is made.

Principal reasons for adopting

The transfer of functions, powers or duties from the WCRC to an appropriate authority in some circumstances may result in improved efficiency and effectiveness in the integrated and sustainable management of the West Coast coastal marine area. The consideration of any transfer of a function, power or duty will be undertaken in accordance with section 33 of the Act. This includes the requirement to use the special consultative procedures outlined in the Local Government Act 1974. Final responsibility for the function, duty or power which has been transferred still remains with the WCRC.

6.6.3 — Development of other plans

6.6.3.1

The WCRC will ensure that regional plans are developed in a consistent manner so that potential cross boundary issues are recognised and taken into account.

6.6.3.2

The WCRC will consider the effects of activities on the coastal marine area when preparing regional plans which control activities outside the coastal marine area.

Principal reasons for adopting

It is important that the Plans adopted by the Council are integrated in order to promote efficient and effective sustainable management of the natural and physical resources in the region.

6.7 — ANTICIPATED ENVIRONMENTAL RESULTS

6.7.1

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

6.7.2 —

The natural character of the coastal environment is preserved.

6.7.3

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

6.7.4—

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

6.7.5

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

7

**Public Access and
Occupation of Space**

7.1 — BACKGROUND

The maintenance and enhancement of public access to and along the coastal marine area ~~must be recognised and provided for~~ as a matter of national importance. However, some activities require occupation of the coastal marine area and consequently ~~will~~ restrict public access to ~~areas~~ of the coastal marine area. This Plan considers the need to maintain and enhance public access to and along the coastal marine area, while considering those cases where occupation or restricted access is required.

~~In the West Coast region, as elsewhere around New Zealand, most of the land in the coastal marine area is owned by the Crown. The bed of the sea from low water mark out 12 nautical miles (22.2 kilometres) to the limits of the territorial sea is vested in the Crown by Part I of the Territorial Sea and Exclusive Economic Zone Act 1977.~~

~~Some land within the coastal marine area is in private ownership, often it is part of a farm title that has been eroded by coastal processes. Land used for railway purposes is also excluded from crown ownership.~~

~~This Plan does not deal with ownership of the land within the coastal marine area. It deals with public access and occupation of space.~~

~~The occupation of space within the coastal marine area, including foreshore and seabed is incorporated into the coastal permit process. Under Section 12(2) of the Act no person may occupy part of the coastal marine area unless provided for by a rule in a regional coastal plan or a coastal permit issued by the Regional Council.~~

~~The occupation of space and restriction of public access, as covered by this Plan does not include the temporary occupation of space as a result of the movement of vessels. The movement of vessels, and any consequential temporary restriction of public access is a safety and navigation matter covered by the Harbours Act 1950, Harbour Bylaws and Water Recreation Regulations.~~

Having regard to the criteria outlined in Section 64A of the Act, the WCRC has decided that a coastal occupation charging regime will not apply to persons who occupy any part of the coastal marine area. This relates to ~~land of the Crown in the coastal marine area or land in the coastal marine area vested in the Regional Council.~~

7.2 — ISSUES

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

Explanation

~~Section 6 of the Act states that it is a matter of national importance to maintain and enhance public access to and along the margins of the coastal marine area (and the margins of lakes and rivers). At present there are numerous places along the West Coast's coastline where public access is either restricted or limited by such things as topography and land tenure. Improving public access to the coastal marine area is a matter that needs to be considered in conjunction with the relevant district council, Department of Conservation and/or the private land owner having responsibility for the access points.~~

~~Access to the coast across land within the planning boundary of a district council can only be enhanced by provisions in a district plan. Where possible territorial local authorities have a responsibility to provide for section 6 of the Act (matters of national importance), which requires maintenance and enhancement of public access to and along the coastal marine area. The territorial authority can make provision for access through the use of marginal strips and reserves. When considering future developments within and adjacent to the coastal marine area, provision for public access is essential.~~

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

Explanation

~~Although section 6 of the Act requires public access to be maintained and enhanced, some activities in the coastal marine area will result in a restriction of access. For example, temporary restrictions may be necessary to provide for public activities or public events. Other activities, such as port operations and rail operations, may require occupation and restricted access for safety, commercial security or other reasons.~~

~~The Health and Safety in Employment Act 1992 makes the safety of people within the area where public are restricted or excluded the responsibility of the persons requiring public restrictions on public access. In some cases access may also be restricted as a result of structures associated with utility operators such as roading networks.~~

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

Explanation

~~There are some circumstances where restrictions may be required on public access in order to protect public health and safety. These reasons may not involve other activities as outlined in Issue 7.2.2, but may relate to risks associated with natural hazards for instance.~~

Cross references
Objective 7.3.1
Policies 7.4.1,
7.4.2, 7.4.4,
7.4.5 Rule,

7.5.1.4
7.5.1.5

Cross references
Objective 7.3.2
Policies 7.4.1,
7.4.2, 7.4.3,
7.4.4
Rule 7.5.1.1,
7.5.1.2, 7.5.1.3

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

~~(a) Sites of Poutini Ngai Tahu cultural and spiritual value;~~

~~(b) Areas of significant indigenous vegetation and significant habitats of indigenous fauna, including whitebait habitat and Marine Mammal and Bird sites;~~

~~(c) Coastal Protection Areas;~~

~~(d) Outstanding Natural Features and Landscapes.~~

Explanation

~~In some cases, public access to areas can adversely affect the values associated with those areas. Any improvement in access to such sites needs to be fully investigated in order that adverse effects are avoided or mitigated.~~

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

Explanation

~~While some motorised vehicle use may be necessary for commercial and recreational purposes, it is important to recognise that in some circumstances driving vehicles within the coastal marine area can result in damage to habitats, flora and fauna from direct disturbance, compaction and crushing. Access to the foreshore may also adversely affect coastal processes, such as formation and stability of sand dunes which are part of the coastal environment.~~

~~Restricting the access of vehicles to certain areas is a matter that needs to be considered in conjunction with the relevant district council, Department of Conservation and/or the private land owner having responsibility for the access points.~~

~~In some circumstances, irresponsible use of vehicles may also pose a risk to the public who use the area.~~

~~Where the foreshore is owned by the Crown and is included in the definition of a road, it is subject to a 100 kilometre an hour speed limit, unless otherwise restricted through the 1976 Traffic Regulations. A road is defined in the Transport Act 1962 as meaning any place to which the public have access. The Regional Council has no powers to make bylaws covering the foreshore under the Traffic Regulations. Hence, this Plan contains no rules restricting vehicle use from a public safety perspective.~~

~~Buller and Grey District Council currently have no ability to make bylaws with respect to vehicle speed on the foreshore. Westland District~~

Cross

references

Objective 7.3.3

Policies 7.4.2

Rule 7.5.1.4,

7.5.1.5

Cross

references

Objective 7.3.4

Policies 7.4.6,

7.4.7

Methods 7.6.2.1

Section 1.1.

~~Council has extended its seaward boundary down to mean low water springs for the purpose of controlling nuisance activities such as dogs, fires and vehicles. This enables the Westland District Council to make bylaws covering vehicle speed on the foreshore.~~

~~The Police are responsible for controlling excess speed on the foreshore owned by the Crown.~~

7.3 OBJECTIVES

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

Principal reasons for adopting

~~Section 6 of the Act requires that the maintenance and enhancement of public access to and along the margins of the coastal marine area be recognised and provided for as a matter of national importance.~~

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

Principal reasons for adopting

~~Some activities require occupation of the coastal marine area in order to be able to carry out the activity. Public access may be restricted due to safety concerns, through the need to ensure the security of the activity is not compromised, or for other reasons.~~

~~In order to provide for the social, economic and cultural well being of the West Coast's communities, the requirement to have exclusive occupation in some cases must be recognised, and where appropriate provided for. The ability to enhance access elsewhere in order to compensate for the loss of access associated with the activity can be considered as a means of mitigating such loss. Some recreational or cultural activities require occupation and/or may restrict public access for short periods of time. These events must be considered in relation to the community benefits they provide.~~

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

Principal reasons for adopting

~~Sites of Poutini Ngai Tahu cultural and spiritual value, sites of significant indigenous vegetation and significant habitats of indigenous fauna and coastal protection areas may be adversely affected by public access. Areas used by the public may also be adversely affected by the activities of other users. In some cases, it may be necessary to restrict public access in order that the values associated with those areas are able to be protected.~~

*Cross
Reference:
Policies 7.4.1 to
7.4.5.
Rules 7.5.1.4,
7.5.1.5.
Chapter 16.*

*Cross
references
Policies 7.4.1,
7.4.2, 7.4.3,
7.4.4
Rule 7.5.1.1,
7.5.1.2, 7.5.1.3.*

*Cross
references
Policies 7.4.2
Rule 7.5.1.4,
7.5.1.5*

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

Principal reasons for adopting

To avoid, remedy or mitigate the adverse effects that may arise from this activity and to provide for the health and safety of the community.

Cross references
Policies
7.4.6, 7.4.7
Methods
7.6.2.1

7.4 POLICIES

~~Advisory Note: Refer to Chapter 5 and Chapter 6 which outline general policies, coastal management area policies and cross boundary management area policies that are also applicable to public access and occupation of space. Also, other policies in this Plan may be applicable, depending on the type of activity.~~

Cross Reference:
Policies
Chapter 5&6.

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

Explanation

~~Land of the Crown in the coastal marine area is a common property resource which is generally available for the use and enjoyment of all citizens. When considering the exclusive occupation of the coastal marine area by any activity, it is important to consider the need for the exclusive occupation and to consider any available practical alternatives in order to avoid unnecessary restrictions on public access.~~

Cross references
Rules
7.5.1.4,
7.5.1.5.

Principal reasons for adopting

~~Policy 4.1.6 of the New Zealand Coastal Policy Statement requires that consideration be given to any available alternatives and the applicants reasons for making the proposed choice when considering resource consent applications for the right to occupy land of the Crown within the coastal marine area.~~

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

~~(a) To avoid, remedy or mitigate adverse effects on sites of Poutini Ngai Tahu cultural and spiritual value; or~~

~~(b) To avoid, remedy or mitigate adverse effects on areas of significant indigenous vegetation and significant habitats of indigenous fauna, including whitebait habitat and Marine Mammal and Bird sites; or~~

~~(c) To avoid, remedy or mitigate adverse effects on Coastal Protection Areas or Outstanding Natural Features and Landscape areas; or~~

(d) ~~To protect public health or safety; or~~

(e) To ensure a level of security consistent with the purposes of a resource consent; ~~or~~

(f) In exceptional circumstances sufficient to justify the restriction.

Explanation

This policy recognises that it may be necessary to restrict public access in certain circumstances. ~~When intending to gain access to the coast across private land the provisions of the Trespass Act 1980 will still apply. Before crossing private land the permission of the land owner should be obtained.~~ Policy 4.1.5 of the New Zealand Coastal Policy Statement requires that the Plan provide for defence purposes. Use of the coast by the New Zealand Defence Force can pose some safety risks to the public, particularly when live munitions are used and it may be necessary to limit public access at such times.

*Cross references
Rule 7.5.1.1 to
7.5.1.5*

Principal reasons for adopting

Policy 3.5.1 of the New Zealand Coastal Policy Statement requires that the Plan recognise that public access may be restricted for the reasons contained in the policy. It is also consistent with the Regional Policy Statement.

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

Explanation

Some recreational activities such as ~~surfeasting contests, horse racing~~ or community organised fun days typically require short term exclusive use of areas of the coastal marine area.

*Cross references
Rule 7.5.1.1*

Principal reasons for adopting

To provide certainty that public activities and events within the coastal marine area which require short term exclusive use of small areas will be able to occur. Such activities typically have minor adverse effects on the coastal marine area and provide benefits to the community.

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

Explanation

Public access may be restricted as a result of the granting of a coastal permit. ~~The WCRC requires existing public access to be maintained or enhanced where practicable. This policy provides for restricting access in some circumstances by requiring alternative forms of access or compensation for the loss of access. This compensation may include the provision of esplanade reserves or strips or access strips to enhance~~

*Cross Reference:
Rule 7.5.1.4,*

~~access along margins of the coastal marine area. It may also include financial contributions towards the development of recreational facilities to improve public access to other areas.~~

~~7.5.1.5.
Chapter 16.~~

Principal reasons for adopting

~~The enhancement of access in alternative locations, or the provision of other forms of compensation can provide mitigation against the loss of public access. It also allows development which restricts public access in certain circumstances, provided alternative forms of public access or compensation are available.~~

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

~~Cross
Reference:
Chapter 9
Rules 9.5.1.~~

Explanation

~~The Act makes provision for the creation of esplanade reserves and strips, and access strips when land along the mark of mean high water springs, or land along the bank of any river or lake margin, is subdivided. The consideration of such reserves and strips is a matter for the relevant territorial authority to consider, and to choose what is most appropriate for the circumstances, and is something that the WCRC will encourage them to include in any subdivision, where they do not already exist.~~

~~Cross
references
Rule 7.5.1.4,
7.5.1.5~~

~~In the case of reclamations, the WCRC as the consent authority can require the creation of an esplanade reserve or strip, or access strip to provide for the purposes detailed in Section 229 of the Act. Such reserves or strips will be required on reclamations unless that requirement is not practicable for the reasons outlined in Policy 7.4.2.~~

Principal reason for adopting

~~Policy 3.5.3 of the New Zealand Coastal Policy Statement requires that provision be made to create esplanade reserves and strips, and access strips where they do not already exist, except where there is a specific reason making public access undesirable.~~

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

Explanation

~~In some cases, motorised vehicular access to areas of the coastal marine area can result in adverse effects on habitats, water quality, flora and fauna or dynamic coastal processes.~~

~~Cross reference
Method 7.6.2.1~~

Principal reasons for adopting

~~Restriction of vehicle access, in the circumstances outlined, is an effective method to avoid, remedy or mitigate the adverse effects of motor vehicle use.~~

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

Explanation

~~In some cases, motorised vehicular access to areas of the foreshore within the coastal marine area can result in safety concerns for other members of the public using the area. These concerns will be addressed through this policy when resource consent applications are considered for activities in the coastal marine area that involve the use of vehicles.~~

*Cross-reference
Method 7.6.2.1*

Principal reasons for adopting

~~This policy recognises the health and safety issues that may result from the use of motorised vehicles on the foreshore and seeks to discourage it.~~

*Cross-Reference
Issue 7.2.4
Explanation.*

7.5 — RULES

~~Any activity specified in this section as a discretionary or restricted coastal activity requires a resource consent. Chapter 15 of this Plan specifies the information that must be submitted to the WCRC with a resource consent application.~~

7.5.1 Occupation of the coastal marine area

~~**Note:** The rules in this section provide only for an activity involving a restriction on public access to and along the coast. A consent may also be required under other parts of the Plan for:~~

- ~~• An activity involving a structure (see Chapter 8).~~
- ~~• An activity involving an alteration of the foreshore or seabed (see Chapter 9);~~
- ~~• An activity involving a discharge (see Chapter 10);~~

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

- (a) The restriction or exclusion is for a period not exceeding three days in any 6 month period; and
- (b) The restriction or exclusion is for a public activity or event; and
- (c) In the case of exclusion of access, the exclusion is limited to an area of 2 hectares or less; and

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

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

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

*Cross Reference:
Method 7.6.3;
Policy 8.4.4;
Method 8.6.5.*

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

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

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

~~Note: The difference between (a) and (c) is that (a) excludes public access while (c) restricts public access.~~

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

Principal reasons for adopting the Rules in Section 7.5.1

~~The occupation of land and any related part of the coastal marine area can only occur if a resource consent is held, unless this Plan provides~~

for that occupation (section 12(2)(a) of the Act).

~~Activities which do not restrict or exclude public access, or which only restrict or exclude that access for a limited time, are permitted by Rule 7.5.1.1 because of the minor effects of that restriction or exclusion and the benefits to the community resulting from such activities.~~

~~Uses and activities occupying Crown land in the coastal marine area at 30 September 1991 which were not authorised under previous legislation require a coastal permit unless this Plan provides otherwise. Giving these activities permitted activity status for two years under Rule 7.5.1.2 is an interim measure to allow for the compiling of an inventory of all uses and activities occupying Crown land in the coastal marine area, and for undertaking an assessment of the appropriateness of those uses and activities having regard to their effects on the environment and the principles and purposes of the Act.~~

~~If this Plan did not give such occupations permitted activity status, resource consent would be required, regardless of the scale of such occupations. It is an unnecessary and costly exercise to require all unauthorised occupiers to obtain consent until a full assessment of those occupations has been carried out.~~

~~Rule 7.5.1.3 permits the occupation of space by structures that have been made permitted activities in Chapter 8 of the Plan. This recognises that the occupation of space is a requirement for these structures and that any adverse effects associated with the occupation will be minor.~~

~~S1.9 of the First Schedule of the New Zealand Coastal Policy Statement requires that the occupation of space, as specified in Rule 7.5.1.5, is a restricted coastal activity.~~

~~In accordance with Rule 7.5.1.5, any other occupation of space requires a resource consent pursuant to S12(2)(a) of the Act.~~

7.6 — OTHER METHODS

7.6.1 — Consultation

7.6.1.1

~~To consult with Poutini Ngai Tahu through papatipu Runanga by ensuring that Runanga are provided schedules of all non-notified resource consent applications and full copies of notified resource consent applications received by Council and are given the opportunity to comment. To also consult with individual tangata whenua who may be directly affected by a proposed activity.~~

7.6.1.2

~~Recognise and take account of Iwi Management Plans, as a basis for consultation with Poutini Ngai Tahu.~~

Principal reasons for adopting

The use of consultation to address Poutini Ngai Tahu values is seen by them as being the most appropriate way to recognise and protect the cultural relationship that Poutini Ngai Tahu hold with the tai o Poutini (coastal domain or area) and to avoid adverse effects on areas of cultural and spiritual significance. It is also important to recognise and take account of Iwi Management Plans as a basis for consultation with Poutini Ngai Tahu.

7.6.2 Liaison**7.6.2.1**

The Council will liaise with Poutini Ngai Tahu, the Department of Conservation, district councils, and with appropriate landowners over the methods to restrict or discourage vehicle access on foreshore areas in order to implement Policy 7.4.6 and Policy 7.4.7.

7.6.2.2

The WCRC will consider, in conjunction with territorial local authorities and other organisations, including conservation, recreational and community groups as appropriate, identifying, and making available information on areas:

- (a) Where the public have the right of access to the coastal marine area; and
- (b) Where it is desirable that physical access to and along the coastal marine area to the public be enhanced; and
- (c) Where it is desirable that access to the coastal marine area be provided for use by people with disabilities.
- (d) Where motor vehicle access is restricted.

Principal Reason for Adopting

In some circumstances vehicle use has the ability to adversely affect intertidal habitats and fauna, coastal processes, and may pose a danger to the public. Agreement from the landowner controlling the access to the foreshore where vehicle access is causing concern is required in order to restrict access to the foreshore.

This method is included as a requirement of Policy 3.5.2 of the New Zealand Coastal Policy Statement. This can only be achieved through liaising with relevant agencies. The Regional Coastal Plan, because it is limited to the coastal marine area, cannot directly provide improved access to and from areas above the line of mean high water springs.

7.6.3 Inventory**7.6.3.1**

To compile an inventory of all occupations of Crown land in the coastal marine area, and to establish the current status of that occupation within one year of the date that this Plan becomes operative.

Principal reasons for adopting

~~An inventory is required to establish the nature and extent of current uses and activities which occupy Crown land in the coastal marine area. Once undertaken, the status of those uses and activities will be determined.~~

~~7.7 — ANTICIPATED ENVIRONMENTAL RESULTS~~**~~7.7.1~~**

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

~~7.7.2~~

~~Sites of:~~

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

~~7.7.3~~

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

~~7.7.4~~

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

8

Structures

8.1 — BACKGROUND

~~Coastal structures are often required in the coastal marine area in order to provide for a variety of recreational, commercial or industrial purposes. The definition of a structure under the Act is any building, equipment, device, or other facility made by people and which is fixed to land. They include, but are not limited to:~~

- ~~• Recreational structures such as boat ramps, whitebait stands and maimais;~~
- ~~• Any raft;~~
- ~~• Commercial structures such as whitebait stands, port facilities and boat ramps.~~
- ~~• Network utility infrastructure such as pipelines; drains, bridges and power poles.~~
- ~~• Protective features such as seawalls and groynes.~~

~~A structure does not include a vessel moored by its anchor, or a set net placed for a limited period.~~

~~No person may erect, reconstruct, place, alter, extend, remove or demolish any structure or any part of a structure that is fixed in, on, under or over any foreshore of seabed (section 12(1)(b) of the Act), unless expressly allowed by a rule in this plan or a resource consent. All structures built in the coastal marine area must also comply with the Building Act requirements.~~

8.2 — ISSUES

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

Explanation

~~Areas and sites of cultural significance hold a range of cultural values, the integrity of which can be damaged or destroyed by the placement of structures on or near such sites, resulting in the alienating of Poutini Ngai Tahu from places of waahi tapu and waahi taonga.~~

Cross references
Objective 8.3.1
Policy 5.4.1.
Rules 8.5.1 to 8.5.3
Method 8.6.1.1, 8.6.1.2

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

Explanation

~~Structures in the coastal marine area may reduce the space available for public use, can reduce natural character and may have other adverse effects such as the loss of amenity values and loss of ecosystem values. This means the number of structures should be kept to a~~

Cross references
Objective 8.3.3

minimum by only allowing activities to locate in the coastal marine area where they have either an operational need to be located in the coastal marine area or there are no alternative areas in which to locate. These could include, but are not limited to: bridges, power cables, culverts and other structures associated with strategic road, power and rail networks which may need to be placed within the coastal marine area because of the constraints of the local topography.

Policy 8.4.5
Rules 8.5.1 to 8.5.3

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

Explanation

Coastlines where there are no or few structures have a different character to those where there are many structures. Under the Act the Council must preserve the natural character of the coastal environment and protect it from inappropriate subdivision, use and development.

Cross references
Objective 8.3.2
Policies Chapters 5&6, 8.4.1, 8.4.4, 8.4.5
Rules 8.5.1 to 8.5.3

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

Explanation

Some ecosystem values such as penguin or fur seal breeding colonies would be particularly sensitive to new developments. The effects would arise not only from the placement and construction of a structure but from activities associated with the use of the structure.

Cross references
Objective 8.3.1, 8.3.2
Policies Chapters 5&6
Rules 8.5.1 to 8.5.3

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

Explanation

Structures may alter the processes which act upon the coastline. The effects of this may include reduced flushing of enclosed waterbodies, accelerated erosion or accretion, or altered currents. Because the understanding of the coastal process may be limited where a structure will be constructed it is appropriate to take a precautionary approach. This is consistent with Policy 3.3.1 of the New Zealand Coastal Policy Statement.

Cross references
Objective 8.3.4
Policy Chapters 5&6, 8.4.1
Rules 8.5.1 to 8.5.3
See Chapter 14

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

Explanation

Structures in the coastal marine area can be exposed to a number of different hazards such as possible sea level rise, tsunami, and storms. These dangers should be considered when building a structure. Such consideration is consistent with Policies 3.4.2 and 3.4.6 in the New Zealand Coastal Policy Statement.

Cross references
Objective 8.3.4
Policy 8.4.3
Rules 8.5.1 to 8.5.3
Policy 6.4.1.3
Chapter 14.

8.3 — OBJECTIVES

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

(a) — Coastal Protection Areas; and

(b) — Culturally Significant Areas; and

(c) — Coastal Recreation Areas; and

(d) — Coastal Development Areas; and

(e) — Outstanding Natural Features and Landscapes; and

(f) — Marine Mammal and Bird Sites.

*Cross Reference:
Policies in
Chapters 5&6;*

*Rules 8.5.1.4,
8.5.1.5, 8.5.2.3,
8.5.3.2;
Method 8.6.1.1,
8.6.1.2.*

Principal reasons for adopting

Any structure in the coastal marine area may create adverse effects on values associated with these areas. These values should be recognised and provided for as they are important areas within the West Coast.

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

Cross Reference:

*Policies in
Chapters 5&6;
8.4.1, 8.4.4, 8.4.5;
Rules 8.5.1.4,
8.5.1.5, 8.5.2.3,
8.5.3.2;
Methods 8.6.5.1,
8.6.4.1.*

Principal reasons for adopting

Section 6(a) of the Act requires the preservation of the natural character of the coastal environment and the protection of the coastal marine area from inappropriate subdivision, use and development. The New Zealand Coastal Policy Statement has a number of policies requiring this.

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

Principal reasons for adopting

To give effect to Section 6(a) of the Act which requires the preservation of the natural character of the coastal marine area and the protection of the coastal marine area from inappropriate subdivision, use and development. Also, to recognise the finite characteristics of the foreshore and make the most efficient use of the coastal marine area by limiting the use of structures in the coastal marine area to those activities which require a coastal marine area location.

*Cross references
Policy 8.4.5
Rules 8.5.1.5,
8.5.1.6*

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

Principal reasons for adopting

Coastal processes acting upon the foreshore or seabed can be altered by structures placed in the coastal marine area to the extent that those

processes affect the stability of structures and the shoreline in adjacent areas. Natural hazards, such as storms and possible sea level rise can damage structures within the coastal marine area. The careful design and planning of such structures in the coastal marine area which takes account of the coastal processes acting on the area should reduce the adverse effects associated with those processes.

8.4 POLICIES

~~Advisory Note: Refer to Chapter 5 and Chapter 6 which outline general policies, coastal management area policies and cross boundary management area policies that are also applicable to structures. Also, other policies in this Plan may be applicable, depending on the type of activity.~~

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

Explanation

~~Structures in the coastal marine area will be required to be maintained in a structurally sound and tidy state and to blend as far as is practicable with the landscape to minimise their visual impact on natural character.~~

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

Explanation

~~This policy is concerned with ensuring that provision is made for discharge of contaminants, disposal of wastes and the supply of adequate services associated with a structure located in the coastal marine area.~~

Principal reasons for adopting

~~Consideration of the discharge of contaminants and the disposal of wastes associated with structures is necessary to promote integrated management. Policy 3.2.5 of the New Zealand Coastal Policy Statement states that development in the coastal environment should be conditional on the provision of adequate services, and that the adverse effects of providing those services should be taken into account when considering applications for resource consents. This policy also provides for integrated management with respect to development within the coastal marine area.~~

*Cross Reference:
Policy 8.4.3;
Rules 8.5.1;
Chapter 6 Policy
6.4.1.3;
Chapter 14*

*Cross Reference:
Chapters 5 & 6*

*Cross references
Rules 8.5.1 to
8.5.3
Other Methods
8.6.1 to 8.6.5*

Section 2.10.6

*Cross Reference:
Rules 8.5.1 to
8.5.3;
Other Methods
8.6.1 to 8.6.5;
Rule 10.5.4.*

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

Explanation

The possibility of sea level rise should be taken into account when designing and building new structures in the coastal marine area.

*Cross references
Rules 8.5.1 to
8.5.3
Other Methods
8.6.1 to 8.6.5*

Principal reasons for adopting

Policy 3.4.2 of the New Zealand Coastal Policy Statement requires that plans recognise the possibility of sea level rise.

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

Explanation

This policy does not apply to ship wrecks. Part IX of the Maritime Transport Act 1994, deals with wreck and salvage law for ships and aircraft.

*Cross references
Rules 8.5.1 to
8.5.3
Other Methods
8.6.1 to 8.6.5
Section 2.10.8.*

The holder of a consent ~~authorising a structure (or in the case of an unauthorised structure, the owner of the structure) will be required to remove that structure if it is redundant, or abandoned, or unauthorised, or structurally unsafe. For example, whitebait stands are temporary structures for use during the whitebait fishing season. Consent holders are required to remove these structures at the end of the season.~~

Where an abandoned structure becomes a hazard to people or the environment ~~and the owner cannot be identified or located the WCRC will, if practicable, remove the structure.~~

WCRC may require a bond on resource consents for some structures. ~~This will enable the Council to remove the structure if required.~~

Principal reasons for adopting

~~Structures occupy areas of the coastal marine area to the exclusion of the public and can result in a loss of natural character from an area. They may also become a hazard or cause adverse effects on the environment. Where those structures are redundant, or abandoned, or unauthorised, or structurally unsafe, they should be removed.~~

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

Explanation

~~Any application for a resource consent to place a structure in the coastal marine area should demonstrate that all practicable alternatives to locating that structure in the coastal marine area have been considered and that there are no practicable alternatives to locate the structure elsewhere.~~

*Cross references
Rules 8.5.1 to
8.5.3
Other Methods
8.6.1 to 8.6.5*

Principal reasons for adopting

~~This policy is intended to avoid inappropriate development within the coastal marine area, as a matter of national importance.~~

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

Explanation

~~The WCRC issues consents for whitebait structures. The Council has developed a Policy for the management of these structures, which is consistent with the Whitebait Fishing (West Coast) Regulations 1994. It is important that the consents issued for whitebait structures are consistent with the Whitebait Fishing (West Coast) Regulations 1994 which are managed by the Department of Conservation.~~

*Cross Reference:
Rule 8.5.1.3;
Other Methods
8.6.1 to 8.6.5.*

Principal reasons for adopting

~~The issuing of consents for whitebait stands is an important function of the Council. This policy promotes integrated management between the WCRC and the Department of Conservation.~~

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

Explanation

~~The WCRC recognises that making provision for navigation aids is important to the continuation of navigational safety in the region.~~

*Cross Reference:
Rule 8.5.2.1;
Other Methods
8.6.1 to 8.6.5.*

Principal reasons for adopting

~~To promote safe navigation within the region through recognition of the importance of navigational aids.~~

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

Explanation

~~Some beneficial effects may be gained from some structures in the coastal marine area, such as benefits for public access and recreation.~~

Principal reasons for adopting

This policy recognises that structures, such as wharves, jetties, moorings and bridges that are located in the coastal marine area do provide benefits to people and communities and that they enable people and communities to provide for their social, economic and cultural wellbeing.

8.5 — RULES

Any activity specified in this section as a controlled, discretionary or restricted coastal activity requires a resource consent. Chapter 15 of this Plan specifies the information that must be submitted to the West Coast Regional Council with a resource consent application.

*Cross Reference:
Chapter 15.*

Note: The rules in this section provide only for an activity involving a structure. A consent may also be required under other parts of the Plan for:

- An activity involving a restriction on public access to the coast (see Chapter 7).
- An activity involving an alteration of the foreshore or seabed (see Chapter 9);
- An activity involving a discharge (see Chapter 10);
- An activity involving taking, using, damming or diverting water (see Chapter 11).

*Cross Reference:
Chapter 7.*

*Cross Reference:
Chapter 9.*

*Cross Reference:
Chapter 10.*

*Cross Reference:
Chapter 11.*

It is important that applicants for coastal permits to build or alter a structure determine whether or not they require a building consent. The Building Act 1991 requires that a building consent is obtained before constructing most structures. However, some exemptions do apply.

8.5.1 — Erection or placement of a structure

Note: Section 8.6.4.2 of the Plan requires that the Hydrographer of the Royal New Zealand Navy is informed by the Regional Council, when a new coastal permit is granted for a structure or works in the coastal marine area and when that structure or work is complete.

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

- (a) The disturbance of the foreshore or seabed is confined to within the perimeter of the structure, and after completing the activity the foreshore or seabed is smoothed over to leave a depression no deeper than 0.5 metres; and
- (b) The structure is a maximum size of ten square metres; and
- (c) The structure is no higher than 2.5 metres above mean high water spring; and

- ~~(d) The structure is open piled; and~~
~~(e) The structure is at least 90 metres from any adjacent maimai; and~~
~~(f) The structure is erected or placed at any time from pegging day through to the end of the duckshooting season; and~~
~~(g) The structure is removed within one week following the end of the duckshooting season.~~

~~Note: The Fish and Game Council issue licences for hunting.~~

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

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

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

~~The WCRC has reserved its control over the following matters:~~

- ~~• Effects on natural character;~~
- ~~• Dimension, design and appearance of the facility;~~
- ~~• Administrative charges.~~

~~Applications may be considered without notification or the need to obtain the written approval of affected persons in accordance with Section 94 (1) (b) of the RMA 1991.~~

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

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

~~The WCRC has reserved its control over the following matters:~~

- ~~• Location of the cable;~~
- ~~• Effects on ecosystems;~~

- ~~Effects on public access;~~
- ~~Administrative charges;~~
- ~~Financial contributions.~~

~~Applications may, be considered without notification or the need to obtain the written approval of affected persons in accordance with Section 94 (1) (b) of the RMA 1991.~~

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

~~The WCRC has reserved its control over the following matters:~~

- Effects on wildlife, including marine mammals and birds;
- ~~Administrative charges;~~
- Landscape and visual effects;
- Effects on amenity values;
- Dimension and appearance of the works;
- ~~Effects on public access.~~

~~Applications may, at the discretion of the WCRC, be considered without notification or the need to obtain the written approval of affected persons in accordance with Section 94(1) (b) of the RMA 1991.~~

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

~~In the consideration of an application for a resource consent the matters to which the Regional Council has restricted the exercise of its discretion are:~~

- The location of the structure;
- ~~Erosion;~~
- The dimensions and appearance of the structure;
- ~~Rights of occupation of consent holder;~~
- ~~Provisions for public use and access;~~
- ~~The relationship of Poutini Ngai Tahu and their culture and traditions with their ancestral lands, waters, sites, waahi tapu and other taonga;~~
- ~~Any disturbance of foreshore or seabed;~~
- ~~Disruption to flood carrying capacity of water bodies;~~
- ~~Any landscape and visual effects;~~
- Administrative charges;
- Monitoring requirements, charges for monitoring and inspection;
- The duration of the consent;
- ~~The rights to transfer, cancel or review the conditions of the consent.~~

~~An application for resource consents may be considered without notification or the need to obtain the written approval of affected persons in accordance with S94(1A) of the Act.~~

Note: This rule applies to mobile stands and any nets raised or lowered by the use of fulcrums, pulleys or other mechanical means of leverage.

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

- ~~(a) It would impound or effectively contain 4 hectares or more of the coastal marine area, excluding submarine or sub-aqueous cable, or floating or open piled structures which can be demonstrated to not impede water flows; or~~
- ~~(b) It is solid (or presents a significant barrier to water or sediment movement) and when established on the foreshore or seabed would extend 300 metres or more in length more or less parallel to the line of mean high water springs (including separate structures which total 300 metres or more contiguous), excluding submarine or sub-aqueous cable, or floating or open piled structures which can be demonstrated not to have adverse effects; or~~
- ~~(c) It is solid (or presents a significant barrier to water or sediment movement), and it is sited obliquely or perpendicular in horizontal projection to the line of mean high water springs, and is in horizontal projection 100 metres or more in length), excluding submarine or sub-aqueous cable; or~~
- ~~(d) It is for the storage or containment of any petroleum, petroleum products, or contaminants, in quantities greater than 50,000 litres.~~

*Cross Reference:
Rules in 10.5.6.*

~~Note: For the purposes of this rule, overhead lines, including telecommunication lines are not a Restricted Coastal Activity. This activity is a discretionary activity pursuant to Rule 8.5.1.8.~~

~~8.5.1.8 Except as provided for by 8.5.1.1 to 8.5.1.7, any activity involving the erection or placement of a structure or structures in, on, under, or over any land in the coastal marine area is a **discretionary activity**.~~

Principal reason for adopting Rules in Section 8.5.1

~~The erection or placement of a structure on any foreshore or seabed in the coastal marine area can only occur if it is expressly allowed by a rule in a regional coastal plan or any relevant proposed coastal plan, or a resource consent (section 12(1)(b) of the Act).~~

~~The erection or placement of any maimai will have minor adverse effects if the standards or terms are met.~~

~~Rule 8.5.1.5 is included because drop out (where a section of road has fallen away or is unstable) repairs of roads are an important safety consideration. Providing for this activity as a controlled activity (which means that a consent must be issued) recognises that repairs must be made, provides certainty to managers of the roading network and provides the Council with the ability to avoid, remedy or mitigate adverse effects on the environment through coastal permit conditions.~~

~~In Rule 8.5.1.3, permitting the erection or placement of small telecommunication and radio communication facilities on existing structures in the coastal marine area, recognises that there are minor adverse effects on the environment associated with this activity. There is no disturbance of foreshore or seabed and effects on natural character will be avoided because the structure is small and is being placed on existing structures.~~

~~Controlling the erection or placement of larger telecommunication and radio communication facilities on existing structures enables adverse effects on natural character to be avoided, remedied or mitigated.~~

~~The placement of submarine or sub-aqueous cables on the seabed and under the foreshore, outside of estuaries, lagoons or rivers within the coastal marine area as defined in Schedule 1, and outside of parts of Culturally Significant Areas that are waahi tapu, is a controlled activity under Rule 8.5.1.4. This approach provides certainty that the activity will gain resource consent but also enables adverse effects to be avoided, remedied or mitigated. This activity is discretionary inside estuaries, lagoons, rivers and parts of Culturally Significant Areas that are waahi tapu within the coastal marine area.~~

~~The whitebait fishery is a significant resource associated with the coastal marine area. Structures associated with whitebaiting require additional controls in order to avoid, remedy or mitigate any adverse effects arising from their construction and use.~~

~~S1.2, S1.3, S1.4, S1.5 of the First Schedule of the New Zealand Coastal Policy Statement require that the activities identified in Rule 8.5.1.3 are restricted coastal activities.~~

~~Any other activity involving the erection or placement of a structure is a discretionary activity in order that any adverse effects can be assessed and avoided, remedied or mitigated.~~

~~8.5.2 Maintenance, extension, alteration, replacement or reconstruction of a structure~~

~~Note: The Harbours Act 1950 requires that the Director of Maritime Safety Authority is informed of:~~

~~(a) Any change to a navigation beacon, and that the written permission of the Director is obtained before undertaking the work; or~~

(b) ~~The reconstruction or any change in the size of a structure within two weeks of completing the work.~~

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

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

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

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

*Cross
Reference:
Rule 9.5.3.2;
Rule 10.5.7.3;
Section 9.2.5.*

~~Note 1: The application of this rule includes, but is not limited to: bridges, groynes, rock protection works, moorings, pipes, culverts and the like which are located in the coastal marine area. Maintenance, alteration, replacement or reconstruction of structures includes, but is not limited to, repair.~~

~~Note 2: This Rule includes maintenance, alteration, replacement or reconstruction of ancillary structures attached to authorised structures (such as bollards, lines, aerials, dish antennas and the like) which do not change the character, scale or area of occupation of the main structure. Hence, it does not include extension of existing structures.~~

~~Note 3: This Rule does not give unauthorised structures a permitted activity status.~~

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

Principal reason for adopting Rules in Section 8.5.2

The ability to maintain, extend, alter, replace or reconstruct existing navigational aids is given permitted activity status in order to provide for the safe navigation of the West Coast's coastal waters.

The ability to maintain, extend, alter, replace or reconstruct existing structures is permitted subject to conditions because if these conditions are met, it is considered that the adverse effects of such an activity will be minor and the activity will result in the improved safety of such structures.

Any other activity involving the maintenance, extension, alteration, replacement or reconstruction of a structure is a discretionary activity in order that any adverse effects can be assessed.

8.5.3 Demolition or removal of a structure

Note: The Harbours Act 1950 requires that the Director of Maritime Safety Authority is informed of:

- (a) Any change to a navigation beacon, and that the written permission of the Director is obtained before undertaking the work; or
- (b) The reconstruction or any change in the size of a structure within two weeks of completing the work.

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

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

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

Principal reasons for adopting the Rules in Section 8.5.3

The removal or demolition of a structure in the coastal marine area can only occur if it is expressly allowed by a rule in a regional coastal plan or any relevant regional coastal plan, or a resource consent (section 12(1)(b) of the Act). It is considered that the removal or demolition of any floating or open piled structure will have minor adverse effects if it complies with the matters specified.

Any other activity involving the removal or demolition of a structure is a discretionary activity so that any adverse effects can be assessed.

8.6 — OTHER METHODS

8.6.1 — Consultation

8.6.1.1

To consult with Poutini Ngai Tahu through papatipu Runanga by ensuring that Runanga are provided schedules of all non-notified resource consent applications and full copies of notified resource consent applications received by Council and are given the opportunity to comment. To also consult with individual tangata whenua who may be directly affected by a proposed activity.

8.6.1.2

Recognise and take account of Iwi Management Plans, as a basis for consultation with Poutini Ngai Tahu.

Principal reasons for adopting

The use of consultation to address Poutini Ngai Tahu values is seen by them and the WCRC as being the most appropriate way to recognise and protect the cultural relationship that Poutini Ngai Tahu hold with the tai o Poutini (coastal domain or area) and to avoid adverse effects on areas of cultural and spiritual significance. It is also important to recognise and take account of Iwi Management Plans as a basis for consultation with Poutini Ngai Tahu.

8.6.2 — Liaison

8.6.2.1

To hold joint hearings, where appropriate, with adjacent territorial authorities where resource consent applications for structures below mean high water springs either require land-based facilities or cross the mean high water springs boundary.

Principal reasons for adopting

To achieve the integrated management of the coastal environment, activities which have effects on both sides of the mean high water springs boundary are best considered through a joint hearing involving the appropriate consent agencies.

8.6.2.2

~~In accordance with Section 395 (1) of the Act, all proposals for the construction of a structure in the coastal marine area will need to be referred to the Maritime Safety Authority for a report on navigation related matters, prior to consent being granted.~~

Principal reasons for adopting**8.6.3 Encourage and Promote****8.6.3.1**

~~The Regional Council will direct structure owners to remove structures in the coastal marine area which are: redundant; or abandoned; or unauthorised; or structurally unsafe. The WCRC will liaise with the owner of the structure in order to determine if a structure is redundant.~~

*Cross Reference:
Method 7.6.3.1
Method 8.6.5*

8.6.3.2

~~Where a structure is redundant; or abandoned; or unauthorised; or structurally unsafe and the owner cannot be identified or located, the WCRC will, if necessary, remove the structure.~~

*Cross Reference:
Method 7.6.3.1
Method 8.6.5*

Principal reasons for adopting

~~These structures may be a hazard to either the public or vessels, a nuisance, an eyesore, or be causing other adverse effects on the environment. Their removal would improve the use, safety and enjoyment of the coastal marine area. In some instances, it will also assist to avoid, remedy or mitigate adverse effects on the environment. However, in other instances removal may cause greater adverse effects than leaving the structure in place.~~

8.6.4 Information Provision**8.6.4.1**

~~To provide information on appropriate design criteria for new and existing structures within the coastal marine area in order to minimise any adverse visual impact of those structures.~~

8.6.4.2

~~To notify the Minister of Transport, or the authority the Minister delegates powers to, and the Hydrographic Office of the Royal New Zealand Navy of any new structure or works, including the removal of a structure, within the coastal marine area, allowed by the WCRC, at the time any permission is given.~~

Principal reasons for adopting

~~The visual impact of a new structure can be minimised in some cases by choosing an appropriate colour and design which blends in with the surrounding environment.~~

~~Section 395(1) of the Act requires that a regional council notify the Minister of Transport of applications for works or structures in the coastal marine area. The Minister can delegate these powers and has presently delegated these powers to the Director of the Maritime Safety Authority. Informing the Maritime Safety Authority and the Hydrographic Office of the Royal New Zealand Navy ensures that mariners know where new structures are and records are kept up to date. The inclusion of these provisions in this Plan is required by Policy 3.2.9 of the New Zealand Coastal Policy Statement.~~

~~8.6.5 Bonds~~

~~8.6.5.1~~

~~WCRC will consider the use of bonds on all structures to:~~

- ~~(a) Ensure that adequate provision is made to remove any structure that is redundant, or abandoned, or unauthorised, or structurally unsafe; and~~
- ~~(b) To carry out restoration of the site if necessary.~~

*Cross Reference:
Method 8.6.3.*

~~Principle reason for adopting~~

~~This will enable the WCRC to remove any structure that is redundant, or abandoned, or unauthorised, or structurally unsafe if the owner cannot be located. Also, it enables the restoration of sites if necessary.~~

~~8.7 ANTICIPATED ENVIRONMENTAL RESULTS~~

~~Advisory Note: Refer to Chapter 5 and Chapter 6 which outline general anticipated environmental results and anticipated environmental results for coastal management areas and cross boundary management areas that are also applicable to structures.~~

~~8.7.1~~

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

~~8.7.2~~

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

~~8.7.3~~

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

~~8.7.4~~

~~Water and sediment movement is not adversely affected.~~

~~8.7.5~~

~~Water quality is not adversely affected.~~

~~8.7.6~~

~~Structures are maintained in a sound and tidy state.~~

~~8.7.7~~

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

~~8.7.8~~

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

~~8.7.9~~

~~Ships navigational safety is provided for.~~

9

~~Alteration of the
Foreshore and
Seabed~~

9.1 — BACKGROUND

Alterations that change the physical shape of the foreshore and seabed include ~~reclamation, the removal of sand, shingle, driftwood or other natural material from the coastal marine area, the disturbance of the foreshore and seabed (dredging, drilling, excavating and tunnelling), and the dumping of material in the coastal marine area.~~

9.2 — ISSUES

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

Explanation

~~Activities which result in the alteration of the foreshore or seabed can disturb or destroy sites of cultural significance, causing alienation of Poutini Ngai Tahu from sites and resources, and may inhibit the customary practice of kaitiakitanga.~~

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

Explanation

~~Activities involving the alteration of the foreshore or seabed can result in the loss of, or damage to, existing flora and fauna in an area, and to existing public amenity values. Reclamations can remove intertidal areas and areas important for benthic species from the coastal marine area and can also result in the loss of public amenity. The deposition of material can result in the smothering of benthic communities and the discolouration of coastal water during times when it is clear. The effects associated with any alteration of the foreshore or seabed on ecosystem values and public amenity values need to be carefully considered when undertaking coastal management functions.~~

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

Explanation

~~Reclamations can result in a reduction in natural character of an area through reclaimed areas giving the coastline a human modified appearance. Such reclamations may be in the form of straight line reclamations across bays, concrete or hard fill edges, or straight line extensions into bays. The mouths of the Buller and Grey Rivers are examples where the natural character of the coastal marine area has been modified through reclamations in order to provide for flood protection and the operational needs of the ports.~~

Cross Reference:
Objective 9.3.1;
Policies Chapters
5&6;
Rules 9.5.1 to
9.5.4

Other Methods
9.6.1.1

Cross Reference:
Objectives 9.3.1;
Policies 9.4.2;
Chapters 5&6;
Rules 9.5.1 to
9.5.4;
Other Methods
9.6.1, 9.6.2.

Cross Reference:
Objectives 9.3.1,
9.3.2
9.3.3; Policies
Chapters 5&6,
9.4.1, 9.4.2, 9.4.3,
9.4.4, 9.4.5, 9.4.7,
9.4.8; Rules 9.5.1
to 9.5.4;

In areas where there is little or no human modification of the shoreline, reclamations can result in a notable reduction of the area's natural character. The removal of material from areas of the foreshore, or the deposition of material can also affect the natural character of the area.

Other Methods
9.6.1, 9.6.2, 9.6.3.

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

Explanation

Activities which result in the alteration of the foreshore or seabed of the coastal marine area can alter coastal processes acting on the area. This includes, but is not limited to, alterations to flow regimes, tidal hydraulics, and flushing capabilities. Beach profiles may also be altered through diversion or trapping of natural material, or the removal of natural material from the coastal marine area, particularly if the overall sediment equilibrium is altered.

Cross Reference:
Objective 9.3.3;
Policies Chapters
5, & 6, 9.4.2;
Rules 9.5.1 to
9.5.4;
Other Methods
9.6.1.3, 9.6.2;
Chapter 14

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

Explanation

The areas that are reclaimed, because they are above the line of mean high water springs, become areas that are administered by the relevant territorial authority under the provisions of the District Plan for the adjacent area. The consideration of resource consent applications for reclamations needs to include an assessment of the impact of the reclamation on the area of foreshore and seabed being reclaimed, as well as an assessment of the values landward of the area, the availability of alternatives, and the applicant's reasons for making the proposed choice.

Cross Reference:
Objectives 9.3.1,
9.3.2, 9.3.3;
Policies Chapters
5 & 6, 9.4.1 to
9.4.8;
Rule 9.5.1;
Other Methods
9.6.1 to 9.6.3.

Rock protection walls built to protect a reclamation are considered to be a structure. This is consistent with the Councils approach to protection of other areas of coast, whereby rock walls built to prevent erosion are structures.

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

Explanation

Many activities occurring within the coastal marine area result in minor disturbances to the foreshore and seabed. For example, the maintenance of existing structures may result in a disturbance of the foreshore and seabed which will be periodic and isolated to areas immediately adjacent to the structure. Similarly, clearing blocked outfall pipes, culverts and river mouths will result in a disturbance to the foreshore and seabed area. Where the effects of such disturbances are minor, they should be provided for by this plan.

Cross Reference:
Objective 9.3.4
Policy Chapter 5
Rules 9.5.1 to 9.5.4

9.3 — OBJECTIVES

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

(a) — Coastal Protection Areas; and

(b) — Culturally Significant Areas; and

(c) — Coastal Recreation Areas; and

(d) — Coastal Development Areas; and

(e) — Outstanding Natural Features and Landscapes; and

(f) — Marine Mammal and Bird Sites.

Principal reasons for adopting

Any alteration to the foreshore or seabed in the coastal marine area can create adverse effects on values associated with these areas. These values should be recognised and provided for as they are important areas within the West Coast.

*Cross Reference:
Policy
7.4.5; Chapter 16.*

*Cross Reference:
Policies Chapters
5&6, 9.4.1 to
9.4.8;
Rules 9.5.1 to
9.5.4;
Other Methods
9.6.1 to 9.6.3.*

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

Principal reasons for adopting

Any alteration of the foreshore or seabed can result in a loss of natural character of the coastal environment within and adjacent to the coastal marine area. Section 6(a) requires that this Plan recognise and provide for the preservation of the natural character of the coastal environment and the protection of it from inappropriate use and development.

*Cross Reference:
Policies
Chapters 5&6
9.4.1 to 9.4.5;
9.4.7, 9.4.8;
Rules 9.5.1 to
9.5.4
Other Methods
9.6.1, 9.6.2, 9.6.3*

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

Principal reasons for adopting

Activities which result in the alteration of the foreshore or seabed of the coastal marine area can alter coastal processes acting on the area. This in turn may cause adverse effects on the environment, including people and communities.

*Cross Reference:
Policies
Chapters 5&6
9.4.2;
Rules 9.5.1 to
9.5.4;
Other Methods
9.6.1.3, 9.6.2;
Chapter 14.*

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

Principal reason for adopting

The objective enables people and communities to provide for their social, economic and cultural wellbeing, whilst avoiding adverse effects and unnecessary regulation within the coastal marine area.

*Cross Reference:
Rules 9.5.1 to
9.5.4, 7.5.1.1.*

9.4 POLICIES

~~Advisory Note: Refer to Chapter 5 and Chapter 6 which outline general policies, coastal management area policies and cross boundary management area policies that are also applicable to alteration of the foreshore or seabed. Also, other policies in this Plan may be applicable, depending on the type of activity.~~

*Cross Reference:
Chapters 5 & 6*

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

Explanation

~~Any activity involving the alteration of the foreshore or seabed which involves reclamations, the removal of natural material, the disturbance of the foreshore and seabed, or the deposition or burial of natural material can impact on a wider area than in the immediate location of the activities. Consideration must be given to limiting the extent to which other areas are adversely affected by those activities.~~

*Cross Reference:
Rules 9.5.1 to
9.5.4
Other Methods
9.6.1 to 9.6.3*

Principal reasons for adopting

~~Policy 1.1.2(d) of the New Zealand Coastal Policy Statement requires that the Regional Coastal Plan recognise that areas of predominantly indigenous vegetation or habitats of significant indigenous fauna should be disturbed only to the extent reasonably necessary to carry out the approved activities.~~

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

Explanation

~~Natural features such as beaches, sand dunes, wetlands, and barrier islands are an important habitat for coastal ecosystems. Alteration of the foreshore or seabed may affect these features. The integrity of these natural features must be maintained and enhanced wherever practicable.~~

*Cross Reference:
Policies Chapter
14;
Rules 9.5.1 to
9.5.4;*

*Other Methods
9.6.1 to 9.6.3.*

Principal reasons for adopting

~~To provide for the integrated management of these coastal ecosystems and to give effect to Policy 1.1.2(e) of the New Zealand Coastal Policy Statement.~~

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

Explanation

Natural features such as beaches, sand dunes, wetlands, and barrier islands act as natural defence mechanisms for areas above mean high water springs. Natural physical coastal processes continually act on the shoreline along the West Coast and can result in erosion of the shoreline and inundation of low lying areas. The ability of such natural features to provide protection for inland areas against natural physical coastal processes must be maintained and enhanced wherever practicable.

*Cross Reference:
Policies Chapter 14;
Rules 9.5.1 to 9.5.4;
Other Methods 9.6.1 to 9.6.3*

Principal reasons for adopting

Policy 3.4.3 of the New Zealand Coastal Policy Statement requires that this Regional Coastal Plan recognise and maintain the ability of beaches, sand dunes, mangroves, wetlands and barrier islands to protect subdivision, use or development, and to enhance that ability where appropriate. As there are no mangroves in the West Coast they have been excluded from the policy.

*Cross Reference:
Policies Chapter 14;
Rules 9.5.1 to 9.5.4;
Other Methods 9.6.1 to 9.6.3.*

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

*Cross Reference:
Policy 7.4.5*

Explanation

Contaminants contained in material used to create or form reclamations can result in contamination of the surrounding areas. The positioning of materials on reclamations which could adversely affect the coastal marine area needs to be fully investigated. Mechanisms to avoid, remedy or mitigate any adverse effects should be established.

*Cross Reference:
Rules 9.5.1 to 9.5.4, 10.5.4;
Other Methods 9.6.1 to 9.6.3;*

Principal reasons for adopting

This is a requirement of Policy 4.1.4 of the New Zealand Coastal Policy Statement. Also, it aims to maintain water quality and to avoid, remedy or mitigate adverse effects on aquatic ecosystems.

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

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

Explanation

Land of the Crown in the coastal marine area is a common property resource which is generally available for the use of all citizens. When

considering the use of the coastal marine area for activities which would result in the reclamation of areas, or the removal or deposition of material, it is important to consider the need for that activity within the coastal marine area and to consider the practical alternatives available in areas outside of the coastal marine area.

*Cross Reference:
Rules 9.5.1 to
9.5.4;
Other Methods
9.6.1 to 9.6.3.*

Principal reasons for adopting

Policy 4.1.6 of the New Zealand Coastal Policy Statement requires that consideration be given to any available alternatives and the applicant's reasons for making the proposed choice when considering applications for resource consents to reclaim any part of the coastal marine area or to remove sand, shingle, stones, driftwood or other natural materials for commercial purposes from the coastal marine area. The deposition of any material within the coastal marine area also needs to be assessed in order that any potential adverse effects of the deposition in the coastal marine area can be compared to the deposition to other areas.

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

Explanation

The possibility of sea level rise should be taken into account when designing and building new reclamations in the coastal marine area.

*Cross Reference:
Rules 9.5.1 to
9.5.4; Other
Methods 9.6.1 to
9.6.3.*

Principal reasons for adopting

Policy 3.4.2 of the New Zealand Coastal Policy Statement requires that plans recognise the possibility of sea level rise.

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

Explanation

Alteration of the foreshore and seabed will be required to blend as far as is practicable with the surrounding landscape in order to minimise the impact on the character of the environment.

*Cross Reference:
Rules 9.5.1 to
9.5.4
Other Methods
9.6.1 to 9.6.3*

Principal reasons for adopting

The preservation of the natural character of the coastal environment is a matter of national importance that all persons exercising functions and powers under the Act, in relation to managing the use, development, and protection of natural and physical resources must recognise and provide for. The visual impact of alterations of the foreshore and seabed, particularly if poorly designed and in stark contrast to the surrounding landscape, can result in a reduction in natural character of an area.

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

Explanation

~~This policy is concerned with ensuring that adequate planning is undertaken for the discharge of contaminants, disposal of wastes, supply of services and facilities to ensure that adverse environmental effects are avoided, remedied or mitigated.~~

*Cross Reference:
Rule 9.5.1, 10.5.4.
Other Methods
9.6.1 to 9.6.3.*

Principal reasons for adopting

~~Policy 3.2.5 of the New Zealand Coastal Policy Statement states that development in the coastal environment should be conditional on the provision of adequate services, and that the adverse effects of providing those services should be taken into account when considering applications for resource consents. Also, this policy promotes integrated management within the coastal environment.~~

9.5 RULES

~~Any activity specified in this section as a discretionary or restricted coastal activity requires a resource consent. Chapter 15 of this Plan specifies the information that must be submitted to the WCRC with a resource consent application.~~

*Cross Reference:
Chapter 15.*

~~**Note:** The rules in this section provide only for alterations to the foreshore and seabed. A consent may also be required under other parts of the Plan for:~~

- ~~• An activity involving a restriction on public access to the coast (see Chapter 7);~~
- ~~• An activity involving a structure (see Chapter 8);~~
- ~~• An activity involving a discharge (see Chapter 10);~~
- ~~• An activity involving taking, using, damming or diverting water (see Chapter 11);~~

*Cross Reference:
Chapter 7.*

*Cross Reference:
Chapter 8.*

*Cross Reference:
Chapter 10.*

*Cross Reference:
Chapter 11.*

~~**Note:** Method 9.6.3.2 of the Plan requires that the Hydrographer of the Royal New Zealand Navy is informed when a new coastal permit is granted for a reclamation or works in the coastal marine area and when that work is completed.~~

9.5.1 Reclamation or draining of the foreshore or seabed

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

(a)	It equals or exceeds 1 hectare; or
(b)	It extends 100 metres or more in any direction; or
(c)	It is an incremental reclamation connected to, or part of, another reclamation which;
(i)	Was commenced or received a resource consent after 5 May 1994, and
(ii)	The sum of the existing and proposed reclamations exceed the dimensions in (a) or (b).

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

Principal reasons for adopting the Rules in Section 9.5.1

~~The reclamation or draining of any foreshore or seabed in the coastal marine area can only occur if it is expressly allowed by a rule in a regional coastal plan or any relevant regional coastal plan, or a resource consent (section 12(1)(a) of the Act).~~

~~S1.1 of the First Schedule of the New Zealand Coastal Policy Statement requires that the activities identified in Rule 9.5.1.1 are restricted coastal activities from the gazettal date of the New Zealand Coastal Policy Statement.~~

~~Any other activity involving the reclamation or draining, for the purpose of reclamation, of the foreshore or seabed is a discretionary activity in order that any adverse effects can be assessed.~~

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

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

- | | |
|-----|---|
| (a) | No more than 1 cubic metre of material in total is removed by any single person in any one-year period; and |
| (b) | The removal does not occur within any estuary or lagoon, within a Coastal Hazard Area, or within 50 metres of any Coastal Hazard Areas identified in Schedule 3-3; and |
| (c) | Removal does not take place within 20 metres of an existing structure; and |
| (d) | The removal is undertaken by non-mechanical means; and |
| (e) | Stones are no more than 250mm in diameter. |

~~Note: The meaning of "person" includes the Crown, a corporation sole, and also a body of persons, whether corporate or unincorporated. This means that a corporation comprised of a group of people or a number of employees is one person. The same applies to an unincorporated group or a family.~~

~~The Rule does not allow the removal of Crown owned minerals. A mining permit may be required under the Crown Minerals Act 1991.~~

*Cross-reference:
Figure 1-2*

This Rule applies to areas washed by the mean spring tide. It does not include the removal of sand, shingle or stone that is located above mean high water springs, (such as dunes), ~~or in estuaries and lagoons.~~ Removal or disturbance of sand, shingle or stone above the mean high water spring mark is covered by the earthworks provisions in the ~~Proposed Regional Land and Riverbed Plan.~~

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

~~Note: This Rule applies to areas washed by the mean spring tide. It does not include the removal of driftwood that is located above mean high water springs (such as dunes), or on the seabed (which includes areas permanently covered by water), or in estuaries and lagoons.~~

*Cross-reference:
Figure 1-2*

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

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

~~(b) It is extracted from areas equal to or greater than 4 hectares; or~~

~~(c) It extends 1,000 metres or more over foreshore and seabed.~~

~~Note: Maintenance dredging is a discretionary activity in accordance with Rule 9.5.2.4.~~

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

Principal reasons for adopting the Rules in Section 9.5.2

~~The removal of any sand, shingle, stones, driftwood or other natural material from the foreshore or seabed in the coastal marine area can only occur if it is expressly allowed by a rule in a regional coastal plan or any relevant proposed coastal plan, or a resource consent (section 12(2)(b) of the Act).~~

~~Allowing the taking of small quantities of sand, shingle and stones subject to the conditions in Rule 9.5.2.1 recognises that there are only minor effects associated with this activity.~~

The removal of driftwood from the foreshore has minor adverse effects on the environment as this material is moving about with the wave action in this zone. Hence, it is permitted by Rule 9.5.2.2.

~~S1.6 of the First Schedule of the New Zealand Coastal Policy Statement requires that the activities identified in Rule 9.5.2.3 are restricted coastal activities.~~

~~Any other activity involving the removal of any sand, shingle, stones, driftwood or other natural material is a discretionary activity as specified in Rule 9.5.2.3, in order that any adverse effects can be assessed.~~

~~9.5.3 Disturbance~~

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

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

~~9.5.3.1A For the waterbodies set out in Schedule 6, disturbance of the foreshore or seabed, including in Coastal Hazard Areas, associated with clearing the outlet of a river or creek is a permitted activity, provided:~~

- ~~(a) The outlet closure is causing a backwater flooding hazard to adjoining land or infrastructure; and~~
- ~~(b) The disturbance is limited to the extent necessary to resume flow and remove the hazard; and~~
- ~~(c) The outlet shall be reinstated where the channel was last actively flowing prior to closure; and~~
- ~~(d) Where available, an existing access route shall be used and in all cases access shall minimise disturbance to dunes, vegetation, indigenous species' nesting areas or habitat, or sites of importance to iwi; and~~
- ~~(e) The area from which the material is taken is smoothed over and the site is left tidy on completion of the work; and~~
- ~~(f) No refuelling or lubrication or any mechanical repairs shall be undertaken in the coastal marine area; and~~
- ~~(g) The Regional Council is notified of which river or creek outlet is to be opened, when, and by whom, prior to the works being undertaken; and~~

- (h) All equipment, machinery, and plant is removed from the coastal marine area at the completion of works.

Note: The purpose of this rule is to minimise a hazard risk by enabling the re-opening of river or creek outlets which become closed, where there is little or no surface flow to the sea, and where the closure is creating a flood risk.

This rule only allows the opening of a river or creek outlet through the last main channel that was flowing before it became closed. Relocating a river or creek outlet requires a resource consent. The rule also does not permit clearing outlets to permanently drain lagoons or estuaries, or to allow fish passage.

Persons exercising this rule should be aware that permission may need to be obtained, at their own expense, from the legal owner or administering body of the river bed or mouth.

Where practicable, the excavation should be cut to allow release of water immediately after high tide.

For the purposes of this rule, "infrastructure" includes legal road.

*Cross Reference:
Rule 8.5.2.2*

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

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

~~Note: This links to Rule 8.5.2.2, which provides for repair and maintenance of a structure.~~

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

~~9.5.3.4 Disturbance of the foreshore using a shovel and riffle box~~

for the purpose of gold mining is a **permitted activity**.

Note: A mining permit under the Crown Minerals Act is required to remove gold.

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

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

The WCRC has reserved its control over the following matters:

- ~~Location of the cable;~~
- ~~Effects on ecosystems;~~
- ~~Effects on public access;~~
- ~~Administrative charges;~~
- ~~Financial contributions.~~

~~Applications may be considered without notification or the need to obtain the written approval of affected persons in accordance with Section 94(1)(b) of the RMA 1991.~~

Principal reasons for adopting

~~Disturbance from the placement of submarine or sub-aqueous cables on the seabed and under the foreshore, outside of estuaries, lagoons or rivers within the coastal marine area as defined in Schedule 1, and outside of any parts of Culturally Significant Areas that are waahi tapu, is a controlled activity. This approach provides certainty that the activity will gain resource consent but also enables adverse effects to be avoided, remedied or mitigated. This activity is discretionary inside estuaries, lagoons, rivers and parts of Culturally Significant Areas that are waahi tapu within the coastal marine area.~~

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

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

~~(b) Material is extracted from areas equal to or greater than 4 hectares;
or~~

~~(c) It extends 1,000 metres or more over foreshore and seabed.~~

Note: ~~Maintenance dredging is a discretionary activity in accordance with Rule 9.5.3.7.~~

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

Principal reasons for adopting the Rules in Section 9.5.3

~~The disturbance of the foreshore or seabed in the coastal marine area can only~~

~~occur if it is expressly allowed by a rule in a regional coastal plan or any relevant proposed coastal plan, or a resource consent (section 12 of the Act).~~

~~The clearing of an outfall pipe or culvert, required from time to time in response to shifting sands, is permitted by Rule 9.5.3.1, in recognition of the need to quickly clear any blockage to allow the outfall or culvert to operate.~~

~~Method 9.6.1.3 provides for consultation and establishes protocols between those agencies clearing blockages covered by Rule 9.5.3.1 and the Department of Conservation and the West Coast Fish and Game Council.~~

~~The clearance of natural material from a coastal structure is necessary for effective performance of some coastal structures, and the clearance of material will have only minor effects on the coastal marine area. Minor alterations or maintenance to permitted structures may result in minor disturbances to the foreshore and seabed and are best provided for as a permitted activity.~~

~~The disturbance of foreshore using a shovel and riffle box for the purpose of gold mining is permitted because it is considered that the adverse effects of this activity are minor.~~

~~S1.6 of the First Schedule of the New Zealand Coastal Policy Statement requires that the activities specified in Rule 9.5.3.6 are restricted coastal activities.~~

~~Any other activity involving disturbance of the foreshore and seabed is a discretionary activity under Rule 9.5.3.7, in order that any adverse effects can be assessed.~~

~~Driving vehicles and launching small vessels from trailers on beaches is not considered a disturbance in terms of Section 9.5.3. Hence, no authorisation is required to carry out this activity.~~

9.5.4 Deposition of sand, shingle, or other natural material

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

~~9.5.4.2 Except as provided for by 9.5.4.1, any activity involving the~~

*Cross Reference: Issue 7.2.4
Policies 7.4.6, 7.4.7*

~~deposition of sand, shingle, or other natural material in the coastal marine area is a discretionary activity.~~

Principal reasons for adopting the Rules in Section 9.5.4

~~S1.7 of the First Schedule of the New Zealand Coastal Policy Statement requires that the activities described in Rule 9.5.4.1 are restricted coastal activities.~~

~~Any other activity involving the deposition of sand, shingle, or other natural material is a discretionary activity under 9.5.4.2, in order that any adverse effects can be assessed.~~

9.6 — OTHER METHODS

9.6.1 — Consultation

9.6.1.1

~~To consult with Poutini Ngai Tahu through papatipu Runanga by ensuring that Runanga are provided schedules of all non-notified resource consent applications and full copies of notified resource consent applications received by Council and are given the opportunity to comment. To also consult with individual tangata whenua who may be directly affected by a proposed activity.~~

9.6.1.2

~~Recognise and take account of Iwi Management Plans, as a basis for consultation with Poutini Ngai Tahu.~~

Principal reasons for adopting

~~The use of consultation to address Poutini Ngai Tahu values is seen by them and WCRC as being the most appropriate way to recognise and protect the cultural relationship that Poutini Ngai Tahu hold with the tai o Poutini (coastal domain or area) and to avoid adverse effects on areas of cultural and spiritual significance. It is also, important to recognise and take account of Iwi Management Plans as a basis for consultation with Poutini Ngai Tahu.~~

9.6.1.3

~~To promote consultation and the establishment of protocols between the agencies which have the responsibility for unblocking river mouths and tidal inlets, and the Department of Conservation and West Coast Fish and Game Council and Ministry of Fisheries.~~

9.6.1.4

~~To promote consultation with other agencies, such as the Ministry of Fisheries, who have a role in managing the West Coast's fishery resource.~~

~~Consultation between agencies over the unblocking of river mouths and tidal inlets, for the purposes of identifying values which may be~~

~~affected by this activity, will enable more informed decision making.~~

~~Decision making will also be enhanced through consultation with other agencies with coastal management interests, including the Ministry of Fisheries, who has the primary fishery management role in the coastal marine area.~~

~~9.6.1.5~~

~~In accordance with Section 395 (1) of the Act, all proposals for the construction of a reclamation, undertaking of any harbour works or removal of any sand, shingle or other natural material in the coastal marine area will need to be referred to the Maritime Safety Authority for a report on navigation related matters, prior to consent being granted.~~

Principal reasons for adopting

~~To provide for integrated management with Maritime Safety Authority and to ensure that navigational safety is provided for.~~

~~9.6.2 Joint hearings~~

~~9.6.2.1~~

~~To hold joint hearings with the appropriate territorial authority regarding the use and location of any reclamation and the effects the reclamation may have on the coastal environment.~~

Principal reasons for adopting

~~To achieve integrated management of the coastal environment between appropriate consent authorities.~~

~~9.6.3 Information provision~~

~~9.6.3.1~~

~~To provide information on appropriate facing materials for the appearance of reclamations in different areas of the coastal marine area.~~

~~9.6.3.2~~

~~To notify the Minister of Transport, or the authority the Minister delegates powers to, and the Hydrographic Office of the Royal New Zealand Navy of any new reclamation or works and other disturbances of the seabed within the coastal marine area authorised by the WCRC at the time any authorisation is given.~~

Principal reasons for adopting

~~The visual impact of a new reclamation can be minimised in some cases by choosing the appropriate facing material.~~

~~Section 395(1) of the Act requires that a regional council notify the Minister of Transport of applications for works or structures in the coastal marine area. The Minister can delegate these powers and has~~

~~presently delegated these powers to the Director of the Maritime Safety Authority. Informing the Maritime Safety Authority and the Hydrographic Office of the Royal New Zealand Navy ensures that mariners know where new structures are and ensure records are kept up to date. Also, this policy is required by Policy 3.2.9 of the New Zealand Coastal Policy Statement.~~

~~9.7 — ANTICIPATED ENVIRONMENTAL RESULTS~~

~~Advisory Note: Refer to Chapter 5 and Chapter 6 which outline general anticipated environmental results and anticipated environmental results for coastal management areas and cross boundary management areas that are also applicable to alteration of the foreshore or seabed.~~

~~9.7.1~~

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

~~9.7.2~~

~~Coastal processes are not adversely affected.~~

~~9.7.3~~

~~Reclamations do not contaminate the environment.~~

~~9.7.4~~

~~Water quality is not adversely affected.~~

~~9.7.5~~

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

~~9.7.6~~

~~Ships navigational safety is provided for.~~

~~10~~

Discharges

10.1 BACKGROUND

~~A high standard of coastal water quality is an important element in the sustainable management of the coastal marine area. Water quality may be adversely affected by the discharge of contaminants resulting from activities within and adjacent to the coastal area.~~

There are two main types of discharges that can affect water quality. These are generally called point and non-point source discharges. Point source discharges are those discharges that discharge through a pipe or recognisable and definitive point (eg rubbish dumping). Non-point source discharges are those discharges that enter the coastal marine area from a diffuse source, such as land runoff.

This Plan considers only the point source discharge of contaminants into land or water within the coastal marine area. Other Plans that deal with point source and non point source discharges outside the coastal marine area must consider the downstream effects on water quality in the coastal marine area. This is because land based activities affect surface runoff which enters the coastal marine area.

All air discharges, including those in the coastal marine area, will be controlled through resource consents and the Regional Air Quality Management Plan when it is developed.

When considering water quality issues, this plan focuses on the effects of discharges and other activities on the receiving environment. The maintenance and enhancement of water quality is required by section 69(3) of the Act subject to providing for a mixing zone.

Discharges from ships

Discharges from ships are addressed by the Resource Management (Marine Pollution) Regulations. With respect to ballast water, in addition to the regulations, ballast water discharges are controlled by MAF inspectors under the Biosecurity Act 1993. Hence, this Plan does not address discharges from ships where the discharges are addressed by the Regulations.

10.2 ISSUES

10.2.1 Some discharges and disposal practices cause cultural concern.

Explanation

The discharge of sewage, stormwater and non point source effluent, and discharges from shipping to the coastal waters can be injurious to the cultural and spiritual values of Poutini Ngai Tahu. The disposal at sea of human bodies or ashes also needs to be considered as this may be an

*Cross
Reference:
Objectives
10.3.1 to 10.3.6;
Policies*

~~inappropriate practice in areas of spiritual or cultural importance to Poutini Ngai Tahu.~~

~~Chapter 5, 10.4.2,
10.4.4, 10.4.5,
10.4.6;
Rules 10.5.1 to
10.5.8.
Other Methods
10.6.1 to 10.6.6~~

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

Explanation

The degree of adverse effects associated with a discharge is determined by the type of contaminant and the assimilative capacity of the coastal marine area and associated ecosystems.

~~That capacity will vary depending on the location of the area, ecosystems present, the amount of water available for mixing, and the speed at which the water is exchanged through tidal flushing or water currents. An area of open coast with strong tidal flows will have a greater assimilative capacity than an enclosed bay with limited tidal flush and with shallow water.~~

~~The assimilative capacity is also affected by the nature and size of the discharge, and the contaminants that it contains. For example, substances such as heavy metals are harder to assimilate than are naturally occurring nutrients and they can create long term effects on the overall health of the coastal ecosystem.~~

~~Some substances may have direct toxic effects on ecological communities while others may build up in food chains and lead to bioaccumulation or biomagnification. Assimilative capacity is also affected by the degree to which contaminants are bound up into the sediments of the area. Contaminants can be bound into sediments which are then released back into the environment over a long time frame.~~

~~Discharges of substances can include contaminants such as chemicals, sediments, heavy metals, nutrients, herbicides, and pesticides. These contaminants can adversely affect the ability of coastal water to support the biological communities found within the coastal marine area.~~

~~Some solid waste disposal sites have been located close or adjacent to the coastal marine area. Some of these sites are still used, such as the site at Cobden, and the one at Westport adjacent to Orowaiti estuary. Discharges from these sites are a cause of cultural and general public concern.~~

~~Cross Reference:
Objectives 10.3.1 to
10.3.6;~~

~~Policies Chapters
5, 10.4.1 to
10.4.9;
Rules 10.5.1 to
10.5.8;
Other Methods
10.6.1 to 10.6.6.~~

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

Explanation

~~Contamination can result in waters being unsuitable for bathing and other forms of contact recreation, and for shellfish gathering, thus lessening the opportunity for people to enjoy those waters. It can also impact on commercial opportunities which rely on good quality water.~~

Cross Reference:
Objectives 10.3.1 to 10.3.6;
Policies Chapters 5&6, 10.4.1 to 10.4.9;
Rules 10.5.1 to 10.5.8;
Other Methods 10.6.1 to 10.6.6.

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

Explanation

~~Whenever hazardous substances or other contaminants are used, transported or stored, there is a risk of an accidental spill. The effects of a spill in the coastal marine area could be devastating because of the sensitivity of some marine ecosystems, the recreational, cultural and commercial values which could be damaged, the difficulty in containing the effects of a spill, and the difficulty in treating or removing the contaminant.~~

Cross Reference:
Objective 10.3.6;
Policies 10.4.6 to 10.4.9;
Rules 10.5.6, 10.5.7;
Other Methods 10.6.2.1.

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

Explanation

~~As part of promoting the sustainable management of the region's natural and physical resources, the alternatives to discharging directly to the coastal marine area should be assessed. Having regard to various alternatives and choosing the option with least adverse effects should enable the adverse effects associated with the discharge to be avoided, remedied or mitigated to the fullest extent practicable.~~

Cross Reference:
Objective 10.3.5;
Policies Chapters 5&6, 10.4.1 to 10.4.5;
Rules 10.5.1 to 10.5.5, 10.5.8;
Other Methods 10.6.1 to 10.6.6.
Chapter 17.

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

Explanation

~~Monitoring of the West Coast's coastal waters has in the past been limited to a small number of sites. These have typically been around some of the higher use areas of the coastal marine area or around specific discharge points. The available information on coastal water quality is limited because of this.~~

Cross Reference:
Objectives 10.3.1-10.3.5;
Policies Chapters 5, 10.4.1 to 10.4.5;
Other Methods 10.6.5.
Chapter 17.

10.3 OBJECTIVES

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

Principal reasons for adopting

A long term strategy is needed for the management of the West Coast's coastal waters. Due to a lack of information, it is not possible to introduce water quality classes within the coastal marine area at this time. While there is insufficient information on which to base water quality classes for the West Coast's coastal waters at this time, this objective aims to ensure that information is collected, and approaches are adopted so that water quality classes can be established, and where water quality is degraded, that it will be improved to a standard suitable for contact recreation and the collection and consumption of shellfish in appropriate areas. The criteria for determining the classes and the extent of the areas will include: background water quality; and use of the area.

All water permits resulting from an existing authority that became coastal permits under Section 386 of the RMA 1991 will, in accordance with the Act, expire on 1 October 2001. All new applications with respect to these discharges will be expected to comply with the Objective and Policies in this Plan. All water permits resulting from an existing right that became coastal permits under Section 386 of the RMA 1991 will, in accordance with the Act, expire on 1 October 2026. However, they may be reviewed before this time in accordance with conditions attached to the permit.

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

Principal reasons for adopting

The discharge of contaminants can adversely affect public health, community and biological values associated with the coastal water body which receives the discharge. Those values must be taken into account if the consent authority is to promote the sustainable management of the coastal marine area. Regard will be had to the water quality classes contained in the Third Schedule of the Act when considering the water quality of any particular coastal water body.

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

Principal reasons for adopting

The life supporting capacity of the coastal marine area is important to coastal ecosystems and to the West Coast's communities which derive economic, social and cultural rewards from healthy and diverse biological communities.

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

Cross Reference:
Policies Chapters
5, 10.4.1 to
10.4.9;
Rules 10.5.1 to
10.5.8;
Other Methods
10.6.1 to 10.6.6.

Cross Reference:
Policies Chapters
5&6, 10.4.1 to
10.4.9;
Rules 10.5.1 to
10.5.5, 10.5.7,
10.5.8;
Other Methods
10.6.1 to 10.6.6.

Cross Reference:
Policies Chapters
5, 10.4.1 to
10.4.9;
Rules 10.5.1 to
10.5.8;
Other Methods
10.6.1 to 10.6.6.

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

Principal reasons for adopting

Policy 5.1.1 of the New Zealand Coastal Policy Statement requires that this plan should provide for the enhancement of water quality where that is desirable in those areas having a high public interest or use of the water, areas of particular tangata whenua interest, areas where there is a particular value to be maintained and areas where there is a direct discharge containing human sewage. Areas receiving a direct discharge of wastes from commercial, industrial or trade activities also need to be included in the same framework because of the potential for adverse effects.

Cross Reference:

Policies
Chapters 5&6,
10.4.1 to 10.4.9
Rules
10.5.1 to 10.5.8
Other Methods
10.6.1 to 10.6.6

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

Principal reasons for adopting

In some circumstances the discharge of contaminants into coastal waters can have a greater adverse effect than the same discharge to other receiving environments. The relative adverse effects need to be taken into account when considering discharges of material to the coastal marine area. Pursuant to the sustainable management requirements of the Act (section 5 of the Act), an assessment of the adverse effects would also require an assessment of the costs and benefits associated with the discharge in terms of the ability of the West Coast's communities to be able to meet their social, economic and cultural needs while providing for their health and safety.

Cross Reference:

Policies
Chapters 5&6,
10.4.1 to 10.4.5;
Rules
10.5.1 to 10.5.5,
10.5.8;
Other Methods
10.6.1 to 10.6.6.

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

Principal reasons for adopting

The storage, use or transportation of hazardous substances and hazardous wastes within the coastal marine area has the potential to cause significant adverse effects on marine ecosystems and values associated with the coastal marine area if there are spills or leakages. Therefore, it is important that methods are implemented in order to reduce the potential for spills or leakages.

Cross Reference:

Policies
10.4.6 to 10.4.9;
Rules
10.5.6, 10.5.7;
Other Methods
10.6.2.1.

10.4 POLICIES

~~Advisory Note: Refer to Chapter 5 and Chapter 6 which outline general policies, coastal management area policies and cross boundary management area policies that are also applicable to the discharge of water or contaminants. Also, other policies in this Plan may be applicable, depending on the type of activity.~~

*Cross Reference:
Chapters 5 & 6.*

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

Explanation

~~Within the coastal marine area, the consideration of consents will be set within a policy framework that seeks to achieve water quality of a standard at least suitable for contact recreation and shellfish gathering purposes within a five year period (from when the Plan is operative). This policy will not allow a lowering of existing water quality, beyond an effective mixing zone.~~

*Cross Reference:
Rules 10.5.3,
10.5.4, 10.5.5,
10.5.7, 10.5.8;
Other Methods
10.6.1 to 10.6.6.*

Principal reasons for adopting

~~Section 69(3) of the Act provides that a regional council shall not set standards in a plan which would result in a reduction in the quality of water, unless it is consistent with the purposes of the Act to do so.~~

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

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

Explanation

~~Discharges into the coastal marine area result in localised contamination of the waters immediately surrounding the discharge point. A mixing zone is the zone outside of which the contaminant levels of the receiving waters must meet the water quality standards set by the Council. The size of the mixing zone will be determined on the basis of the values identified above.~~

*Cross Reference:
Rules 10.5.3,
10.5.4, 10.5.5,
10.5.8; Other
Methods 10.6.1,
10.6.3, 10.6.4,
10.6.5. Chapter 5
Policies*

Principal reasons for adopting

Every discharge of contaminants results in a degradation of the receiving waters. A mixing zone is necessary in order to be able to allow discharges, while taking account of values and the ability of the receiving waters to assimilate those discharges.

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

Explanation

Intertidal areas are the areas of land between mean high water springs and mean low water springs. They can be ecologically sensitive areas and will not be included within the mixing zones of discharges unless it can be shown any adverse effects including cumulative effects are minor.

*Cross Reference:
Rules 10.5.3,
10.5.4, 10.5.5,
10.5.8
Other Methods
10.6.1, 10.6.3,
10.6.4, 10.6.5*

Principal reasons for adopting

Intertidal areas, because they are the habitat for a wide range of species, are the most susceptible areas to the adverse effects of contaminant discharges.

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

Explanation

Enclosed water means any estuary, inlet, harbour, embayment or lagoon. Marine reserves are reserves established under the Marine Reserves Act and are based on the preservation of areas for scientific purposes. Taiapure and maataitai reserves are areas established under the Fisheries Act 1983 and 1996 for customary Maori cultural reasons. The restriction of discharges into those areas recognises the important values associated with those areas.

*Cross Reference:
Rules 10.5.1 to
10.5.8
Other Methods
10.6.1, 10.6.3,
10.6.4, 10.6.5,
10.6.6*

Principal reasons for adopting

This policy acknowledges the importance of the values that are recognised in enclosed waters and by the creation of any marine reserve, taiapure or maataitai reserve area, and restricts the discharge of contaminants that would adversely affect those values.

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

- (a) **It can be shown that the adverse effects of the discharge to any area, other than the coastal marine area, would create greater adverse effect than the discharge to the coastal marine area; or**

- (b) ~~There are no practicable alternatives to the discharge occurring to the coastal marine area; and~~
- (c) ~~The discharge is of a standard which will achieve a water quality standard suitable for contact recreation and shellfish gathering in areas defined by Objective 10.3.1, within five years of this Plan becoming operative.~~

Explanation

~~Alternatives to discharging into the coastal marine area will need to be investigated and assessed before any discharge will be allowed to occur. The costs and benefits of discharging to different receiving environments in each case should be considered and, where practicable, the alternative with the least adverse effects chosen. The policies in Chapter 5 will also need to be complied with.~~

Cross Reference:
Policies Chapter 5;
Rules 10.5.3 to 10.5.5, 10.5.8;
Other Methods 10.6.1, 10.6.3, 10.6.4, 10.6.5.

Principal reasons for adopting

~~Policy 5.1.2 of the New Zealand Coastal Policy Statement requires that the alternatives to any discharge of human sewage directly into the coastal marine area be considered. Within the West Coast, all discharges into the coastal marine area will be required to pass a similar test because of the potential adverse effects associated with those discharges.~~

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

Explanation

~~The accidental spill of any contaminant that may result in adverse effects to marine ecosystems and community values will be mitigated through various spill response techniques available.~~

Cross Reference:
Rules 10.5.6, 10.5.7;
Other Methods 10.6.2.1.

Principal reasons for adopting

~~The mitigation of spills through various response techniques, such as containment, recovery, clean up and dispersion will help reduce potential adverse effects on marine ecosystems, recreational, cultural and commercial values.~~

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

Explanation

~~The storage, use or disposal of any nuclear material or the transportation of nuclear material (other than nuclear material to be~~

Cross reference
Rule 10.5.6.

used for medical or research purposes) will not be allowed in the coastal marine area. This prohibition includes the passage of vessels armed or powered by nuclear material or the passage of vessels carrying nuclear material for use in nuclear power plants or weapons. Similarly, the transport of nuclear wastes is prohibited.

The storage, use or disposal of hazardous waste is prohibited within the coastal marine area. However, the transportation of hazardous waste is provided for, recognising that in some instances (such as Milburn Cement's use of waste oil for its kilns) this activity provides significant benefits to the region.

Principal reasons for adopting

Prohibiting the matters identified in this policy recognises the potentially significant adverse effects resulting from any accident associated with hazardous waste and nuclear material. This policy aims to avoid any adverse effect resulting from such activities within the coastal marine area.

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

Explanation

The storage of contaminants, including hazardous substances, within the coastal marine area may lead to significant adverse effects as a result of the potential for leakage and spills, particularly given the dynamic and high energy nature of the West Coast coastal marine area. The storage of such materials in the coastal marine area will be discouraged in order to reduce the potential for adverse effects.

Cross-reference Rule 10.5.6.

Principal reasons for adopting

The Council considers that the leakage or spillage of contaminants, including hazardous substances, within the coastal marine area has low probability of occurring but very high potential impact. Given the high energy and dynamic nature of the coastal marine area combined with the significant ecosystems present, it is considered inappropriate to allow storage of hazardous substances to occur in the area.

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

- (a) The control of plant pests; or**
- (b) The control of pollution spills; or**
- (c) The fuelling of ships and machinery permanently located within the coastal marine area;**

~~(d) The maintenance of ships and structures and no discharge to the coastal marine area occurs.~~

Explanation

~~The use of hazardous substances is sometimes necessary in the coastal marine area in order to carry out the activities listed. Any adverse effects of these activities will be avoided, remedied or mitigated through conditions in the Rules relating to these activities.~~

*Cross reference:
Rule 10.5.6.*

Principal reasons for adopting

~~To recognise the need to control plant pests, respond to spills, refuel ships and machinery permanently located in the coastal marine area, and to carry out maintenance of ships and structures within the coastal marine area. The adverse effects of this approach will be minor when the conditions in the Rules are complied with.~~

10.5 RULES

~~Any activity specified in this section as a controlled, discretionary or restricted coastal activity requires a resource consent. Chapter 15 of this Plan specifies the information that must be submitted to the WCRC with a resource consent application.~~

*Cross Reference:
Chapter 15.*

~~Note: The rules in this section relate to discharges to the coastal marine area. A consent may also be required under other parts of the Plan for:~~

- ~~• An activity involving a restriction on public access to the coast (see Chapter 7);~~
- ~~• An activity involving a structure (see Chapter 8);~~
- ~~• An activity involving an alteration to the foreshore or seabed (see Chapter 9);~~
- ~~• An activity involving the taking, damming or diversion of coastal water (see Chapter 11).~~

*Cross Reference:
Chapter 7.*

*Cross Reference:
Chapter 8.*

*Cross Reference:
Chapter 9.*

*Cross Reference:
Chapter 11.*

10.5.1 Discharge of litter

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

Principal reasons for adopting the Rules in Section 10.5.1

~~The discharge of litter into the coastal marine area may result in plastics and other material which are persistent in the environment, being spread along beaches or entrapping marine mammals. This activity also reduces amenity values and the natural character of the coastal environment.~~

~~Loss of cargo and containers is a navigational issue. Recovery of such lost items should be enforced via harbour bylaws in the gazetted harbour area by the harbourmaster. Outside the gazetted harbour area, where there is no harbour master this should be enforced by the Maritime Safety Authority.~~

~~10.5.2 Discharge of human sewage, except from ships~~

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

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

~~Principal reasons for adopting the Rules in Section 10.5.2~~

~~Due to the cultural concern over the discharge of human sewage directly into the coastal marine area, the First Schedule of the New Zealand Coastal Policy Statement makes the discharge of human sewage that has not passed through soil or wetland a restricted coastal activity (S1.10 of the New Zealand Coastal Policy Statement). The discharge of sewage that has passed through soil and wetland needs to be considered within the same policy framework because of the potential adverse effects arising from those discharges.~~

~~This Rule refers to discharges to the coastal marine area, that have passed through soil or wetlands. That is, the coastal marine area is the receiving environment. This would occur in cases where the soil or wetland is adjacent to the coastal marine area and is part of the treatment process for discharges to the coastal marine area.~~

~~10.5.3 Discharge of stormwater~~

~~Note: This includes surface water runoff discharged from structures located in the coastal marine area. These Rules do not apply to stormwater runoff from non point sources. Any stormwater discharge that contains human sewage is addressed by the Rules in section 10.5.2.~~

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

- ~~(a) The discharge does not include stormwater from any industrial, or trade premise, and;~~
- ~~(b) The contaminant or water discharged, after reasonable mixing, does not give rise to all or any of the following effects:

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

*Cross Reference:
Policy 8.4.2,
9.4.3, 9.4.7.*

(iii) Any emission of objectionable odour; or
(iv) Any significant adverse effects on aquatic life.
(v) Rendering the receiving water unsuitable for contact recreation or shellfish gathering.

~~Note: For the purpose of clarity, structures such as radio communication facilities and telecommunication facilities, lines, bollards and bridges are not “premises”. Therefore, if stormwater is discharged from such structures and the discharge complies with part (b) of this rule, it is a permitted activity.~~

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

~~The WCRC will exercise its control over:~~

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

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

Principal reasons for adopting the Rules in Section 10.5.3

~~The discharge of any contaminant or water into water, or contaminant onto land of the coastal marine area can only occur if a resource consent is held, unless this Plan or regulations provide for that discharge (section 15 of the Act). The discharge of stormwater into the coastal marine area needs to be provided for within this Plan as there are few available alternatives to the disposal of water originating from rain events.~~

10.5.4 Discharges in exceptional circumstances

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

Principal reasons for adopting the Rule in Section 10.5.4

~~S1.10 (b) of the New Zealand Coastal Policy Statement's First Schedule requires the inclusion of this rule. It means that any discharge to the coastal marine area in which the applicant wishes to rely on section 107(2)(a) of the Act will be a restricted coastal activity.~~

10.5.5 Hazardous wastes and nuclear material

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

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

10.5.6 Hazardous substances

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

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

*Cross Reference:
Rule 8.5.1.7 (d)*

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

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

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

*Cross Reference:
Rule 8.5.2.2.*

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

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

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

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

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

Principal reasons for adopting the Rules in Section 10.5.5 and 10.5.6
~~The potentially significant adverse effects on the coastal marine area resulting from an accident involving hazardous wastes and nuclear material requires that the risk, although small, must be avoided. The rules permitting use of hazardous substances in limited circumstances recognises the need for those uses to be able to occur without intervention. The conditions are designed to avoid adverse effects. The use of other hazardous substances and the storage of hazardous substances will need to be assessed to determine any adverse effect that might result from that use or storage.~~

10.5.7 Discharge of water or other contaminants

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

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

~~Note: In section (a), water means "water that is free from contaminants". Refer to the Glossary for a full definition.~~

*Cross
Reference:
Glossary.*

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

Principal reasons for adopting the Rules in Section 10.5.7

~~The discharge of any contaminant or water into water, or contaminant onto land of the coastal marine area can only occur if a resource consent is held, unless this Plan or regulations provide for that discharge (section 15 of the Act). The discharge of water and contaminants as identified in 10.5.7.1 will have minor or no adverse effects on the coastal marine area. Under 10.5.7.2, any other activity involving a discharge into the coastal marine area is a discretionary activity in order that any adverse effects can be assessed.~~

10.6—OTHER METHODS**10.6.1 Consultation****10.6.1.1**

~~To consult with Poutini Ngai Tahu through papatipu Runanga by ensuring that Runanga are provided schedules of all non-notified resource consent applications and full copies of notified resource consent applications received by Council and are given the opportunity to comment. To also consult with individual tangata whenua who may be directly affected by a proposed activity.~~

10.6.1.2

~~Recognise and take account of Iwi Management Plans, as a basis for consultation with Poutini Ngai Tahu.~~

Principal reasons for adopting

~~The use of consultation to address Poutini Ngai Tahu values is considered by them and WCRC as being the most appropriate way to recognise and protect the cultural relationship that Poutini Ngai Tahu hold with the tai o Poutini (coastal domain or area) and to avoid adverse effects on areas of cultural and spiritual significance. It is also important to recognise and take account of Iwi Management Plans as a basis for consultation with Poutini Ngai Tahu.~~

10.6.2 Other plans**10.6.2.1**

~~Development of oil spill contingency plans under the Maritime Transport Act 1994.~~

10.6.2.2

~~The West Regional Council will develop policies and methods to bring about a reduction in both point and non-point source pollution during the preparation of other regional plans.~~

Principal reasons for adopting

~~Oil spill contingency plans provide the mechanism to organise and coordinate a response to any oil spill in the coastal marine area.~~

~~Policies and methods to control some sources of point and non-point source pollution can only be drafted in other regional plans. This policy promotes integrated management with respect to all regional plans.~~

*Cross Reference:
Method 6.6.1*

10.6.3 Education and promotion

10.6.3.1

~~The WCRC will promote the benefits of disposal to shore based facilities of rubbish from vessels, and encourage vessel operators to wherever possible, discharge such material to those facilities.~~

10.6.3.2

~~The WCRC will educate and promote generally about the need to maintain and enhance water quality.~~

10.6.3.3

~~The WCRC will educate and promote generally about waste disposal.~~

Principal reasons for adopting

~~Policy 5.2.3 of the New Zealand Coastal Policy Statement requires that provision be made for encouraging vessels to discharge sewage and rubbish into shore based facilities. Currently no adequate shore based sewage treatment facilities exist in the region, and therefore there is no requirement in this Plan for disposal of sewage from vessels in this manner. Educating generally about the need to maintain and enhance water quality and about waste disposal will assist in bringing about improvements to the quality of the coastal marine area.~~

10.6.4 Review of resource consents

10.6.4.1

~~The WCRC will review resource consents to discharge into the coastal marine area, in accordance with Section 128 of the Act, the Objectives in Section 10.3 and the Policies in Section 10.4.~~

Principal reasons for adopting

~~The review of consents is required by Policy 5.1.4 of the New Zealand Coastal Policy Statement. The review will be undertaken in accordance with the Act and will be used to implement a phasing in of different methods of treating discharges in order to meet the objectives and policies specified within five years of the Plan becoming operative.~~

*Cross Reference:
Rule 10.5.*

10.6.5 Monitoring

10.6.5.1

~~The WCRC will undertake water quality monitoring in accordance with Chapter 17.~~

*Cross Reference:
Chapter 17.*

10.6.5.2

~~The WCRC will require discharge permit holders to monitor and record the water quality around their discharge.~~

Principal reasons for adopting

~~The Act makes it a duty of regional councils to control the discharge of contaminants into water, both inside and outside the coastal marine~~

~~area. To successfully undertake this duty, it is necessary to monitor the effects of discharges to the coastal marine area. The Annual Plan sets out a monitoring programme to be undertaken each year.~~

~~The requirement for permit holders to monitor and record water quality around their discharge will enable the Regional Council to audit the results of the monitoring. This passes the cost of the monitoring onto the user, rather than subsidising the discharge from ratepayers funds. This is consistent with the amendments to the Principles in the LGA 1974.~~

10.6.6 Provision of Facilities

10.6.6.1

~~The WCRC will require all new ports and marinas to provide collection facilities for sewage (where adequate treatment facilities exist) and rubbish from vessels.~~

10.6.6.2

~~The WCRC will encourage existing ports and marinas to provide collection facilities for sewage (where adequate treatment facilities exist) and rubbish from vessels.~~

Principal reasons for adopting

~~Policy 5.2.1 of the New Zealand Coastal Policy Statement specifies that provision be made to require adequate and convenient rubbish disposal facilities in ports and marinas and other such busy areas. In addition, Policy 5.2.2 of the Statement requires the provision of adequate and convenient sewage facilities in new ports and marinas.~~

10.6.7 Standards and Guidelines

10.6.7.1

~~The WCRC will use recognised national water quality guidelines, in order to establish appropriate discharge standards (by way of conditions on resource consents) as a means of achieving Objective 10.3.1.~~

10.6.8 Water Quality Classes

10.6.8.1

~~When sufficient information with respect to water quality is collected, the WCRC may establish water quality classes in accordance with Objective 10.3.1.~~

10.7 ANTICIPATED ENVIRONMENTAL RESULTS

~~Advisory Note: Refer to Chapter 5 and Chapter 6 which outline general anticipated environmental results and anticipated environmental results for coastal management areas and cross boundary management areas that are also applicable to discharges.~~

*Cross
Reference:
Chapters 5 & 6.*

10.7.1

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

- ~~(a) The production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials;~~
- ~~(b) Any conspicuous change in the colour or visual clarity;~~
- ~~(c) Any emission of objectionable odour;~~
- ~~(d) The rendering of fresh water unsuitable for consumption by farm animals;~~
- ~~(e) Any significant adverse effects on aquatic life.~~

10.7.2

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

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

10.7.3

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

10.7.4

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

10.7.5

~~Litter is not discharged into the coastal marine area.~~

10.7.6

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

10.7.7

~~Spills of contaminants are controlled with minimum adverse effects.~~

10.7.8

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

~~11~~

**Taking, Use,
Damming or
Diversion of Water**

11.1 BACKGROUND

~~Section 14 of the Act provides a two tier system of dealing with the taking, use, damming or diversion of coastal water, and the removal of any heat or energy from that water:~~

~~(a) The taking, use, damming or diversion of open coastal water (coastal water that is remote from river mouths, estuaries, lagoons, inlets, harbours, and embayments), and the removal of any heat or energy from that water can occur unless this Plan requires that a resource consent be held, or unless an authorisation is already held pursuant to section 20 of the Act.~~

~~(b) The taking, use, damming or diversion of coastal water, from river mouths, estuaries, lagoons, inlets, harbours, and embayments, and the removal of any heat or energy from that water, requires a resource consent unless:~~

- ~~• this plan allows for that activity; or~~
- ~~• the water, heat or energy is required for an individual's reasonable domestic or recreational needs and the taking, use, or diversion does not, or is not likely to, have an adverse effect on the environment; or~~
- ~~• the water is for fire-fighting purposes.~~

~~A distinction is made between the taking of coastal water and the use of that water. *Taking* is the process of extracting the coastal water for any purpose and for any period of time. *Use* is the use of coastal water that does not involve any extraction.~~

~~The discharge of any coastal water that is taken or used is considered in the discharges chapter of this Plan.~~

11.2 ISSUES

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

~~Explanation~~

~~An activity involving the taking, use, damming, or diversion of coastal waters can be injurious to the cultural and spiritual values of Poutini Ngai Tahu.~~

Cross Reference
Objective 11.3.1;
Policies 11.4.2,
11.4.3;
Rules 11.5.3.2;
Other Methods
11.6.1

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

~~Explanation~~

~~The ability of ships to be able to take and use water must be recognised in the Regional Coastal Plan. Such needs include the taking of water for: engine cooling purposes; ballast; general ship cleaning purposes; and desalination.~~

Objective 11.3.1;
Policies 11.4.1,
11.4.2;
Rules 11.5.1,
11.5.2.

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

Explanation

~~Large scale extractions from enclosed or semi enclosed coastal water bodies may affect the natural hydrological processes, and may alter the natural salinity of an area. Any adverse effect will depend on the size of the abstractions, the nature and extent of any natural inflows, the degree of tidal flushing with the open coast and the ecosystems and values associated with the areas.~~

*Cross Reference:
Objective 11.3.1;
Policy 11.4.2;
Rule 11.5.3.*

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

Explanation

~~The damming or diversion of coastal water is only likely to occur within active river systems which may require some management in order to reduce the risk of flooding, or to retain water for specific purposes such as bridge construction or gravel extraction. Such activities may alter water flows, sediment transport, salinity patterns, and water depth, and water quality which may in turn adversely affect existing values and uses made of those areas.~~

*Cross Reference:
Chapter 5
Objective 11.3.1;
Policy 11.4.3;
Rule 11.5.3.*

11.3 OBJECTIVE

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

Principal reasons for adopting

~~The taking, use, damming or diversion of open coastal areas is unlikely to have any adverse effect on the coastal marine area. Within river mouths, estuaries, lagoons, inlets, harbours, and embayments, the taking, use, damming or diversion may have an adverse effect on values associated with those areas depending on the nature of the activity and the natural and physical resource present. This objective recognises that there is no need to restrict the taking, use, damming or diversion of coastal water where there are no adverse effects.~~

*Cross Reference:
Policies 11.4.1-
11.4.3;
Rules 11.5.1
11.5.3.*

11.4 POLICIES

~~Advisory Note: Refer to Chapter 5 and Chapter 6 which outline general policies, coastal management area policies and cross boundary management area policies that are also applicable to the taking, using,~~

damming or diversion of water. Also, other policies in this Plan may be applicable, depending on the type of activity.

*Cross Reference:
Chapters 5 & 6*

11.4.1 To allow the use of coastal water without restrictions.

Explanation

The use of coastal water, in which the water is not extracted for any period of time, will be allowed without restrictions. This recognises that the “use” of water, as opposed to the “taking, damming or diversion” of water will only have minor effects. The use of coastal water is usually associated with passive uses of the water such as the use of waves for energy production. While a consent may be required for any associated structures, a consent for the “use” of the water should not be required because of the minor effects.

*Cross Reference:
Rules 11.5.1,
11.5.2.*

Principal reasons for adopting

The use of open coastal water requires a consent only if this Plan requires it. The use of coastal water will have little or no adverse effects on the coastal marine area and should be allowed. Using water within the coastal marine area without taking it applies to activities such as water wheels and wave machines used to generate energy.

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

Explanation

The taking of coastal water will be allowed where ecosystems and community uses and values, associated with the West Coast’s river mouths, estuaries, lagoons, inlets, harbours, and embayments, are taken into account.

*Cross Reference:
Rules 11.5.1,
11.5.3;
Chapters 5 & 6.*

Principal reasons for adopting

However, the take of coastal water from river mouths, estuaries, lagoons, inlets, harbours, and embayments may have adverse effects on ecosystems and community uses and values. Chapters 5 and 6 identify the important ecosystems, and community uses and values which must be taken into account when considering an application for a consent to take water.

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

Explanation

~~The damming or diversion of coastal water will only be restricted where that damming or diversion creates or is likely to create an adverse effect on ecosystems, and community uses and values associated with river mouths, estuaries, lagoons, inlets, harbours, and embayments.~~

*Cross Reference:
Rule 11.5.3;
Chapters 5 and 6.*

Principal reasons for adopting

~~The damming or diversion of coastal water within river mouths, estuaries, lagoons, inlets, harbours, and embayments may have adverse effects on ecosystems and community uses and values. Chapters 5 and 6 identify the important ecosystems, and community uses and values which must be taken into account when considering an application for a consent to dam or divert water.~~

11.5 RULES

~~Any activity specified in this section as a discretionary or restricted coastal activity requires a resource consent. Chapter 15 of this Plan specifies the information that must be submitted to the WCRC with a resource consent application.~~

*Cross Reference:
Chapter 15.*

~~**Note:** The rules in this section provide only for the taking, use, damming and diversion of coastal water. A consent may also be required under other parts of the Plan for:~~

- ~~• An activity involving a restriction on public access to the coast (see Chapter 7).~~
- ~~• An activity involving a structure (see Chapter 8);~~
- ~~• An activity involving an alteration of the foreshore or seabed (see Chapter 9);~~
- ~~• An activity involving a discharge (see Chapter 10);~~

*Cross Reference:
Chapter 7.*

*Cross Reference:
Chapter 8.*

*Cross Reference:
Chapter 9.*

*Cross Reference:
Chapter 10.*

11.5.1 Needs of ships for taking and using seawater

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

Principal reasons for adopting the Rule in Section 11.5.1

~~This rule provides for the operational requirements of ships, whilst realising that the activity has no adverse effects on the environment. Policy 5.2.5 of the New Zealand Coastal Policy Statement requires that provision should be made to allow ships to take and use sea water in the coastal marine area.~~

11.5.2 Using coastal water

11.5.2.1 The use of coastal water is a permitted activity.

Principal reasons for adopting the Rule in Section 11.5.2

The use of coastal water (other than open coastal water) requires a consent unless this Plan allows for that use (section 14 of the Act). The use of coastal water, in which the water is not ~~extracted for any period of time,~~ is unlikely to result in any adverse effects on the coastal marine area.

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

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

- ~~(a) — The taking is for any fire fighting purposes; or~~
- ~~(b) — The taking, damming or diversion is for an individual's reasonable domestic or recreational needs (including gold mining with a shovel and riffle box); or~~
- ~~(c) — The taking is for an individual's animals for drinking water; or~~
- ~~(d) — The taking, damming or diversion occurs outside of:

 - ~~(i) Coastal Protection Areas; and~~
 - ~~(ii) Any river mouth, including upstream to the boundary of the coastal marine area; and~~
 - ~~(iii) Any estuary or lagoon.~~~~

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

Principal reasons for adopting the Rules in Section 11.5.3

~~Consideration of any adverse effects associated with the taking, damming or diversion of coastal water within the areas identified is necessary because of the values associated with those areas. Not allowing damming and diversion in river mouths, enables the Council to restrict activities that may affect the flood carrying capacity of rivers. The taking, damming or diversion of coastal water from areas outside those identified is unlikely to create any adverse effects.~~

11.6 OTHER METHODS**11.6.1 Consultation****11.6.1.1**

~~To consult with Poutini Ngai Tahu through papatipu Runanga by ensuring that Runanga are provided schedules of all non-notified resource consent applications and full copies of notified resource consent applications received by Council and are given the opportunity to comment. To also consult with individual tangata whenua who may be directly affected by a proposed activity.~~

11.6.1.2

~~Recognise and take account of Iwi Management Plans, as a basis for consultation with Poutini Ngai Tahu.~~

Principal reasons for adopting

~~The use of consultation to address Poutini Ngai Tahu values is considered by them and WCRC as being the most appropriate way to recognise and protect the cultural relationship that Poutini Ngai Tahu hold with the tai o Poutini (coastal domain or area) and to avoid adverse effects on areas of cultural and spiritual significance. It is also important to recognise and take account of Iwi Management Plans as a basis for consultation with Poutini Ngai Tahu.~~

11.7 ANTICIPATED ENVIRONMENTAL RESULTS

~~Advisory Note: Refer to Chapter 5 and Chapter 6 which outline general anticipated environmental results and anticipated environmental results for coastal management areas and cross boundary management areas that are also applicable to the taking, using, damming and diversion of water.~~

*Cross Reference:
Chapters 5 & 6*

11.7.1

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

12

Noise

12.1 BACKGROUND

The WCRC, in conjunction with the Minister of Conservation, is responsible for the control of the emission of noise and the mitigation of the effects of noise within the coastal marine area (section 30(1)(d)(vi)). Section 16 of the Act requires that every person carrying out an activity in, on, or under the coastal marine area shall adopt the best practicable option to ensure that the emission of noise from the land or water does not exceed a reasonable level.

This Plan can only consider the generation of noise within the coastal marine area. Noise that is generated on land, but which may affect the users or values associated with the coastal marine area, is under the control of the territorial authority with responsibility for that land area.

This Plan manages noise either through conditions on coastal permits issued to carry out activities in the coastal marine area or through utilisation of the enforcement provisions under Part XII of the Act.

12.2 ISSUE

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

Explanation

While some level of noise emission is acceptable, the threshold of acceptable noise levels in different areas of the coast will depend on the sensitivity of ecosystem present, the level of public use of those areas and adjacent land uses.

*Cross Reference:
Objective
12.3.1;
Policy 12.4.1;
Other Methods
12.6.1-12.6.3.*

12.3 OBJECTIVE

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

Principal reasons for adopting

Section 30(1)(d)(vi) of the Act provides the WCRC with the function of controlling, in conjunction with the Minister of Conservation, the emission of noise and the mitigation of the effects of noise. The discharge of noise at excessive levels can affect amenity values, ecosystems, use of the coastal marine area and adjacent land uses.

*Cross Reference:
Policy 12.4.1;
Other Methods
12.6.1-12.6.3.*

The WCRC has the ability to avoid, remedy or mitigate adverse effects of noise by way of conditions on coastal permits to carry out activities in the coastal marine area, or by using the enforcement provisions in

Part XII of the Act.

12.4—POLICY

~~Advisory Note: Refer to Chapter 5 and Chapter 6 which outline general policies, coastal management area policies and cross boundary management area policies that are also applicable to the control of the emission of noise and the mitigation of the effects of noise. Also, other policies in this Plan may be applicable, depending on the type of activity.~~

*Cross Reference:
Chapters 5 & 6*

12.4.1	When determining whether noise levels are reasonable or unreasonable, particular regard will be had to:
(a)	Ensuring consistency with any noise control provisions or standards in any district plan for adjacent land; and
(b)	Amenity values, ecosystems, other use of the coastal marine area, adjacent land and public health; and
(c)	The duration and nature of noise produced; and
(d)	The duration and nature of the background noise; and
(e)	The New Zealand Standards NZS 6801 (1991), NZS 6802 (1991), NZS 6803 (1984) and NZS 6807 (1994); and
(f)	The proposed NZ Port Noise Standard and its successors.

Explanation

~~Noise generated in the coastal marine area can adversely affect values in the coastal marine area and on the adjacent land. The policy provides the Council with a list of matters to which it should have particular regard when managing and controlling noise levels within the coastal marine area.~~

*Cross Reference:
Other Methods
12.6.1, 12.6.2,
12.6.3.*

~~The relevant standards established by the Standards Association of New Zealand applicable to the generation of noise include:~~

~~NZS 6801 (1991) Measurement of Sound~~

~~NZS 6802 (1991): Assessment of Environmental Sound~~

~~NZS 6803P (1984): The Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work.~~

~~NZS 6807 (1994): Noise management and land use planning for helicopter landing areas.~~

Principal reasons for adopting

~~To manage and control noise levels within the coastal marine area in order to avoid, remedy or mitigate adverse effects on amenity values, ecosystems, use of the coastal marine area and adjacent land uses.~~

12.5 RULES

~~There are no rules contained within this chapter. The objectives and policy contained within this chapter give guidance to the consideration of activities that require consents under any or all of the other chapters of this Plan.~~

12.6 OTHER METHODS

12.6.1 Consultation

12.6.1.1

~~To consult with Poutini Ngai Tahu through papatipu Runanga by ensuring that Runanga are provided schedules of all non-notified resource consent applications and full copies of notified resource consent applications received by Council and are given the opportunity to comment. To also consult with individual tangata whenua who may be directly affected by a proposed activity.~~

12.6.1.2

~~Recognise and take account of Iwi Management Plans, as a basis for consultation with Poutini Ngai Tahu.~~

Principal reasons for adopting

~~The use of consultation to address Poutini Ngai Tahu values is considered by them and WCRC as being the most appropriate way to recognise and protect the cultural relationship that Poutini Ngai Tahu hold with the tai o Poutini (coastal domain or area) and to avoid adverse effects on areas of cultural and spiritual significance. It is also important to recognise and take account of Iwi Management Plans as a basis for consultation with Poutini Ngai Tahu.~~

12.6.1.3

~~To liaise with territorial local authorities with responsibility for areas adjacent to the coastal marine area over the management and control of noise within the coastal environment.~~

Principal reasons for adopting

~~To achieve the integrated management of the coastal environment, noisy activities which may affect areas on both sides of the mean high water springs boundary are best considered in liaison with the appropriate territorial local authorities.~~

12.6.2 Resource Consents

12.6.2.1

~~When considering resource consent applications for activities in the~~

~~coastal marine area, the Council will have regard to the need to introduce consent conditions in order to avoid, remedy or mitigate the adverse effects of any noise emitted by the activity.~~

Principal reasons for adopting

~~To avoid, remedy or mitigate the adverse effects associated with noise emitted from activities in the coastal marine area.~~

12.6.3. 2 Enforcement

12.6.3.1.2.1

~~To use the enforcement provisions of the Act to control the emission of unreasonable noise associated with activities in the coastal marine area.~~

~~This includes:~~

- ~~(a) The seeking of an enforcement order (section 316 of the Act);~~
~~or~~
- ~~(b) The issuing of an abatement notice (section 322 of the Act); or~~
- ~~(c) The issuing of an excessive noise direction (section 327 of the Act); or~~
- ~~(d) Fines in accordance with national regulations.~~

Principal reasons for adopting

~~Section 16 of the Act requires that every person carrying out an activity in, on, or under the coastal marine area shall adopt the best practicable option to ensure that the emission of noise from the land or water does not exceed a reasonable level. The use of the enforcement provisions of the Act is seen as an effective method of avoiding, remedying or mitigating the adverse effects of noise.~~

12.7 — ANTICIPATED ENVIRONMENTAL RESULTS

~~Advisory Note: Refer to Chapter 5 and Chapter 6 which outline general anticipated environmental results and anticipated environmental results for coastal management areas and cross boundary management areas that are also applicable to the control of the emission of noise and the mitigation of the effects of noise.~~

*Cross Reference:
Chapters 5 & 6*

12.7.1

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

13

~~Exotic Plants~~

13.1 — BACKGROUND

No person may introduce or plant any exotic or introduced plant in, on or under the foreshore or seabed within the coastal marine area unless expressly allowed by a rule in this Plan or by a resource consent (Section 12(1)(f) of the Act).

In the past, exotic plants have been introduced or have spread into the coastal marine area, or into areas adjacent to the coastal marine area (for example, on dune systems). These plants have modified coastal ecosystems. Examples include gorse, marram, tree lupin and European broom. *Spartina*, which occurs in the Karamea River estuary, may result in increased siltation.

In most instances these plants will not grow in the coastal marine area. The exception would be on dry river beds or estuaries which are part of the coastal marine area.

The spread of already introduced or exotic plants is an issue for the West Coast. The Rules in this Plan control the spread of these plants arising from deliberate planting. However, the rules are unable to stop the natural spread of exotic or introduced plants. The natural spread of exotic pest plants in the coastal marine area will be dealt with in the Pest Plant Management Strategy developed by the WCRC.

13.2 — ISSUE

13.2.1 Exotic and introduced plants may adversely affect:
(a) Coastal ecosystems; or
(b) Sites of cultural significance; or
(c) The natural character and amenity value of areas within and adjacent to the coastal marine area; or
(d) Coastal processes acting upon the coastal marine area.

Explanation

The introduction or planting of introduced or exotic plants into an area can cause the displacement of indigenous flora and the loss of habitat for indigenous fauna. They can also invade areas of cultural significance.

The physical appearance and growth of such plants can result in the loss of amenity values and the loss of the natural character of an area as indigenous coastal plants and habitats are displaced. The plants can also affect natural physical coastal processes acting in estuarine and shallow water areas by retaining silt and leading to the gradual reclamation and loss of foreshore and seabed areas.

*Cross Reference:
Objective 13.3.1;
Policies 13.4.1,
13.4.2, 13.4.3;*

*Rules 13.5.1.1,
13.5.1.2, 13.5.1.3.*

13.3 OBJECTIVE

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

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

Principal reasons for adopting

To avoid, remedy or mitigate adverse effects on the matters listed in the objective. This approach is consistent with Part II of the Act and recognises and provides for several matters of national importance outlined in Section 6 of the Act.

*Cross Reference:
Policies 13.4.1,
13.4.2, 13.4.3
Rules 13.5.1;
Other Methods
13.6.1 to 13.6.3.*

13.4 POLICIES

~~Advisory Note: Refer to Chapter 5 and Chapter 6 which outline general policies, coastal management area policies and cross boundary management area policies that are also applicable to the introduction or planting of exotic plants. Also, other policies in this Plan may be applicable, depending on the type of activity.~~

*Cross Reference:
Chapters 5 & 6*

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

Explanation

The introduction or planting of any introduced or exotic plant has the potential to result in adverse effects, such as the displacement of indigenous flora and fauna and the alteration of coastal processes. These potential adverse effects, and the need for introducing or planting any introduced or exotic plant, will be taken into account when undertaking coastal management functions.

*Cross Reference:
Rule 13.5.1;
Other Methods
13.6.1 to 13.6.3.*

Principal reason for adopting

Policy 3.3.1 of the New Zealand Coastal Policy Statement requires that a precautionary approach be taken to proposed activities with effects as yet unknown or little understood. Consideration of the need for any introduction or planting of any introduced or exotic plant, and consideration of the potential for adverse effects arising from that activity, recognises that principle.

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

Explanation

When undertaking restoration or erosion control planting, indigenous stock, and where possible, local genetic stock should be used.

*Cross
Reference: Rule
13.5.1;
Other Methods
13.6.1 to 13.6.3.*

Principal reasons for adopting

Policy 3.2.10 of the New Zealand Coastal Policy Statement requires that preference be given to the use of indigenous species with a further preference for the use of local genetic stock.

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

Explanation

It is not appropriate to control the natural spread of plants through the rules and methods in this Plan. This policy provides the most effective approach to controlling the natural spread of pest plants, through the coastal marine area.

*Cross-Reference:
Methods 13.6.2.1.*

Principal reasons for adopting

Pest Management Strategies developed under the Biosecurity Act 1993 provide the appropriate consideration of pests and the need for and mechanisms available to deal with them.

13.5 RULES

Any activity specified in this section as a discretionary or restricted coastal activity requires a resource consent. Chapter 15 of this Plan specifies the information that must be submitted to the WCRC with a resource consent application.

13.5.1 Introduction of exotic or introduced plants

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

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

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

Principal reasons for adopting the Rules in Section 13.5.1

~~The introduction or planting of recognised pest plants is prohibited. This recognises their status as pests and avoids any adverse effects on the coastal marine area.~~

~~S1.8 of the First Schedule of the New Zealand Coastal Policy Statement provides that the introduction or planting of any exotic or introduced plant in the coastal marine area where the plant is not already present is a restricted coastal activity.~~

~~Any other activity involving the planting or introduction of introduced or exotic plants is a discretionary activity in order that any adverse effects can be assessed.~~

13.6 — OTHER METHODS**13.6.1 Consultation****13.6.1.1**

~~To consult with Poutini Ngai Tahu through papatipu Runanga by ensuring that Runanga are provided schedules of all non-notified resource consent applications and full copies of notified resource consent applications received by Council and are given the opportunity to comment. To also consult with individual tangata whenua who may be directly affected by a proposed activity.~~

13.6.1.2

~~Recognise and take account of Iwi Management Plans, as a basis for consultation with Poutini Ngai Tahu.~~

Principal reasons for adopting

~~The use of consultation to address Poutini Ngai Tahu values is considered by them and WCRC to be the most appropriate way to recognise and protect the cultural relationship that Poutini Ngai Tahu hold with the tai o Poutini (coastal domain or area) and to avoid adverse effects on areas of cultural and spiritual significance. It is also important to recognise and take account of Iwi Management Plans as a basis for consultation with Poutini Ngai Tahu.~~

13.6.2 Other plans**13.6.2.1**

~~The WCRC may develop a Regional Pest Plant Management Strategy as necessary to manage any pest plants within the coastal marine area.~~

Principal reasons for adopting

~~Pest Management Strategies developed under the Biosecurity Act 1993 provide the appropriate mechanisms available to manage, as necessary, any pest plant within the coastal marine area.~~

13.6.3 Liaison

13.6.3.1

The WCRC will liaise with other agencies, including the Department of Conservation and territorial authorities, regarding the use of native species for restoration planting of the coastal environment.

Principal reasons for adopting

To achieve the integrated planning of the coastal environment, activities which may have effects on both sides of the mean high water springs boundary are best considered by the appropriate agencies jointly.

13.7 ANTICIPATED ENVIRONMENTAL RESULTS

Advisory Note: Refer to Chapter 5 and Chapter 6 which outline general anticipated environmental results and anticipated environmental results for coastal management areas and cross boundary management areas that are also applicable to the introduction or planting of any exotic or introduced plant.

13.7.1

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

13.7.2

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

13.7.3

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

14

~~Natural Hazards~~

14.1 — BACKGROUND

Natural hazards are those naturally occurring events that threaten human life, property or other aspects of the environment. Section 2 of the Act defines natural hazards as:

*Cross Reference:
Chapter 6.*

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

In considering the use, development or protection of the coastal marine area, it is important that the potential adverse effects of any naturally occurring event are considered and taken into account.

14.2 — ISSUES

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

Explanation

Naturally occurring events can cause the loss, within the coastal marine area, of structures such as wharves and jetties, as well as damage to natural features such as biological communities and habitats. This can be brought about by such coastal processes as the eroding effect of natural currents and tides, or the natural sedimentation of estuaries or inlets. General principle 10 and Policy 1.1.4 of the New Zealand Coastal Policy Statement make it a national priority to protect the integrity, functioning and resilience of these natural processes, when it is identified that they are part of the natural character of the coastal marine area. The types of naturally occurring events or processes that give rise to natural hazards in the coastal marine area include the following:

*Cross Reference:
Objective 14.3.1;
Policies 14.4.1,
14.4.2, 14.4.3;
Methods 14.6.1 to
14.6.4.
Chapter 6.*

- (a) Erosion or inundation of the land adjacent to the coastal marine area as a result of the action of tides and waves. These areas have been specifically identified in Chapter 6 and are shown in Schedule 3 of this Plan as Coastal Hazard Areas.
- (b) Flooding and overtopping of structures within the coastal marine area as a result of storm surges or abnormally high water levels. The effects may be accentuated around inlets and estuaries when high rainfall events cause rivers to flood.
- (c) The potential for longer term flooding or overtopping of structures within the coastal marine area as a result of sea level rise.
- (d) Blocking of river mouths through sediment movement which can result in flooding.

- (e) ~~Tsunamis causing possible loss of life and property as a result of inundation of areas within and adjacent to the coastal marine area.~~

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

~~(a) Further effects on the communities' use, development and enjoyment of the coastal marine area and adjacent areas; and~~

~~(b) Unnatural loss of habitat of flora and fauna.~~

Explanation

~~Some activities in the coastal marine area can exacerbate the adverse effects of naturally occurring events. Examples of the types of effects that may arise are listed in the Policy. However, this list is not exclusive and may vary between locations.~~

Cross Reference:
Chapters 8,9
Objectives 14.3.1,
14.3.2;
Policy 14.4.1
Methods 14.6.1 to
14.6.4.

14.3 OBJECTIVES

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

Principal reasons for adopting

~~Taking into account the potential for adverse effects resulting from any naturally occurring event will assist in avoiding, remedying or mitigating those adverse effects wherever possible.~~

Cross Reference:
Policies 14.4.1,
14.4.2, 14.4.3;
Methods 14.6.1 to
14.6.4.

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

Principal reasons for adopting

~~General principle 10 and Policy 1.1.4 of the New Zealand Coastal Policy Statement make it a national priority to protect the integrity, functioning and resilience of these natural processes, when it is identified that they are part of the natural character of the coastal marine area. This objective will also assist to promote the sustainable management of the coastal marine area.~~

Cross Reference:
Policy 14.4.1;
Other Methods
14.6.2.

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

Principal reason for adopting

To give effect to New Zealand Coastal Policy Statement 3.4.5, and to avoid unnecessary hazard protection works where practicable.

Cross-References
Policies 14.4.1,
14.4.3;
Methods 14.6.2,
14.6.4.

14.4 — POLICIES

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

(a) The West Coast communities' use, development and enjoyment of the coastal marine area and adjacent areas; and

(b) The integrity, functioning and resilience of beaches, sand dunes, barrier islands, wetlands and other natural barriers and;

(c) Natural character.

Explanation

This policy recognises and takes into account the possibility that activities in the coastal marine area can exacerbate the adverse effects of naturally occurring events.

Cross Reference:
Related Policy;
6.4.1.3
Methods 14.6.1 to
14.6.4.
Schedule 3.3.

Principal reasons for adopting

Activities such as the erection or placement of solid structures, removal of sand and shingle or the reclamation of areas from the coastal marine area, can cause changes to coastal processes that can exacerbate the adverse effects of naturally occurring events. This is particularly relevant in areas adjacent to the Coastal Hazard Areas identified in Schedule 3. The potential for such adverse effects resulting from the activity need to be taken into account.

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

Explanation

The action of coastal processes may result in threats to human life or property, or to areas of value to the community. In order to avoid or mitigate the adverse effect of such natural hazards, it may be necessary to consider measures to avoid or mitigate the threat. This Policy requires consideration of all alternatives. Such measures may include coastal protection works to reduce or halt erosion of the coastline, or groynes or other structures to assist in retaining material to reduce erosion rates, where these are the best practicable option for the future.

Cross Reference:
Methods 14.6.1 to
14.6.3.

Principal reasons for adopting

It may be necessary at times to provide for protection against the threat

posed by naturally occurring events to human life or property, or to areas of value to the community. Where such a response is required, this policy ensures consistency with the requirements of Policy 3.4.6 of the New Zealand Coastal Policy Statement.

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

Explanation

The effects of these naturally occurring events should be considered when deciding the design of new structures, reclamations or other physical features to maximise their useful life.

*Cross Reference:
Methods 14.6.1 to 14.6.4*

Principal reasons for adopting

Policy 3.4.2 of the New Zealand Coastal Policy Statement states that the possibility of sea level rise should be recognised. Other naturally occurring events in the coastal marine area include storms, inundation, coastal processes and tsunamis.

14.5 RULES

There are no rules contained within this chapter. The objective and policies contained within this chapter give guidance to the consideration of activities that require resource consents under any or all of the other chapters of this plan.

14.6 OTHER METHODS

14.6.1 Consultation

14.6.1.1

The WCRC will consult with adjacent territorial local authorities over the need for, and appropriateness of joint management plans and joint works or action in order to address specific erosion issues or other coastal hazards issues.

Principal reasons for adopting

To promote integrated management with respect to coastal erosion and other natural hazards.

14.6.1.2

The WCRC will consult with people and communities directly affected by coastal hazards, when making decisions on levels of risk, from natural hazards.

Principal reasons for adopting

To implement the Regional Policy Statement natural hazards Policy 1.3. That Policy contains criteria to use when making

decisions on the level of risk.

14.6.2 Promotion and encouragement

14.6.2.1

The WCRC will promote and encourage:

- (a) ~~Means to avoid or mitigate the adverse effects of naturally occurring events, including but not limited to:~~
- ~~— (i) The use of coastal set back zones, and~~
 - ~~— (ii) Designing and building structures in a manner that provides for naturally occurring events; and~~
 - ~~— (iii) Maintaining and enhancing the integrity of beaches, sand dunes, barrier islands and other natural barriers; and~~
 - ~~— (iv) Erosion control and restoration planting; and~~
 - ~~— (v) Providing for coastal protection works for existing use and development; and~~
 - ~~— (vi) Consideration of alternative locations for activities; and~~
 - ~~— (vii) Where appropriate, the preparation of hazard management plans by affected persons.~~
- (b) ~~An awareness of those parts of the coast which have been identified as a Coastal Hazard Area.~~

*Cross
Reference:
Chapter 6.*

Principal reasons for adopting

~~Promotion and encouragement of means of avoiding or mitigating natural hazards and increasing awareness of Coastal Hazard Areas is an effective method to enable people and communities to respond to the adverse effects of naturally occurring events. The approach enables people and communities to provide for their social, cultural and economic wellbeing whilst avoiding adverse effects on the environment.~~

14.6.3 Service delivery

~~This is consistent with Regional Policy Statement natural hazards Policy 1.2.~~

14.6.3.1

~~Where appropriate, the WCRC may use its powers under the Soil Conservation and Rivers Control Act 1959 to undertake coastal protection works to help avoid or mitigate adverse effects on a regionally significant natural or physical resource, arising from naturally occurring events.~~

Principal reasons for adopting

~~The WCRC has powers and functions under other Acts. The ability to undertake works is provided for by those other Acts. An assessment is required of each natural hazard situation to determine the response that may be made by the WCRC.~~

14.6.4 Provision of Information

14.6.4.1

~~The WCRC will share information on coastal hazards with territorial~~

authorities and affected communities.

Principal reason for adopting

~~Sharing of information is an effective method to promote integrated management and to enable people and communities to respond to the adverse effects of naturally occurring events.~~

14.7— ANTICIPATED ENVIRONMENTAL RESULTS

14.7.1

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

14.7.2

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

14.7.3

~~The natural character of the coastal environment is preserved.~~

14.7.4

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

14.7.5

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

15

**Information
Requirements**

15.1 BACKGROUND

~~Applications for a resource consent must be made in accordance with section 88 of the Act. The Act further requires that where an assessment of the effects of the proposed activity is required, that the assessment be prepared in accordance with the Fourth Schedule.~~

~~In general, applications for resource consent for activities within the coastal marine area will be required to demonstrate that:~~

- ~~(a) The effects of the proposed activity comply with the relevant objectives, policies and rules of this Regional Coastal Plan; and~~
- ~~(b) Information has been included, in accordance with the Fourth Schedule of the Act, to enable the consent authority to make an assessment of the effects of the proposed activity; and~~
- ~~(c) Where practicable, consultation has occurred with parties likely to be affected by the proposed activity.~~

~~Without limiting the requirements of Section 88 of the Act, or of the Fourth Schedule to the Act, any application for the following activities will be required to supply information as specified in this chapter of the Regional Coastal Plan:~~

- ~~(a) Any activity which this Regional Coastal Plan specifies as being a discretionary activity, a controlled activity, or a restricted coastal activity; and~~
- ~~(b) An activity that would otherwise not comply with this Regional Coastal Plan (a non-complying activity).~~

~~Pursuant to section 88(2) of the Act, no application shall be made for an activity that a plan specifies as a prohibited activity, or for any activity described as a prohibited activity by a proposed plan once the time for making or lodging submissions or appeals against the proposed rule has expired and-~~

- ~~(a) No such appeals or submissions have been lodged; or~~
- ~~(b) All such submissions or appeals have been withdrawn or dismissed.~~

~~Applications for resource consents shall be made on the prescribed forms available from the WCRC. The detail of the environmental impact assessment should correspond with the scale and significance of the actual or potential effects that the activity may have on the environment.~~

15.2 GENERAL INFORMATION REQUIRED

The following information must be supplied with all resource consent applications:

1. The name of the applicant, ~~and the name of the owner or occupier if different.~~
2. ~~The address of the applicant, owner or occupier.~~
3. A description of the ~~proposed~~ activity, its purpose ~~and a site description.~~
4. The location of the ~~proposed~~ activity together with a site plan, legal description, construction plan (if applicable), and relevant map references.
5. An identification of whether the proposed location is:
 - (a) ~~Within a Coastal Protection Area, Culturally Significant Areas, Coastal Recreation Area or Coastal Development Area, as specified in Schedule 2 of this Plan; or is~~
 - (b) ~~Adjacent to any area identified as Outstanding Natural Features and Landscapes, Marine Mammal and Bird Sites or Coastal Hazard Areas as specified in Schedule 3 of this Plan.~~
6. The size of the area required by the ~~proposed~~ activity, in hectares or square metres.
7. The expected construction period (if applicable).
8. ~~The intended duration of the proposed activity.~~
9. A description of possible alternative locations or methods and the reasons for making the proposed choice.
10. An assessment of ~~the effects of the proposed~~ activity on the environment ~~including an assessment of the effects on:~~
 - (a) ~~The foreshore and seabed; and~~
 - (b) ~~The movement of water and sediment; and~~
 - (c) ~~Water quality; and~~
 - (d) ~~Any biological community and their habitat; and~~
 - (e) ~~Amenity value, including any recreational, community, commercial, historical and cultural uses of the area; and~~
 - (f) ~~Adjacent land; and~~
 - (g) ~~Any archaeological site; and~~
 - (h) ~~Navigation.~~
11. A description of the measures to be undertaken to ~~help prevent or reduce any actual or potential effects.~~
12. An identification of those persons ~~interested in or~~ affected by the ~~proposal~~, any consultation undertaken, and any response to the views of those consulted. ~~Depending on the type of activity proposed, or its scale or location, these people may include:~~
 - (a) ~~Neighbouring landowners.~~
 - (b) ~~Local Runanga.~~
 - (c) ~~Department of Conservation.~~
 - (d) ~~District Councils.~~
 - (e) ~~Ministry of Fisheries.~~
 - (f) ~~Maritime Safety Authority.~~
 - (g) ~~Recreational user groups.~~
 - (h) ~~The community generally.~~
 - (i) ~~Commercial user groups.~~

- (j) ~~New Zealand Historic Places Trust.~~
 (k) ~~Fish and Game Council.~~
13. A statement of whether any other resource consent is required from any other consent authority to undertake the proposed activity and whether any such consent has been applied for, or obtained.
14. A description of the anticipated effect of the proposed activity on public access along and to the coastal marine area including a description of:
- (a) The degree to which occupation of the coastal marine area is required for the proposed activity; the extent to which members of the public would be excluded or restricted from the area, and why this exclusion or restriction is necessary; and
- (b) Where existing public access would be excluded or restricted as a result of the proposed activity, a description of the methods, if any, proposed to bring about improved access elsewhere.
15. ~~Where the scale or significance of the activity's effect are such that monitoring is required, a description of how these effects will be monitored and by whom.~~
16. A description of the extent to which the proposed activity may exacerbate adverse effects arising from naturally occurring events (ie increase the risk of coastal hazard).
17. ~~A description of the extent to which the proposed activity will involve any use or alteration of any structure, including any:~~ *Cross Reference: Chapter 8.*
- (a) ~~Erection or placement; or~~
- (b) ~~Extension, alteration, replacement or reconstruction; or~~
- (c) ~~Demolition or removal.~~
- Note: Where the proposed activity involves structures, see section 15.3 below for additional information requirements.*
18. ~~A description of the extent to which the proposed activity will result in the alteration of the foreshore or seabed including any:~~ *Cross Reference: Chapter 9.*
- (a) ~~Reclamation; or~~
- (b) ~~Removal of sand, shingle, or other natural material; or~~
- (c) ~~Disturbance of the foreshore and seabed, including dredging, drilling, excavating and tunnelling; or~~
- (d) ~~Deposition or burial of natural material.~~
- Note: Where the proposed activity involves any alteration of the foreshore or seabed, see section 15.4 below for additional information requirements.*
19. ~~A description of the extent to which there are any discharges associated with the proposed activity.~~ *Cross Reference: Chapter 10.*
- Note: Where the proposed activity involves any discharge, see section 15.5.1 below for additional information requirements.*
20. ~~A description of the extent to which the activity involves the storage, use, transportation or disposal of any hazardous substance or hazardous waste.~~ *Cross Reference: Chapter 10.*
- Note: Where the proposed activity involves any storage or use of hazardous substances, see section 15.5.2 below for additional information requirements.*

~~21. A description of the extent to which the proposed activity involves the taking, use, damming or diversion of coastal water.
Note: Where the proposed activity involves any taking, use, damming or diversion of coastal water, see section 15.6 below for additional information requirements.~~

*Cross Reference:
 Chapter 11.*

~~22. A description of the extent to which noise is likely to be generated by the proposed activity within the coastal marine area.
Note: Where the proposed activity involves the generation of noise, see section 15.7 below for additional information requirements.~~

*Cross Reference:
 Chapter 12.*

~~23. A description of the extent to which the proposed activity involves the planting or introduction of any exotic plants into the coastal marine area.
Note: Where the proposed activity involves the introduction or planting of any exotic plant, see section 15.8 below for additional information requirements.~~

*Cross Reference:
 Chapter 13.*

15.3 STRUCTURES

*Cross Reference:
 Chapter 8.*

15.3.1 Placement or modification

~~In addition to the general information required by section 15.2 above, where the proposed activity involves the:~~

- ~~(a) — Erection or placement; or~~
- ~~(b) — Extension, alteration, replacement or reconstruction of a structure, the following information will be required:~~

- ~~1. A description of the structures' dimensions.~~
- ~~2. A description of the proposed method of construction including:

 - ~~(a) The material to be used to erect, place, extend, alter, replace or reconstruct the structure; and~~
 - ~~(b) The equipment to be used.~~~~
- ~~3. An assessment of the visual effect of the erection, placement, extension, alteration, replacement or reconstruction of the structure on the existing character of the area.~~
- ~~4. An assessment of the likely effect of the erection or placement, extension, alteration, replacement or reconstruction of the structure on any natural physical coastal processes operating in the area.~~
- ~~5. A description of the activities, including lighting (if applicable), to be carried out in relation to the structure when it is complete.~~

15.3.2 Demolition or removal

~~In addition to the general information required by section 15.2 above, where the proposed activity involves the demolition or removal of a structure, the following information will be required:~~

1. A description of the structure to be removed including a ~~description of its former purpose, historical significance, and use.~~
2. Evidence that the existing authorised owner of the structure, if known, has given their approval to the demolition and removal.
3. A description of the extent to which all or part of the structure is to be demolished or removed.
4. A description of the methods to be used to remove the structure ~~and the anticipated disturbance of the foreshore or seabed resulting from that removal.~~
5. ~~An assessment of the likely effect of the removal of the structure on any natural physical coastal processes operating in the area.~~
6. ~~A description of restoration proposed at the end of the activity.~~

15.4 ALTERATION OF THE FORESHORE AND SEABED

*Cross
Reference:
Chapter 9.*

15.4.1 Reclamation

~~In addition to the general information required by section 15.2 above, where the proposed activity involves the reclamation of the foreshore or seabed, the following information will be required:~~

1. A description of the purpose of the reclamation and the uses to which it will be put.
2. An assessment of alternatives that have been considered to the ~~proposed reclamation of the foreshore or seabed~~ and the reasons why a reclamation is required in the location chosen.
3. An assessment of the visual effect of the reclamation on existing character of the area.
4. A description of the proposed method of construction including:
 - (a) The material to be used in the reclamation; and
 - (b) ~~The equipment to be used.~~
5. A description of the ~~existing environment, including:~~
 - (a) ~~A physical description; and~~
 - (b) ~~The hydrology and sediment regime; and~~
 - (c) ~~The water quality; and~~
 - (d) ~~The ecology.~~
6. ~~Without limiting section 15.2(4) and (6) above, a site plan to show the area proposed to be reclaimed, including its size and location, and the portion of that area (if any) to be set apart as an esplanade reserve under section 246(3) of the Act.~~

15.4.2 Removal of natural material

*Cross
Reference:
Chapter 9.*

~~In addition to the general information required by section 15.2 above, where the proposed activity involves the removal of sand, shingle or other natural material, the following information will be required:~~

1. A description of the composition, including the size, of the material to be removed.

2. A description of the proposed use of the sand, shingle, stones, or other natural material.
3. The volume of material ~~proposed~~ to be removed, in terms of a total annual volume, and ~~in terms of~~ daily amounts (where applicable).
4. A description of the period over which the removal will occur, and the frequency of removal in any 12 month period.
5. A description of the methods to be used to remove the material.
- ~~6. An assessment of alternatives that have been considered to the proposed removal and the reasons why the removal is required from the location chosen.~~
- ~~7. An assessment of the overall sediment budget for the area including an assessment of the rate of any accretion or erosion that may be occurring (if applicable), and the effect of the proposed removal on the sediment budget for the area.~~
- ~~8. A description of any previous removal of any sand, shingle, shell or other natural material from the area, including the period of removal and volumes removed (if known).~~
9. A description of restoration proposed at the end of the activity.

15.4.3 Disturbance

*Cross Reference
Chapter 9.*

~~In addition to the general information required by section 15.2 above, where the proposed activity involves the disturbance of the foreshore or seabed, the following information will be required:~~

1. The reasons for the proposed disturbance.
2. The scale, timing and scope of the proposed disturbance.

15.4.3.1 Deposition

*Cross Reference:
Chapter 9.*

~~In addition to the general information required by section 15.2 above, where the proposed activity involves the deposition of any sand, shingle or other natural material into the coastal marine area, the following information will be required:~~

- ~~1. An assessment of alternatives that have been considered to the proposed deposition and the reasons why the deposition is required in the location chosen.~~
2. A description of the receiving environment including:
 - (a) Hydrology and sediment movement; and
 - (b) Composition of the material present; and
 - (c) The ecology of the area.
3. A description of:
 - (a) ~~The material proposed to be deposited; and~~
 - (b) The volume and frequency of material to be deposited; and
 - (c) The methods to be used to deposit the material.
- ~~4. An analysis of the material to be deposited including:~~
 - (a) The chemical composition of the material ~~proposed to be deposited and, in particular, the level of contamination, if~~

- ~~any, of that material; and~~
- (b) The grain size and other physical characteristics of the material ~~proposed~~ to be deposited, and the similarity, or otherwise of ~~that material~~ to the area where ~~the material~~ is ~~proposed~~ to be deposited.

15.5 DISCHARGES

*Cross
Reference:
Chapter 10*

15.5.1 ~~Discharge of contaminant or water~~

~~In addition to the general information required by section 15.2 above, where the proposed activity involves the discharge of contaminant or water into the coastal marine area, the following information will be required:~~

1. ~~A description of the nature, volume, contents and frequency of the proposed discharge.~~
2. ~~A description of the treatment, if any, of the contaminant or water prior to the proposed discharge.~~
3. ~~A description of the receiving area where the proposed discharge is to occur.~~
4. An assessment of the ability of the receiving area to assimilate the discharge, and where appropriate, the potential for biotransformation, bioaccumulation and biomagnification.
5. An assessment of the current uses of the proposed area of discharge and the anticipated effect of the discharge on those uses.
6. ~~An assessment of alternatives to the proposed discharge, including alternative receiving environments outside of the coastal marine area, and the reasons why the discharge is required in the location chosen.~~

15.5.2 ~~Storage and use of hazardous substances~~

~~In addition to the general information required by section 15.2 above, where the proposed activity involves the storage or use of any hazardous substance within the coastal marine area, the following information will be required:~~

1. ~~A description of the hazardous substance proposed to be stored or used.~~
2. ~~An assessment of alternatives that have been considered to the proposed storage or use of the hazardous substance and the reasons why the storage or use is required in the coastal marine area.~~

15.6 TAKING, USE, DAMMING OR DIVERSION

*Cross
Reference:
Chapter 11.*

~~In addition to the general information required by section 15.2 above, where the proposed activity involves the taking, use, damming or diversion of coastal water within the coastal marine area, the following information will be required:~~

1. ~~In the case of taking, a description of the volume of the proposed take, method of taking and an assessment of the need for the take from the coastal marine area.~~
2. ~~In the case of damming or diversion, a description of the proposed damming or diversion and an assessment of the need for the damming or diversion within the coastal marine area.~~
3. An assessment of the nature and extent of any natural inflows into the area of the proposed take, damming or diversion and the degree of tidal flushing with the open coast.

15.7 NOISE

*Cross Reference:
Chapter 12.*

~~In addition to the general information required by section 15.2 above, where the proposed activity involves the generation or emission of noise within the coastal marine area, the following information will be required:~~

1. ~~An analysis of the anticipated level of noise above and below the water surface as applicable.~~
2. ~~An analysis of background noise levels.~~
3. ~~A description of the timing and duration of any noise emission.~~

15.8 EXOTIC PLANTS

*Cross Reference:
Chapter 13.*

~~In addition to the general information required by section 15.2 above, where the proposed activity involves the introduction or planting of any exotic plant into the coastal marine area, the following information will be required:~~

1. ~~The name of the plant, or plants proposed to be introduced and the proposed methods to be used to introduce the plant.~~
2. ~~The purpose for introducing the plant or plants.~~
3. ~~A description of whether the plant or plants is or are already resident in the area of the proposed introduction.~~
4. A description of the existing vegetation in the proposed area and an assessment of the likely impact of the introduction of the plant or plants on the existing vegetation and fauna.
5. ~~A description of the potential of the plant to spread to other areas.~~

15.9 PROVISION OF FURTHER INFORMATION

~~Pursuant to section 92 of the Act, a consent authority may, at any reasonable time before the hearing of a resource consent application, by written notice to an applicant for a resource consent, require the applicant to provide further information relating to the application.~~

~~Due to the variable nature and site specific aspects of activities within the coastal marine area, it is difficult to define all of the required information until closer investigation of a specific application has been conducted.~~

~~The applicant may be required to supply further information, pursuant to section 92 of the Act, in cases where additional information is necessary to enable the WCRC to better understand the nature of the activity in respect of which the application for a resource consent is made, the effect it will have on the environment, or the ways in which any adverse effects may be mitigated.~~

16

**Financial
Contributions**

16.1 BACKGROUND

~~When the WCRC grants a resource consent, it may impose a condition requiring that a financial contribution be made for the purposes specified in the Act (Section 108).~~

~~Financial contributions may be for various purposes specified in the Plan including the purposes of ensuring positive effects on the environment to offset any adverse effects (environmental compensation).~~

~~The provisions which follow are intended to reflect the requirements of Section 108(9) of the Act and Clause 5 of Part 1 of the Second Schedule of the Act, and set out:~~

- ~~1. The circumstances when such contributions may be imposed.~~
- ~~2. The purposes for which such contributions may be required and used.~~
- ~~3. The maximum amount of any contribution.~~
- ~~4. Assessment criteria which the Council will have regard to when deciding whether to impose a financial contribution, the types of contribution, and the amount of such contributions.~~

~~In deciding on any financial contribution, the WCRC will take into account that requiring a contribution may not be appropriate in every case, even where there are adverse effects.~~

~~Every resource consent application needs to be considered as to the nature and extent of any contribution that may be required. The WCRC does not intend that environmental effects should be "mitigated" or fully compensated in every case. The "maximum amounts" indicated in this chapter are intended as an upper limit. The actual amount of particular contributions will vary depending upon the circumstances and the application of the criteria outlined above in Section 16.3.~~

~~Contributions may be taken in any one or more of the circumstances listed in section 16.2, if required, in accordance with the assessment criteria listed in section 16.3.~~

16.2—CIRCUMSTANCES, PURPOSE AND MAXIMUM AMOUNT

~~Financial contributions may be imposed on any coastal permit in the circumstances and for the purposes set out below. Contributions may be in the form of land or money or any combination of these. Contributions of money to the Council must be applied for the general purpose for which such contributions were taken.~~

~~The following provisions set out circumstances and purposes for which financial contributions may be imposed and used, and the method of calculating the maximum amount of the contribution in each case.~~

16.2.1 Maintenance and enhancement of public access to and along the coastal marine area

~~Circumstances: Where public access to or along the coast will be limited or prevented by the activity for which consent is granted.~~

~~Purpose 1: To avoid, remedy or mitigate such effects by providing for public access to or along the coast through or around the area to which the consent applies.~~

~~Maximum amount: The full actual cost of providing access sufficient to fully mitigate adverse effects on public access.~~

~~Purpose 2: To offset or compensate for reduction or loss of access by contributing to new or enhanced access to or along another part of the coastal marine area within the same general locality or serving the same general community.~~

~~Maximum amount: The full cost of providing or contributing alternative public access to a reasonably equivalent standard and extent to that access which will be lost or reduced.~~

16.2.2 Public open space and facilities in the coastal marine area

~~Circumstances: Where the activity, for which a resource consent is granted, occupies or affects any part of the coastal marine area which is or was previously open to the public and contains or previously contained facilities or space used by the public in the coastal marine area.~~

~~Purposes: To mitigate or compensate for such effects by providing public open space or public facilities on or in the vicinity of the site, or at an alternative location in the coastal environment in the same general locality or serving the same general community (including a contribution to any public reserves).~~

~~Maximum amount:~~ The full actual cost of providing land, or an interest in land or works or services to provide public open space or public facilities of a reasonably equivalent standard or extent to those which are ~~lost or~~ affected by the granting of the consents.

~~16.2.3 Planting or maintenance of coastal vegetation or habitats~~

~~Circumstances:~~ Where the activity for which the consent is granted will or is likely to result in destruction or damage to vegetation or habitats.

~~Purposes:~~ To mitigate, remedy or compensate for the loss of vegetation or habitats by planting, replanting, transplanting (where appropriate with native species of local stock) or maintaining new or existing plantings either at or adjacent to the site concerned or elsewhere in the same general locality.

~~Maximum amount:~~ The full actual costs of the works and of providing land, or an interest in land or works or services to provide for planting, replanting, transplanting or maintaining new or existing plantings.

~~16.2.4 Landscaping or planting~~

~~Circumstances:~~ Where the activity for which consent is granted is likely to cause or contribute to adverse effects on visual amenities and/or involves land clearance or disturbance.

~~Purposes:~~ To reduce the adverse effects of land clearance, land disturbance and structures in the coastal marine area by landscaping or replanting on or adjacent to the site in question.

~~Maximum amount:~~ The full actual costs of carrying out such works and of providing land sufficient to fully mitigate the adverse effects of the activity.

~~16.2.5 Fencing or screening~~

~~Circumstances:~~ Where the activity for which consent is granted is likely to contribute to adverse effects on visual amenities, heritage features or conservation areas, including whitebait spawning areas.

~~Purposes: To contribute to screening to reduce adverse visual effects or to fencing or screening to protect or separate heritage features or conservation areas, including whitebait spawning areas.~~

~~Maximum amount: The full actual costs of carrying out such works to a standard sufficient to fully mitigate the adverse effects of the activity.~~

~~16.2.6 Protection, maintenance or restoration of Coastal Protection Areas~~

~~Circumstances: Where the activity for which consent is granted will, or is likely to contribute to adverse effects on any Coastal Protection Area.~~

~~Purposes: To mitigate or offset such effects by providing for works which protect or restore the values within the Coastal Protection Area.~~

~~Maximum amount: The full actual cost of works reasonably required to fully mitigate or reasonably compensate for such effects.~~

~~16.2.7 Protection, maintenance or restoration of site buildings, places or areas of historic or cultural importance~~

~~Circumstances: Where the activity for which consent is granted will adversely affect a historic site building, place or area, or one of cultural significance to Poutini Ngai Tahu.~~

~~Purposes: To mitigate or offset such effects by providing for works which protect or restore that site building, place or area, or to offset such effects by contributing to protection, maintenance or restoration of some alternative historic or cultural site building, place or area elsewhere within the coastal environment in the same general locality.~~

~~Maximum amount: The full actual cost of works and of purchasing land reasonably required to fully mitigate or reasonably compensate for such effects.~~

~~16.2.8 Protection, restoration or enhancement of Marine Mammal and Bird sites~~

~~Circumstances: Where the activity for which consent is granted is likely to cause or contribute to adverse~~

~~effects on any site identified in Schedule 3 of this Plan as being a Marine Mammal and Bird site.~~

~~Purposes: To mitigate or offset the adverse effects of the activity by protecting, restoring or enhancing the site, including (without limitation) maintenance and planting of vegetation, fencing, and foreshore protection and including contribution to such measures elsewhere in the same general locality.~~

~~Maximum amount: The full actual costs of works and of providing land sufficient to fully mitigate such effects.~~

16.2.9 Protection, restoration or enhancement of seabed and foreshore

Circumstances: Where the activity for which consent is granted is likely to cause or contribute to adverse effects on seabed or foreshore.

Purposes: ~~To mitigate or offset the adverse effects of the activity by protecting, restoring or enhancing the seabed or foreshore, including (without limitation) maintenance and planting of vegetation, sediment replenishment, erosion protection works, fencing, and foreshore protection and including contribution to such measures elsewhere in the same general locality.~~

Maximum amount: The full actual costs of works to a standard sufficient to mitigate such effects.

16.2.10 Reduction of litter

~~**Circumstances:** Where the activity for which consent is granted is likely to contribute directly or indirectly to littering of the coastal marine area.~~

~~**Purposes:** To mitigate or offset such effects by contributing to litter collection facilities, services or signage in the general area of the activity.~~

~~**Maximum amount:** The full actual costs of contributions reasonably required to fully mitigate the effects referred to above.~~

16.2.11 General mitigation works

~~Circumstances: — Where the activity for which consent is granted will cause or contribute to adverse effects on the environment which will not be adequately mitigated by any of the types of contribution described elsewhere in this section.~~

~~Purposes: — Works on or adjacent to the site for the purpose of avoiding, remedying or mitigating the adverse effects of the activity, including protection, restoring or enhancing natural and physical resources or amenity values elsewhere in the coastal environment in the same general locality.~~

~~Maximum amount: — The full actual costs of providing offsetting positive effects reasonably equivalent in standard, amenity value or environmental value to those amenities or resources which will be lost, compromised or adversely affected.~~

16.3 FINANCIAL CONTRIBUTION ASSESSMENT CRITERIA

In deciding whether or not to impose financial contributions, the types of contribution and their value, the Council will have particular regard to the following matters:

- ~~(a) — The extent to which any adverse effects deriving from the activity can and should be mitigated by way of works carried out on or near the site; or~~
- ~~(b) — The extent to which a financial contribution may offset or provide compensation to the community or environment for adverse effects caused or contributed to by the activity and not otherwise avoided, remedied or mitigated by the consent holder.~~
- ~~(c) — The extent to which a contribution is required to achieve objectives and policies of this plan.~~
- ~~(d) — In deciding the actual value of the financial contribution required, the Council will have particular regard to:

 - ~~(i) The significance of the effects attributable to the activity;~~
 - ~~(ii) Where such effects are contributed to by other activities, the extent to which those effects can be reasonably attributed to the activity for which consent is granted;~~
 - ~~(iii) The extent to which any positive effects of the activity offset any adverse effects.~~~~
- ~~(e) — Financial contributions should relate to the effects of the activity for which consent is granted and be reasonably proportionate to the significance of any adverse effects.~~
- ~~(f) — The costs of establishing and conducting the activity.~~

~~(g) The necessity for establishing or continuing the activity in the coastal marine area, the availability of alternative locations and the reasons for the activity occurring in the coastal marine area.~~

17

**Monitoring and
Review**

17.1 BACKGROUND

The Act requires the WCRC to gather information and to undertake or commission such research as is necessary to carry out effectively their functions under the Act (section 35(1)). Section 35(2) of the Act also requires that the WCRC monitor:

- (a) The state of the regional environment to the extent that is appropriate to enable the Council to effectively carry out its functions (state of the environment monitoring or baseline monitoring);
- (b) The suitability and effectiveness of any policy statement or plan, or proposed policy statement or plan for the region, (performance monitoring), and the exercise of any functions, powers or duties delegated or transferred by it (monitoring of transfers or delegations); and
- (c) The extent to which resource consent conditions are met (compliance monitoring).

This monitoring will be undertaken in terms of the framework set out in the West Coast Regional Policy Statement and the Regional Monitoring Strategy.

Section 67(1)(i) of the Act also requires that the WCRC include within this Regional Coastal Plan the procedures to be used to review the matters contained within it, and to monitor the effectiveness of the Plan as a means of achieving its objectives and policies.

17.2 ELEMENTS TO BE MONITORED

The WCRC will monitor the elements of the coastal marine area necessary to assess the suitability and effectiveness of the objectives and policies within this Plan, including their effectiveness in achieving the anticipated environmental results.

In considering the elements requiring monitoring, the WCRC will have particular regard to the anticipated environmental results as stated within this Plan and will in particular consider the monitoring of the following:

1. The extent to which the views of West Coast's communities are reflected in the management of the coastal marine area.
2. The extent to which public access is maintained and enhanced to and along the coastal marine area.
3. The number, size and extent of structures and their impact on the character of the coastal marine area.
4. The extent to which the foreshore and seabed of the coastal marine area is altered by activities and the effects on the coastal environment of that alteration.

5. ~~The extent to which coastal water quality is maintained and enhanced, in particular in areas where there is:

 - (a) ~~A high public interest in, or use of the water; or~~
 - (b) ~~A particular Poutini Ngai Tahu interest in the water; or~~
 - (c) ~~A particular value to be maintained or enhanced; or~~
 - (d) ~~A direct discharge containing human sewage; or~~
 - (e) ~~A direct discharge of wastes from commercial, industrial or production activities.~~~~
6. ~~Water quality within the coastal marine area with a view to classification of waters in the coastal marine area as provided by the Third Schedule of the Act.~~
7. ~~The location and extent to which any activity or area within or adjacent to the coastal marine area is adversely affected by any natural hazard, and the effect any activity or structure has on existing natural hazards or the development of new natural hazards.~~
8. ~~The extent to which any coastal water is taken, dammed or diverted within any Coastal Protection Area, river mouth or harbour, and the effects of that taking, damming or diversion.~~
9. ~~The extent to which noise is generated or emitted to unreasonable levels within the coastal marine area.~~
10. ~~The nature, extent and effect of the introduction of exotic plants into the coastal marine area.~~
11. ~~Effects of habitat changes.~~

17.3 ~~MONITORING TECHNIQUES~~

~~In monitoring elements of the coastal marine area necessary to determine the suitability and effectiveness of the objectives and policies within this Regional Coastal Plan, the following techniques may be used:~~

1. ~~Analysis of feed back, and compliments and complaints received.~~
2. ~~Water quality surveys.~~
3. ~~Requiring self monitoring of consents, where necessary, and the provision of the collected information to the Council.~~
4. ~~Compliance audit monitoring to ensure that conditions on resource consents are being adhered to.~~
5. ~~Maintaining a database of coastal permits issued.~~
6. ~~Commission research, as necessary to provide additional information on the coastal environment.~~
7. ~~Where appropriate, develop and implement joint initiatives with other local authorities, government departments, including Department of Conservation and other agencies to monitor key aspects of the West Coast's coastal environment.~~
8. ~~Make available data held by the WCRC and seek the transfer between agencies and local authorities of information on the coastal marine area.~~

- ~~9. Surveys of aquatic organisms, which act as biological indicators.~~
- ~~10. Monitoring of physical coastal processes.~~
- ~~11. Monitoring of habitat changes.~~

17.4 REVIEW

~~The Regional Coastal Plan, once approved, will be in force for a period of 10 years, unless reviewed earlier. Any such review would be carried out in accordance with the First Schedule of the Act. In considering the need to review this Plan, the WCRC will have regard to the extent to which the contents and framework established by the Plan are affected by matters that include the following:~~

- ~~1. Changes in legislation dealing with any aspect of the coastal marine area.~~
- ~~2. Improved knowledge and understanding of coastal marine area, arising from monitoring identified in Section 17.2.~~
- ~~3. Issues identified by the monitoring of the suitability and effectiveness of the objectives and policies within this Plan.~~
- ~~4. The development, implementation and review of the Regional Policy Statement and other regional plans by the WCRC.~~
- ~~5. The development, implementation and review of district plans by West Coast's territorial local authorities.~~
- ~~6. Requests for a plan change or review made by any person in accordance with Part II of the First Schedule of the Act.~~
- ~~7. The effectiveness of the Plan as a consent processing framework.~~

Schedules

SCHEDULE 1: CROSS RIVER BOUNDARIES

The boundaries in this Schedule show the landward extent of the coastal marine area, where the line of mean high water springs crosses a river. These boundaries were agreed and set between the Minister of Conservation, the regional council, and the appropriate territorial authority, in accordance with the RMA 1991.

For all rivers not shown, and that enter the coastal marine area, the landward extent of the coastal marine area boundary is five times the width of the river at the point where the river crosses the line of mean high water springs.

The topographical maps used in this Plan are the latest NZMS series maps available. The Council recognises that river mouths may migrate over time. Hence, the coastal marine area boundary has been fixed to recognisable points, ~~as described in the text.~~

1.1.1 Buller District

Waterbody	Description of the Boundary*	Boundary Grid Reference NZMS 260
Heaphy River	Exit from Gorge	L26 356 249
Kohaihai River	Downstream of footbridge	L26 348 104
Break Creek	Upstream side of road bridge	L27 352 039
Oparara River	Upstream side of road bridge	L27 356 989
Baker Creek	300 metres upstream of road bridge	L27 357 958
Karamea River	Western boundary of domain	L27 358 947
Granite Creek	5 x width upstream of S.H. bridge	L27 347 902
Blackwater Creek	5 x width upstream of S.H. bridge	L27 342 901
Little Wanganui River	Line from Wharf Road (north bank)	L27 325 805
Glasseye Creek	Sewer Ponds	L28 316 784
Falls Creek	Exit from Gorge	L28 290 764
Mokikinui River	Intersection S.H. / Waimarie Rd	L28 220 638
Ngakawau River	Start of track behind coal facilities	L28 167 548
Birchfield Creek	“L” bend Jones Creek confluence	K29 088 473
Waimangaroa River	Farm tracks east/west banks	K29 062 445
Whareatea River	Farm track “L” bend	K29 041 425
Deadman’s Creek	Downstream side Council Rd bridge	K29 000 398
Orowaiti River	Seaward side of rail bridge	K29 963 374
Buller River	900 metres upstream of a line between the tipheads (where the River enters the Tasman Sea)	K29 929 403 to 926 403
Okari River	400 metres upstream of carpark	K29 834 306
Totara River	5 x width upstream from mouth	K29 829 265
Little Totara River	5 x width upstream from mouth	K29 826 258
Nile River	Downstream side S.H. bridge	K29 809 217
Tiropahi River	50 m upstream from mouth	K30 784 154
Fox River	5 x width upstream from old S.H. bridge	K30 765 067
Bullock Creek	Upstream side S.H. bridge	K30 728 794
Pororari River	Upstream side S.H. bridge	K30 727 987
Punakaiki River	Seaward side S.H. bridge	K30 721 968

* Taken from the NZMS 260 series of 1:50,000 scale maps

BULLER DISTRICT



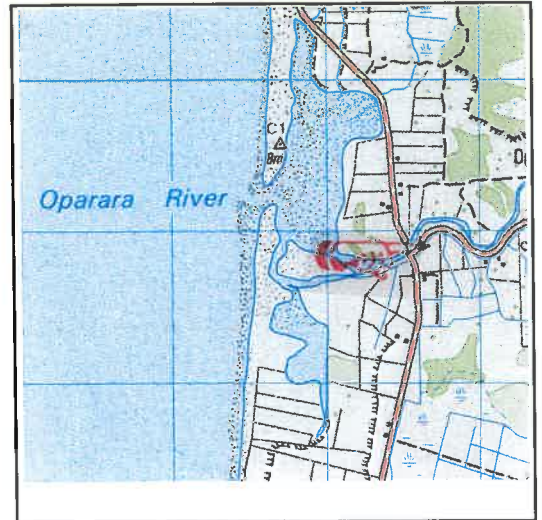
HEAPHY RIVER



KOHAIHAI RIVER



BREAK CREEK



OPARARA RIVER



BAKER CREEK

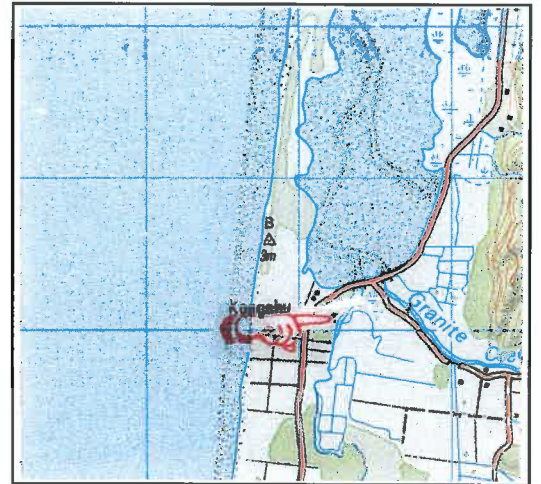


KARAMEA RIVER

BULLER DISTRICT



GRANITE CREEK



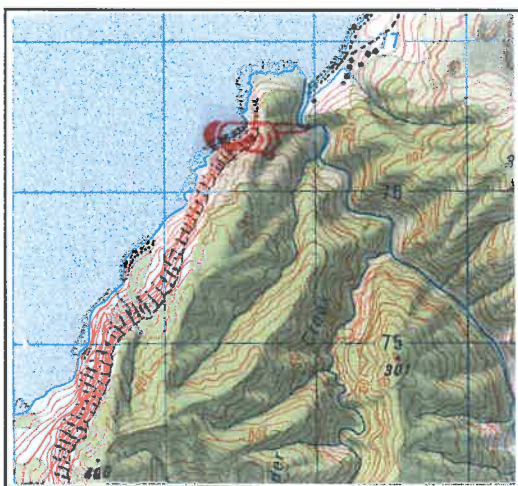
BLACKWATER CREEK



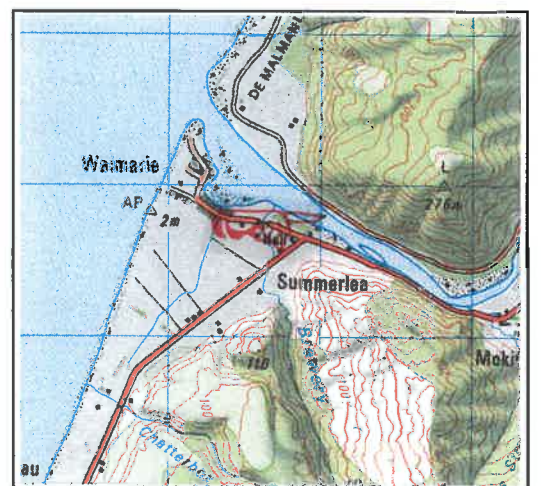
LITTLE WANGANUI RIVER



GLASSEYE CREEK



FALLS CREEK

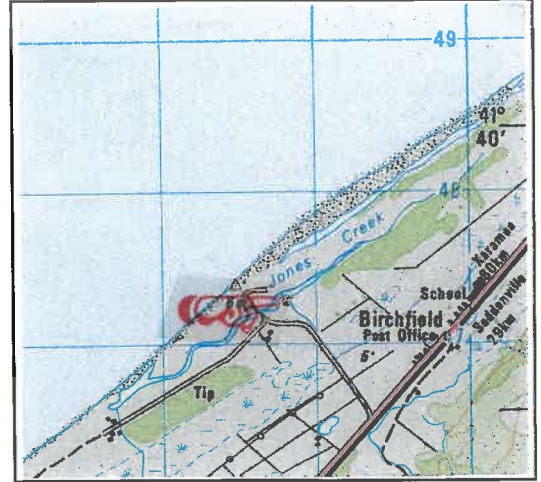


MOKIKINI RIVER

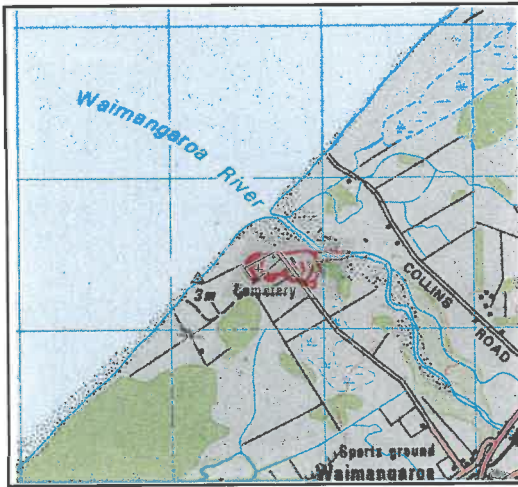
BULLER DISTRICT



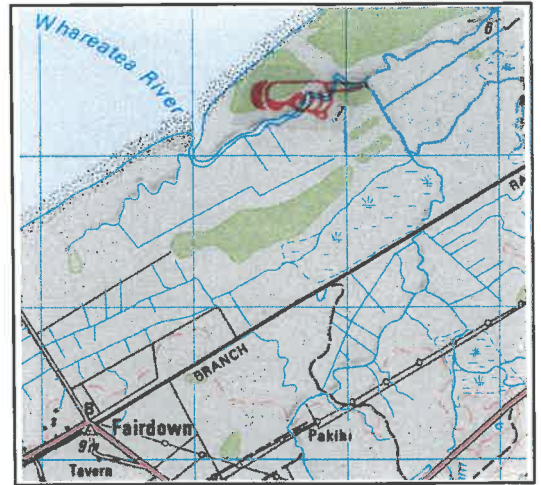
NGAKAWAU RIVER



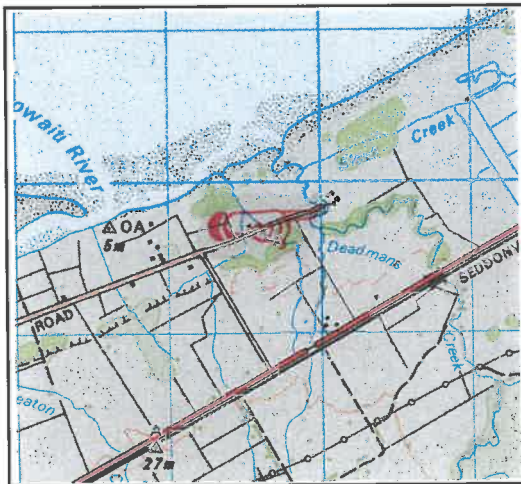
BIRCHFIELD CREEK



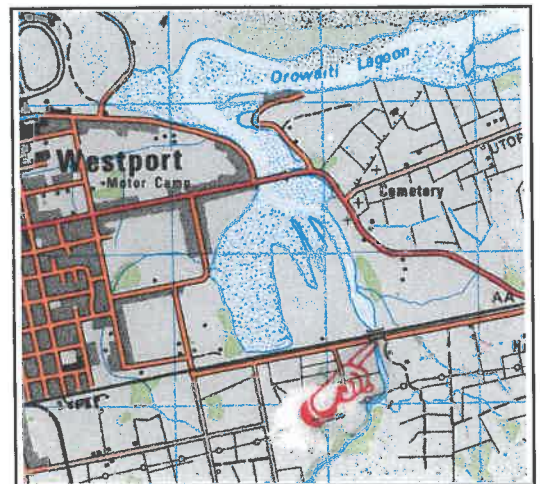
WAIMANGAROA RIVER



WHAREATEA RIVER

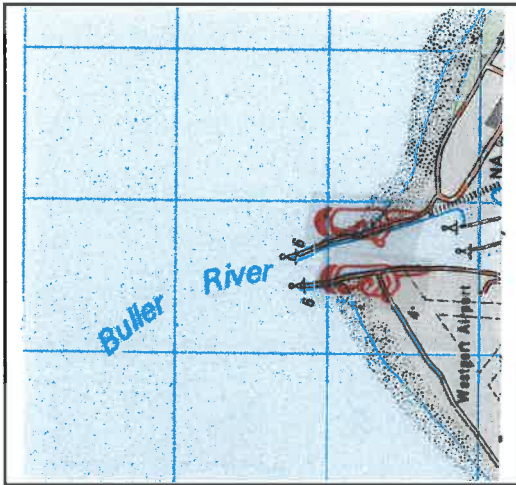


DEADMAN'S CREEK

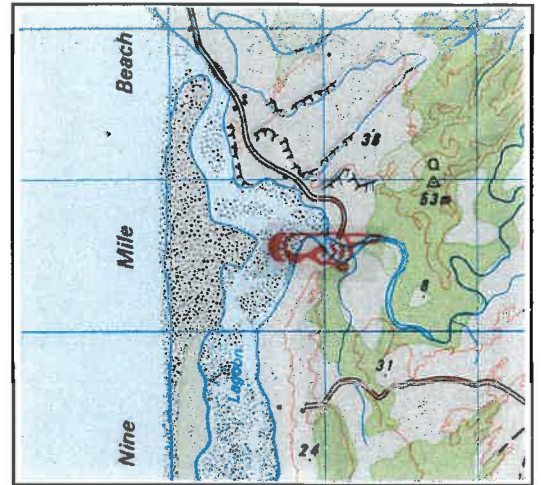


OROWAITI RIVER

BULLER DISTRICT



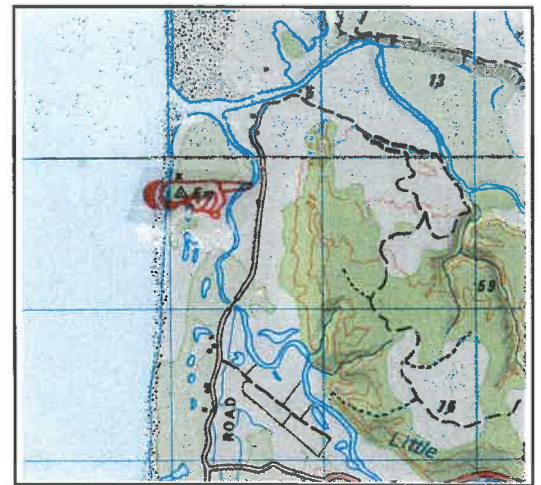
BULLER RIVER



OKARI RIVER



TOTARA RIVER



LITTLE TOTARA RIVER

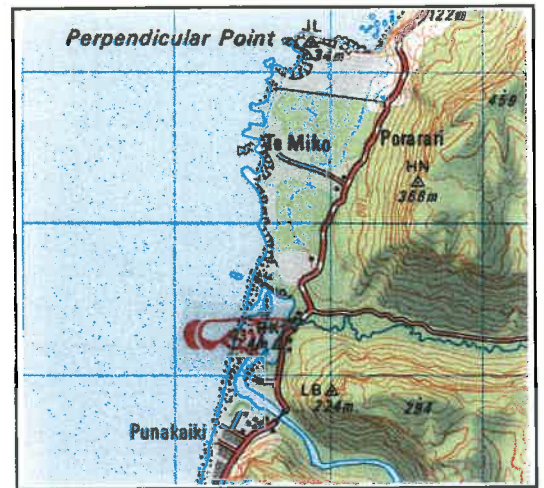
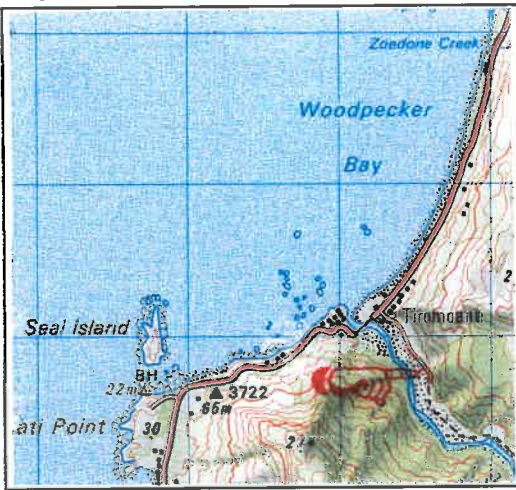


NILE RIVER



TIROPAHI RIVER

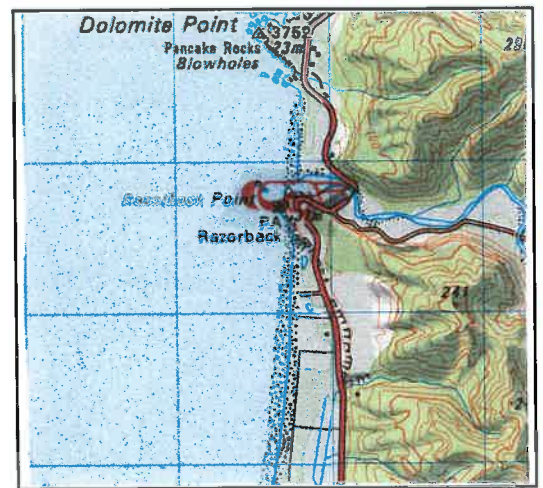
BULLER DISTRICT



FOX RIVER



BULLOCK CREEK



PORORARI RIVER

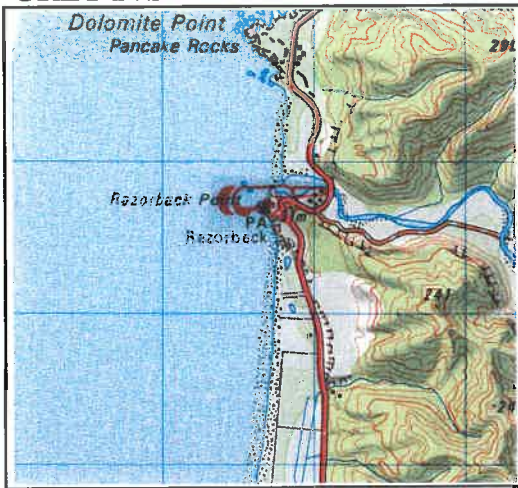
PUNAKAIKI RIVER

1.1.2 Grey District

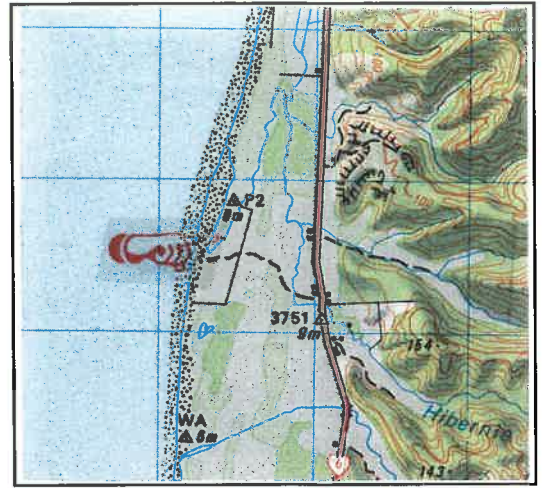
Waterbody	Description of the Boundary*	Boundary Grid Reference NZMS 260
Punakaiki River	Seaward side of S.H. bridge	K30 721 968
Hibernia Creek	Inland of hairpin bend	K30 714 936
Lawsons Creek	Inland of turn inland	K30 713 922
Deverys Creek	Entrance to lagoon	K31 710 890
Collins Creek	Entrance to lagoon	K31 711 883
Canoe Creek	Above where creek meets coastline	K31 710 878
Ten Mile Creek	At the bend	J31 669 732
Seven Mile Creek	Upstream side S.H. bridge	J31 653 686
Grey River	5 x mouth at breakwater including Range Creek below culvert	J31 618 609
Saltwater Creek	Upstream side S.H. bridge	J32 594 534
New River	Below S.H. bridge and below rock weir	J32 579 496
Taramakau	30 metres upstream of S.H. bridge	J32 577 478

* Taken from the NZMS 260 series of 1:50,000 scale maps

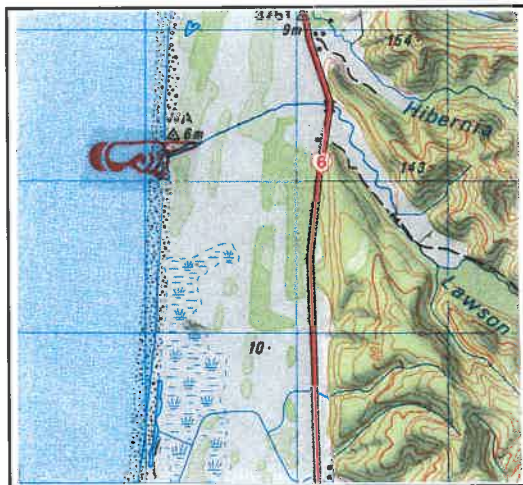
GREY DISTRICT



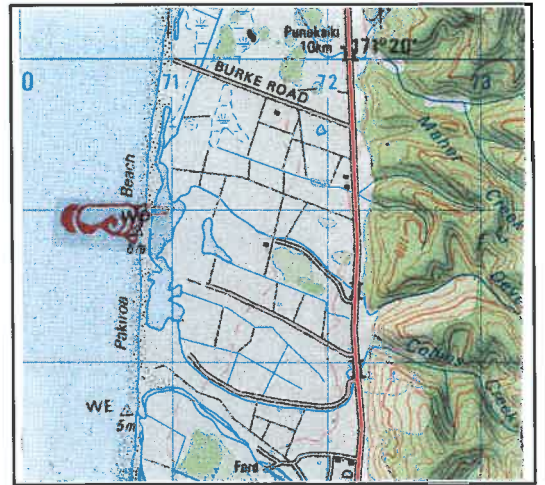
PUNAKAIKI RIVER



HIBERNIA CREEK



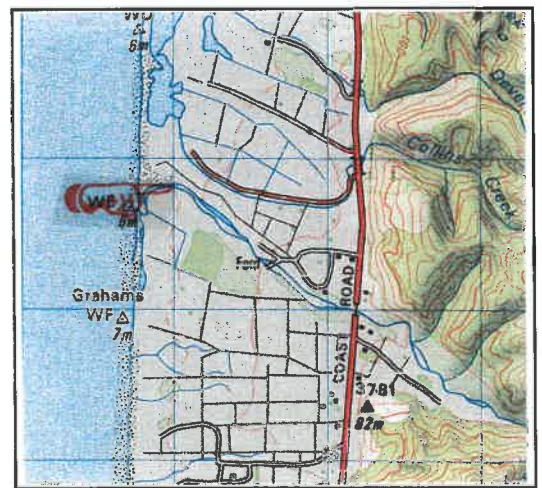
LAWSONS CREEK



DEVERYS CREEK



COLLINS CREEK

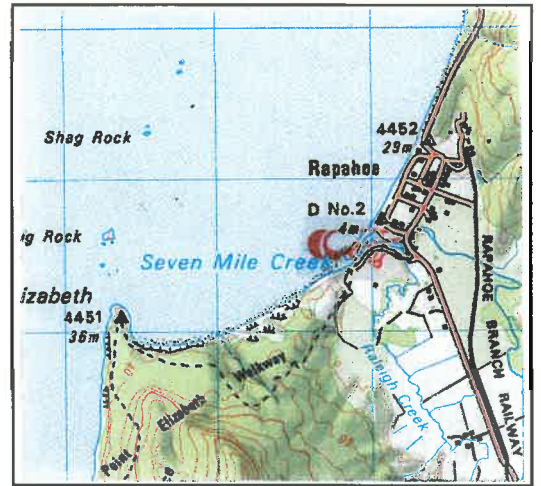


CANOE CREEK

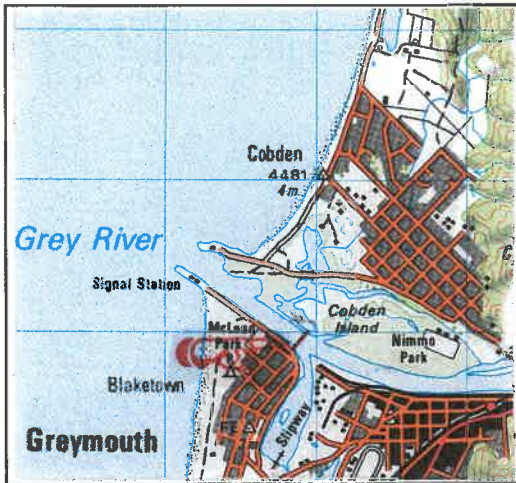
GREY DISTRICT



TEN MILE CREEK



SEVEN MILE CREEK



GREY RIVER



SALTWATER CREEK



NEW RIVER



TARAMAKAU

1.1.3 Westland District

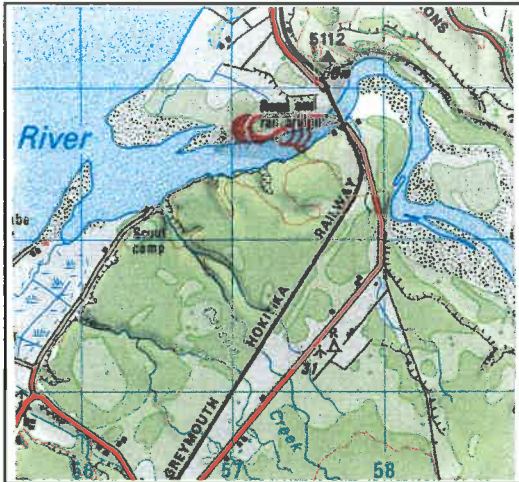
Waterbody	Description of the Boundary*	Boundary Grid Reference NZMS 260
Taramakau River	30 m upstream side of rail/road bridge	J32 577 478
Acre Creek	5 x river width upstream from the mouth	J32 546 445
Kapitea Creek	5 x river width upstream from the mouth. Includes finger lagoon	J32 536 426
Waimea Creek	Upstream side of rail bridge	J32 518 395
Flowery Creek	5 x river width upstream from where the creek enters the lagoon.	J32 492 367
Arahura River	Includes finger lagoon. 30m upstream side of the rail / road bridge	J32 485 353
Houhou Creek	Upstream side of road bridge	J32 454 328
Hokitika River	Extension of upstream side of Davie Street	J33 438 293 to 435 285
Mahinapua Creek	5 x river width upstream from the mouth	J33 420 290
Totara River	Upstream side of the old rail bridge. Includes the ribbon lagoon within the Wildlife Reserve (Refer CPA 7)	J33 312 119
Mikonui River	Upstream side of road bridge. Includes ribbon lagoon.	I33 278 085
Waitaha River	1 kilometre upstream from the mouth	I33 192 017
Duffers Creek	At the bend.	I34 165 002
Milwain Creek	5 x river width upstream from the mouth.	I34 134 981
Te Rahotaiepa River	5 x river width upstream from the mouth. Includes lagoon which Duffers and Milwain flow into.	I34 124 976
Wanganui River	Upstream edge of Island	I34 023 936
Poerua River	1 kilometre upstream from the mouth	I34 997 915 to 994 912
Hikimutu Lagoon	Adjacent to where track on left bank turns away from the lagoon	I34 977 906
Saltwater Lagoon	Creek mouths are determined by continuing the lagoon margin directly across where the creek enters the lagoon.	
Whataroa River	South bank, entrance of Mumu Creek	H34 882 841 to 880 835

Waitangitaoana River	1 kilometre upstream from the mouth	H34-866-822
Waitangirotu River	No air photograph available. 5 x river width upstream from the mouth	H34-856-813
Okarito Lagoon	Okarito River (3 branches) Cemetery Creek, upstream side of culvert Lagoon adjacent to Okarito town	H34-835-732 H34-834-728 H34-831-722 H34-808-715 H 34-797-718
Cockabulla Creek	5 x river width upstream from the mouth. Includes Three Mile Lagoon	H35-777-694
Five Mile Creek	5 x river width upstream from bridge. Includes Five Mile Lagoon	H35-750-676
Waiho River	1 kilometre upstream from the mouth	H35-719-643 to 717-640
Omoeroa River	Upstream end of the Island	H35-699-610
Waikukupa River	1 kilometre upstream from the mouth	H35-681-578
Waikowhai Stream	Apex of the bend	H35-542-514
Cook River	North branch - where creek enters river South Branch- 1 kilometre upstream from the mouth.	H35-513-473 H35-508-459 to 504-454
Ohinetamatea River	Downstream edge of Island	H35-484-445
Karangarua River	No air photograph available. 1 kilometre upstream from the mouth	H35-479-418 to 478-409
Manakiaiaua River	Upstream side of bridge	G36-421-340
Hunt Creek	5 x river width upstream from where creek enters lagoon.	G36-425-348
Makawhio River (Jacobs River)	Adjacent to end of road	G36-397-319
Papakeri Creek	5 x river width upstream from the confluence with Makawhio River	G36-391-317
Mahitahi River	Adjacent to access track opposite first house	G36-347-275 to 344-275
Ohinemaka River	Adjacent to clearing in trees	G36-285-256
Paringa River	Adjacent to last house upstream in group of houses	G36-224-231 to 221-231
Moeraki River (Blue River)	Adjacent to end of track	F36-087-155
Whakapohai (Little River)	1 kilometre upstream of river mouth	F36-077-146
Ship Creek	Upstream side of road bridge	F37-000-094
Waita River	Upstream side of road bridge	F37-980-057
Haast River	Adjacent to side road - south bank	F37-925-994 to 914-986
Okuru River	Adjacent to the start of the bend in the road	F37-833-922

Turnbull River	5 x river width upstream from bridge	F37 810 914
Hapuka River	5 x river width upstream from bridge	F37 802 912
Waiatoto River	Upstream side of road bridge. Includes lagoon.	F37 730 824
Hindley Creek	First bend in the creek	F37 718 829
Arawhata River	Downstream end of Island	E37 636 800 to 631 795
The Old Man River	1 kilometre upstream from airstrip	E37 400 760
Cascade River	1 kilometre upstream from airstrip	E37 397 757
Hope River	1 kilometre upstream of river mouth	E37 364 691
Gorge River	5 x river width upstream from the mouth	D38 263 578

* ~~Taken from the NZMS 260 series of 1:50,000 scale maps~~

WESTLAND DISTRICT



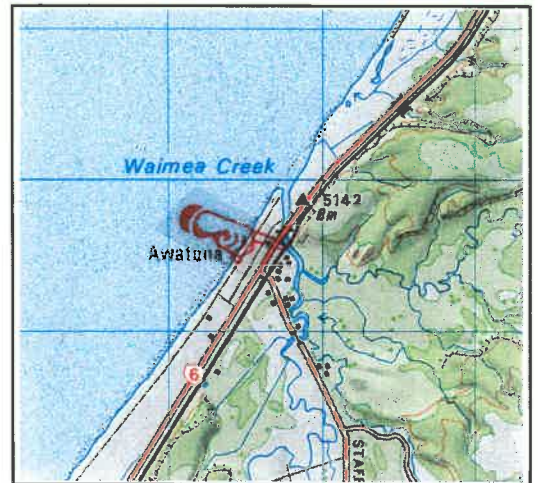
TARAMAKAU RIVER



ACRE CREEK



KAPITEA CREEK



WAIMEA CREEK

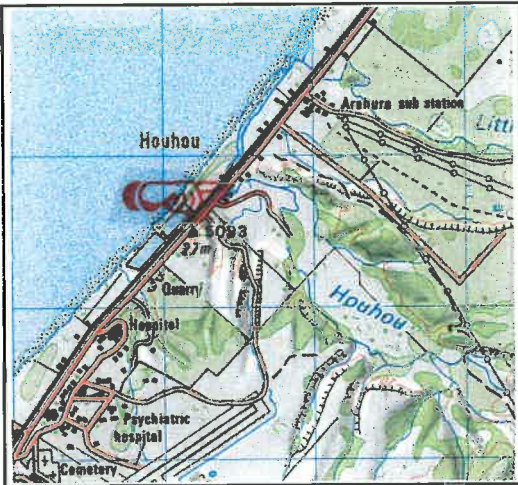


FLOWERY CREEK

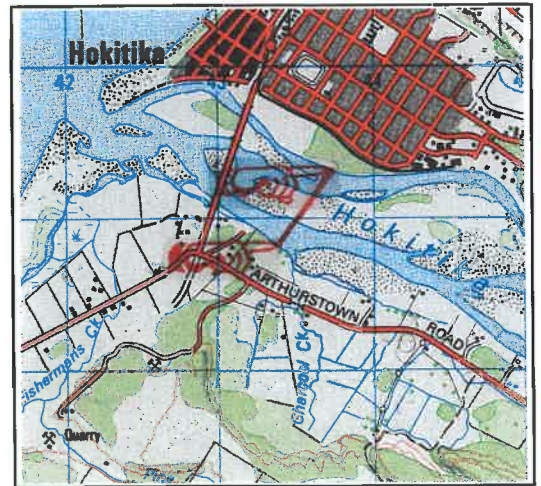


ARAHURA RIVER

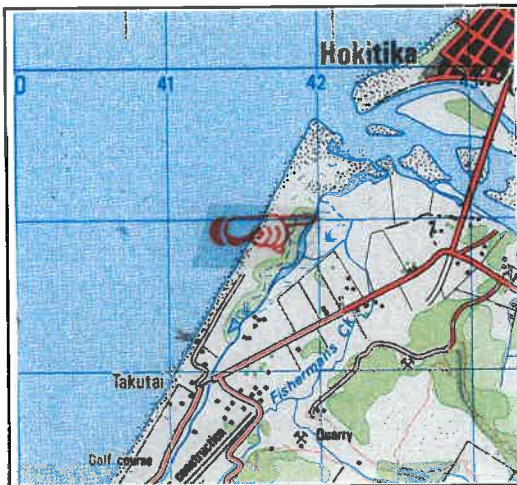
WESTLAND DISTRICT



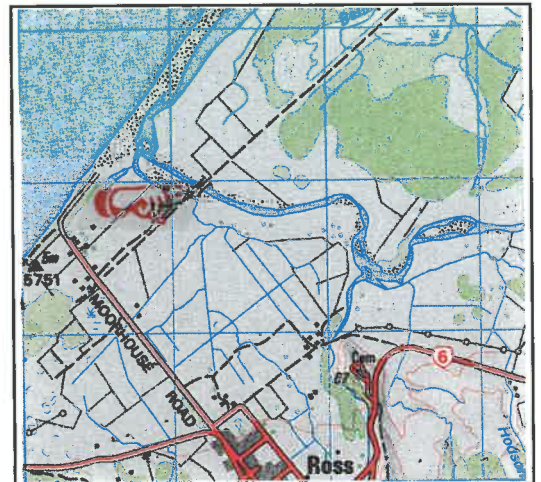
HOUHOU CREEK



HOKITIKA RIVER



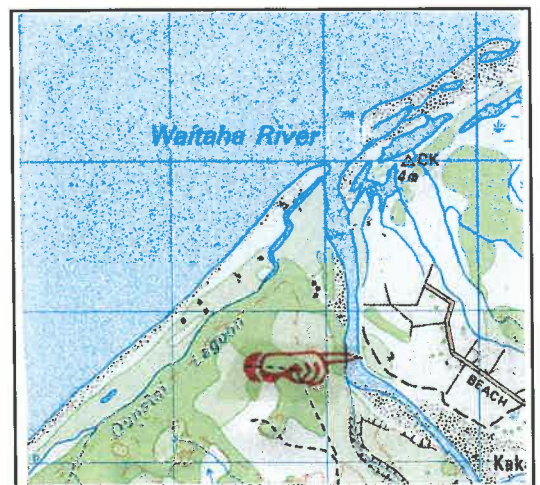
MAHINAPUA CREEK



TOTARA RIVER

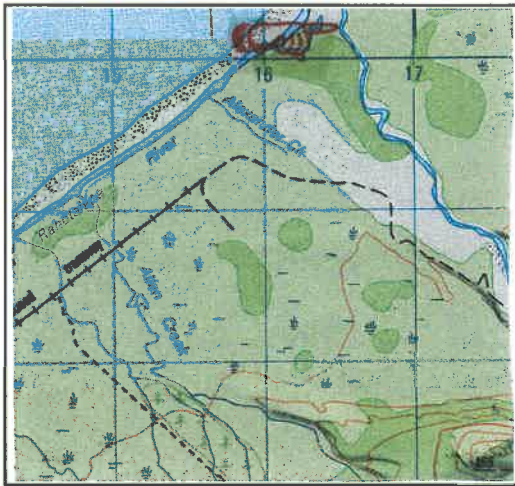


MIKONUI RIVER

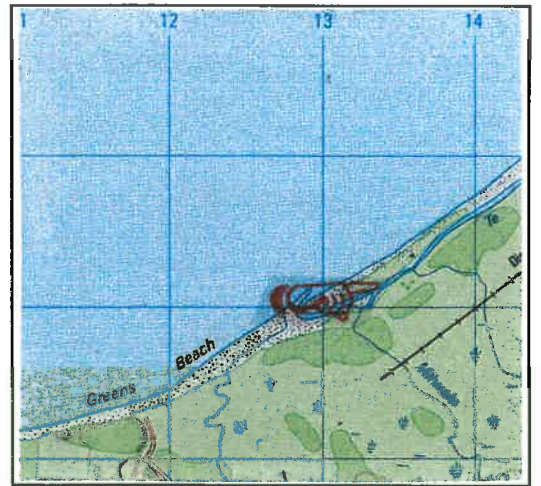


WAITAHA RIVER

WESTLAND DISTRICT



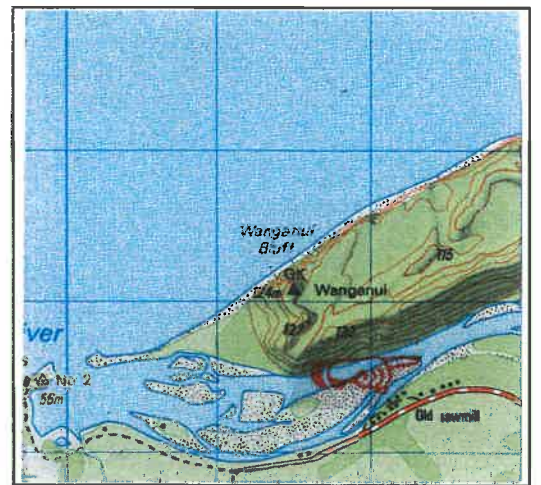
DUFFERS CREEK



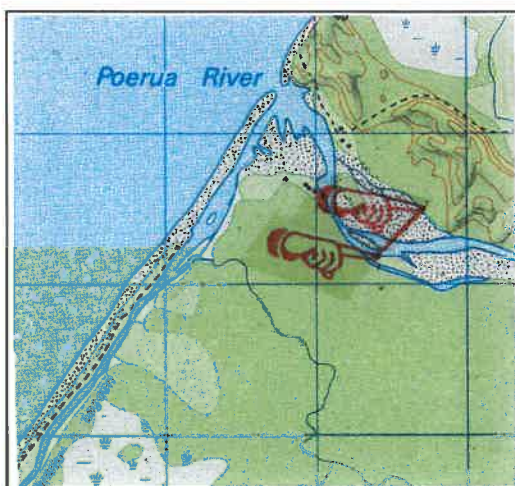
MILWAIN CREEK



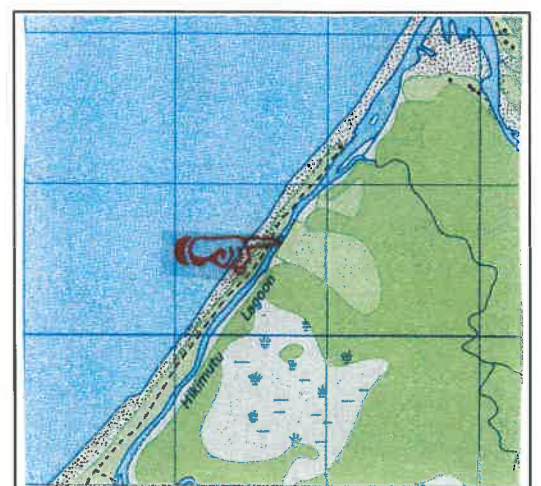
TE RAHOTAIAPA RIVER



WANGANUI RIVER

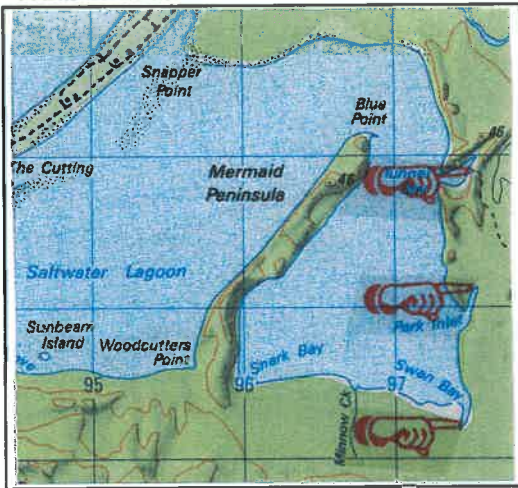


POERUA RIVER

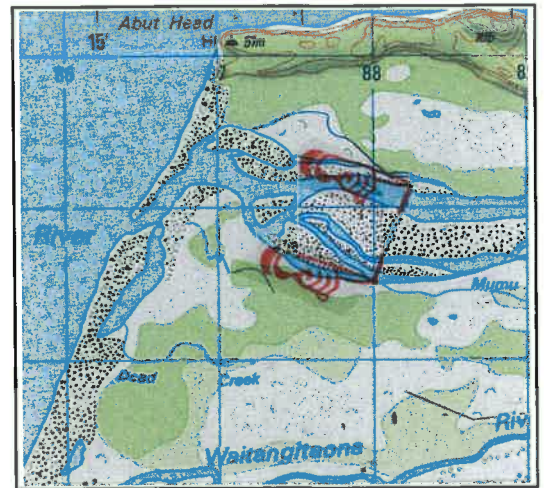


HIKIMUTU LAGOON

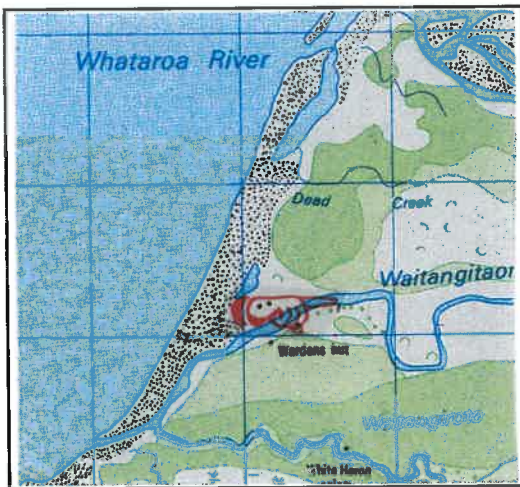
WESTLAND DISTRICT



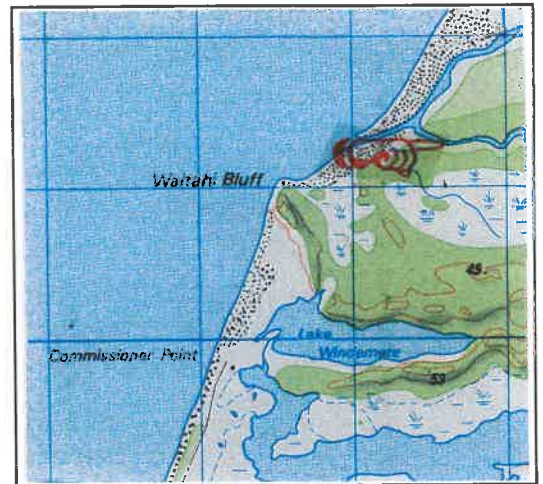
SALTWATER LAGOON



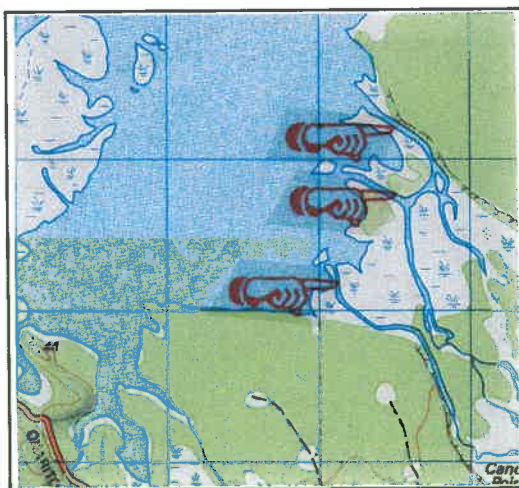
WHATAROA RIVER



WAITANGITAOANA RIVER



WAITANGIROTU RIVER

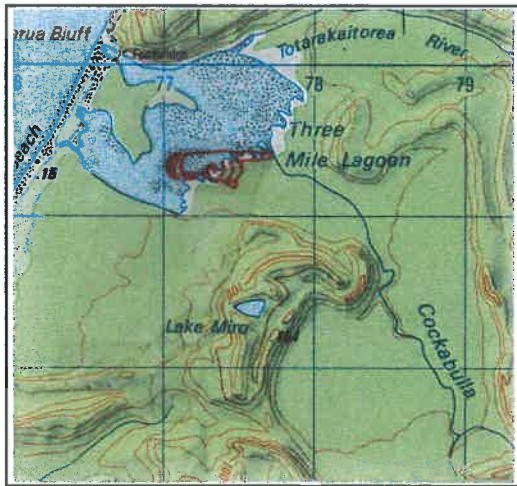


OKARITO RIVER (3 BRANCHES)

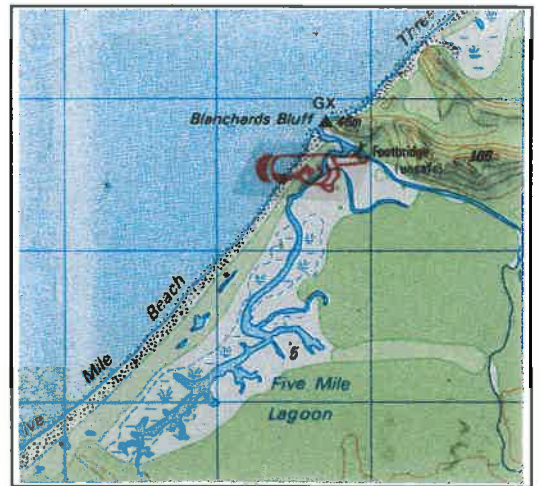


**CEMETERY CREEK, LAGOON
ADJACENT TO OKARITO**

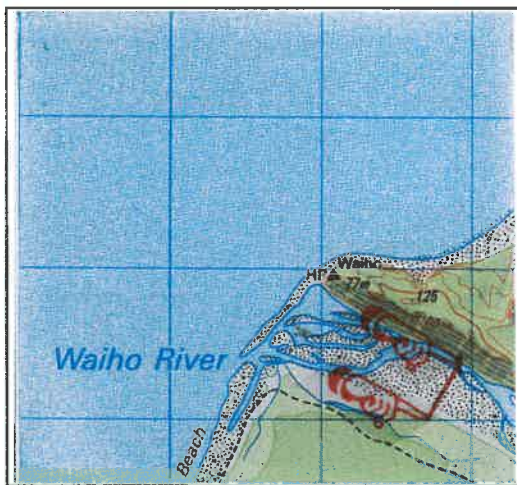
WESTLAND DISTRICT



COCKABULLA CREEK



FIVE MILE CREEK



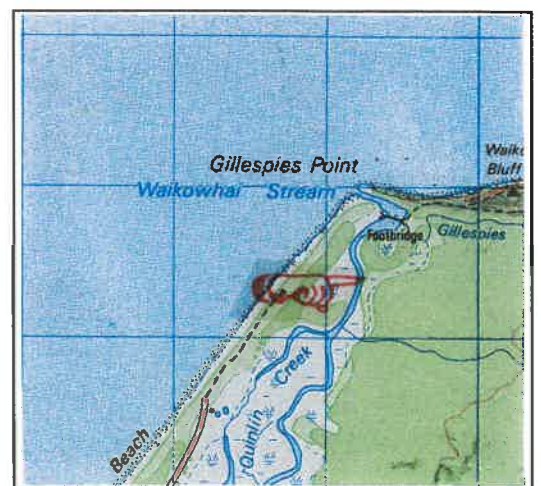
WAIHO RIVER



OMOEROA RIVER

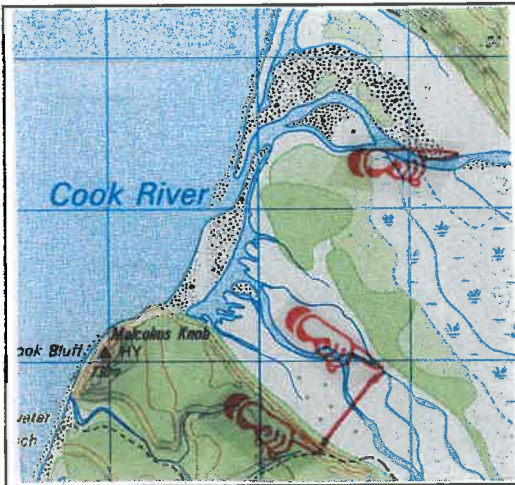


WAIKUKUPA RIVER

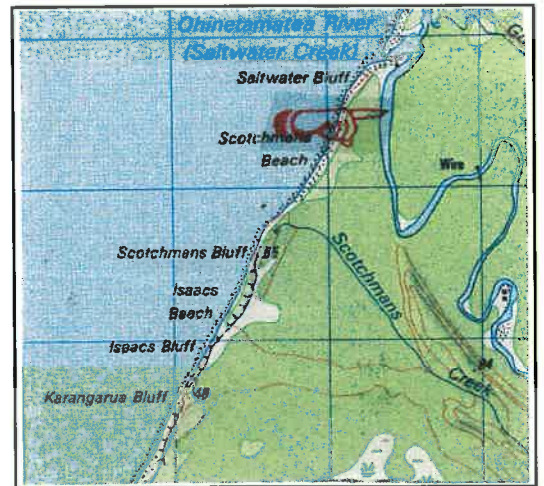


WAIKOWHAI STREAM

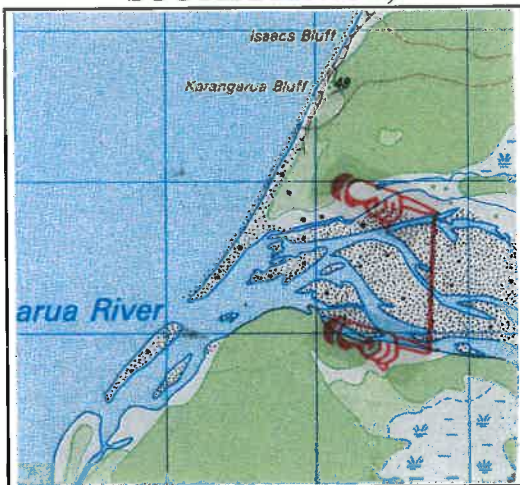
WESTLAND DISTRICT



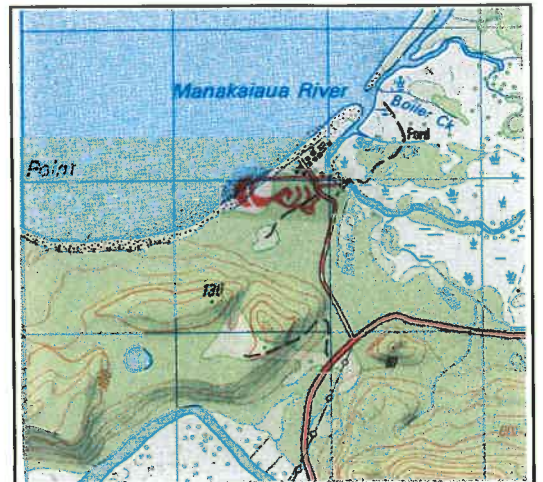
COOK RIVER (NORTH AND SOUTH BRANCH)



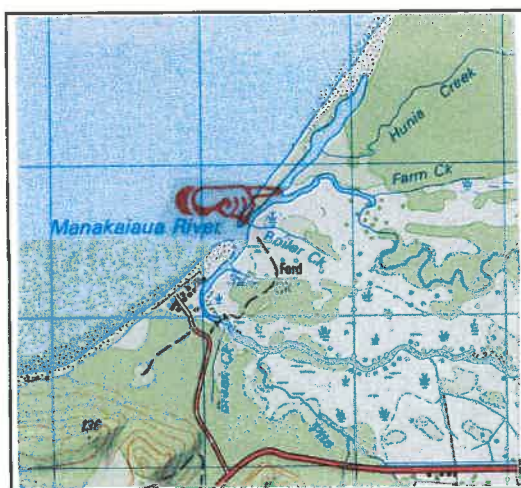
OHINETAMATEA RIVER



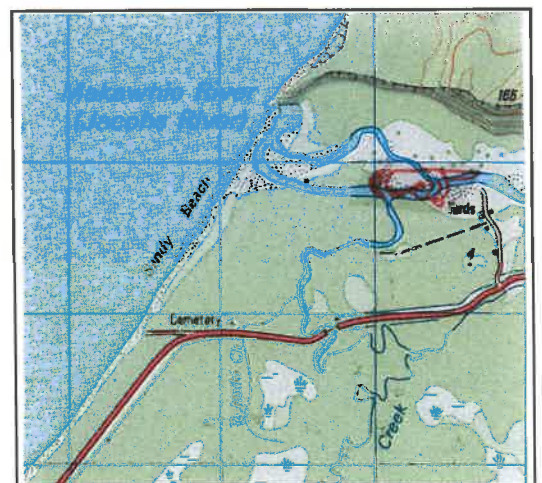
KARANGARUA RIVER



MANAKAIAUA RIVER

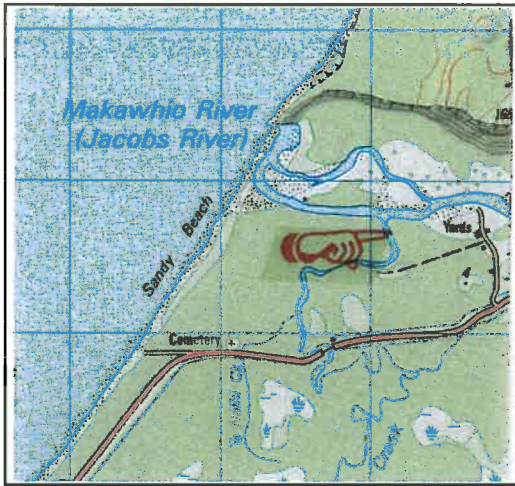


HUNT CREEK

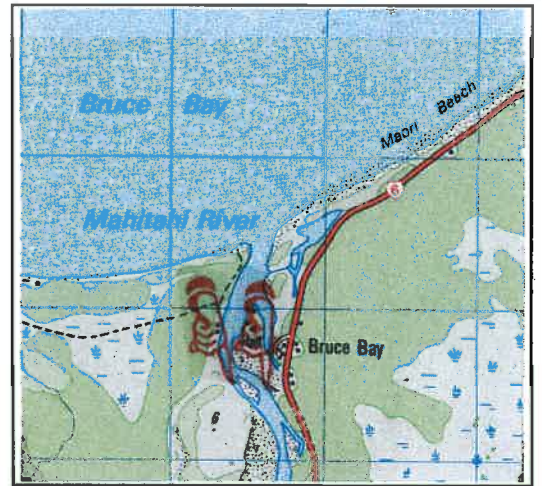


MAKAWHIO RIVER (JACOBS RIVER)

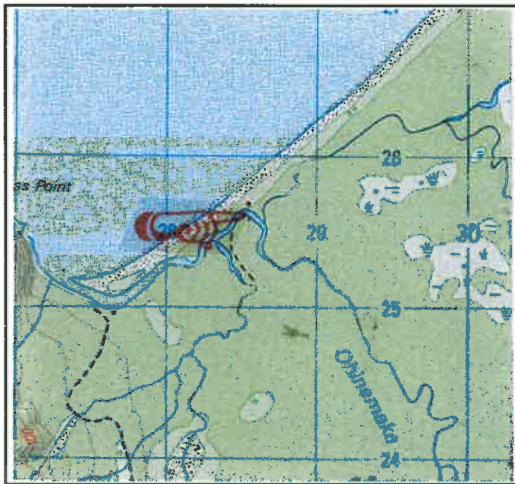
WESTLAND DISTRICT



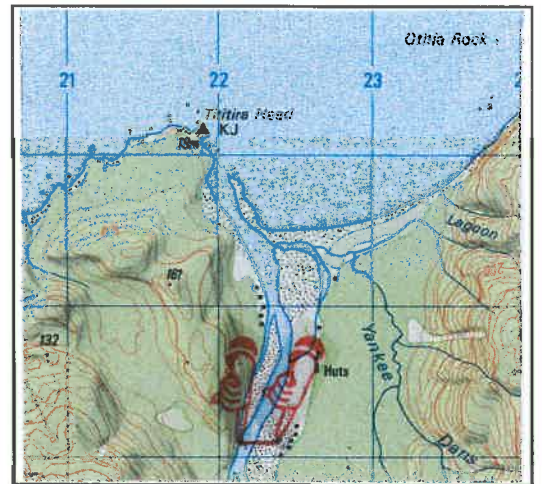
PAPAKERI CREEK



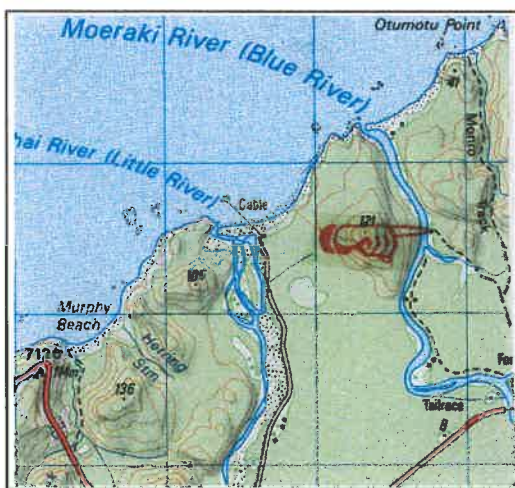
MAHITAHU RIVER



OHINEMAKA RIVER



PARINGA RIVER

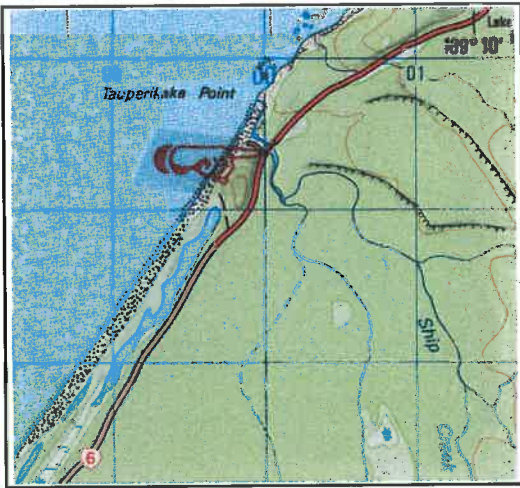


MOERAKI RIVER (BLUE RIVER)

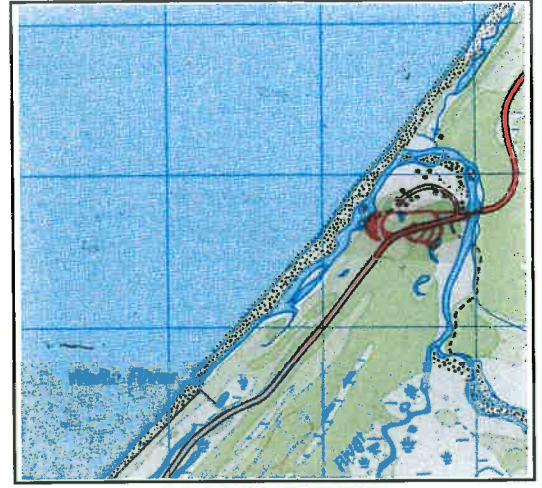


WHAKAPOHAI (LITTLE RIVER)

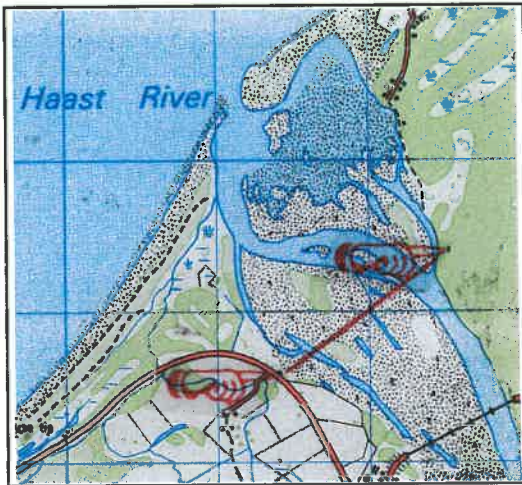
WESTLAND DISTRICT



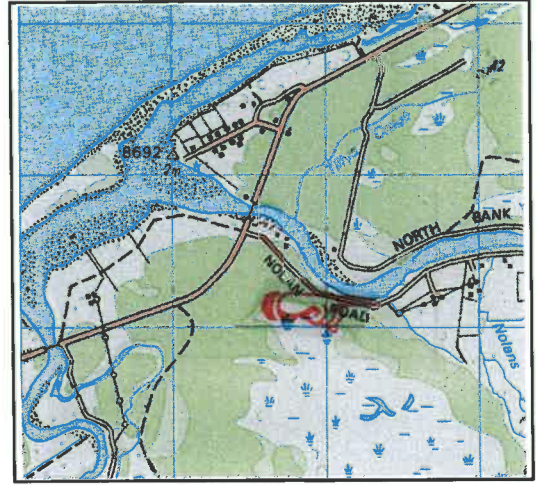
SHIP CREEK



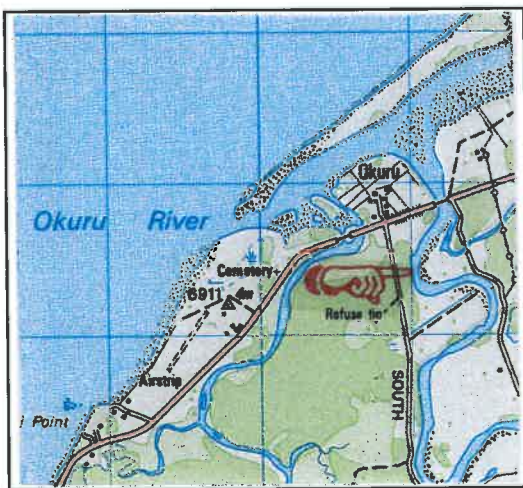
WAITA RIVER



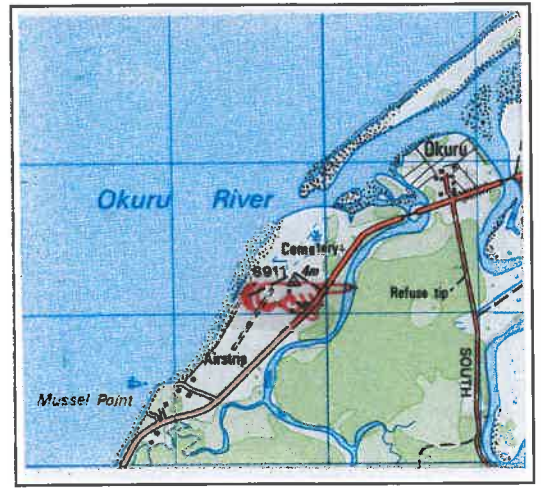
HAAST RIVER



OKURU RIVER

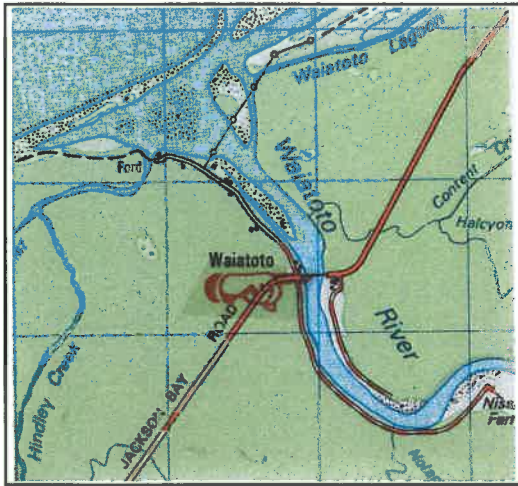


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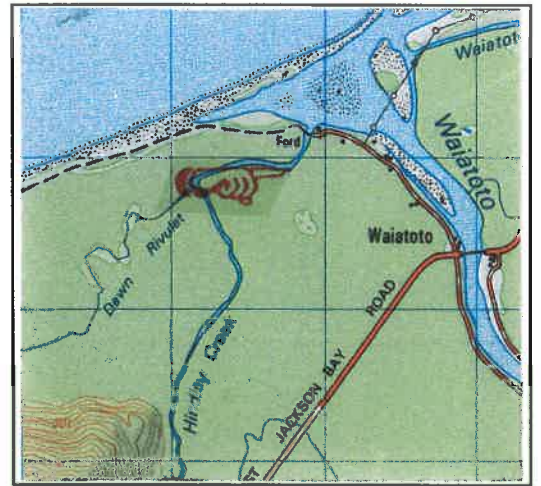


HAPUKA RIVER

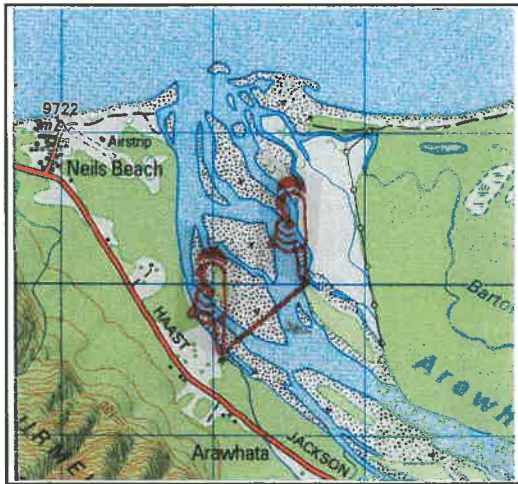
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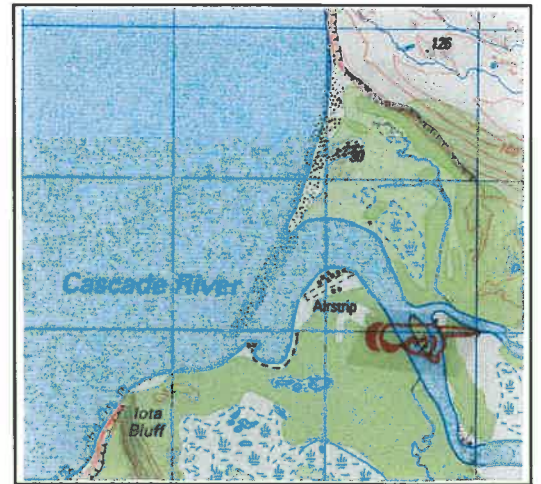
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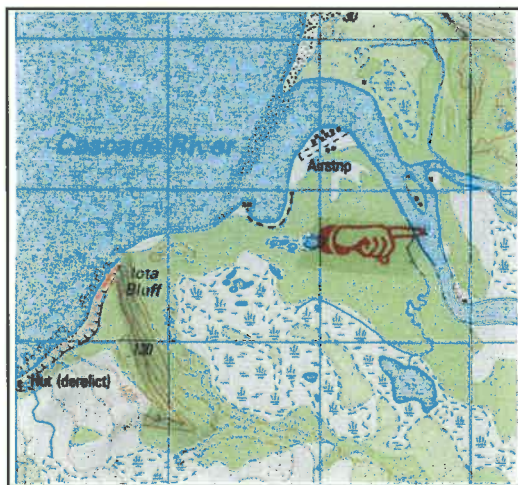
HINDLEY CREEK



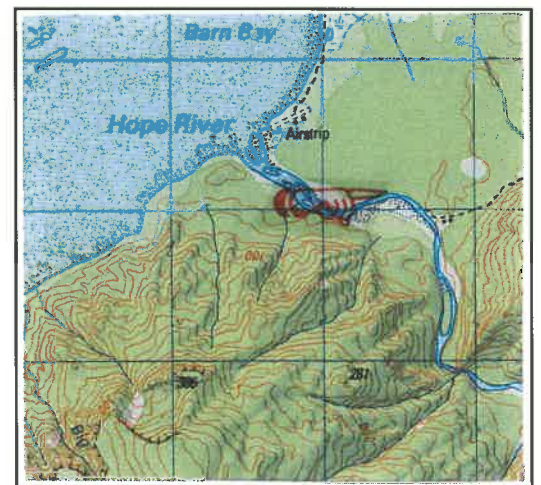
ARAWHATA RIVER



THE OLD MAN RIVER

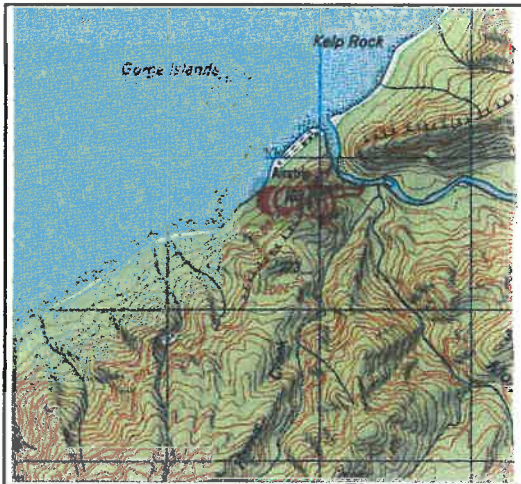


CASCADE RIVER



HOPE RIVER

WESTLAND DISTRICT



GORGE RIVER

SCHEDULE 2: COASTAL MANAGEMENT AREAS

The entire coastal marine area has values that are important and must be recognised. These values are recognised through the general policies in Chapter 5 and 6 of this Plan, through activity specific policies in Chapters 7 to 14 and through the consent process which includes a requirement to carry out an assessment of effects on the environment (Chapter 15).

2.1 Coastal Protection Areas

The Coastal Protection Areas includes those areas below the line of mean high water spring that are considered to be of regional, national or international importance in terms of their ecological and scenic values. Most estuarine areas along the West Coast's coast have been included in the Coastal Protection Area because they are particularly valuable in terms of biological productivity.

In undertaking coastal management within or adjacent to any Coastal Protection Area, priority will be given to avoiding adverse effects on values associated with the area.

The outer seaward boundary of the Coastal Protection Areas is 250 metres from MHWS.

The criteria that were used to select the Coastal Protection Areas are:

1. ~~Wetlands, estuaries and coastal lagoons:~~
~~Any wetland, estuary, or coastal lagoon in the coastal marine area which is of national or international importance, including those:~~
 - ~~(a) Necessary to act as buffer zones;~~
 - ~~(b) That are important spawning grounds or nurseries for marine and freshwater species;~~
 - ~~(c) Where related catchments, marginal land and tidal flats have been minimally modified;~~
 - ~~(d) Strategically situated to act as stepping stones for migratory species along coastal tracts.~~

2. ~~Ecosystems, flora and fauna habitats:~~
 - ~~(a) Any area that contains regionally, nationally or internationally significant or threatened ecosystem or plant and animal species;~~
 - ~~(b) Habitats of endangered, vulnerable, rare or threatened bird species;~~
 - ~~(c) Regionally, nationally or internationally important feeding areas of wading birds.~~

3. ~~Scenic Sites:~~
~~Any estuary, lagoon or rocky shore ecosystem in the coastal marine area that forms a land or seascape of national or international importance.~~

Areas	Values within the coastal marine area
CPA 1 Oparara Estuary	Important estuarine wetland ecosystem with high nature ecosystem values. Tidal flats, channels and saltmarsh provide a diversity of habitats for estuarine flora and invertebrates. Habitat for indigenous fish (eg inanga), including spawning, feeding and migration. Habitat for wetland and coastal birds, including high numbers of waterfowl and waders, especially for feeding. Roosting and nesting occurs in the area adjacent to the coastal marine area. High landscape and scenic values.
CPA 2 Karamea/ Otumahana Estuary	Important estuarine wetland ecosystem with high nature ecosystem values. Tidal flats, channels and saltmarsh provide a diversity of habitats for estuarine flora and invertebrates. Habitat for indigenous fish (eg inanga), including spawning, feeding and migration. Habitat for wetland and coastal birds, including high numbers of waterfowl and waders, especially for feeding. Roosting and nesting occurs in the area adjacent to the coastal marine area. High landscape and scenic values.
CPA 3 Little Wanganui Head and River	Important river mouth wetland ecosystem with high nature ecosystem values. Tidal flats, channels and saltmarsh provide a diversity of habitats for estuarine and coastal flora and invertebrates. Habitat for indigenous fish (eg inanga), including spawning, feeding and migration. Habitat for wetland and coastal birds, including variable oystercatchers. Roosting and nesting occurs in the area adjacent to the coastal marine area. Limestone shore platform is a fossil site of regional significance. High landscape and scenic values.
CPA 4 Orowaiti Lagoon	Important estuarine wetland ecosystem with high nature ecosystem values. Tidal flats, channels and saltmarsh provide a diversity of habitats for estuarine flora and invertebrates. Habitat for indigenous fish (eg inanga), including spawning, feeding and migration. Habitat for wetland and coastal birds, including high numbers of waterfowl and waders, especially for feeding. Roosting and nesting occurs in the area adjacent to the coastal marine area. High landscape and scenic values.
CPA 5 Okari Lagoon	Important estuarine wetland ecosystem with high nature ecosystem values. Tidal flats, channels and saltmarsh habitats provide a diversity of habitats for estuarine flora and invertebrates. Habitat for indigenous fish (eg inanga), including spawning, feeding and migration. Habitat for wetland and coastal birds, including high numbers of waterfowl and waders, especially for feeding. Roosting and

	nesting occurs in the area adjacent to the coastal marine area. High landscape and scenic values.
CPA 6 — Griegs to Nine Mile Bluff	Important rocky shore ecosystem with high nature ecosystem values. Habitat for coastal flora and invertebrates (including shellfish) and wildlife. Shore platform is a geological site of regional significance. High landscape and scenic values.
CPA 7 Totara Lagoon	Important tidal/coastal lagoon wetland ecosystem with high nature ecosystem values. Tidal channels, flats and marginal vegetation provide a diversity of habitats for coastal wetland flora and invertebrates. Habitat for indigenous fish (eg inanga), including spawning, feeding and migration. Habitat for wetland and coastal birds, including high number of water fowl, waders and marsh birds, especially for feeding. Roosting and nesting occurs in the area adjacent to the coastal marine area. High landscape and scenic values.
CPA 8 Saltwater Lagoon	Important estuarine and lagoonal wetland ecosystem with high nature ecosystem values. Sometimes transforms to a coastal lake ecosystem at times when the mouth is closed. Tidal flats, channels, open water, saltmarsh and rocky shore habitats provide a diversity of habitats for estuarine and coastal flora and invertebrates. Habitat for indigenous fish (eg inanga), including spawning, feeding and migration. Habitat for wetland and coastal birds, including high number of water fowl and waders, especially for feeding. Roosting and nesting occurs in the area adjacent to the coastal marine area. High landscape and scenic values.
CPA 9 Okarito Lagoon	Important estuarine and lagoonal wetland ecosystem with high nature ecosystem values. Tidal flats, channels, open water, saltmarsh and rocky shore habitats provide a diversity of habitats for estuarine and coastal flora and invertebrates. Habitat for indigenous fish (eg inanga), including spawning, feeding and migration. Habitat for wetland and coastal birds, including high number of water fowl and waders, especially for feeding. Roosting and nesting occurs in the area adjacent to the coastal marine area. Important area for kotuku from the nearby nesting colony. High landscape and scenic values.
CPA 10 — Three Mile Lagoon	Important estuarine wetland ecosystem with high nature ecosystem values. Tidal flats, channels, open water and saltmarsh provide a diversity of habitats for estuarine flora and invertebrates. Habitat for indigenous fish (eg inanga), including spawning, feeding and migration. Habitat for wetland and coastal birds, including high numbers of waterfowl and

	waders, especially for feeding. Roosting and nesting occurs in the area adjacent to the coastal marine area. High landscape and scenic values.
CPA 11 — Five Mile Lagoon	Important lagoonal wetland ecosystem with high nature ecosystem values. Tidal flats, channels and marginal vegetation provide a diversity of habitats for coastal wetland flora and invertebrates. Habitat for indigenous fish (eg inanga), including spawning, feeding and migration. Habitat for wetland and coastal birds, including high numbers of waterfowl, waders and marsh birds, especially for feeding. Roosting and nesting occurs in the area adjacent to the coastal marine area. High landscape and scenic values.
CPA 12 — Open Bay Islands	Important rocky Island shore ecosystem with high nature ecosystem values. Habitat for coastal and marine flora, invertebrates, fish and wildlife (including NZ fur seals, Fiordland crested penguins, sooty shearwaters, fairy prions, variable oystercatchers). High landscape and scenic values.
CPA 13 — Cascade River Mouth	Important lagoonal wetland ecosystem with high nature ecosystem values. Tidal flats, channels and marginal indigenous vegetation provide a diversity of habitats for coastal wetland flora and invertebrates. Habitat for indigenous fish (eg inanga), including spawning, feeding and migration. Habitat for wetland and coastal birds, including high numbers of waterfowl, waders and marsh birds, especially for feeding. Roosting and nesting occurs in the area adjacent to the coastal marine area. High landscape and scenic values.

2.2 Culturally Significant Areas

The Culturally Significant Areas include those areas below the line of mean high water springs that are considered to be culturally significant to Poutini Ngai Tahu. They include: mahinga maataitai; tauranga waka; wahi tapu; and wahi taonga. The identification of these areas does not diminish the importance of the entire coastal marine area to Poutini Ngai Tahu.

~~In undertaking coastal management within or adjacent to any culturally Significant Area, priority will be given to avoiding adverse effects on values associated with the area.~~

Areas	Values within the coastal marine area
CSA 1 Kahurangi Point	Mahinga maataitai
CSA 2 Otukoroiti Point	Waahi tapu, tauranga waka
CSA 3 Whakapoai North (Heaphy)	Mahinga maataitai, waahi tapu
CSA 4 Kohaihai	Mahinga maataitai
CSA 5 Whareatea	Mahinga maataitai, waahi taonga
CSA 6 Omau Bay	Tauraka waka, mahika maataitai
CSA 7 Tauranga Bay	Tauranga waka, mahinga maataitai
CSA 8 Pahautane	Mahinga maataitai, waahi taonga
CSA 9 Te Miko to Punakaiki	Wahi tapu, mahinga kai
CSA 10 Kararoa (Twelve Mile to Ten Mile)	Mahinga maataitai
CSA 11 Rapahoe	Tauraka waka, mahika maataitai
CSA 12 Taramakau	Mahinga maataitai
CSA 13 Arahura	Mahinga maataitai
CSA 14 Mikonui	Mahinga maataitai
CSA 15 Okarito	Mahinga maataitai
CSA 16 Hunts Beach (south side)	Mahinga maataitai, wahi tapu
CSA 17 Maori Beach	Wahi taonga, tauranga waka
CSA 18 Heretaniwha	Mahinga maataitai, tauranga waka
CSA 19 Hapuka (Mussel Point)	Mahinga maataitai, wahi tapu
CSA 20 Jackson Bay	Tauranga waka
CSA 21 Jackson Bay	Mahinga maataitai
CSA 22 Smoothwater Bay	Mahinga maataitai
CSA 23 Homminy Cove	Wahi taonga, mahinga maataitai
CSA 24 Teer Creek	Wahi taonga

2.3 Coastal Development Areas

There are a limited number of developed areas within the coastal marine area. The areas outlined below provide for the recognition of: existing structures, facilities and associated infrastructure required by the commercial activities occurring in those areas with existing development; and proposed development at Rapahoe.

In undertaking coastal management within or adjacent to any Coastal Development Area, priority will be given to the need to provide for the values and uses associated with development within these areas. Future development in CDA 5 will still be required to obtain the necessary resource consents.

Areas	Values and uses
CDA 1 Buller River Mouth	Navigation channel for commercial port and fishing boats, breakwaters, river protection works, navigation aids
CDA 2 Grey River Mouth	Navigation channel for commercial port and fishing boats, breakwaters, river protection works, navigation aids
CDA 3 Jackson Bay Wharf	Fishing facilities, sheltered navigation and berthage facilities, commercial facilities, recreational facilities
CDA 4 Ngakawau	Jetty for deep water port
CDA 5 Rapahoe	Multipurpose commercial port with recreational facility

The outer seaward boundary on the following topographic maps with respect to the Coastal Development Areas 1, 2 and 3 is 100 metres from the existing infrastructure. With respect to CDA 4 and 5, the outer boundary is a general area which enables development of structures to be undertaken within it. Upon completion of development in CDA 4 and 5, the outer seaward boundary shall be 100 metres from the edge of the completed structure.

2.4 Coastal Recreation Areas

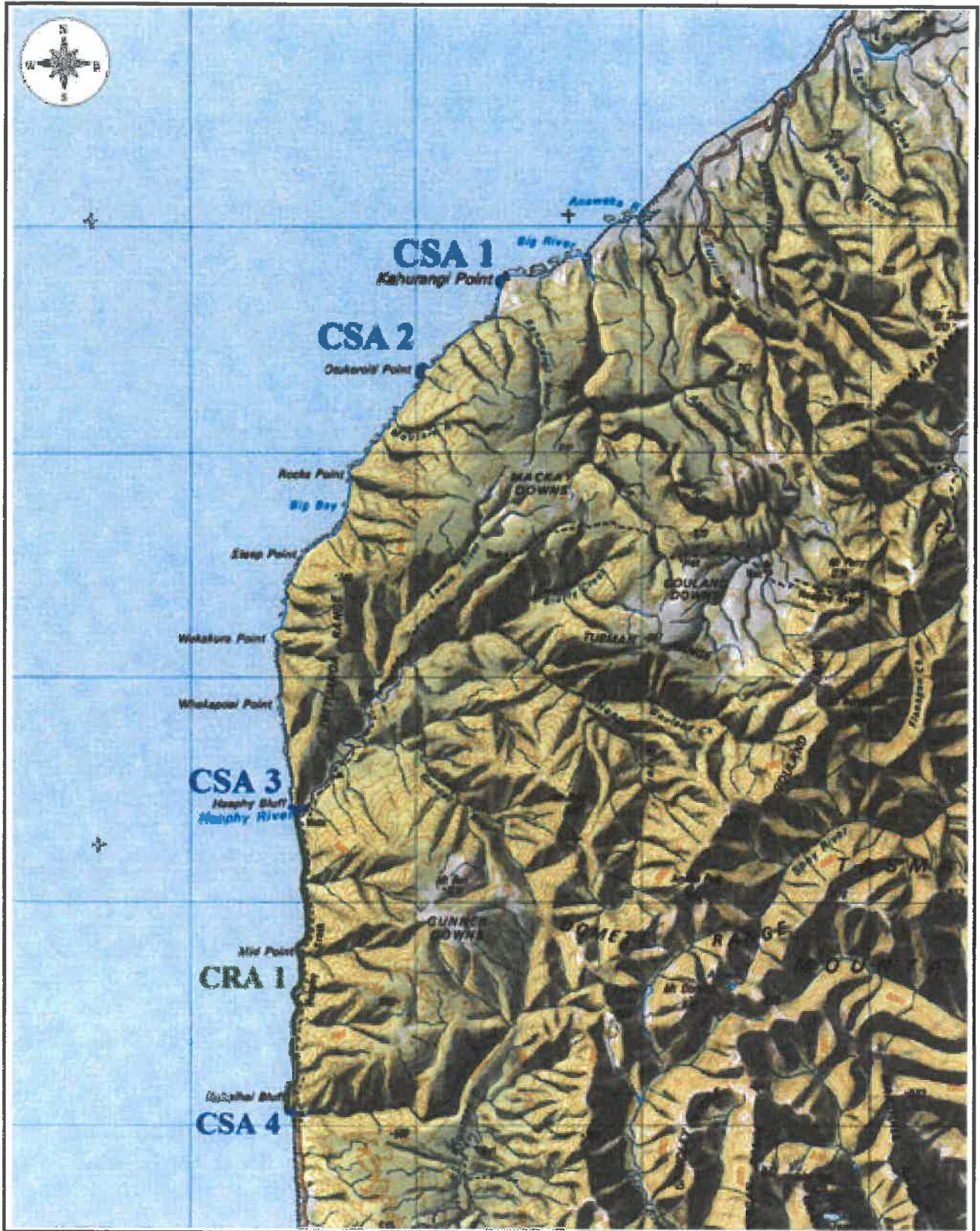
There are parts of the West Coast coastal marine area which are regularly used for various recreational purposes. The locations listed in this Schedule are the regionally important locations.

These areas have been identified because of their accessibility by the public, their frequency of recreational use and the facilities and infrastructure associated with this use.

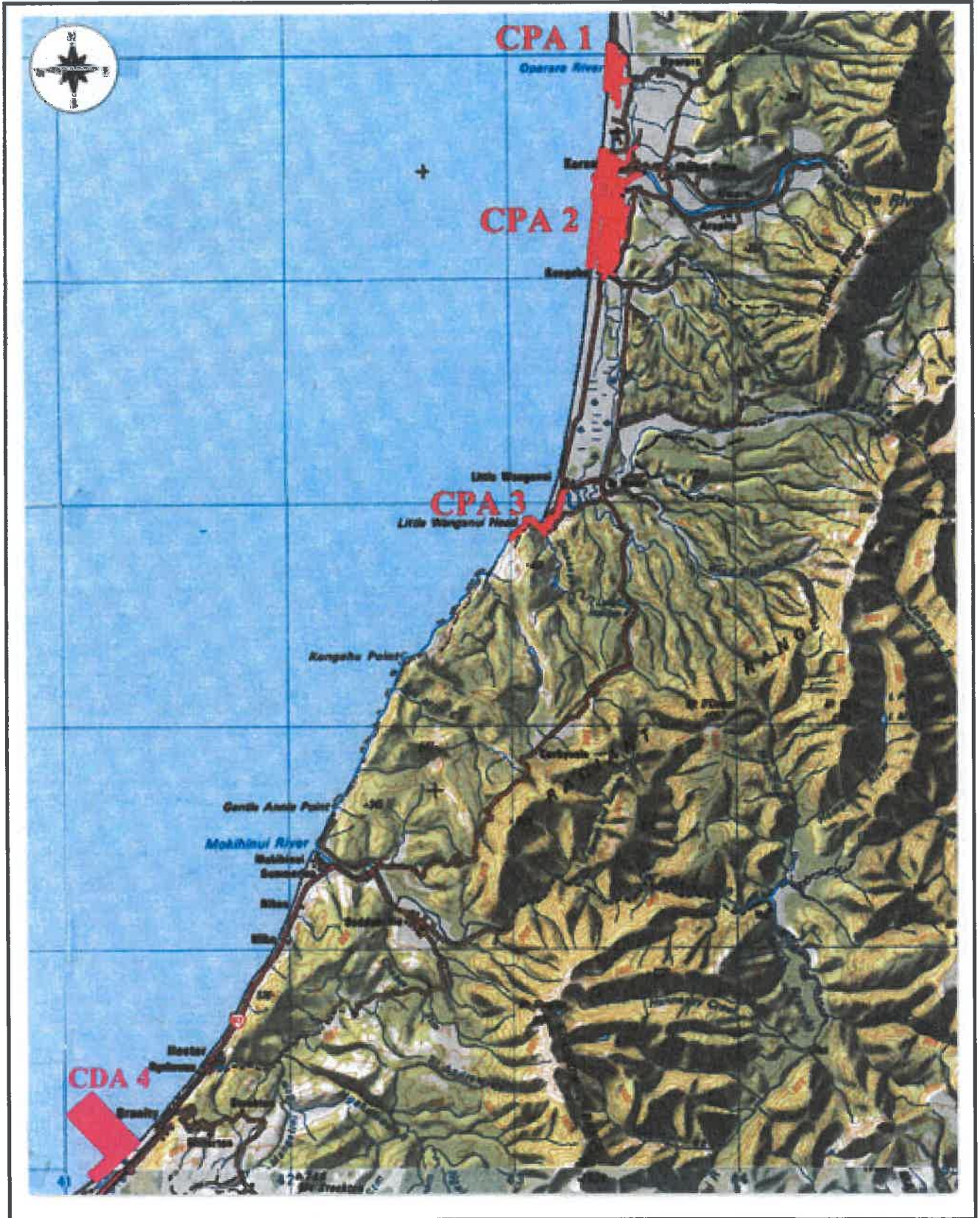
In undertaking coastal management within or adjacent to any Coastal Recreation Area, priority will be given to the need to provide for and protect the recreational values associated with these areas.

Areas	Main recreational uses
CRA 1 Heaphy Track	Walking, fishing
CRA 2 North Beach	Walking, swimming
CRA 3 Lower Buller River	Angling
CRA 4 Carters Beach	Walking, swimming
CRA 5 Tauranga Bay	Swimming, walking,
CRA 6 Punakaiki/Pororari Beach	Swimming, walking
CRA 7 Rapahoe Beach to Point Elizabeth	Swimming, walking, horse racing
CRA 8 Cobden Beach	Surfing, swimming, walking, fishing.
CRA 9 Lower Grey River	Angling
CRA 10 Blaketown Beach to Karoro	Walking, surfing, swimming between flags at surf pavilion, horse riding, fishing
CRA 11 beach on north side Hokitika River	Swimming, walking
CRA 12 Lower Hokitika River	Angling
CRA 13 Harihari Coastal Walk	Walking, fishing
CRA 14 Okarito Lagoon	Boating, fishing, walking, water fowl hunting.
CRA 15 Gillespies Beach	Walking
CRA 16 Bruce Bay	Fishing, walking, swimming
CRA 17 Ship Creek	Walking, fishing
CRA 18 Jackson Bay	Walking, swimming, fishing, diving, boating

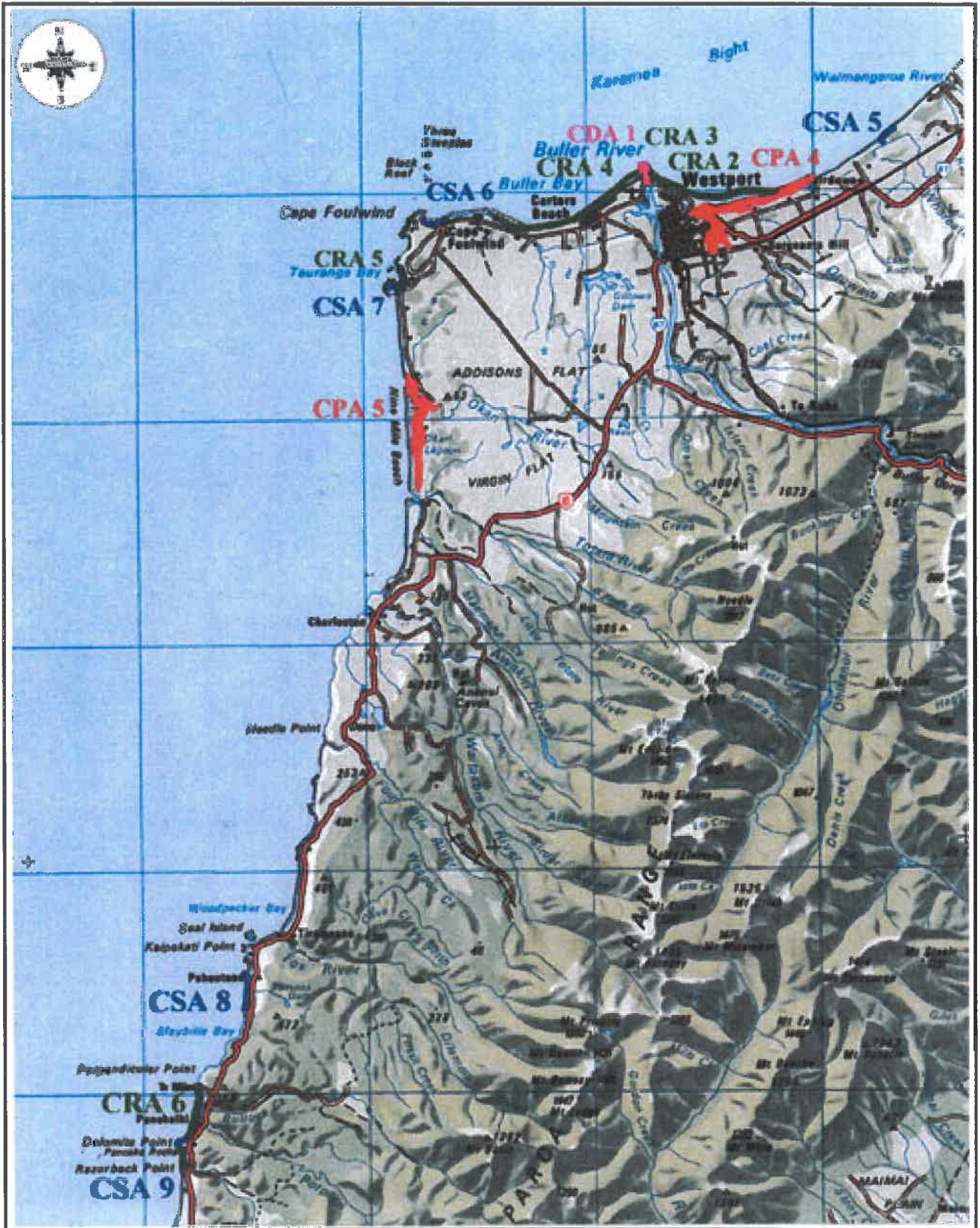
Note to Readers: The three sets of maps showing the Coastal Management Areas and the Cross Boundary Areas are replaced with one set of maps in Schedule 3G of the Proposed Regional Coastal Plan 2016.



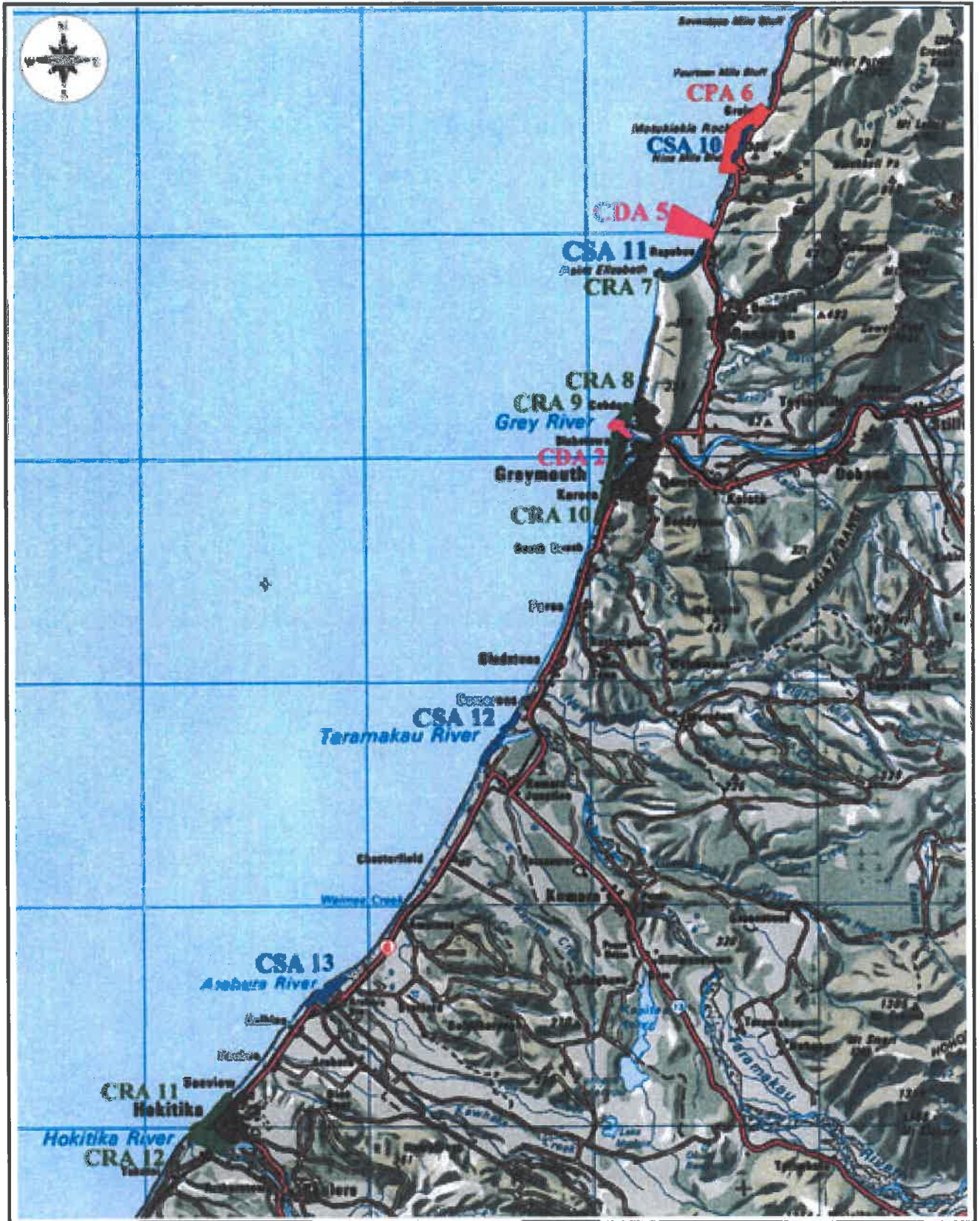
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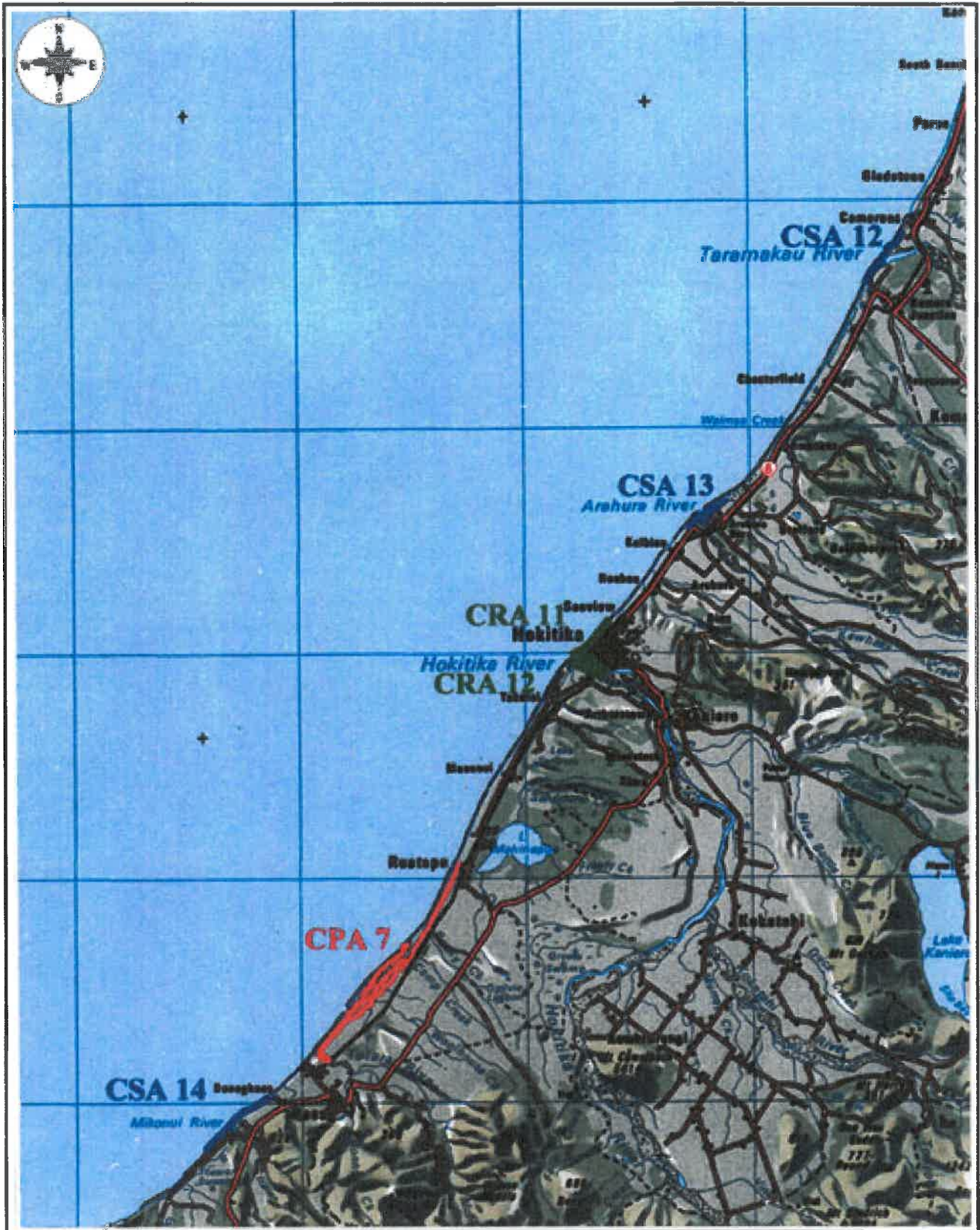
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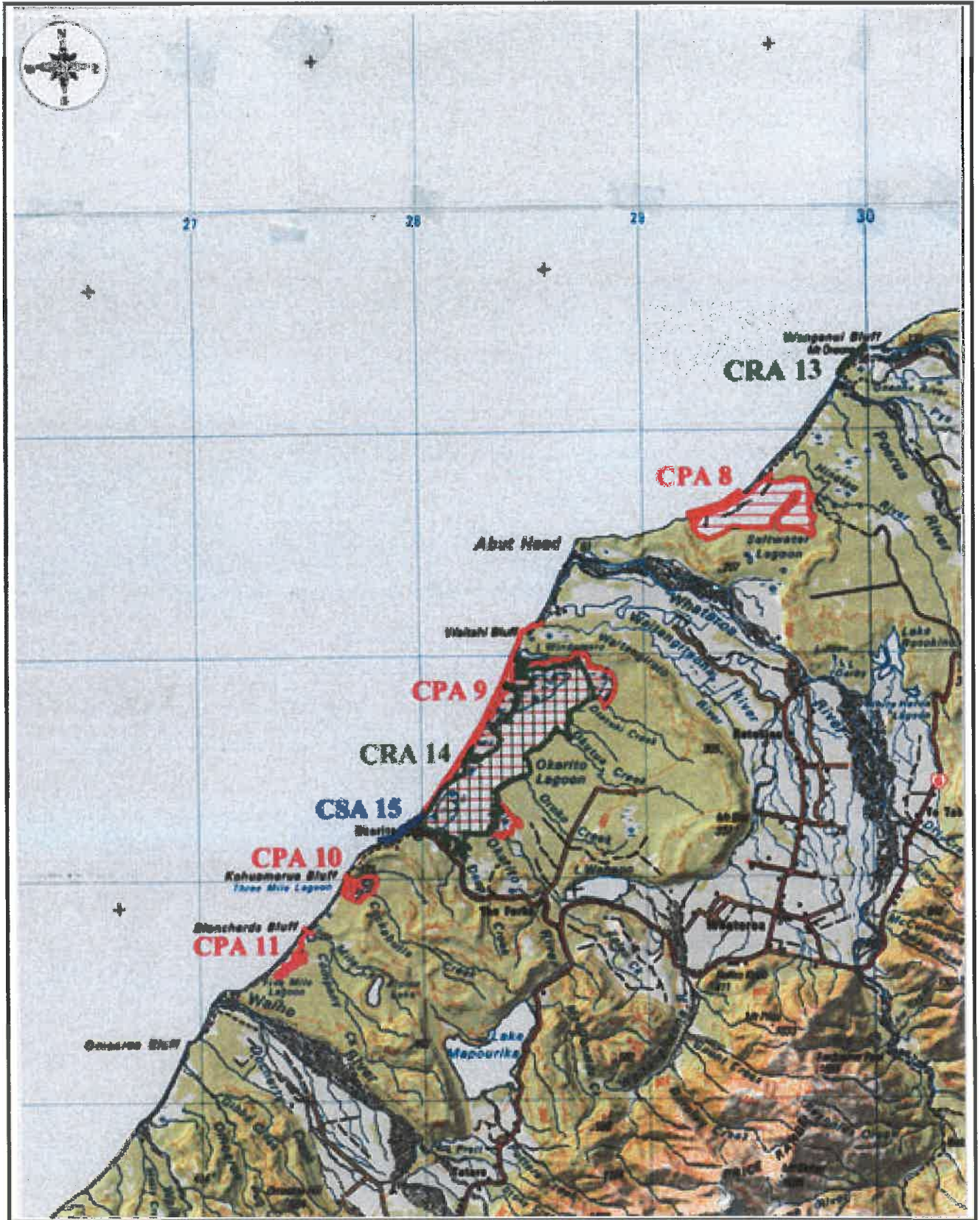
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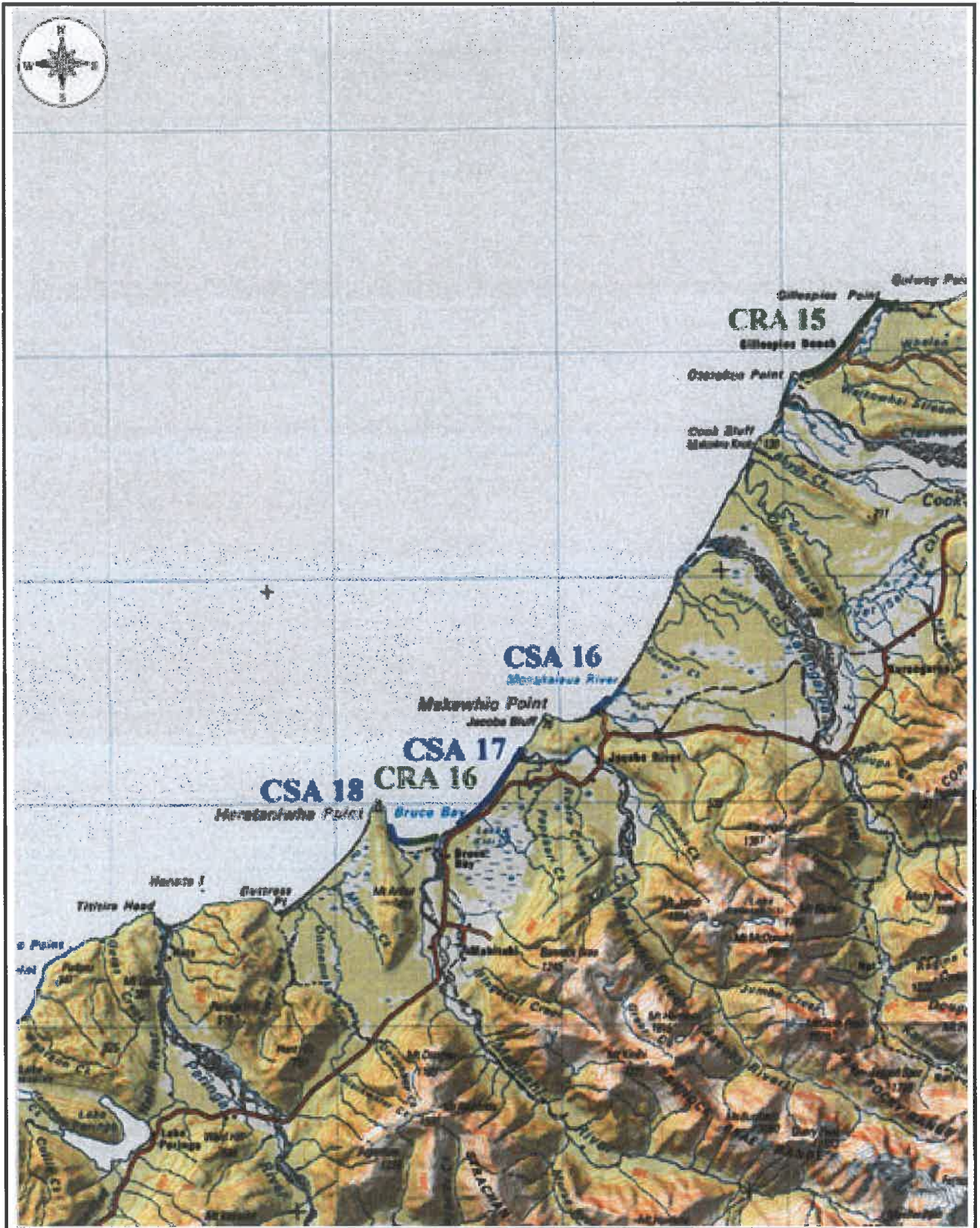
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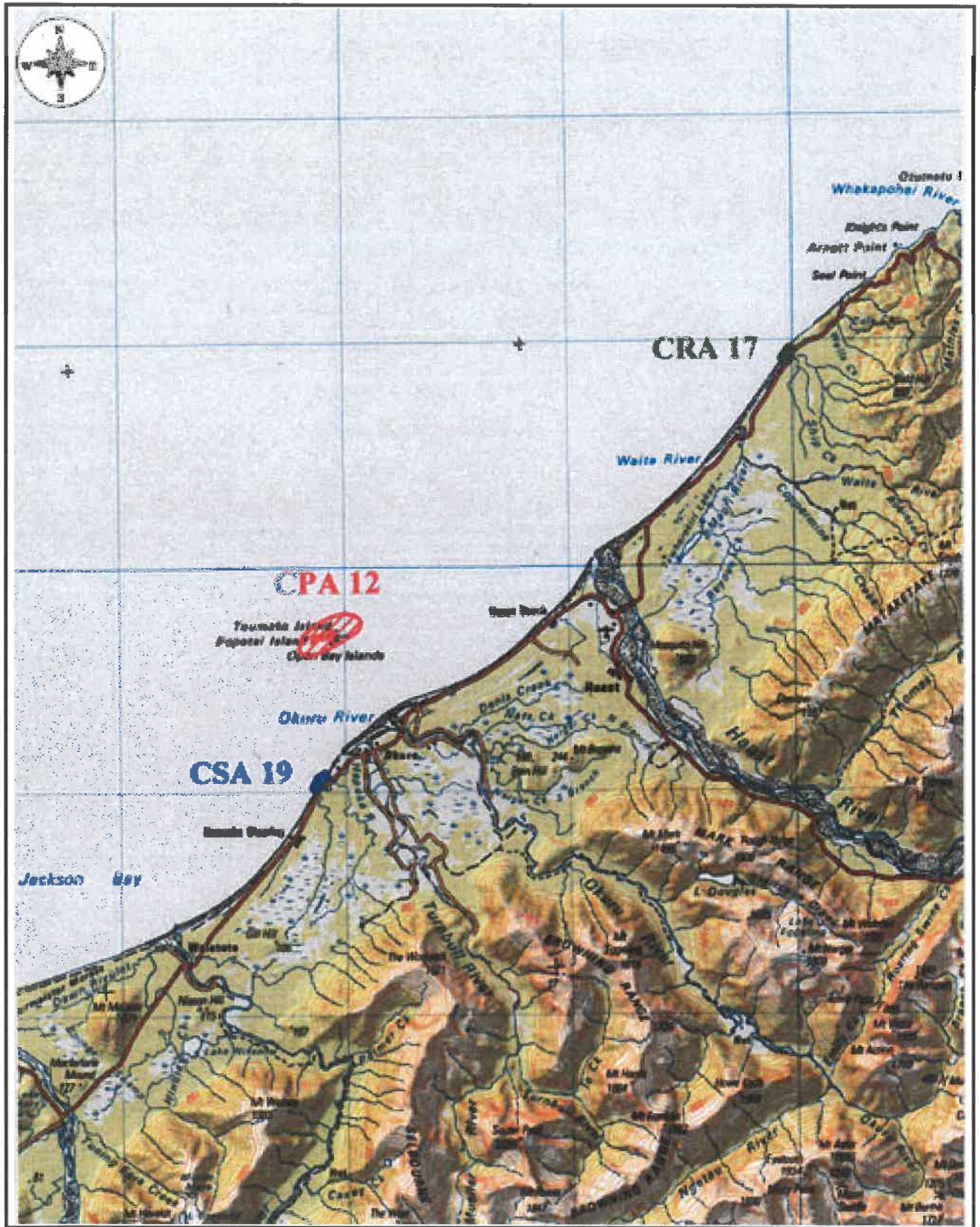
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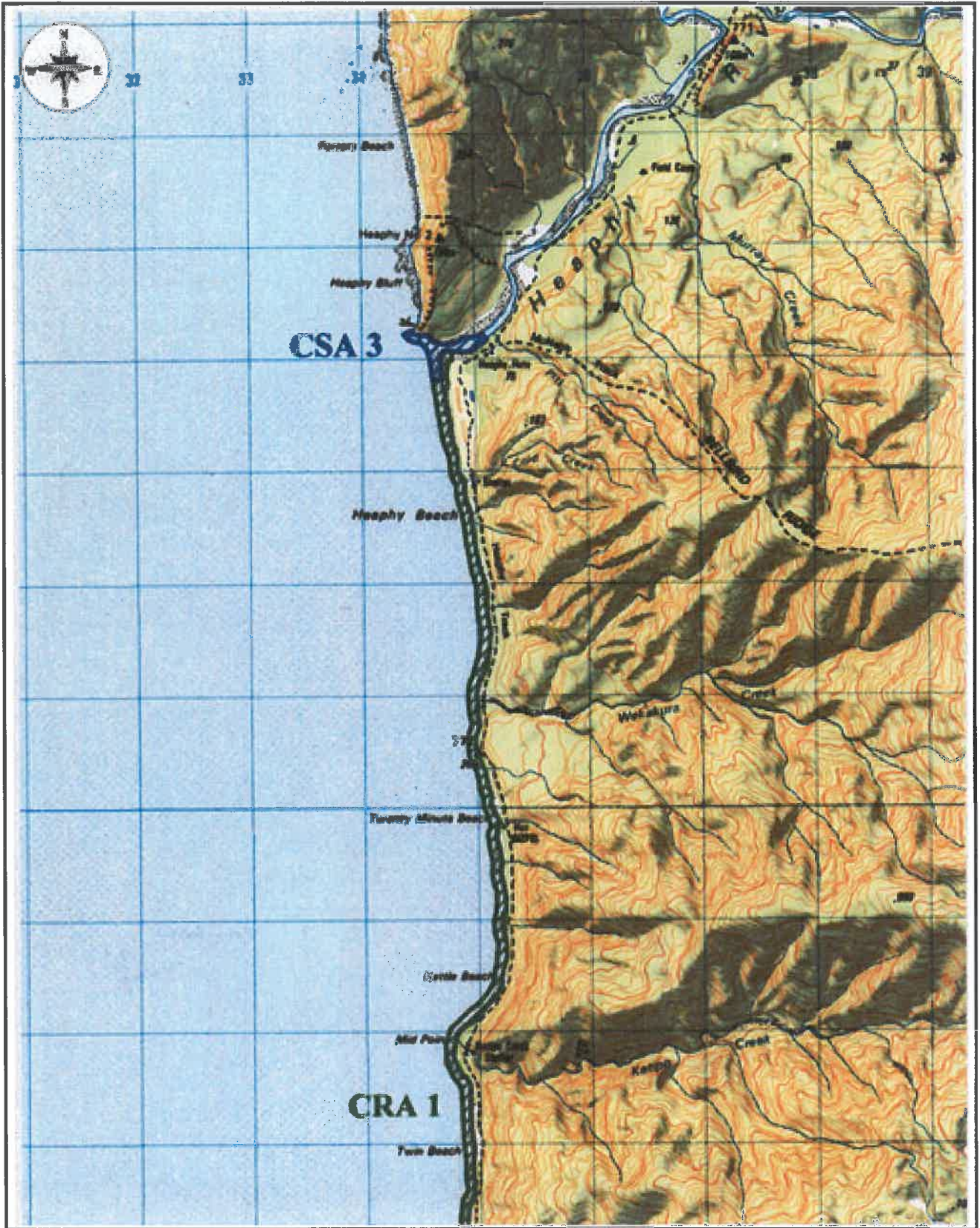
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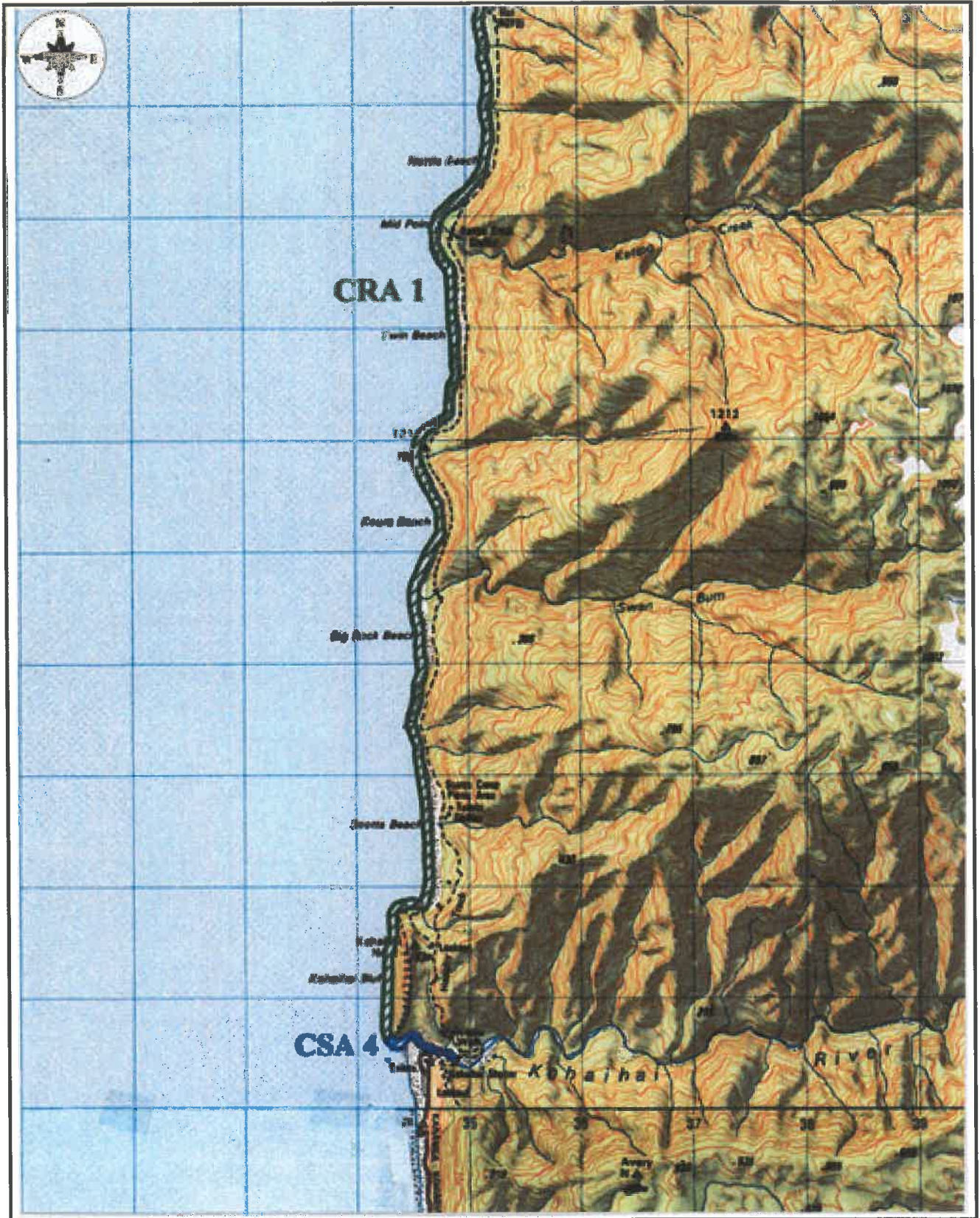
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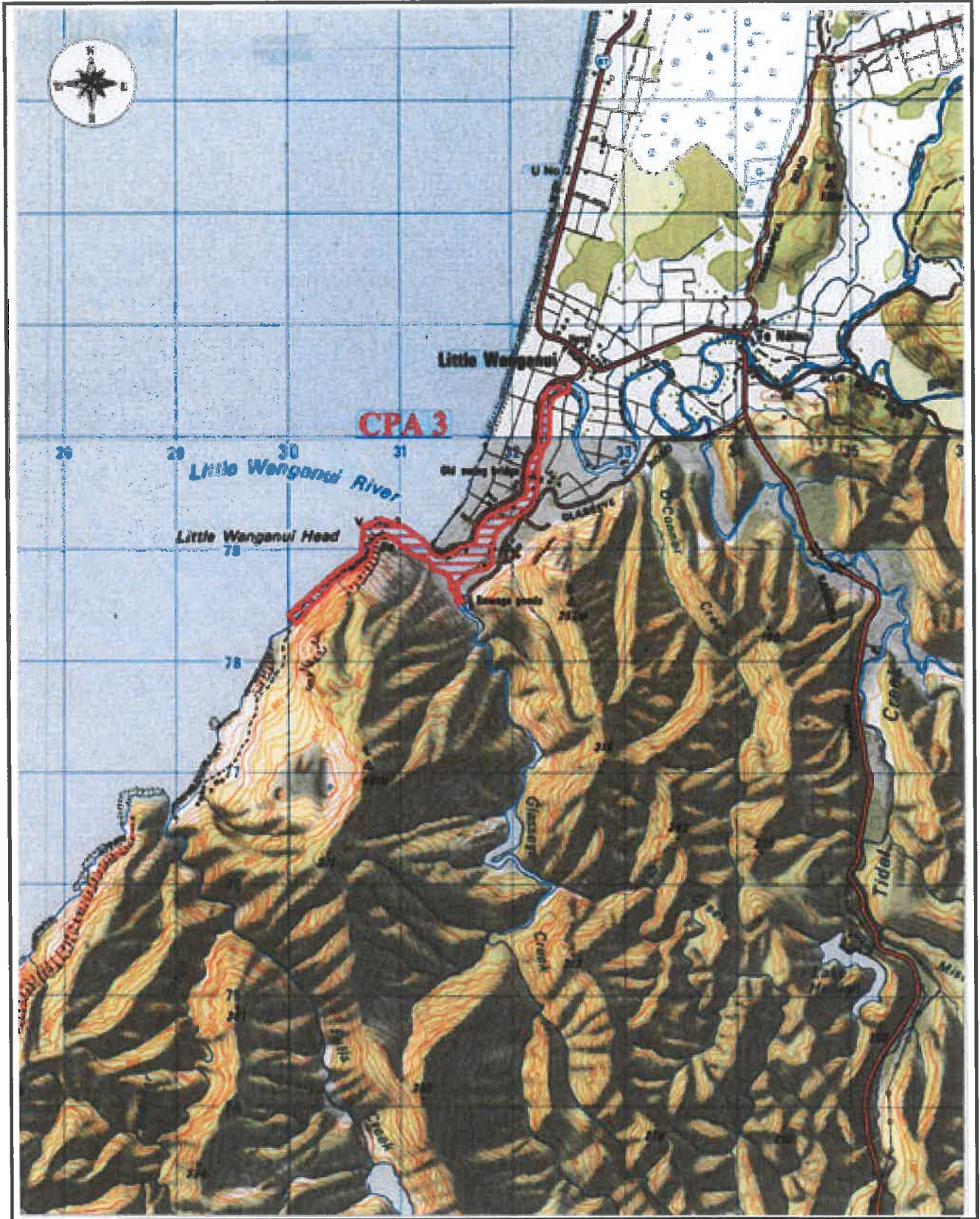
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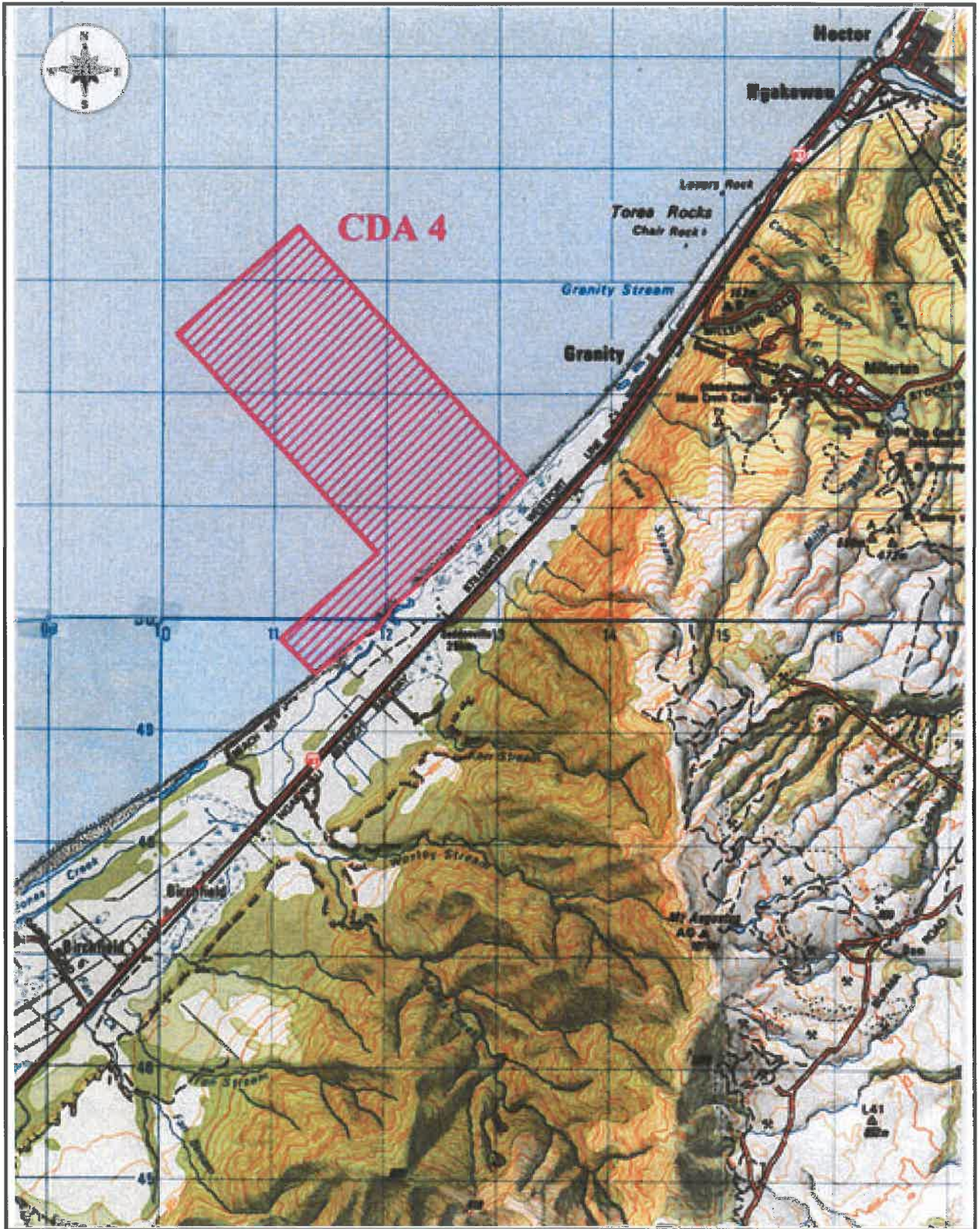
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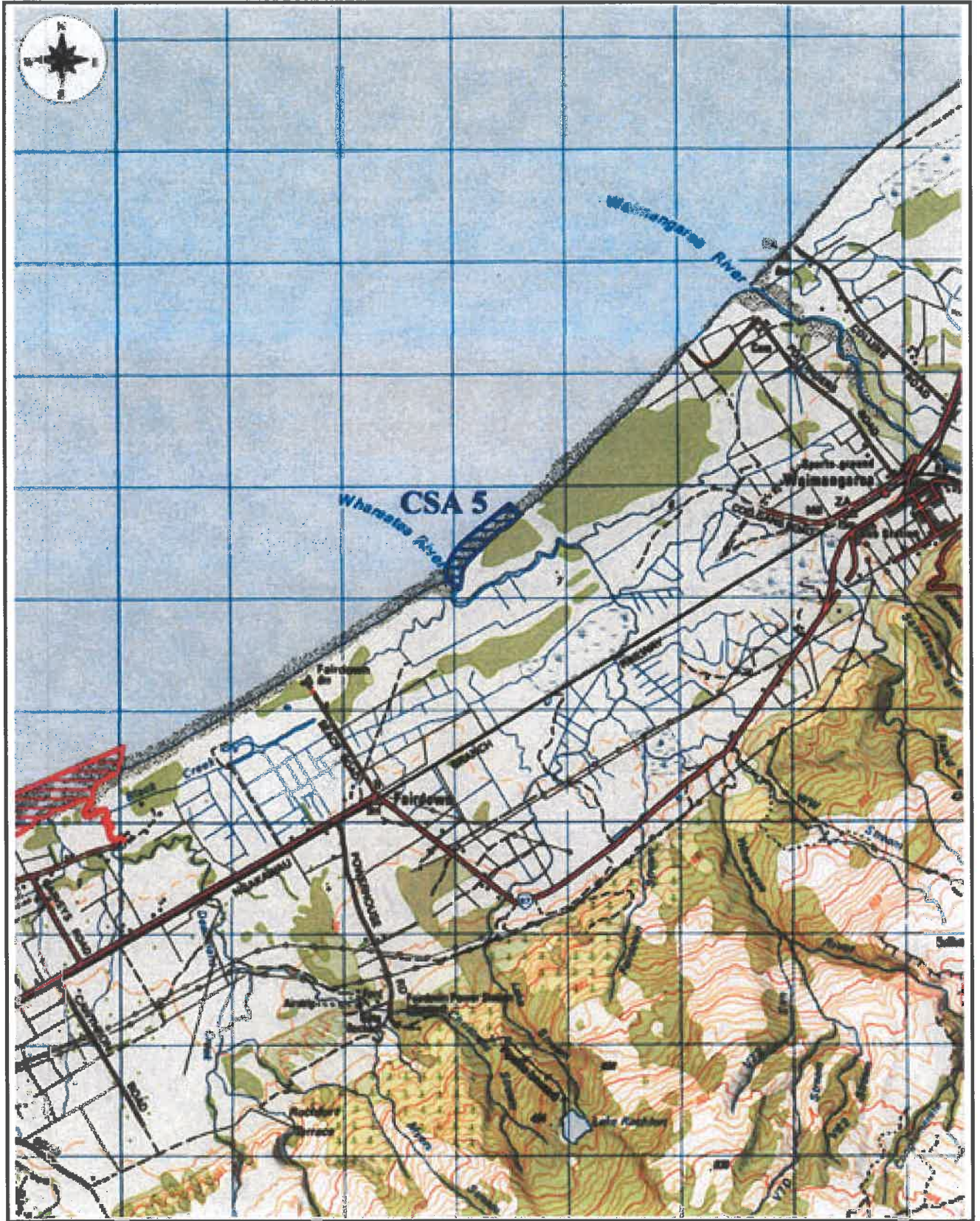
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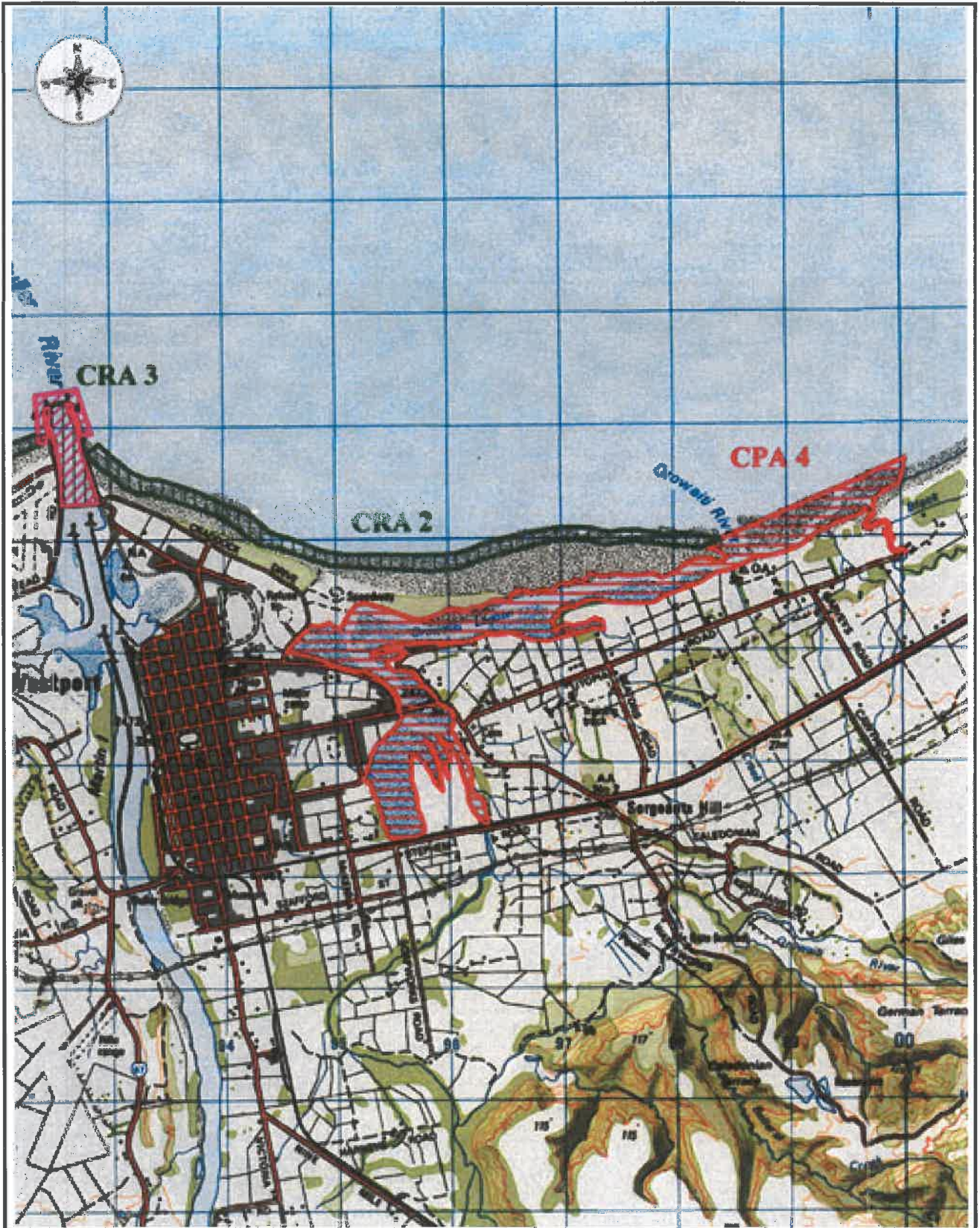
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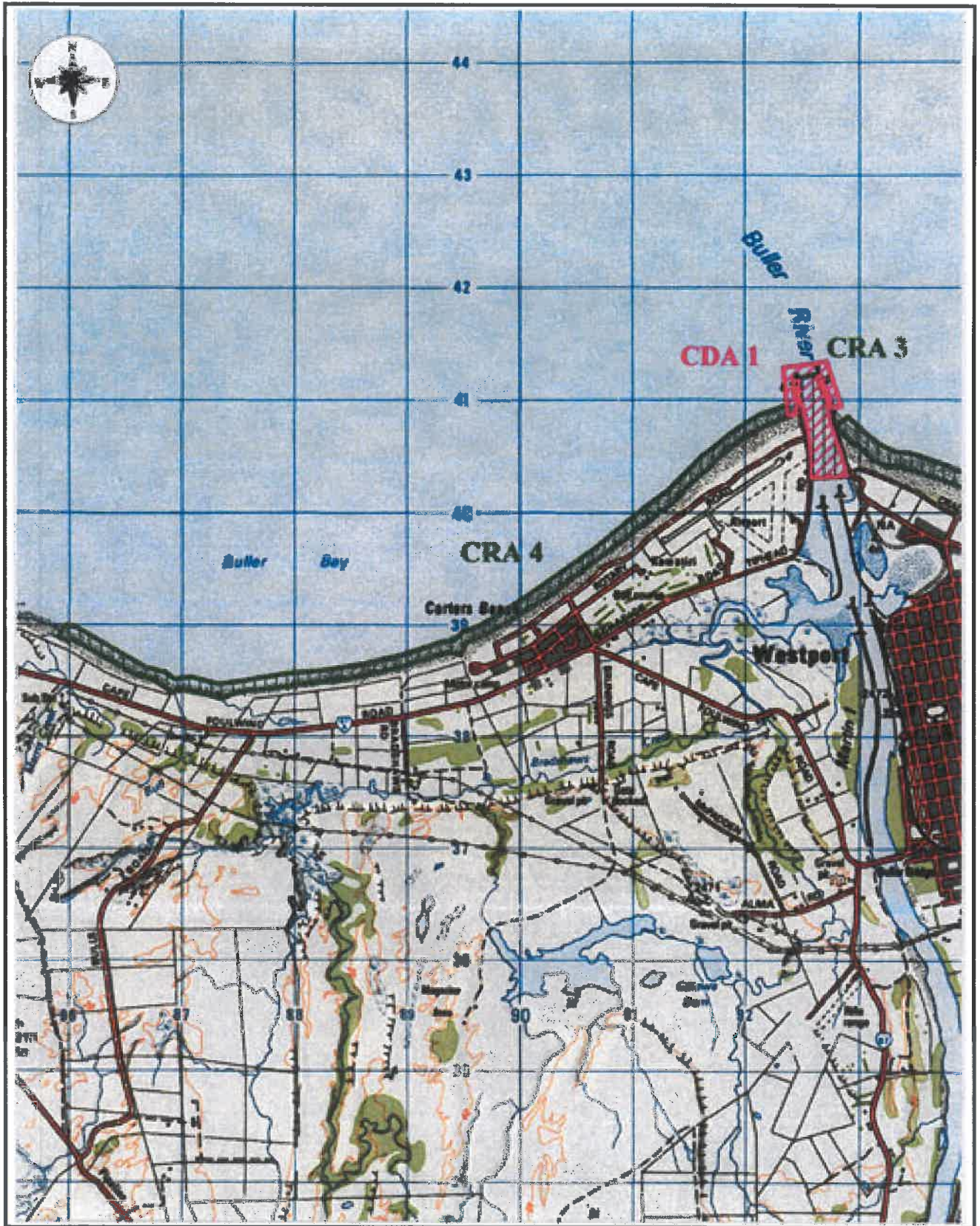
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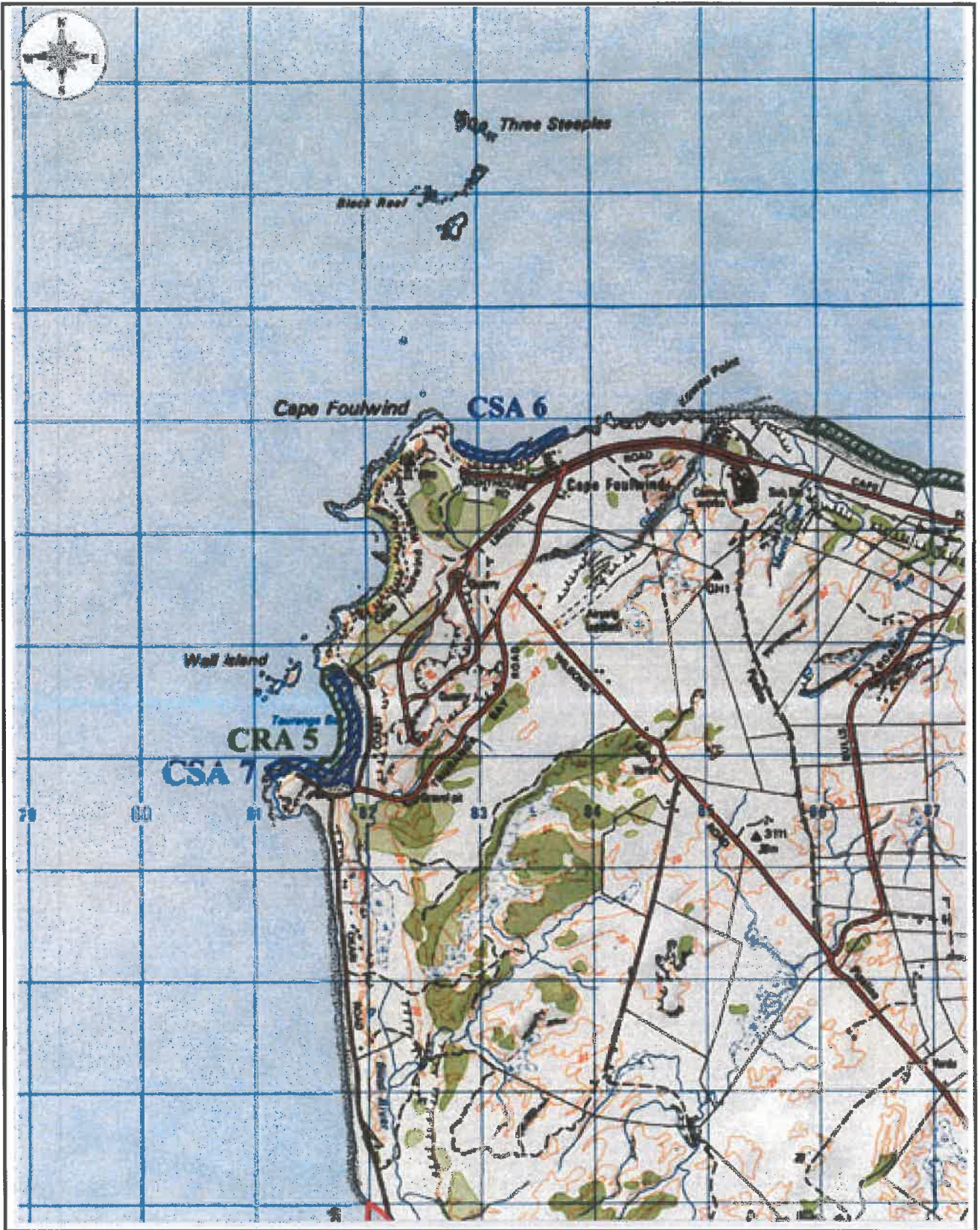
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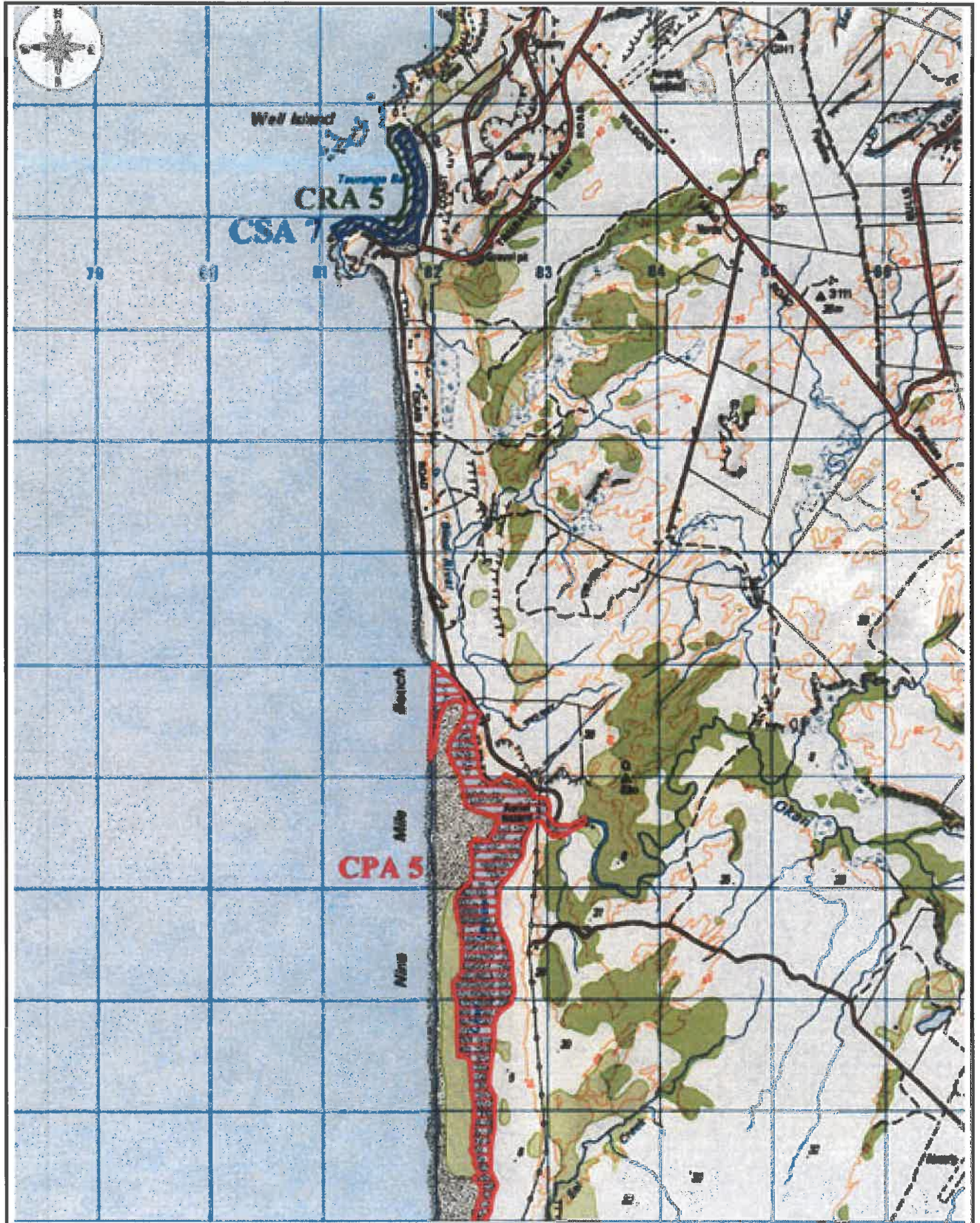
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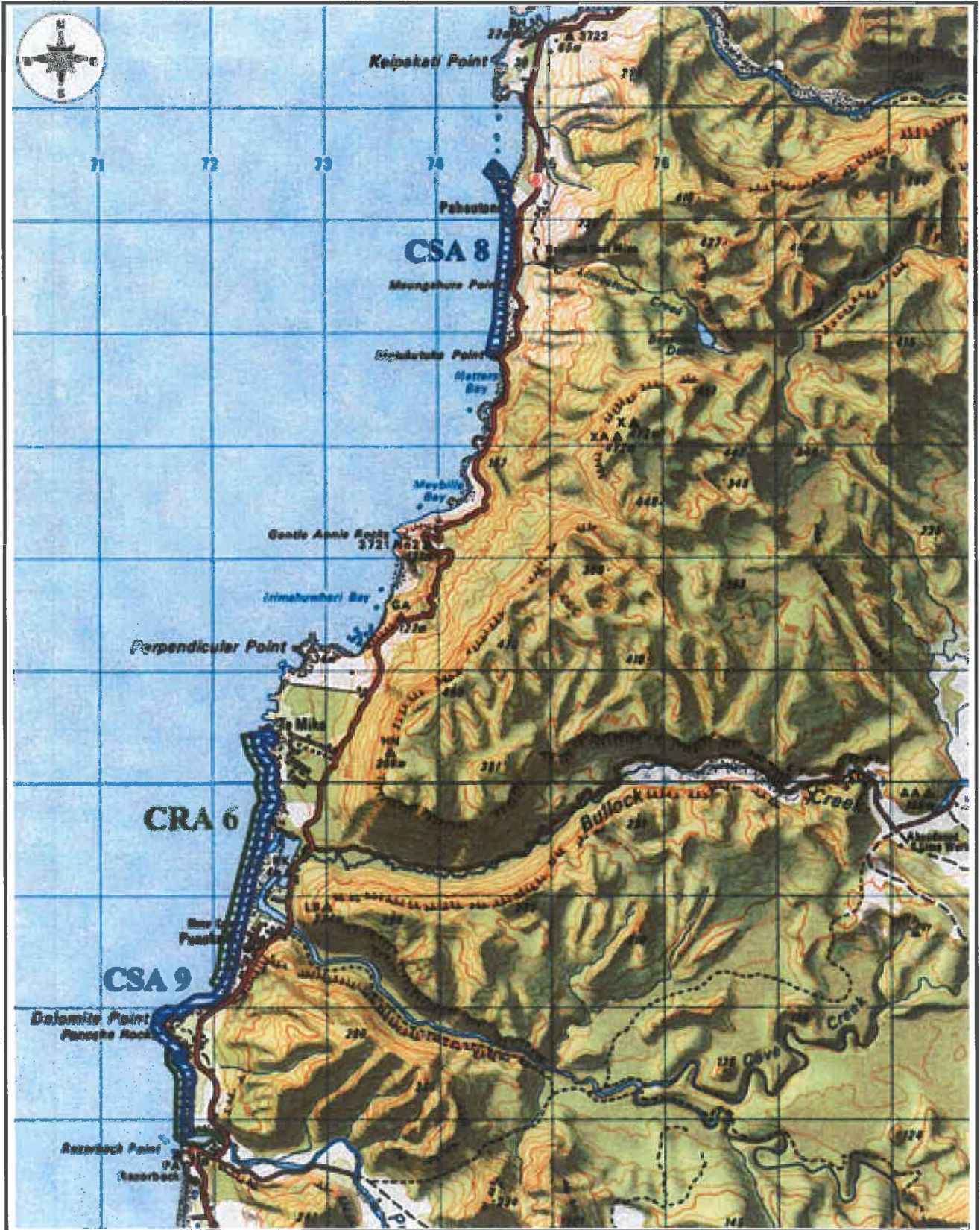
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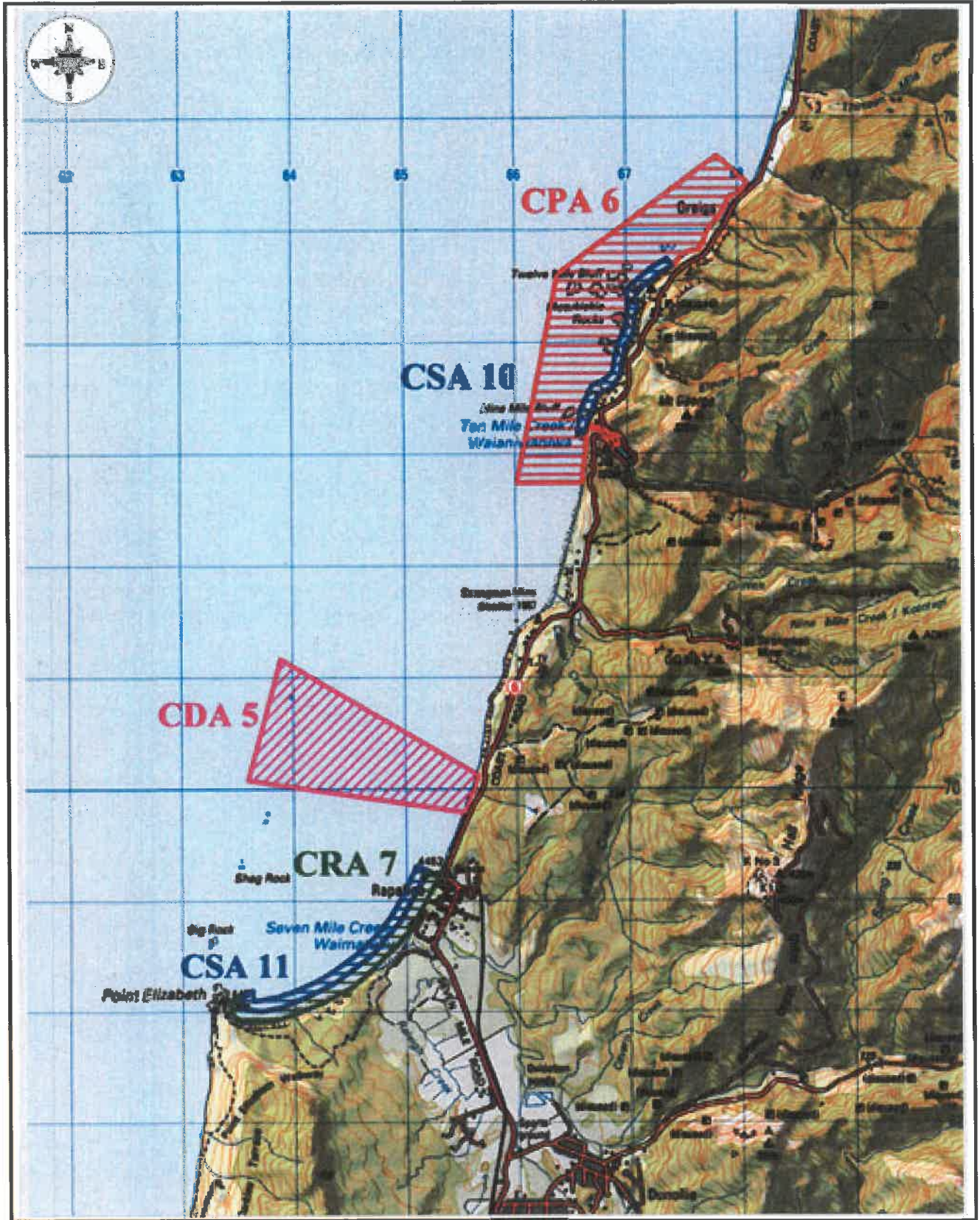
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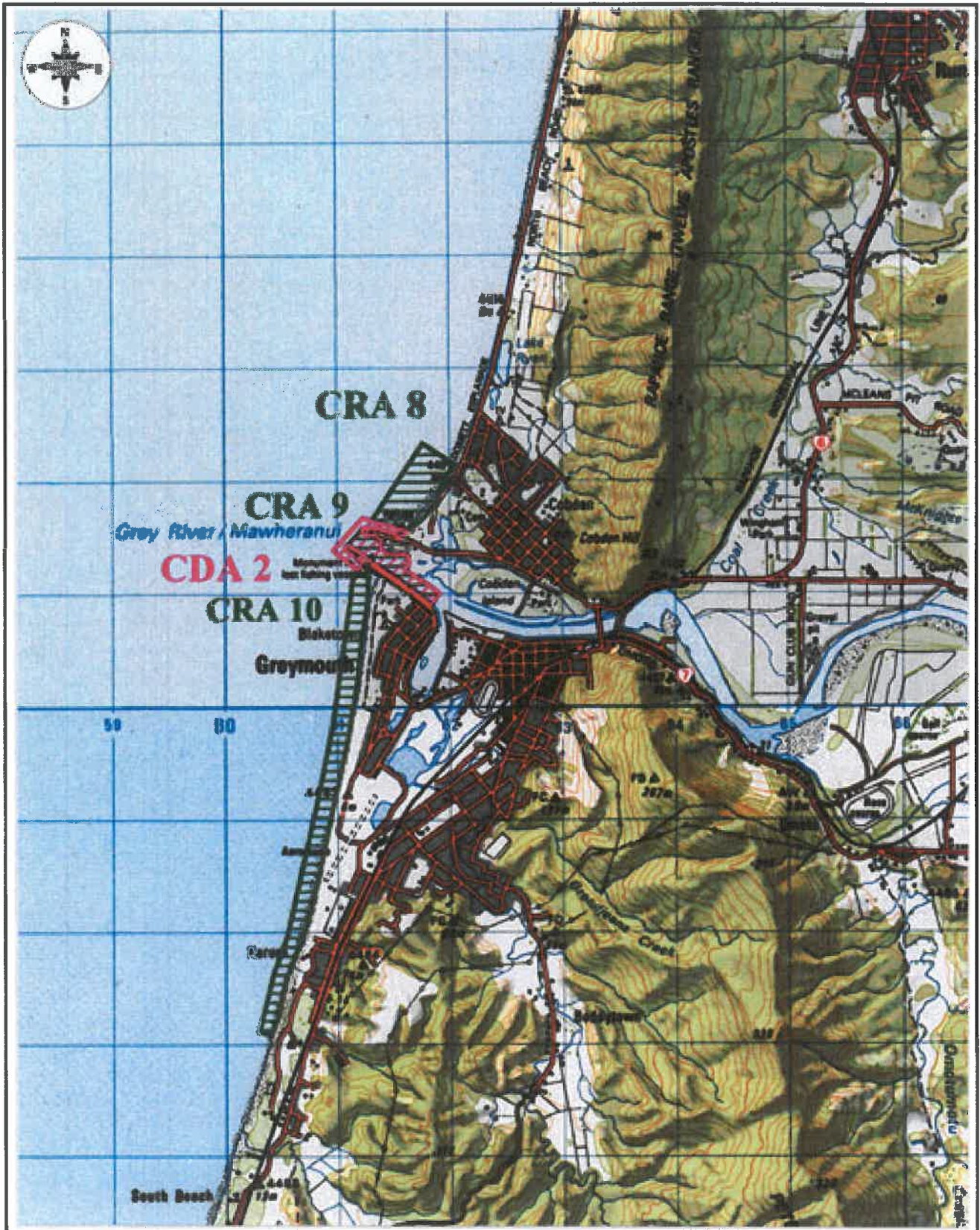
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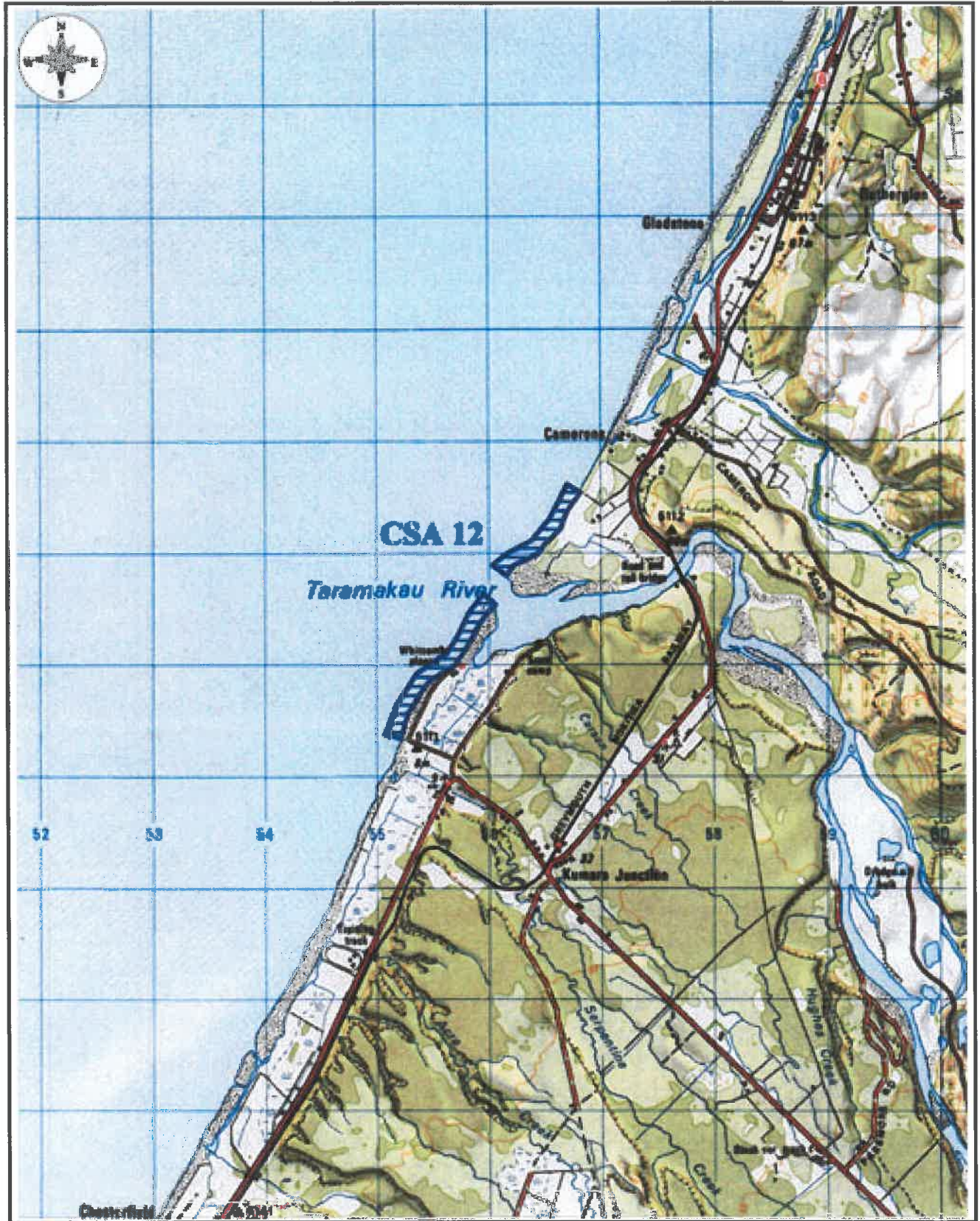
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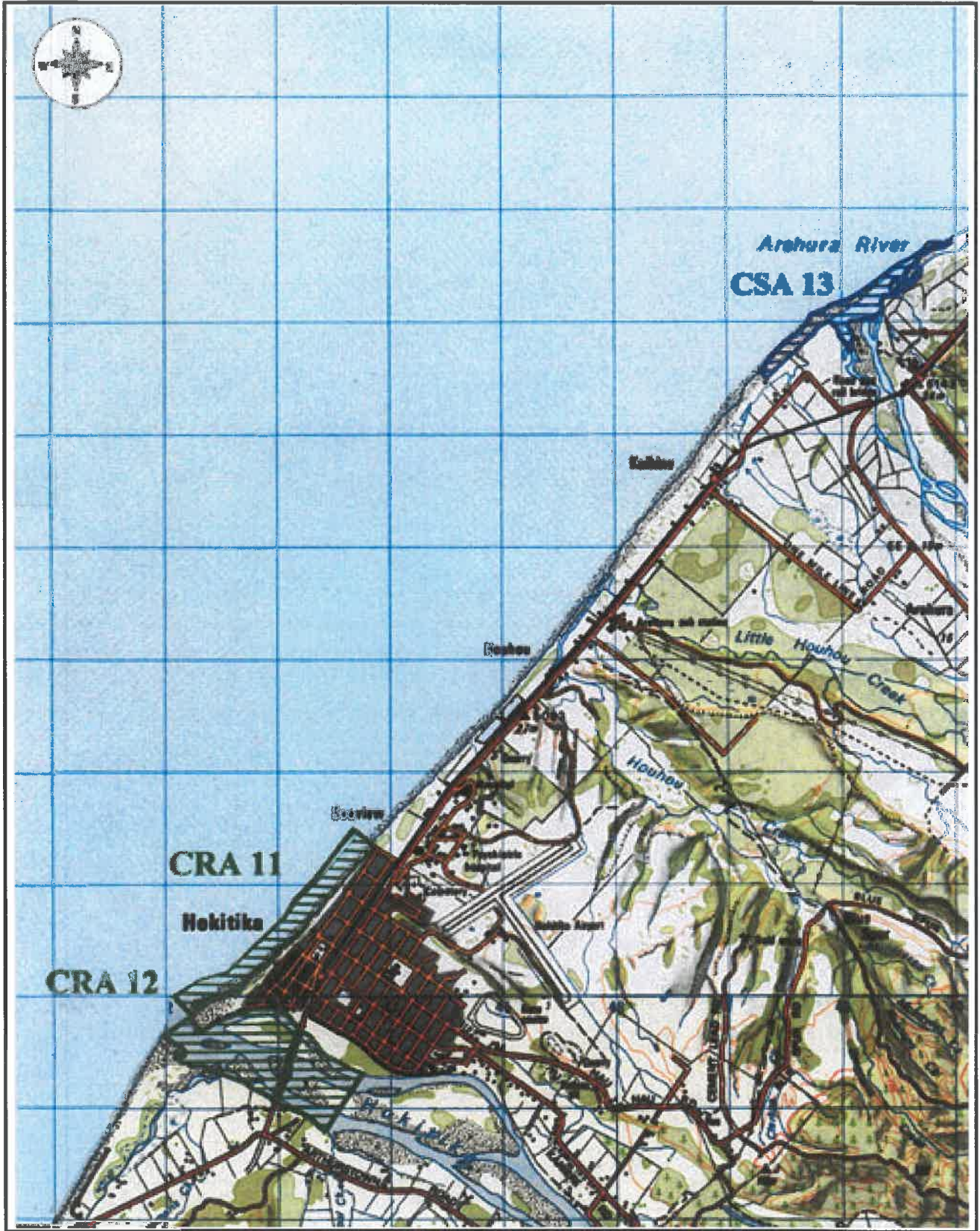
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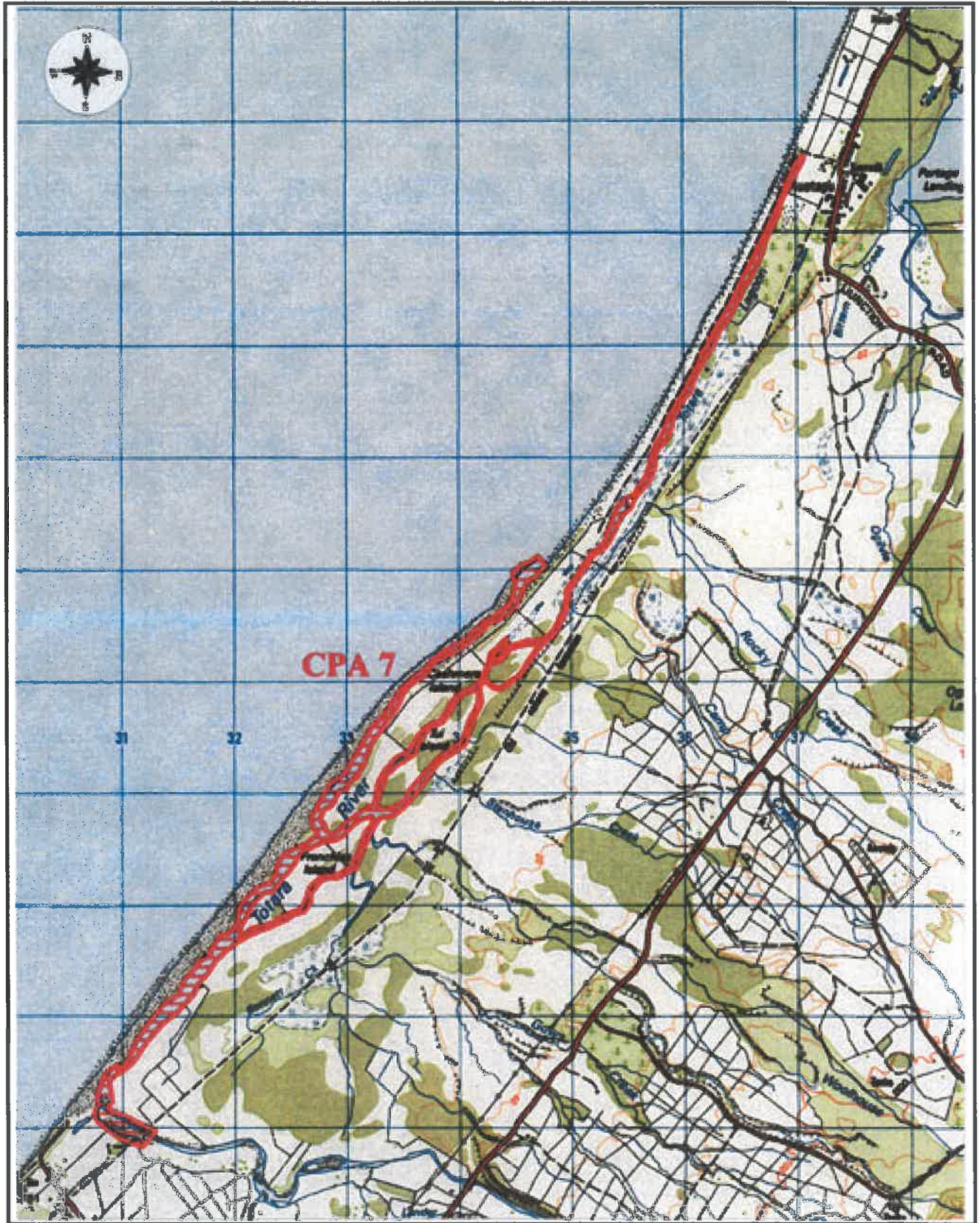
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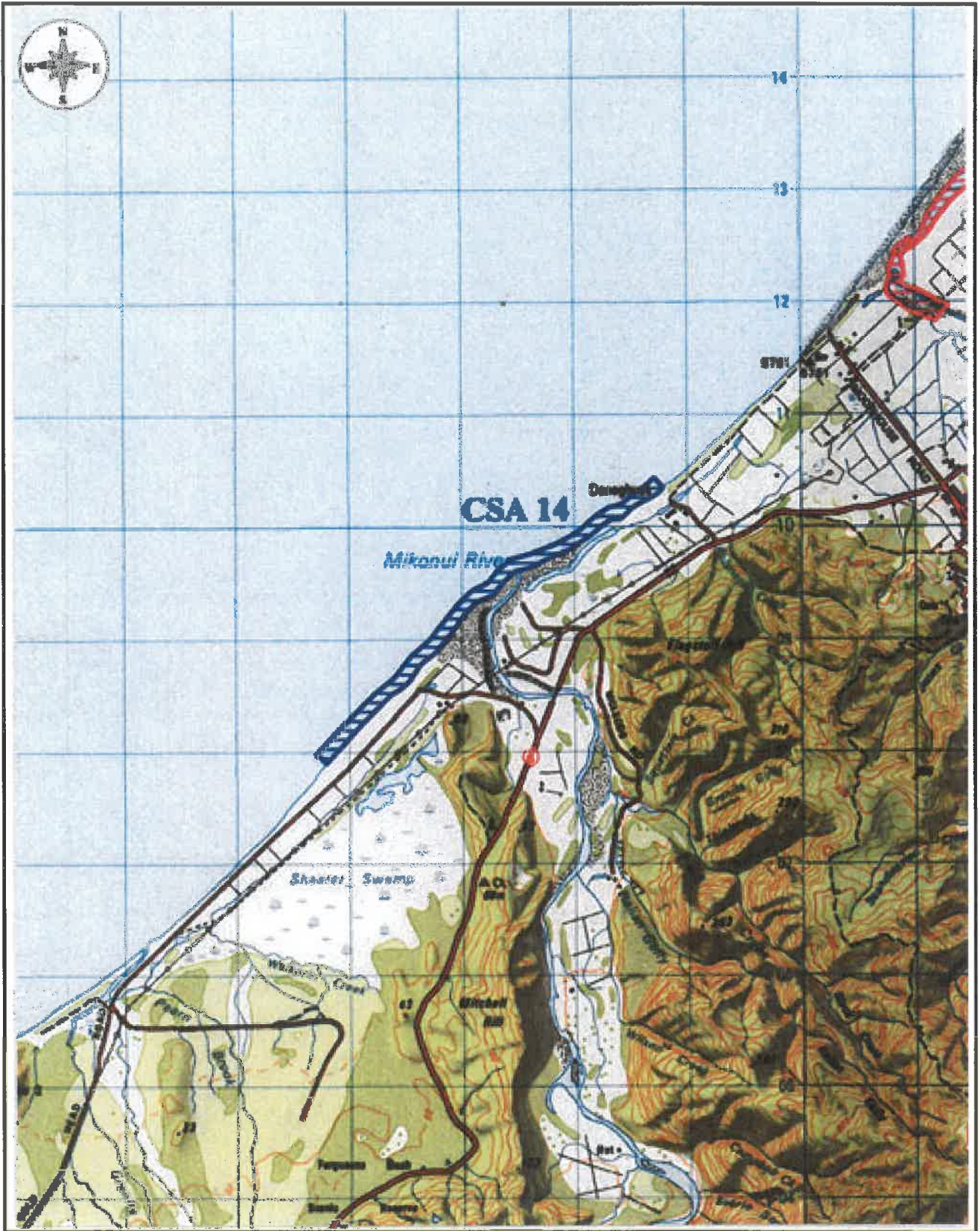
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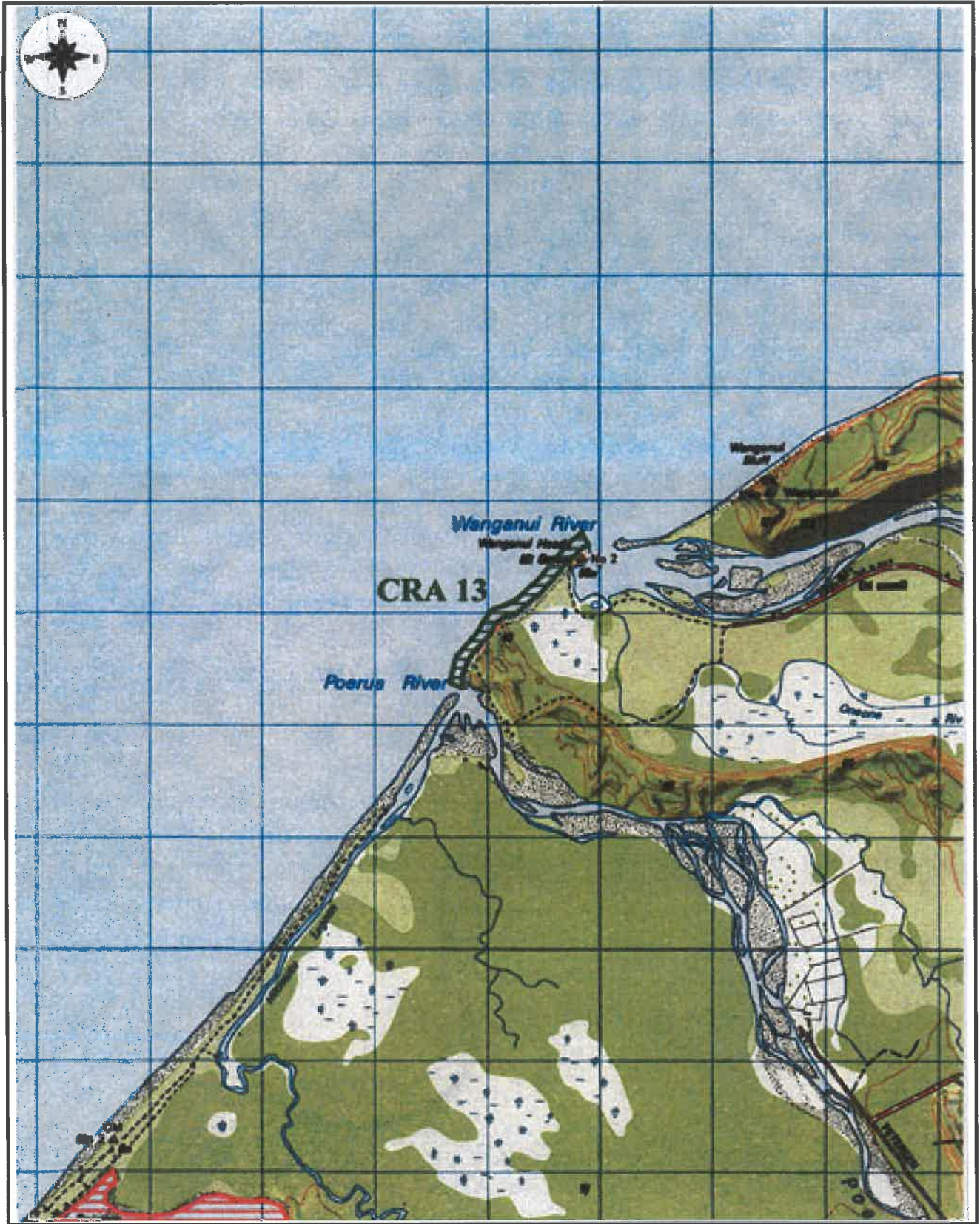
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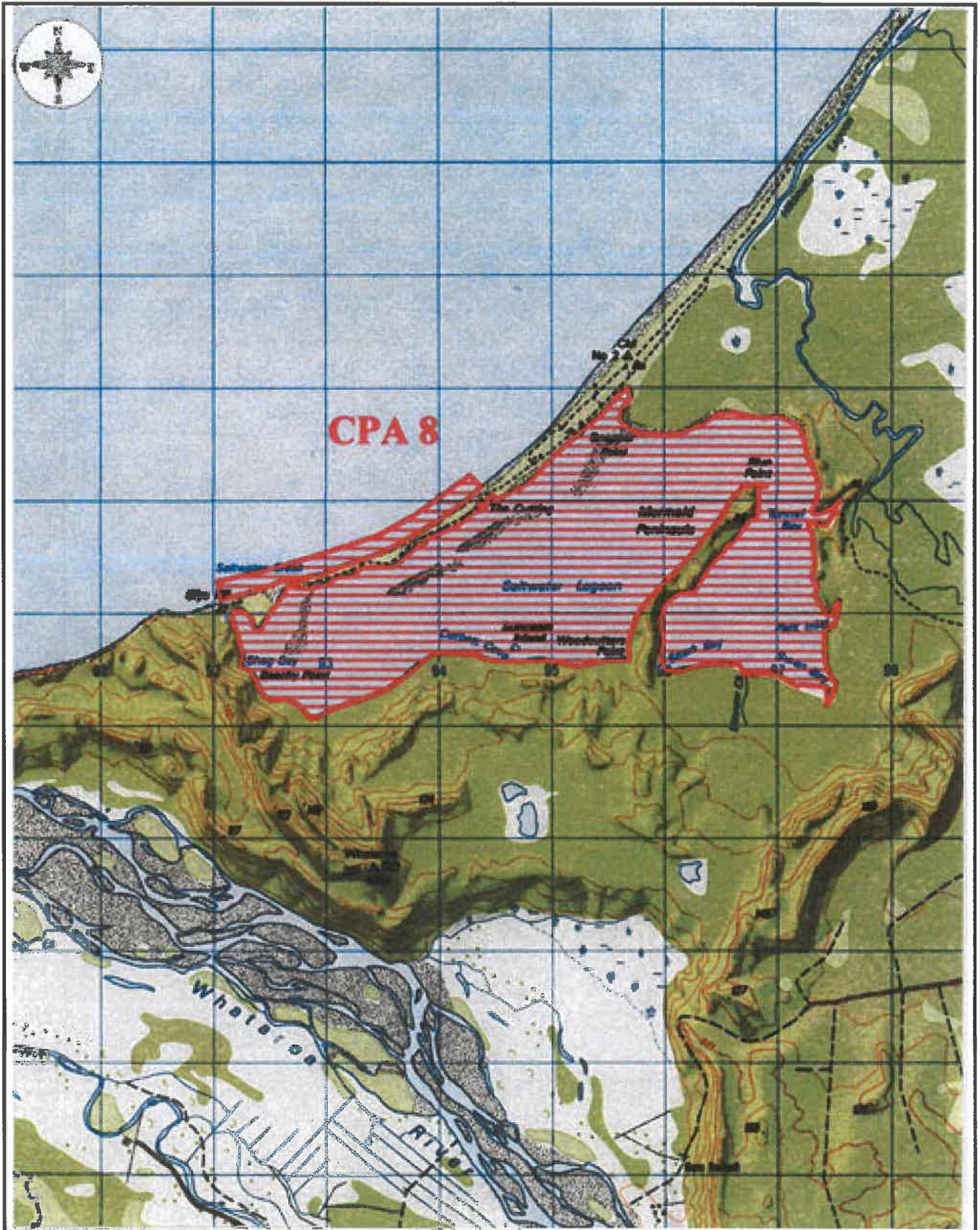
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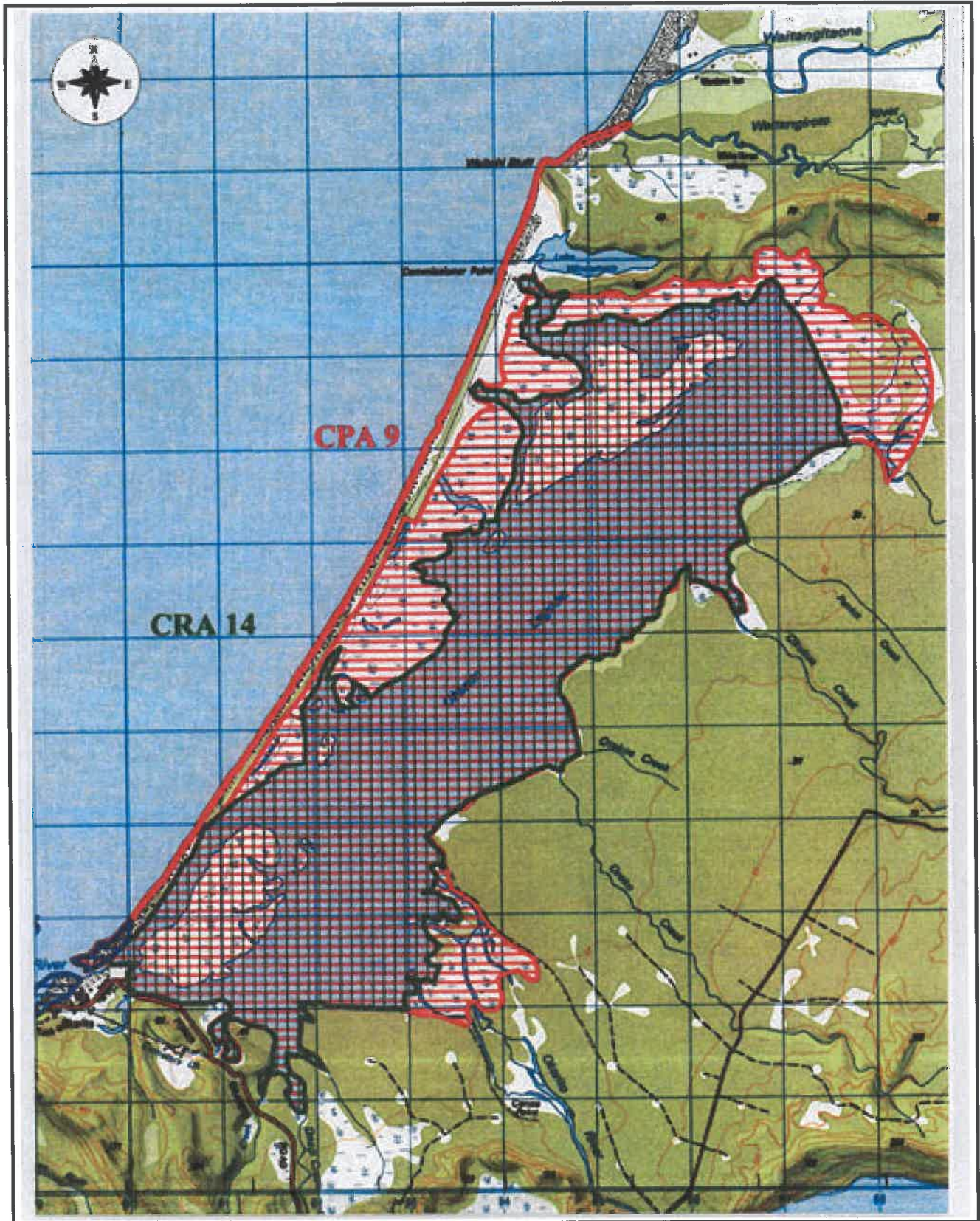
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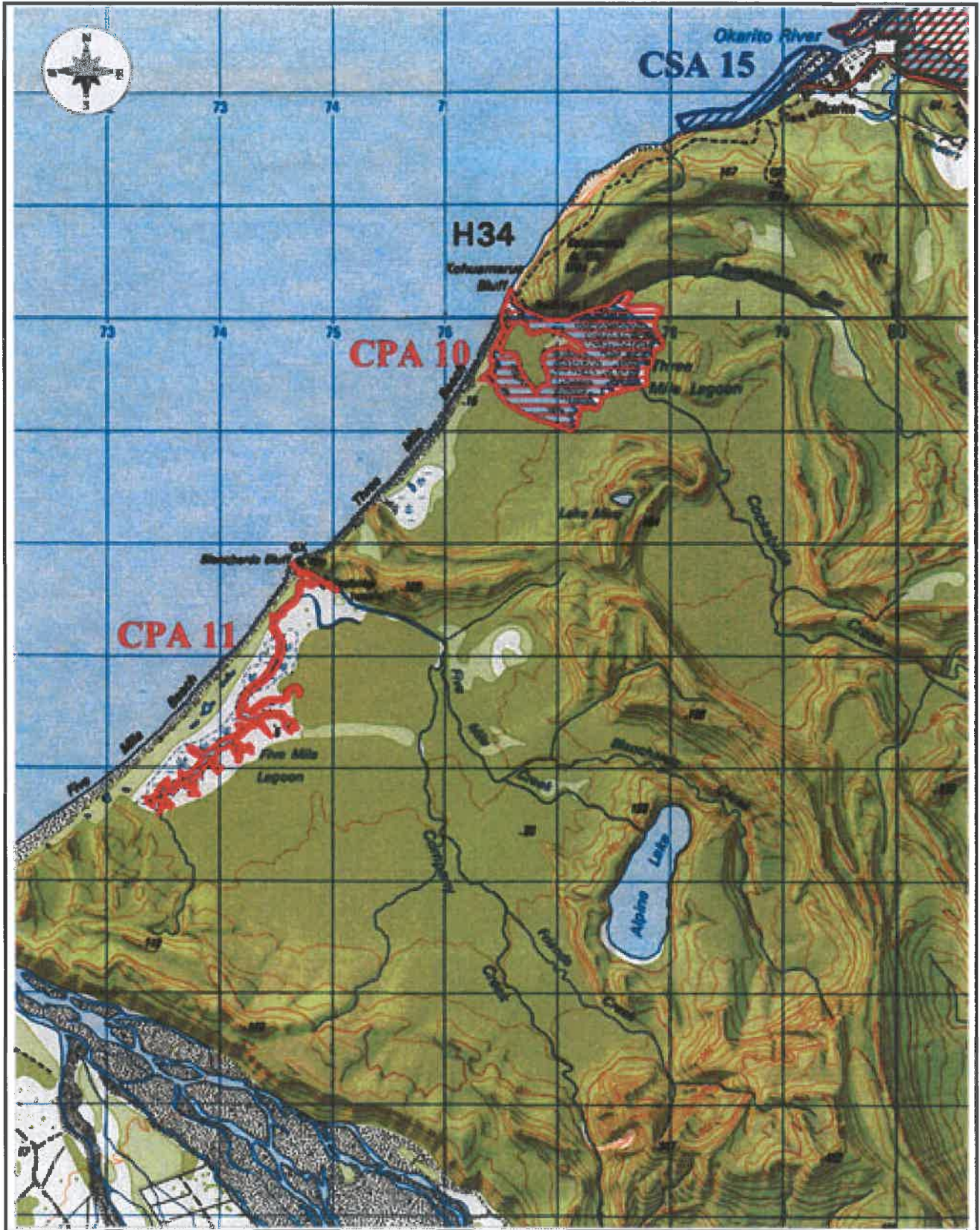
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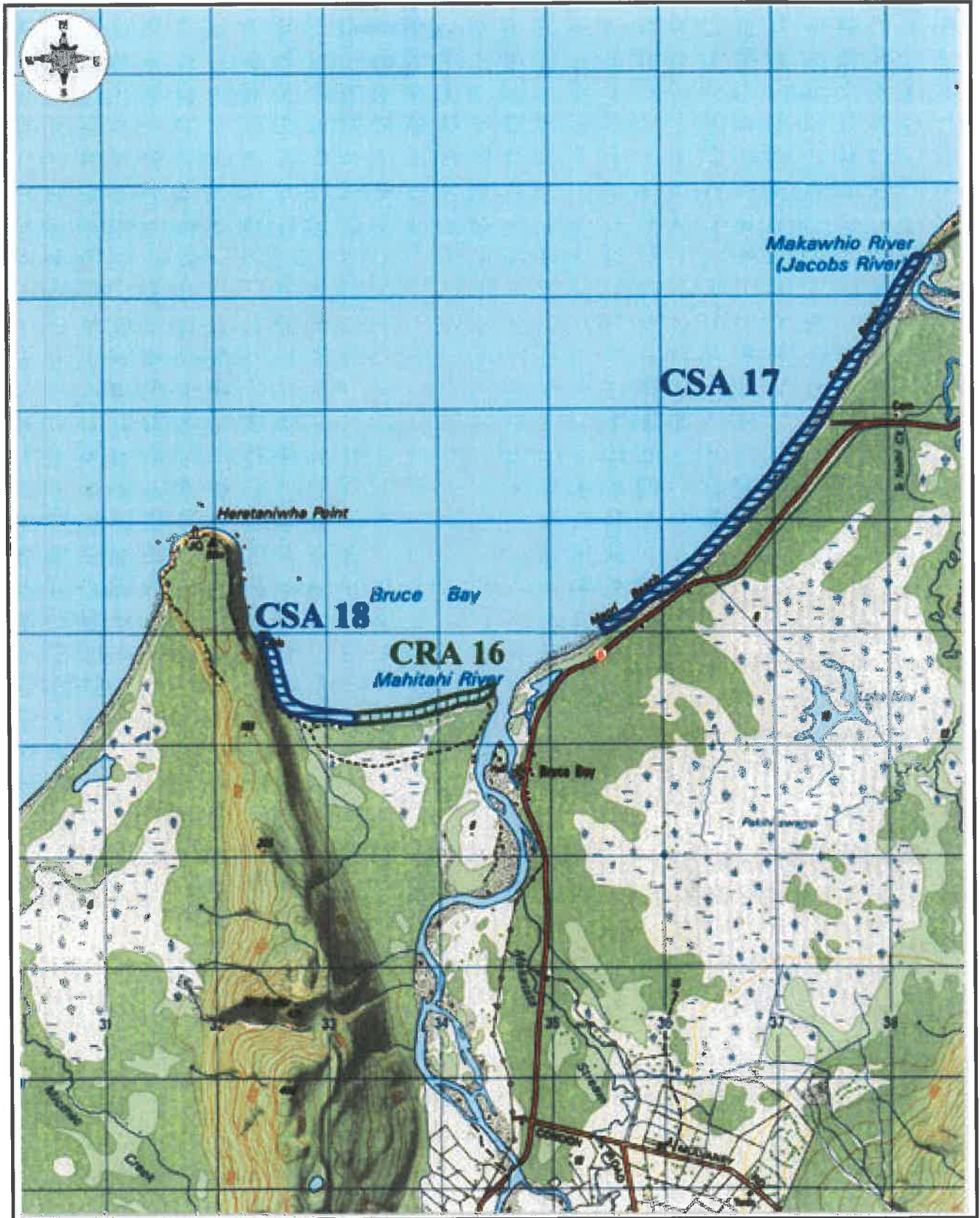
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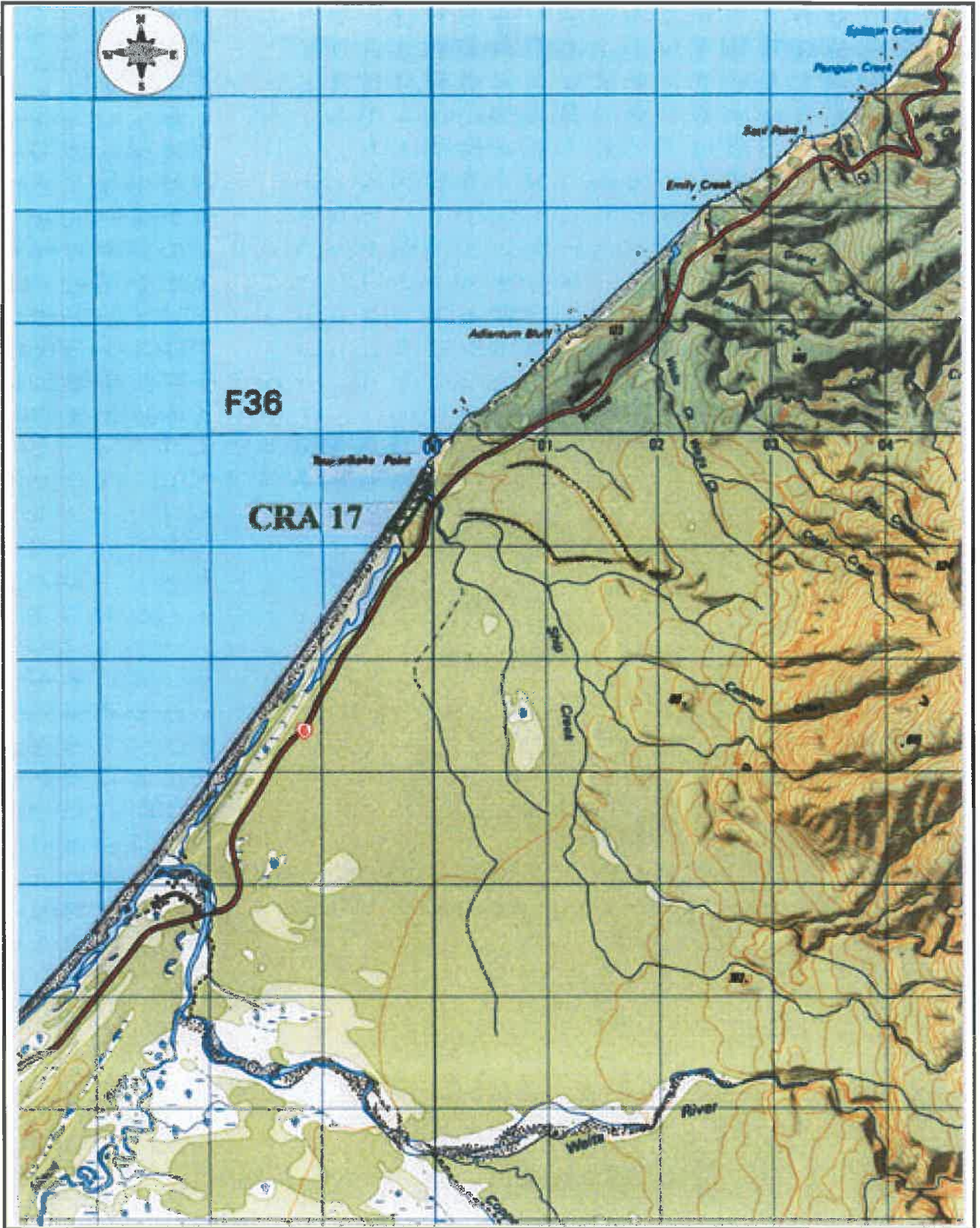
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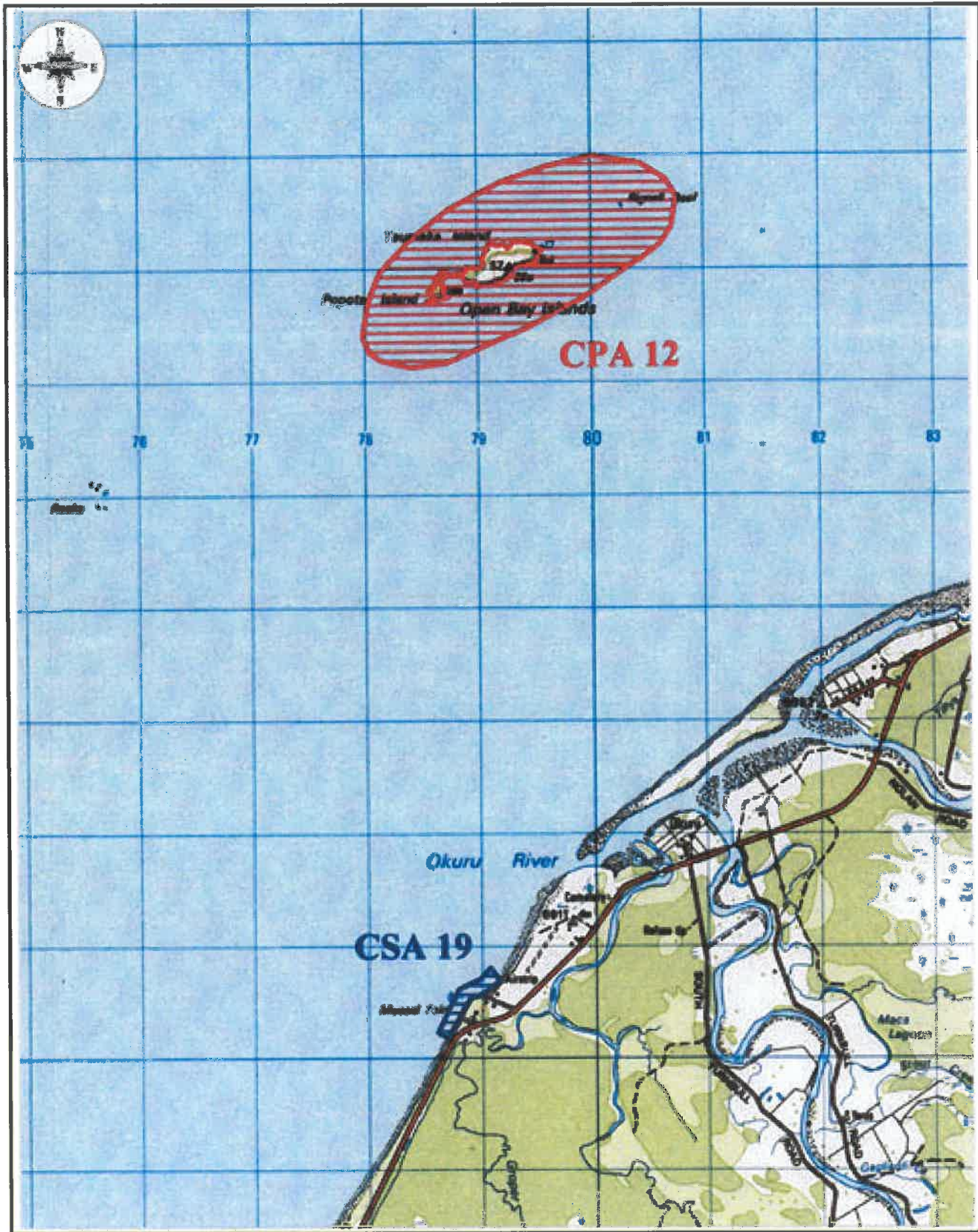
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COASTAL MANAGEMENT AREAS

SCHEDULE 3: CROSS BOUNDARY AREAS

3.1 Marine Mammal and Bird Sites Above Mean High Water Springs

The identification of sites important for marine mammal and birds above the line of mean high water spring provides a mechanism for recognising the existence of these values adjacent to the coastal marine area. In undertaking coastal management within or adjacent to any Marine Mammal and Bird Site, priority will be given to avoiding, remedying or mitigating adverse effects on values associated with the area.

Area	Values Above Mean High Water Spring
MMB 1 — Toropuahi to Wekakura Point	A large NZ Fur Seal rookery (breeding and haul out site).
MMB 2 — Kongahu Point	NZ Fur Seal rookery (breeding and haul out site).
MMB 3 — Three Steeples and Black Reef	NZ Fur Seal rookery (breeding and haul out site).
MMB 4 — Wall Island and adjacent coast	NZ Fur Seal rookery (breeding and haul out site). Breeding and roosting area for coastal birds (including white fronted terns, spotted shags, sooty shearwaters, little blue penguins, prions).
MMB 5 — North End of Nine Mile Beach (Buller)	Little Blue Penguin nesting site.
MMB 6 — Charleston	Little Blue Penguin nesting site.
MMB 7 — South of Deep Creek	NZ Fur Seal rookery (breeding and haul out site).
MMB 8 — Seal Island to Perpendicular Point	NZ fur seal haul out. Breeding and roosting area for coastal birds (including little blue penguins, white fronted terns, spotted shags, sooty shearwaters, prions, banded dotterels).
MMB 9 — Dolomite Point	Breeding area for white fronted terns.
MMB 10 — North Barrytown flats	Flight path access to breeding colony for Westland petrels.
MMB 11 — Point Elizabeth, including Shag Rock and Big Rock	NZ Fur Seal rookery (breeding and haul out site).
MMB 12 — Wanganui Bluff	NZ Fur Seal haul out site.
MMB 13 — Abut Head	NZ Fur Seal winter haul out site.
MMB 14 — Okarito Bluffs	NZ Fur Seal haul out site.
MMB 15 — Galway Point to Gillespies Point	NZ Fur Seal winter haul out site.
MMB 16 — Heretaniwha Point	Breeding, roosting and moulting area for Fiordland crested penguins.
MMB 17 — Butress Point	Nesting site for Fiordland crested penguins.
MMB 18 — Hanata Island	NZ fur seal haul out site.
MMB 19 — Titira Head	NZ fur seal haul out site.

MMB 20 Awataikato Point	Nesting site for Fiordland-crested penguins.
MMB 21 Abbey Rocks	Nesting site for Fiordland-crested penguins.
MMB 22 Otumotu Point	Breeding, roosting and moulting area for Fiordland-crested penguins.
MMB 23 Murphy Beach	Breeding, roosting and moulting area for Fiordland-crested penguins.
MMB 24 Arnott Point	NZ fur seal haul out site.
MMB 25 Seal Point	Nesting site for Fiordland-crested penguins.
MMB 26 Open Bay Islands	A large NZ fur seal rookery. Breeding and roosting area for coastal birds (including Fiordland-crested penguins, little blue penguins, spotted shags, sooty shearwaters, prions).
MMB 27 Jackson Head	Breeding, roosting and moulting area for Fiordland-crested penguins.
MMB 28 Stafford Bay to Cascade point	Nesting site for Fiordland-crested penguins. Also, there is a large NZ fur seal rookery at Cascade Point.
MMB 29 Halfway Bluff	Nesting site for Fiordland-crested penguins.
MMB 30 Cascade Bay	Nesting site for Fiordland-crested penguins.
MMB 31 Browne Island	NZ fur seal haul out site.
MMB 32 North of Gorge River	Nesting site for Fiordland-crested penguins.

3.2 Outstanding Natural Features and Landscapes Above Mean High Water Springs

The identification of Outstanding Natural Features and Landscapes above the line of mean high water spring provides a mechanism for recognising the existence of these values adjacent to the coastal marine area.

In undertaking coastal management, priority will be given to the need to provide for and protect the values associated with the following Outstanding Natural Features and Landscapes.

Area	Values Above Mean High Water Spring
ONFL 1 Kahurangi Point to Kohaihai River	Highly natural section of coast adjoining a large area of land administered by the Department of Conservation (including Kahurangi National Park and Heaphy track). High amenity, landscape and scenic values enhanced by natural coastal landforms.
ONFL 2 Little Wanganui to Gentle Annie Point	Highly natural section of coast adjoining a large area of land administered by the Department of Conservation. High amenity, landscape and scenic values enhanced by natural coastal landforms.
ONFL 3 Cape Foulwind	Highly natural section of coast adjoining a large area of land administered by the Department of Conservation (including Cape Foulwind Walkway). High amenity, landscape and scenic values enhanced by natural coastal landforms.
ONFL 4 Parsons Hill to Razorback Point	Highly natural section of coast adjoining State Highway 6 and large areas of land administered by the Department of Conservation (including Paparoa National Park). High amenity, landscape and scenic values enhanced by natural coastal landforms.
ONFL 5 Seventeen Mile Bluff to Motukiekie Rocks	Highly natural section of coast adjoining State Highway 6 and large areas of land administered by the Department of Conservation. High amenity, landscape and scenic values enhanced by natural coastal landforms.
ONFL 6 Point Elizabeth	Highly natural section of coast adjoining a large area of land administered by the Department of Conservation (including Rapahoe Range Scenic Reserve). High amenity, landscape and scenic values enhanced by natural coastal landforms.

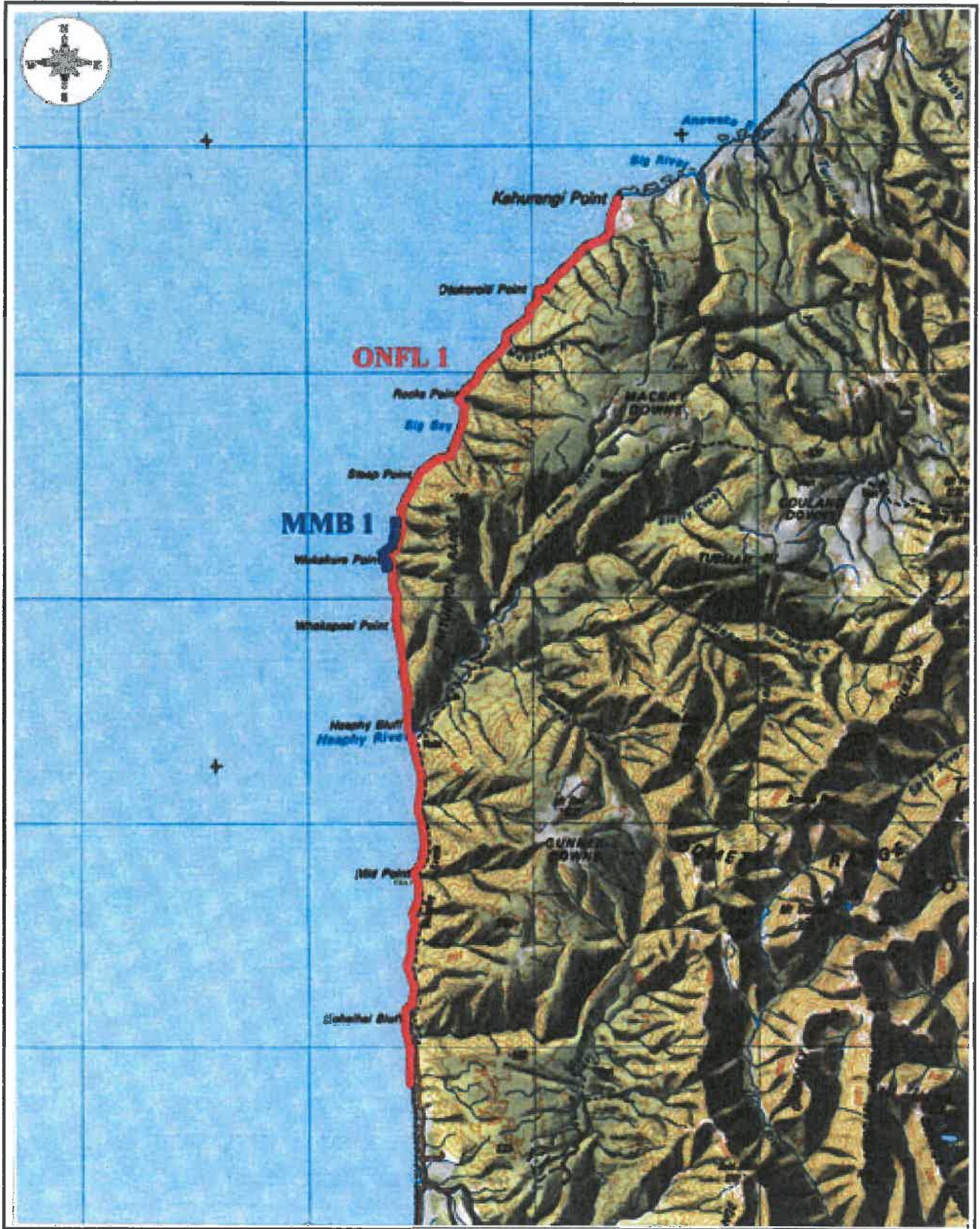
ONFL 7 Waitahi Bluff to Otorokua Point	Highly natural section of coast adjoining a large area of land administered by the Department of Conservation (including Westland National Park). Significant estuarine, wetland and sand dune landforms. High amenity, landscape and scenic values enhanced by natural coastal landforms.
ONFL 8 Hunt Beach to Waita River	Highly natural section of coast adjoining State Highway 6 (in places) and large areas of land administered by the Department of Conservation. High amenity, landscape and scenic values enhanced by natural coastal landforms.
ONFL 9 West Jackson Bay to Awarua Point	Highly natural section of coast adjoining a large area of land administered by the Department of Conservation. High amenity, landscape and scenic values enhanced by natural coastal landforms.

3.3 Coastal Hazard Areas

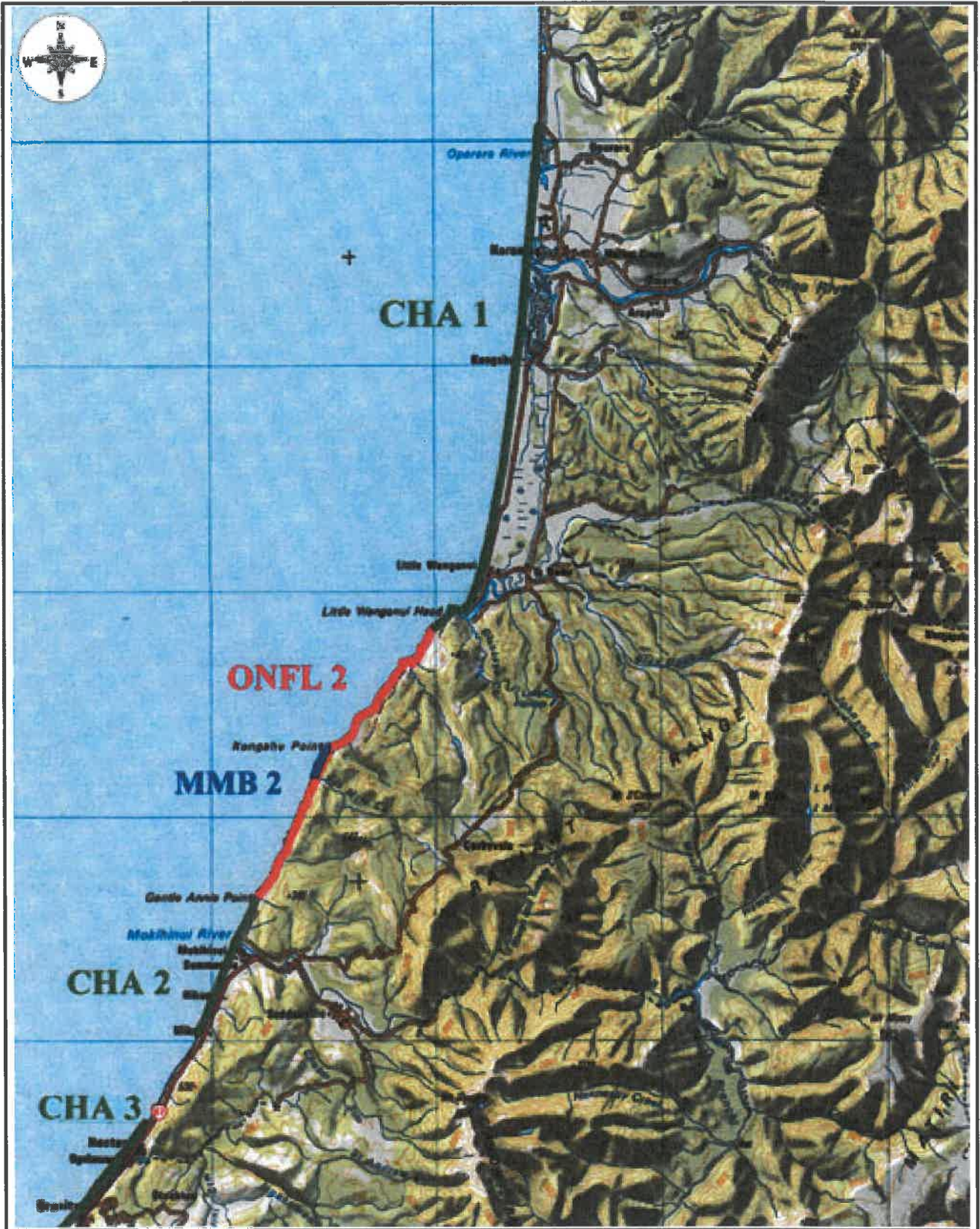
The following areas are recognised by WCRC as ~~being existing~~ coastal hazard areas. The area and type of hazard listed will be recognised and taken into account by WCRC when undertaking coastal management functions, including coastal permit applications. The areas and hazards identified are general in nature and are intended to highlight the existence of the hazard. Any development in these areas will require experts to further investigate the hazards on a case by case basis.

Area	Type of Coastal Hazard
CHA 1 Oparara River to Little Wanganui River	Farmland, road and golf course threatened by beach erosion, blowouts and wave inundation. L27 346 006 to L28 300 783
CHA 2 Gentle Annie Point to Miko	Settlement (Waimarie), farmland and road threatened by beach erosion and wave inundation. L28 219 193 to L28 193 602
CHA 3 Dean Stream to Orowaiti River	Settlement (Hector, Ngakawau, Granity), farmland and natural values (wetlands, beach habitat) threatened by beach erosion. L28 170 562 to K29 993 404
CHA 4 Tauranga Bay	Farmland and road threatened by beach erosion, wave inundation and creek migration. K29 818 367 to K29 816 357
CHA 5 Nine Mile Beach and Little Beach	Farmland and road threatened by beach erosion. K29 815 352 to K29 800 221
CHA 6 Woodpecker Bay	Road and baches threatened by beach erosion and wave inundation. K30 765 105 to K30 752 072
CHA 7 Punakaiki Village (Pororari River) beach	Settlement (Punakaiki) and road threatened by beach erosion, wave inundation and river migration. K30 722 000 to K30 634 681
CHA 8 Punakaiki River beach	Settlement (Punakaiki River) and road threatened by river migration, slope failure and wave inundation. K30 713 976 to K30 716 964
CHA 9 Barrytown Beach	Farmland and natural values (wetlands, coastal vegetation) threatened by beach erosion and wave inundation. K31 709 903 to K31 700 813
CHA 10 17 Mile to Motukiekie Rocks	Residences and road threatened by shore erosion, slope failure and wave impact.
CHA 11 Rapahoe	Settlement (Rapahoe) and road threatened by beach erosion, slope failure and wave inundation. J31 656 706 to J31 659 687

CHA 12	Cobden Beach to Karoro	Settlement (Cobden), road and natural values threatened by beach erosion and wave inundation. In front of Blaketown, beach has been accreting due to the river training works. Must be treated as an integrated system to prevent downstream effects from altering longshore drift. J31 632 664 to J32 604 574
CHA 13	Beach south of Taramakau River	Road and farmland threatened by beach erosion and wave inundation. J32 558 477 to J32550 460
CHA 14	Arahura River to 1.9 km south of Hokitika River mouth	Settlements, (Hokitika, Three Mile, Kaihinu, Takutai), industrial properties (Three Mile), farmland, road and public access threatened by beach erosion, wave inundation and river migration. J32 478 364 to J33 408 275
CHA 15	Okarito	Settlement (Okarito) threatened by lagoon mouth migration and blockage, and beach erosion. H34 792 724 to H34 777 715
CHA 16	South west end Hunts Beach	Possible erosion, farmland and residences may be at risk. G36 438 368 to G36 399 337
CHA 17	Bruce Bay	Road threatened by beach erosion and wave inundation. G36 367 299 to G36 325 284
CHA 18	Okuru River to Waitoto River	Farmland and residences threatened by beach erosion, blowouts, wave inundation and river migration. F37 833 942 to F37 715 834



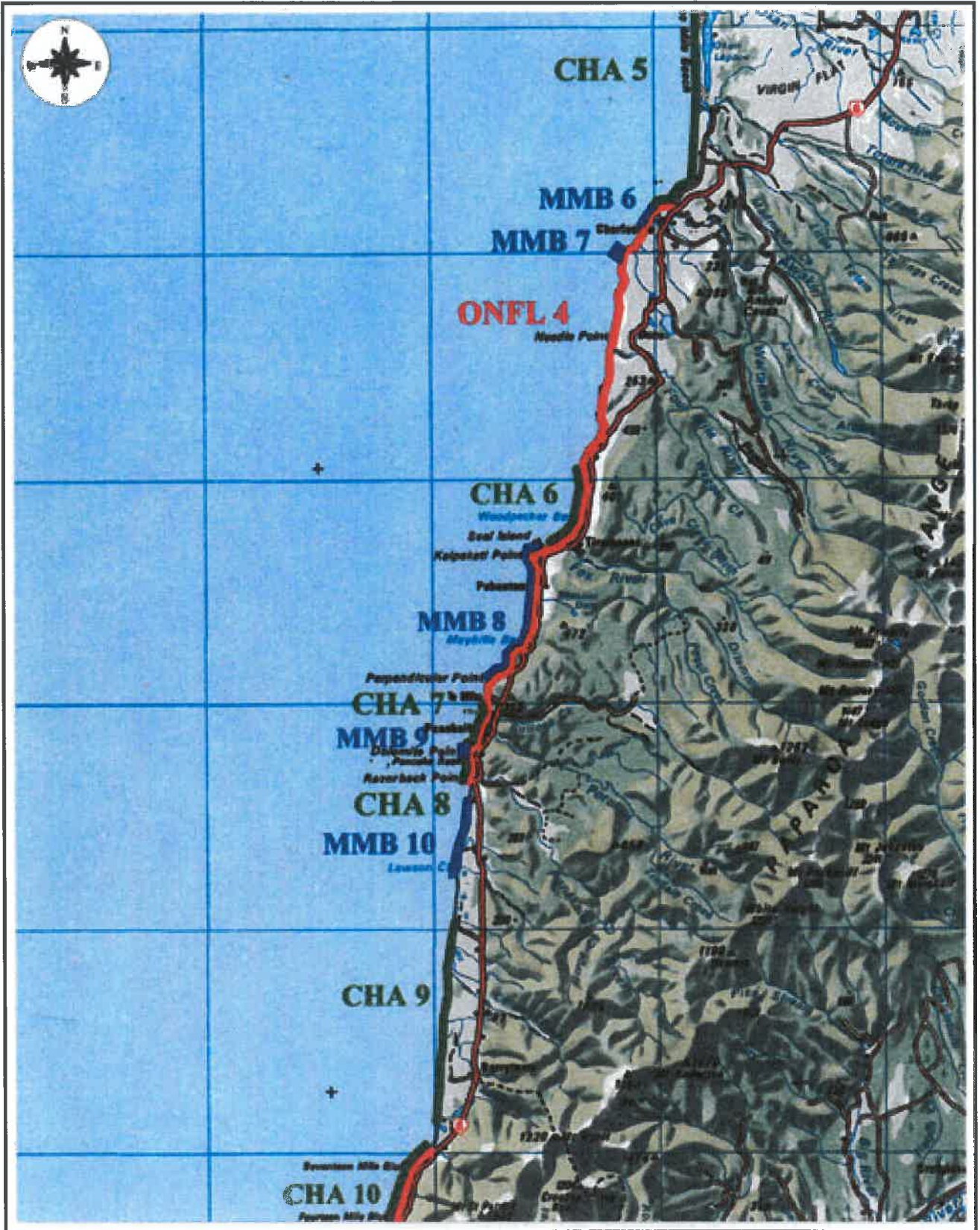
COASTAL MANAGEMENT AREAS



COASTAL MANAGEMENT AREAS



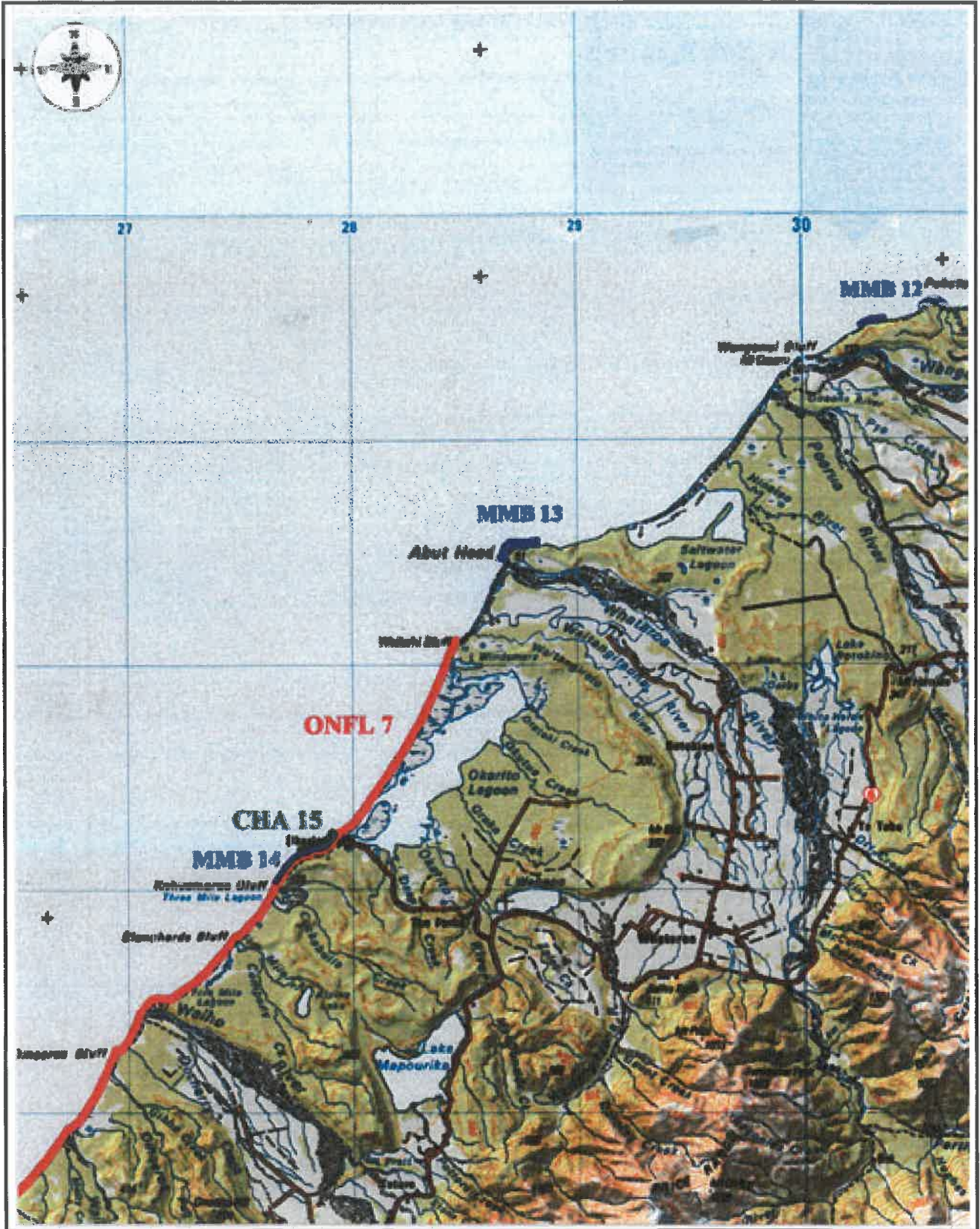
COASTAL MANAGEMENT AREAS



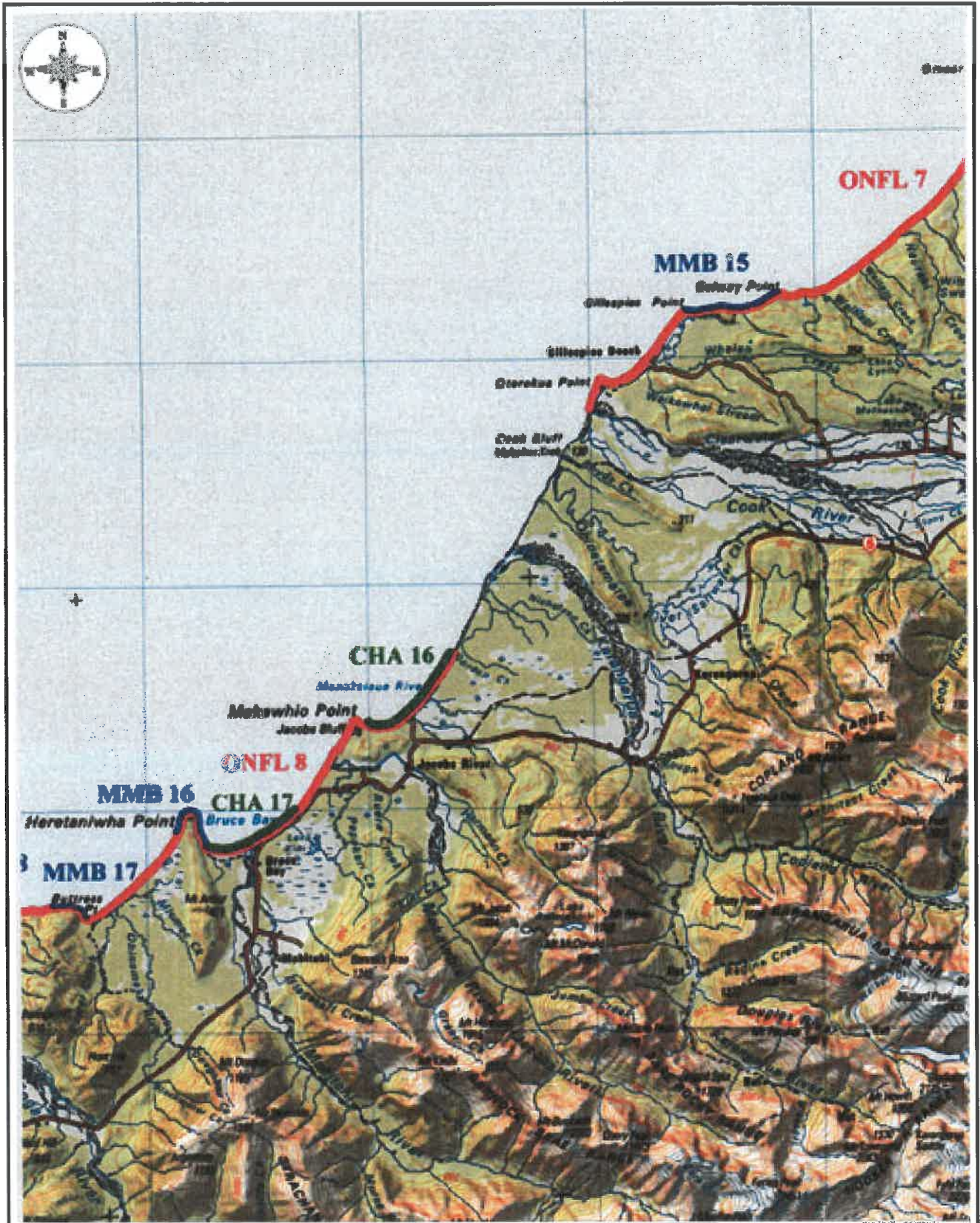
COASTAL MANAGEMENT AREAS



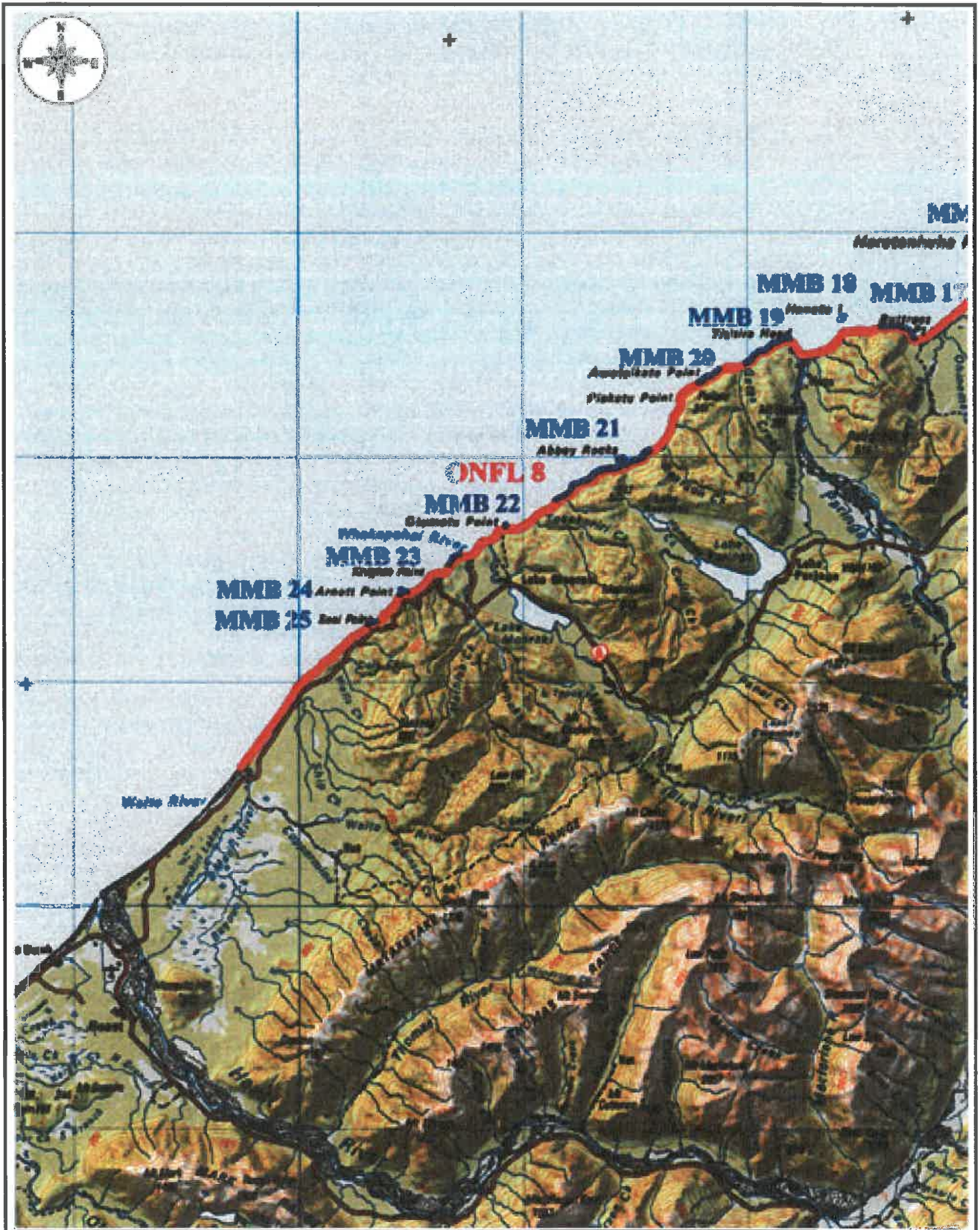
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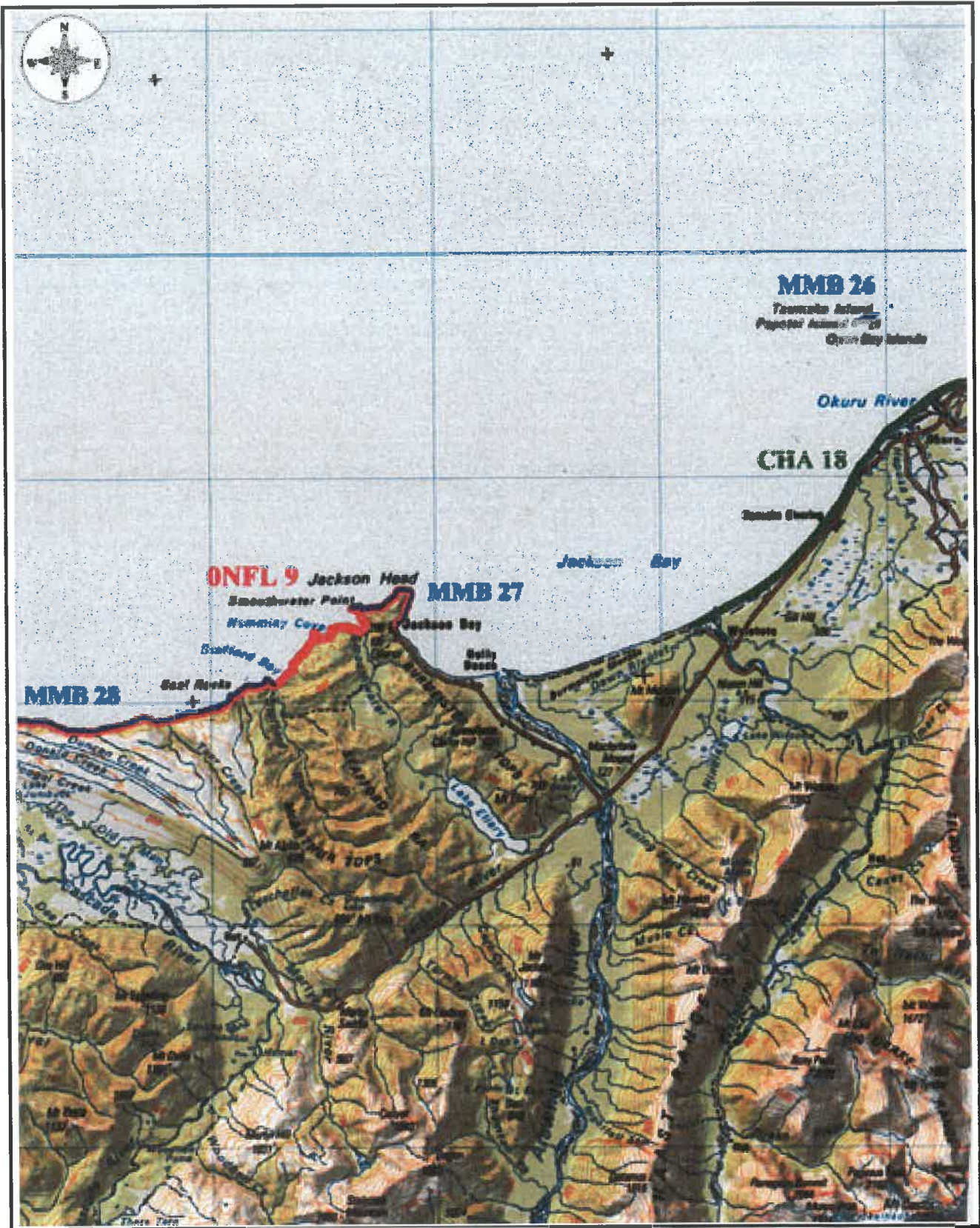
COASTAL MANAGEMENT AREAS



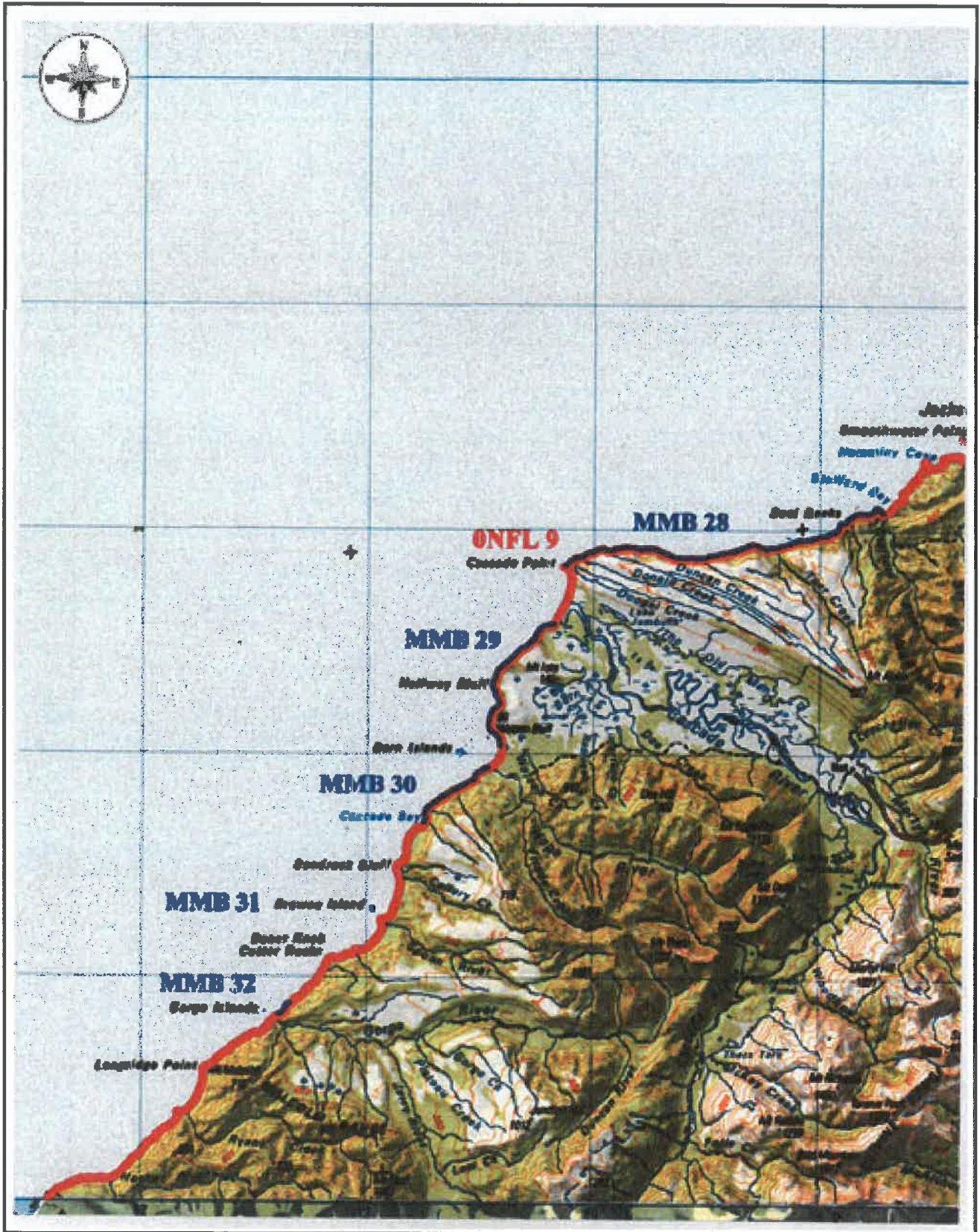
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COASTAL MANAGEMENT AREAS



COASTAL MANAGEMENT AREAS



COASTAL MANAGEMENT AREAS

SCHEDULE 4: STATUTORY ACKNOWLEDGEMENT AREAS

4.1: ~~Statutory Acknowledgement Areas~~

Note: This section is attached for public information purposes only, in accordance with Section 220(2) of the Ngai Tahu Claims Settlement Act 1998. This information is neither part of the Plan, nor subject to the provisions of the First Schedule of the Resource Management Act 1991.

In the Ngai Tahu Claims Settlement Act 1998, the Crown acknowledged statements by Te Rununga o Ngai Tahu of the particular cultural, spiritual, historic and traditional association of Ngai Tahu with areas described in that Act. The statements, which are called “statutory acknowledgements” are set out in schedules in the Act. The areas to which the statutory acknowledgements relate are known as statutory areas.

The regional council must include in the regional plan information recording all statutory acknowledgements affecting statutory areas covered wholly or partly by that regional plan. Six statutory areas are wholly or partly within the coastal marine area ~~of the West Coast region. Ngai Tahu associations with these six areas, taken from the Ngai Tahu Claims Settlement Act, are reproduced below.~~ The location of ~~each of the statutory areas is shown on the following maps. The dotted lines indicate parts of statutory areas outside the coastal marine area.~~

The significance of statutory acknowledgements is:

- (1) The regional council must forward to Te Runanga o Ngai Tahu a summary of every application for a resource consent for activities within, adjacent to or impacting directly on a statutory area, before the application is notified and before the ~~regional~~ council makes a decision to dispense with notification [refer section 207 Ngai Tahu Claims Settlement Act and to the Ngai Tahu Claims Settlement (Resource Management Consent Notification) Regulations 1999].
- (2) ~~The regional council must have regard to statutory acknowledgements in deciding, under section 93 of the Resource Management Act, whether Te Runanga o Ngai Tahu is likely to be directly affected by an application for a resource consent for activities within, adjacent to, or impacting directly on a statutory area.~~
- (3) The ~~regional~~ council must have regard to the statutory acknowledgements in deciding whether Te Runanga o Ngai Tahu is a person who may be adversely affected by the granting of a resource consent for an activity within, adjacent to, or impacting directly on the statutory area and whose written approval must be given before the application for a resource consent for that activity can be dealt with on a non-notified basis.
- (4) Te Runanga o Ngai Tahu, and any member of the Ngai Tahu Whanui may cite the statutory acknowledgement as evidence of the association

of Ngai Tahu with the statutory area in submissions to and at any hearing held by the regional council on a resource consent application, a policy statement or a plan.

Further information on the statutory acknowledgements for the six statutory areas can be found in Schedules 24, 38, 47, 48, 53, and 56 of the Ngai Tahu Claims Settlement Act 1998.

~~The associations for the six statutory areas within the coastal marine area of the West Coast region, as set out in the Ngai Tahu Claims Settlement Act, are:~~

~~Ngai Tahu Association with Okari Lagoon:~~

~~“Manawhenua (tribal authority over the area) was gained through Ngai Tahu's defeat of Ngati Wairaki, Tumatakokiri and Ngaiti Toa. For Ngai Tahu, histories such as this reinforce tribal identity and solidarity, and continuity between generations, and document the events which shaped Ngai Tahu as an iwi. This hapua (estuary) once supported a number of significant kainga nohoanga (settlements) including Tauraka, Omau, Oweka, Orowaiti, Te Kuha, Orikaka, Waimakaroa and Whareatea. As a result of this pattern of occupation, there are a number of recorded and unrecorded archaeological sites associated with Okari, including middens. Such sites are a focus for memories of Ngai Tahu tupuna and, as such, are wahi taonga to the descendants of those tupuna. Okari was and still is a significant spawning ground and kohanga (nursery) for a variety of fish species and a significant breeding area for manu (birds). The lagoon remains a source of rich and abundant harvests.~~

~~The tupuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the lagoon, the relationship of people with the lagoon and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngai Tahu today.~~

~~As a mark of the significance of the area as a mahinga kai and because of the kainga nohoanga, a reserve was set aside for Ngai Tahu in this area at the time of the 1860 Arahura Deed of Sale.~~

~~The mauri of Okari represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngai Tahu Whanui with the lagoon.”~~

~~Ngai Tahu Association with the Taramakau River~~

~~“Manawhenua (tribal authority over the area) was gained through Ngai Tahu's defeat of Ngati Wairaki, Tumatakokiri and Ngai Toa. For Ngai Tahu, histories such as this reinforce tribal identity and solidarity, and continuity between generations, and document the events which shaped Ngai Tahu as an iwi. The Taramakau River was and still is a significant indigenous fishery and source of manu (birds). The river remains a source of rich and abundant harvests. The area is noted particularly for its tuna (eel) and inaka (whitebait)~~

fisheries. The tupuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the river, the relationship of people with the river and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngai Tahu today.

There was a pa at the mouth of the river, and kainga nohoanga (temporary settlements) were established along the length of the river which were related to the taking of mahinga kai and, in particular, the retrieval of pounamu. The river itself was, therefore, a significant part of the pounamu trail, via which the taonga was transported from its source to be traded up and down the country.

The tupuna had an intimate knowledge of navigation, river routes, safe harbours and landing places, and the locations of food and other resources on the river. The river was an integral part of a network of trails which were used in order to ensure the safest journey, and incorporated locations along the way that were identified for activities including camping overnight and gathering kai. Knowledge of these trails continues to be held by whanau and hapu and is regarded as a taonga. The traditional mobile lifestyle of the people led to their dependence on the resources of the river.

The mauri of Taramakau represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngai Tahu Whanui with the river.”

Ngai Tahu Association with Pouerua

“Manawhenua (tribal authority over the area) was gained through Ngai Tahu's defeat of Ngati Wairaki, Tumatakokiri and Ngati Toa. For Ngai Tahu, histories such as this reinforce tribal identity and solidarity, and continuity between generations, and document the events which shaped Ngai Tahu as an iwi.

Pouerua once supported a number of significant kainga nohoanga (settlements) including one on the lagoon itself, and others at the mouths of the Waitangi Taona, Waitangi Roto, Whataroa and Poherua Rivers. As a result of this pattern of occupation, there are urupa and archaeological sites associated with Pouerua. Urupa are the resting places of Ngai Tahu tupuna and, as such, are the focus for whanau traditions. These are places holding the memories, traditions, victories and defeats of Ngai Tahu tupuna, and are frequently protected by secret locations.

Pouerua was and still is a significant spawning ground and kohanga (nursery) for a variety of fish species and a significant breeding area for manu (birds). The lagoon remains a source of rich and abundant harvests. The tupuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources

of the lagoon, the relationship of people with the lagoon and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngai Tahu today.

As a mark of the significance of the area as a mahinga kai and because of the kainga nohoanga, reserves were set aside for Ngai Tahu in this area at the time of the 1860 Arahura Deed of Sale. It was at Pouerua in 1860 that the Crown agent James Mackay sealed the purchase of Te Tai Poutini (the West Coast) from the chiefs of Poutini Ngai Tahu, although the Arahura Deed giving effect to this purchase was actually signed at Mawhera.

The mauri of Pouerua represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngai Tahu Whanui with the lagoon.”

Ngai Tahu Association with Okarito Lagoon

“The Okarito Lagoon area was traditionally occupied by the Ngati Wairaki and Rapiwai hapu before Ngai Tahu gained manawhenua (tribal authority over the area). The area was important as the site of the Ngaiti Wairaki Whare Wananga. It was to this Wananga that the Ngai Tahu rangatira (chiefs) went so as to learn the whakapapa to the South Island. For Ngai Tahu, histories such as this reinforce tribal identity and solidarity, and continuity between generations, and document the events which shaped the environment of Ngai Tahu as an iwi.

Okarito is well known as the place occupied by the kotuku (white heron) and there are many Ngai Tahu waiata (songs) that tell the tale of the kotuku. The lagoon was also a rich mahinga kai. The tupuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the lagoon, the relationship of people with the lagoon and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngai Tahu today.

The mauri of Okarito represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngai Tahu Whanui with the area.”

Ngai Tahu Association with Karangarua Lagoon

“Manawhenua (tribal authority over the area) was gained through Ngai Tahu's defeat of Ngati Wairaki, Tumatakokiri and Ngati Toa. For Ngai Tahu, histories such as this reinforce tribal identity and solidarity, and continuity between generations, and document the events which shaped Ngai Tahu as an iwi.

Seasonal kainga nohoanga (settlements) were established at the mouth of Karangarua Lagoon for the taking of kai awa (river sourced foods) and manu (birds). Karangarua Lagoon was and still is a significant spawning ground and kohanga (nursery) for a variety of fish species and a significant breeding area for manu. The lagoon remains a source of rich and abundant harvests. Pokorotutu and Otehautumua were and are notable mahinga kai areas at the north and south ends respectively of the Karangarua. The area is noted particularly for its tuna (eel) and inaka (whitebait) fisheries, as a source of raranga (weaving) materials and other useful plants including raupo, wiwi and harakeke. The traditional practice of collecting seagull eggs from the lagoon during spring is still carried out by local Ngai Tahu.

The tupuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the lagoon, the relationship of people with the lagoon and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngai Tahu today.

As a mark of the significance of the lagoon as a mahinga kai, reserves were set aside for Ngai Tahu in this area at the time of the 1860 Arahura Deed of Sale, and subsequently under the South Island Landless Natives Act 1906. The mauri of Karangarua Lagoon represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngai Tahu Whanui with the lagoon.”

Ngai Tahu Association with the Makaawhio

“According to legend, the Makaawhio River is associated with the Patupaiarehe (flute playing fairies) and Maeroero (ogres of the forest). It is said that Tikitiki o Rehua was slain in the Makaawhio River by the Maeroero. The name 'Tikitiki o Rehua' is now attached to the ridge of hills (sometimes called Jacobs Ridge) on the north bank of the Makaawhio River. For Ngai Tahu, traditions such as this represent the links between the cosmological world of the gods and present generations, these histories reinforce tribal identity and solidarity, and continuity between generations, and document the events which shaped the environment of Te Wai Pounamu and Ngai Tahu as an iwi.

Manawhenua (tribal authority over the area) was gained through Ngai Tahu's defeat of Ngati Wairaki and Tumatakokiri. That manawhenua was cemented by the establishment of kainga nohoanga (permanent settlements) at the mouth and on both banks of the river because of the plentiful supply of mahinga kai from the river and its estuary and surrounds. A northern settlement strategically sited on Tahekeakai (Jacobs Bluff) acted as a sentry lookout that warned of approaching visitors.

As a result of this pattern of occupation, there are a number of urupa and wahi tapu along the river. Urupa are the resting places of Ngai Tahu tupuna and, as such, are the focus for whanau traditions. Urupa and wahi tapu are

places holding the memories, traditions, victories and defeats of Ngai Tahu tupuna, and are frequently protected by secret locations.

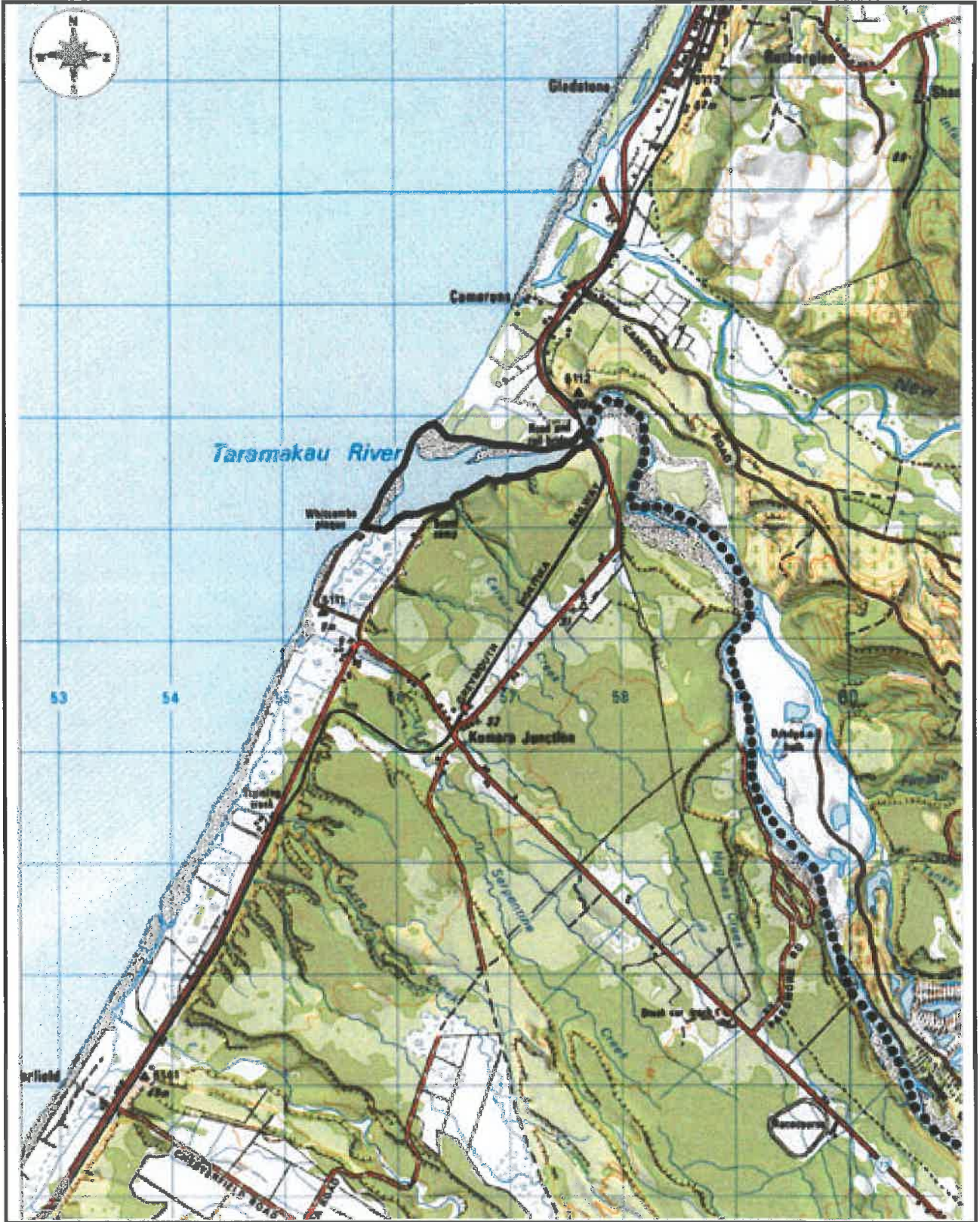
The Makaawhio was and still is the source of a range of mahinga kai. Rocks at the mouth of the river still provide an abundance of kaimoana (seafood). The estuary of the river itself still provides an abundance of kaiawa (freshwater fisheries), including tuna (eels), patiki (flounders) and inaka (whitebait) and remains a significant kohanga (nursery) for a variety of fish species. The area is still a significant manu (bird) breeding area, once yielding a rich harvest. The flora of the area provided not only food, but also the raw materials for raranga (weaving), rongoa (medicines) and the building of waka (canoes) and whare (houses). In addition to its bounty of mahinga kai resources, the Makaawhio is a source of the mineral kyanite (Aotea).

The tupuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the river, the relationship of people with the river and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngai Tahu today. Because of the kainga nohoanga, reserves were set aside on the river for Ngai Tahu at the time of the 1860 Arahura Deed of Sale. One of these was an urupa, where notable Ngai Tahu tupuna Te Koeti Turanga and Wi Katau Te Naihi are buried, among others. The mauri of the Makaawhio represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngai Tahu Whanui with the river.”

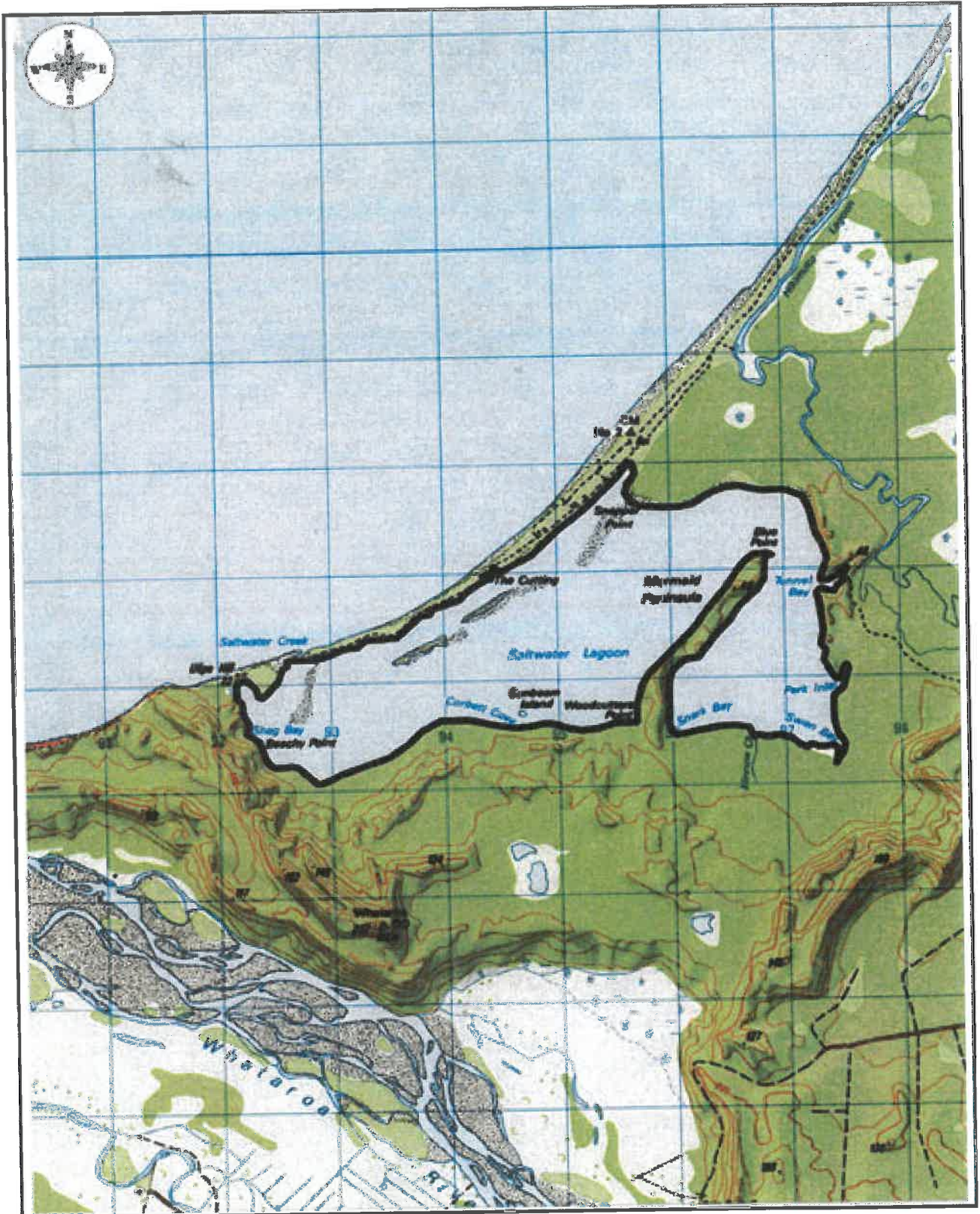
Note to readers: The six Statutory Acknowledgement Areas are shown in the Proposed Regional Coastal Plan 2016 on the Schedule 3G maps as Culturally Significant Areas, and are listed in Schedule 3A.



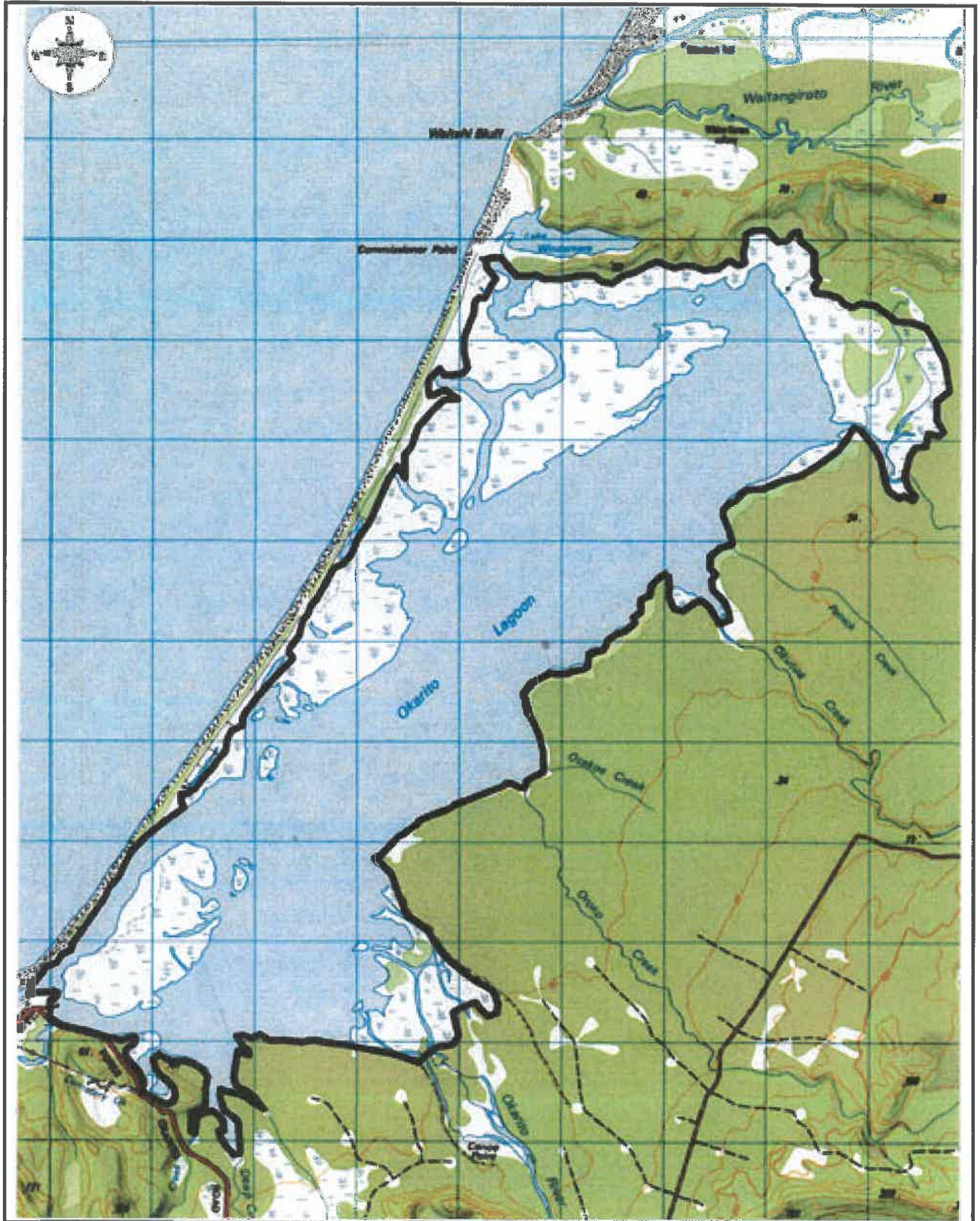
**STATUTORY ACKNOWLEDGEMENT AREAS
OKARI WETLAND**



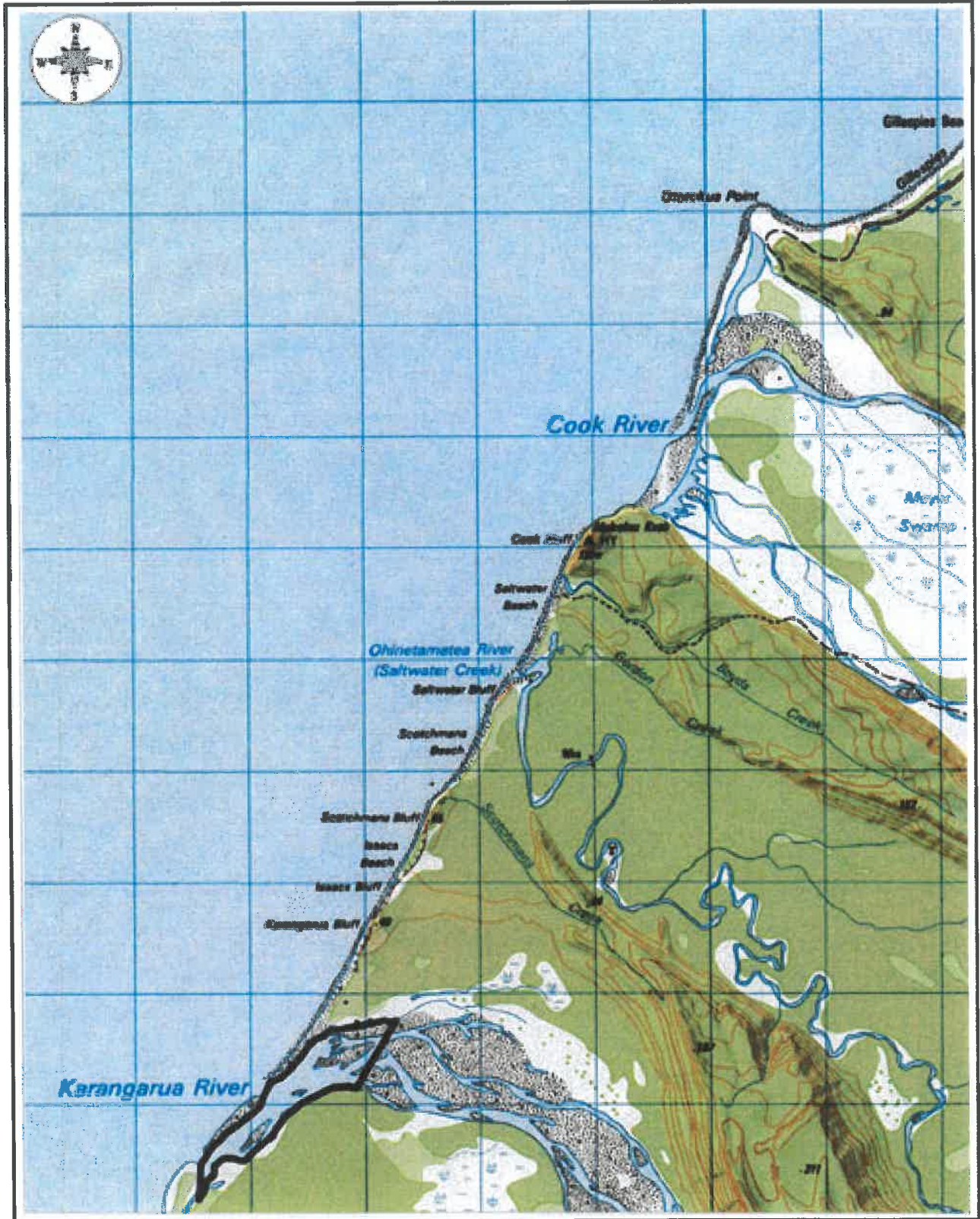
**STATUTORY ACKNOWLEDGEMENT AREAS
TARAMAKAU RIVER**



**STATUTORY ACKNOWLEDGEMENT AREAS
POUERUA (SALTWATER LAGOON)**



**STATUTORY ACKNOWLEDGEMENT AREAS
OKARITO LAGOON**



**STATUTORY ACKNOWLEDGEMENT AREAS
KARANGARUA LAGOON**



**STATUTORY ACKNOWLEDGEMENT AREAS
MAKAAWHIO (JACOBS) RIVER**

SCHEDULE 5: RESTRICTED COASTAL ACTIVITIES

~~The circumstances in which activities that have a significant or irreversible adverse effect on the coastal marine area will be made restricted coastal activities:~~

S1.1 — Reclamations

~~(a) Any activity reclaiming foreshore or seabed which is less than 1 hectare or extends less than 100 metres in all directions, including incremental reclamations connected to or part of another reclamation which was commenced or received a resource consent after the (gazettal date), and the sum of the existing and proposed reclamations do not exceed these dimensions is not a restricted coastal activity.~~

~~(b) Any activity reclaiming foreshore or seabed which:~~

~~(i) is equal to or greater than 1 hectare but less than or equal to 2 hectares, or extends 100 or more metres up to or equally 300 metres linear in any direction (or which is an incremental reclamation connected to, or part of, another reclamation which was commenced or received a resource consent after (gazettal date), and the sum of the existing and proposed reclamations are within these dimensions);~~

~~(ii) which is specified in the relevant operative or proposed regional coastal plan as a discretionary activity; and~~

~~(iii) the plan contains the criteria for, or the permissible locations of, reclamations, and the permissible adverse effects and the usages of any areas so reclaimed;~~

~~is not a restricted coastal activity.~~

~~(c) Except as in S1.1(a) or (b) above, any activity reclaiming foreshore or seabed which:~~

~~(i) equals or exceeds 1 hectare;~~

~~(ii) extends 100 or more metres in any direction; or~~

~~(iii) is an incremental reclamation connected to, or part of, another reclamation which;~~

~~— was commenced or received a resource consent after (gazettal date), and~~

- ~~the sum of the existing and proposed reclamations are equal to or exceed the dimensions in (i) and (ii); and~~

~~is a restricted coastal activity.~~

S1.2 ~~Structures which impound or effectively contain the coastal marine area~~

- (a) ~~Any activity involving the erection of a structure or structures which:~~

- (i) ~~will impound or effectively contain less than 4 hectares of the coastal marine area; or~~

- (ii) ~~is floating or open pile structure which can be demonstrated to not impede water flows;~~

~~is not a restricted coastal activity.~~

- (b) ~~Any activity involving the erection of a structure or structures which will:~~

- (i) ~~impound or effectively contain less than 8 hectares, of the coastal marine area;~~

- (ii) ~~which is specified in the relevant operative or proposed regional coastal plan as a discretionary activity; and~~

- (iii) ~~the plan defines or provides the criteria for determining:~~

- ~~— where it would be permissible to locate any such structures; and~~

- ~~— the materials to be used in the construction of any structure or structures; and~~

- ~~— the activities for which such structure or structures can be used; and~~

- (iv) ~~the plan:~~

- ~~— requires consideration of the likely adverse effects of the structure or structures; and~~

- ~~— defines, or provides the criteria for determining, the limits on likely adverse effects of the structure or structures;~~

~~is not a restricted coastal activity.~~

- (c) ~~Except as provided for in S1.2(a) and (b) above, any activity involving the erection of a structure or structures which will impound or effectively contain 4 hectares or more of the coastal marine area is a restricted coastal activity.~~

~~S1.3 Structures in the coastal marine area more or less parallel to mean high water springs~~

~~(a) Any activity involving the erection of a structure or structures:~~

~~(i) which is solid (or presents a significant barrier to water or sediment movement), and when established on the foreshore or seabed extends less than 300 metres in length more or less parallel to the line of mean high water springs (including separate structures which total less than 300 metres contiguous length);~~

~~(ii) which is a submarine or sub-aqueous cable, or~~

~~(iii) which is a floating or open pile structure which can be demonstrated not to have adverse effects;~~

~~is not a restricted coastal activity.~~

~~(b) Any activity involving the erection of a structure or structures:~~

~~(i) which are solid (or presents a significant barrier to water or sediment movement);~~

~~(ii) when established on the foreshore or seabed would extend 300 metres or more, but not more than 1000 metres, in length more or less parallel to the line of mean high water springs (including separate structures which incrementally total at least 300 metres and up to 1000 metres, contiguously);~~

~~(iii) which is specified in the relevant operative or proposed regional coastal plan as a discretionary activity; and~~

~~(iv) for which the plan defines, or provides the criteria for determining:~~

~~— where it would be permissible to locate any such structure or structures;~~

~~— the materials to be used in the construction of any structure or structures;~~

~~— the activities for which such structure or structures can be used; and~~

~~(v) for which the plan:~~

~~— requires consideration of the likely adverse effects of the structure or structures; and~~

~~defines, or provides, the criteria for determining, the limits on likely adverse effects of the structure or structures;~~

~~is not a restricted coastal activity.~~

~~(e) Except as provided for in S1.3(a) and (b) above, any activity involving the erection of a structure or structures which:~~

~~(i) are solid (or present a significant barrier to water or sediment movement); and~~

~~(ii) when established on the foreshore or seabed would extend 300 metres or more in length more or less parallel to the line of mean high water springs (including separate structures which total 300 metres or more contiguous);~~

~~is a restricted coastal activity.~~

~~S1.4 Structures in the coastal marine area oblique or perpendicular to mean high water springs~~

~~(a) Any activity involving the erection of a structure or structures:~~

~~(i) which is solid (or present a significant barrier to water or sediment movement), and is sited obliquely or perpendicular in horizontal projection to the line of mean high water springs in the coastal marine area, and is in horizontal projection less than 100 metres; or~~

~~(ii) which is a submarine or sub-aqueous cable;~~

~~is not a restricted coastal activity.~~

~~(b) Any activity involving the erection of a structure or structures;~~

~~(i) which is solid (or presents a significant barrier to water or sediment movement);~~

~~(ii) which is sited obliquely or perpendicular to the line of mean high water springs in the coastal marine area;~~

~~(iii) which in horizontal projection is not more than 1000 metres in length;~~

~~(iv) which is specified in the relevant operative or proposed regional coastal plan as a discretionary activity; and~~

~~(v) for which the plan defines, or provides the criteria for determining:~~

~~— where it would be permissible to locate any such structure or structures;~~

~~- the materials to be used in their construction; and~~

~~— specifies the activities for which such structure or structures can be used; and~~

~~(vi) for which the plan:~~

~~— requires consideration of the likely adverse effects of the structure or structures; and~~

~~— defines, or provides the criteria for determining, the limits on adverse effects of the structure or structures;~~

~~is not a restricted coastal activity.~~

~~(c) Except as provided for in S1.4(a) and (b) above, any activity which includes erecting a structure or structures in the coastal marine area which is:~~

~~(i) solid (or presents a significant barrier to water or sediment movement);~~

~~(ii) is sited obliquely or perpendicular in horizontal projection to the line of mean high water springs in the coastal marine area; and~~

~~(iii) is in horizontal projection 100 metres or more in length;~~

~~is a restricted coastal activity.~~

S1.5 ~~Structures in the coastal marine area used in the petroleum and chemical industry~~

~~(a) Any activity involving the erection of structures for the storage and containment of any petroleum, petroleum products, or contaminants in quantities less than or equal to 50,000 litres is not a restricted coastal activity.~~

~~(b) Any activity involving the erection of structures for the storage or containment of any petroleum, petroleum products, or contaminants in quantities less than 100,000 litres and more than 50,000 litres and the relevant operative or proposed regional coastal plan specifies that the activity is a discretionary activity and defines, or provides criteria determining:~~

~~(i) where it would be permissible to locate any such structures; and~~

~~(ii) the effects of the structure;~~

~~is not a restricted coastal activity.~~

~~(c) Except as provided for in S1.5(a) and (b) above, any activity involving the erection of structures for the storage or containment of any petroleum, petroleum products, or contaminants, in quantities greater than 50,000 litres is a restricted coastal activity.~~

~~**S1.6 Disturbance of foreshore and seabed (excavate, drill, move, tunnel etc) including any removal of sand, shell or shingle**~~

~~(a) Any activity involving, in any 12-month period, disturbance of foreshore and seabed for specific purposes, including any removal of sand, shell or shingle or other material which is either:~~

~~(i) maintenance dredging;~~

~~(ii) in volumes less than or equal to 50,000 cubic metres; and extracted from areas less than 4 hectares; and extending less than 1000 metres over foreshore and seabed; or~~

~~(iii) in volumes less than 300,000 cubic metres; and extracted from areas less than 100 hectares; and extending less than 10,000 metres over foreshore and seabed; and~~

~~— is specified in an operative and proposed regional coastal plan as a discretionary activity; and~~

~~— the plan defines or provides the criteria which specifies the location where the removal can be carried out; and~~

~~— specifies when the activity can be undertaken; and~~

~~— specifies conditions to control any adverse effects of any removal or disturbance;~~

~~is not a restricted coastal activity.~~

~~(b) Except as in S1.6(a) above any activity involving, in any 12-month period, disturbance of foreshore and seabed for specific purposes, including any removal of sand, shell or shingle:~~

~~(i) in volumes greater than 50,000 cubic metres;~~

~~(ii) extracted from areas equal to or greater than 4 hectares; or~~

~~(iii) extending 1000 metres or more over foreshore and seabed;~~

~~— is a restricted coastal activity.~~

~~For the purposes of this clause, maintenance dredging means any dredging of the bed of the sea necessary to maintain water depths to previously approved levels, for the safe and convenient navigation of vessels, in navigation channels and at berthing and mooring facilities, including marina developments.~~

~~S1.7 — Depositing substances in the coastal marine area~~

~~(a) Any activity involving the depositing of any material on the foreshore and seabed which involves quantities less than or equal to 50,000 cubic metres at a site in the coastal marine area in any 12 month period is not a restricted coastal activity.~~

~~(b) Any activity involving the depositing of any material on the foreshore and seabed;~~

~~(i) which is specified in an operative or proposed regional coastal plan as a discretionary activity;~~

~~(ii) for which the plan defines or provides the criteria for determining:~~

~~— the location where the activity can be carried out;~~

~~— the time during which the activity can be carried out; and~~

~~(iii) for which the plan:~~

~~— requires consideration of the likely adverse effects of the depositing of the material; and~~

~~— defines, or provides the criteria for determining, the limits on the likely adverse effects of the depositing of the material;~~

~~is not a restricted coastal activity.~~

~~(c) Except as provided for in S1.7(a) and (b) above, any activity involving the depositing of any material on the foreshore or seabed in quantities greater than 50,000 cubic metres in any 12 month period in the coastal marine area is a restricted coastal activity.~~

S1.8 — Exotic plants in the coastal marine area

~~Any activity involving the introduction of any exotic plant species to the coastal marine area is a restricted coastal activity, except where that plant is already present in an area and an operative or proposed regional coastal plan specifies that the planting of it is a discretionary activity.~~

S1.9 — Exclusive occupation of the coastal marine area

~~Any activity involving occupation of the coastal marine area which:~~

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

~~is a restricted coastal activity.~~

S1.10 — Discharges to the coastal marine area

- ~~(a) — Any discharge of human sewage to the coastal marine area, except from vessels, which has not passed through soil or wetland, shall be a restricted coastal activity.~~
- ~~(b) — Any discharge to the coastal marine area in respect of which the application may desire to rely on section 107(2)(a) shall be a restricted coastal activity.~~

SCHEDULE 6: OUTLETS PERMITTED TO BE OPENED UNDER RULE 9.5.3.1.A

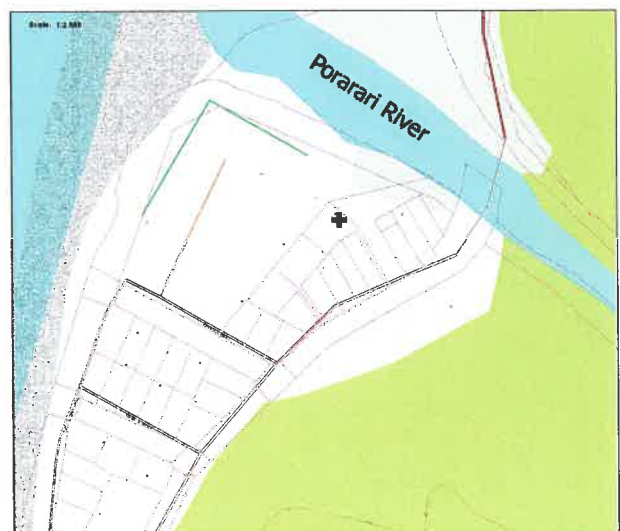
Stony Creek, north of Karamea
 Candle Creek, north of Karamea
 Break Creek, Oparara
 Chatterbox Stream, Nikau
 Patten Stream, Nikau
 Dufty Stream, Miko
 Lamplough Stream, Miko
 Dean Stream, Miko
 Ngakawau River, Ngakawau
 Cooper Stream, Granity
 Bradley Stream, Granity
 Granity Stream, Granity Stream
 Twins Stream, Granity
 Jones Creek, Birchfield
 Waimangaroa River, Waimangaroa
 Deadmans Creek, Fairdown
 Bull Creek, Cape Foulwind
 Marris Creek, Cape Foulwind
 Totara Rivers, Charleston
 Punakaiki River, Punakaiki
 Hibernia Creek, North Barrytown Flats
 Canoe Creek, Barrytown
 Granite Creek, Barrytown
 Fagan/Tipperary Creek, Barrytown
 Barrytown dredge ponds
 Bakers Creek, South Barrytown Flats
 Seven Mile Creek, Rapahoe
 Range Creek, Cobden
 Watsons Creek, Karoro
 Mill Creek, South Beach
 Jacks Creek, Paroa
 Clough Creek, Paroa
 Serpentine Creek, Serpentine Bend
 Acre Creek, Chesterfield (west channel, not the Kapitea/Acre Creek lagoon)
 Waimea Creek, Awatuna
 Flowery Creek, Arahura, only where it enters into the Arahura River
 Little Houhou Creek, north Hokitika
 Houhou Creek, north Hokitika
 Mikonui River, Ross, provided it does not adversely affect Mikonui lagoon to the north or Waikoriri lagoon to the south
 Manakaiaua River, north of Bruce Bay
 Mahitahi River, Bruce Bay
 Arawhata River, Jackson Bay

Schedule 6 Rivers with trigger points

Karamea River, when the water level reaches 0.75m below Wharf Road, measured at the flood gate culvert at the north end of the residential area



Porarari River, Punakaiki, when the water level reaches the nikau palm on the north side of Lot 16, DP 1275, Blk 1, Punakaiki SD



New River, Paroa, when backup reaches the top of the culvert on the beach access road alongside the Paroa School sports field



Glossary

GLOSSARY

Terms marked with an * are terms defined by section 2 of the Resource Management Act 1991.

Abatement notice*	A notice served under section 322 of the Resource Management Act.
Abstraction	In relation to a water body means the taking of water from that water body.
the Act	In this Regional Coastal Plan, reference to "the Act" means the Resource Management Act 1991 and amendments.
Adverse effect	An unwanted or detrimental effect.
Aesthetic value	A value associated with the visual quality or the appreciation of the inherent visual quality of an element in the built or natural environment.
Amenity values*	Those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes.
Anticipated environmental result	The intended result or outcome on the environment as a consequence of implementing the policies and methods.
Atua	Lord of creation.
Bed*	In relation to the sea, the submarine areas covered by the internal waters and the territorial sea.
Best practical option*	In relation to a discharge of a contaminant or an emission of noise, means the best method for preventing or minimising the adverse effects on the environment having regard, among other things, to: The nature of the discharge or emission and the sensitivity of the receiving environment to adverse effects; and the financial implications, and the effects on the environment, of that option when compared with other options; and the current state of technical knowledge and the likelihood that the option can be successfully applied.

Coastal Development Area	An area as set out by Schedule 2 of this Plan.
Coastal environment	Encompasses the coastal marine area and the land areas adjacent to the coastal marine area that have a coastal character.
Coastal marine area*	The foreshore, seabed and coastal water, and the air space above the water; <ul style="list-style-type: none"> (a) Of which the seaward boundary is the outer limits of the territorial sea; (b) Of which the landward boundary is the line of mean high water springs, except that where that line crosses a river, the landward boundary at that point shall be whichever is the lesser of - <ul style="list-style-type: none"> (i) One kilometre upstream from the mouth of the river; or (ii) The point upstream that is calculated by multiplying the width of the river mouth by 5.
Coastal permit	A consent to do something in a coastal marine area which would otherwise contravene any of sections 12, 14, and 15 of the Resource Management Act.
Coastal Protection Area	An area as set out by Schedule 2 of this Plan.
Coastal water	Seawater within the outer limits of the territorial sea and includes - <ul style="list-style-type: none"> (a) Seawater with a substantial fresh water component; and (b) Seawater in estuaries, fiords, inlets, harbours, or embayment.
Conditions*	In relation to plans and resource consents, includes terms, standards, restrictions, and prohibitions.
Consent authority*	The Minister of Conservation, a regional council, a territorial authority, or a local authority that is both a regional council and a territorial authority, whose permission is required to carry out an activity for which a resource consent is required under the Act.

Consultation	The communication of a genuine invitation to give advice and a genuine consideration of that advice.
Contaminant*	Includes any substance (including gases, liquids, solids and micro-organisms) or energy (excluding noise) or heat, that either by itself or in combination with the same, similar, or other substances, energy or heat: When discharged into water, changes or is likely to change the physical, chemical or biological condition of water; or when discharged onto or into land or into air, changes or is likely to change the physical, chemical, or biological condition of the land or air onto or into which it is discharged.
Controlled activity*	<p>An activity which</p> <ul style="list-style-type: none"> (a) Is provided for, as a controlled activity, by a rule in a plan or proposed plan; and (b) Complies with standards and terms specified in a plan or proposed plan for such activities; and (c) Is assessed according to the matters the consent authority has reserved control over in the plan or proposed plan; and (d) Is allowed only if a resource consent is obtained in respect of that activity.
the Council	The West Coast Regional Council.
Discharge*	Includes emit, deposit and allow to escape.
Discretionary activity*	<p>An activity</p> <ul style="list-style-type: none"> (a) Which is provided for, as a discretionary activity, by a rule in a plan or a proposed plan; and (b) Which is allowed only if a resource consent is obtained in respect of the activity; and (c) Which may have standards and terms specified in a plan or proposed plan; and (d) In respect of which the consent authority may restrict the exercise of its discretion to those matters specified in the plan or proposed plan for that activity.

District Plan*	An operative plan approved by a territorial authority under the First Schedule to the Act, and includes all operative changes to such a plan (whether arising from a review or otherwise).
Disturbance	Any activity which damages or destroys the foreshore or seabed in a manner that is likely to have an adverse effect on plants or animals or their habitats and includes any excavation, dredging, drilling, tunnelling, and removal of sand, shell or shingle.
Ecosystem	A dynamic complex of plant, animal and micro organism communities and their non living environment interacting as a functional unit.
Eel trap	Any structure used for the sole purpose of catching eel.
Effect*	Any positive or adverse effect; and any temporary or permanent effect; and any past, present, or future effect; and any cumulative effect which arises over time or in combination with other effects - regardless of the scale, intensity, duration or frequency of the effect, and also includes - any potential effect of high probability; and any potential effect of low probability which has a high potential impact.
Enclosed Waters	Means any estuary, inlet, harbour, embayment or lagoon.
Enforcement order*	An order made under section 319 or section 320 of the Resource Management Act.
Environment*	Includes (a) Ecosystems and their constituent parts, including people and communities; and (b) All natural and physical resources; and (c) Amenity values; and (d) The social, economic, aesthetic, and cultural conditions which affect the matters stated in paragraphs (a) to (c) of this definition or which are affected by those matters.

Erosion	The processes of the wearing away of the land surface, foreshore and seabed by natural agents and the transport of the material that results.
Esplanade reserve	A reserve within the meaning of the Reserves Act 1977— (a) Which is either— (i) A local purpose reserve within the meaning of section 23 of that Act, if vested in the territorial authority under section 239 of the Act; or (ii) A reserve vested in the Crown or a regional council under section 237D of that Act; and (b) Which is vested in the territorial authority, regional council, or the Crown for a purpose set out in section 229 of the Act.
Esplanade strip	A strip of land created by the registration of an instrument in accordance with section 232 of the Act for a purpose or purposes set out in section 229 of the Act.
Estuary	A semi enclosed coastal body of water having a free connection with the open sea and where there is a discernible effect of one or more rivers, resulting in salinity variations over the average tidal cycle.
Excessive noise	As set out in section 326 of the Resource Management Act.
Exotic plant	A plant which is not native to New Zealand. These may include introduced plants which have been brought in by accident or design.
Fauna	All the animal life of a given place.
Financial contribution	A contribution as set out in section 108(9) of the Act.
Flora	All the plant life of a given place.
Foreshore*	Any land covered and uncovered by the flow and ebb of the tide at mean spring tides and, in relation to any such land that forms part of the bed of a river, does not include any area that is not part of the coastal marine area.

Fresh water*	All water except coastal water and geothermal water.
Habitat	The place or type of site where an organism or ecological community naturally occurs.
Hapu	Sub tribe.
Hazardous substance	<p>Any substance</p> <p>(a) With one or more of the following intrinsic properties:</p> <p>(i) Explosiveness</p> <p>(ii) Flammability</p> <p>(iii) A capacity to oxidise</p> <p>(iv) Corrosiveness</p> <p>(v) Toxicity, (both acute and chronic)</p> <p>(vi) Ecotoxicity, with or without bioaccumulation), or</p> <p>(b) Which on contact with air or water (other than air or water where the temperature or pressure has been artificially increased or decreased) generates a substance with any one of the properties specified in paragraph (a) of this definition.</p>
Hazardous waste	<p>Includes:</p> <p>(a) A hazardous substance which has not been used and requires disposal; or</p> <p>(b) The residue of a hazardous substance which has been used and requires disposal; or</p> <p>(c) Waste material containing a hazardous substance.</p>
Indigenous species	A native species of New Zealand.
Infrastructure	Those built structures necessary for operating and supplying essential utilities and services to the community.
Ingoa tawhito	Traditional placenames.
Issue	A matter of concern to the region's community regarding activities affecting some aspect of natural and physical resources and the environment of the region.
Iwi	Tribe.

Iwi authority*	The authority which represents an iwi and which is recognised by that iwi as having authority to do so.
Iwi management plans	Plans that provide iwi with a vehicle to express their resource management needs and expectations, and how authorities may help achieve these needs. They are a basis from which consultation can occur. Regional and territorial authorities must have regard to relevant planning documents prepared or recognised by iwi authorities.
Kaitiaki	Guardians.
Lake*	A body of fresh water which is entirely or nearly surrounded by land.
Land*	Includes land covered by water and the air space above land.
Litter	Includes any refuse, rubbish, animal remains, glass, metal, garbage, debris, dirt, filth, rubble, stones, earth, or waste matter, or any other thing of a like nature.
Local authority	A term that collectively describes regional councils, city councils, and district councils.
Mahinga mataitai	Places where seafood has been traditionally gathered.
Maimai	Any structure used for the sole purpose of providing camouflage for recreational game shooters.
Maintenance dredging	Any dredging of the bed of the sea necessary to maintain water depths to previously approved levels, for the safe and convenient navigation of vessels, in navigation channels and at berthing and mooring facilities.
Marina	Any open piled or floating structure which is placed in or on the bed of the coastal marine area for the purpose of creating an enclosed area for the securing of vessels.
Marpol	An international convention which regulates marine pollution from ships.

Mean high water springs	The average line of spring high tide.
Method	The practical action by which a policy is implemented.
Mixing zone	An area of water quality degradation associated with a discharge. A mixing zone is the zone outside of which the contaminant levels of the receiving waters must be at the required water quality standards.
Monitoring	Regularly checking the state of the environment.
Motor vehicle	Means any motorised vehicle driven on land.
Mouth*	For the purpose of defining the landward boundary of the coastal marine area, means the mouth of a river either - <ul style="list-style-type: none"> (a) As agreed and set between the Minister of Conservation, the regional council, and the appropriate territorial authority in the period between consultation on, and notification of, the proposed regional coastal plan; or (b) As declared by the Planning Tribunal under Section 310 upon application made by the Minister of Conservation, the regional council, or the territorial authority prior to the plan becoming operative, - and once so agreed and set or declared shall not be changed in accordance with the First Schedule or otherwise varied, altered, questioned, or reviewed in any way until the next review of the regional coastal plan, unless the Minister of Conservation, the regional council, and the appropriate territorial authority agree.
Natural and physical resources*	Includes land, water, air, soil, minerals and energy, all forms of plants and animals (whether native to New Zealand or introduced), and all structures.
Natural hazard*	Any atmospheric or earth or water related occurrence (including earthquake, tsunami,

	erosion, volcanic and geothermal activity, landslip, subsidence, sedimentation, wind, drought, fire, or flooding) the action of which adversely affects or may adversely affect human life, property, or other aspects of the environment.
Natural Material	Excludes organisms controlled by the Fisheries Act 1983 and 1996.
Navigation aid	Any lightship and any floating or other light exhibited for the guidance of ships; any description of a fog signal not carried on a ship; all marks and signs in aid of marine navigation; and any electronic, radio, or other aid to marine navigation not carried on board any ship.
New Zealand Coastal Policy Statement	The Statement issued under section 57 of the Act, relating to the management of the coastal environment, gazetted on 5 May 1994.
Noise*	Includes vibration.
Non-complying activity*	An activity (not being a prohibited activity) which— (a) Contravenes a rule in a plan or proposed plan; and (b) Is allowed only if a resource consent is obtained in respect of that activity.
Objective	The desired result, end state, situation or condition that is aimed for.
<u>Occupation</u>	To occupy the land and any related part of the coastal marine area necessary for the activity, - (i) To the exclusion of other persons who do not have a right of occupation to the space by a resource consent or under a rule in a regional coastal plan; and (ii) For a period of time and in a way that, but for the rule in the regional coastal plan or the holding of a resource consent under this Act, a lease or licence to occupy that part of the coastal marine area would be necessary.

Open coastal water*	Coastal water that is remote from estuaries, fiords, inlets, harbours, and embayment.
Pataka	Food Storehouse.
Papatipu Runanga	The Runanga with the customary authority.
Pegging Day	As defined in the annual gazette notice under the Wildlife Act
Permitted activity*	An activity that is allowed by a plan without a resource consent if it complies in all respects with any conditions (including any conditions in relation to any matter described in section 108 or section 220) specified in the plan.
Person*	Includes the Crown, a corporation sole, and also a body of persons, whether corporate or unincorporate.
Pest Plant	As listed in Rule 13.5.1.1
Petroleum product	Any chemical that is produced as a result of refining or physical treatment of petroleum, or as a result of a chemical process in which petroleum is a reagent.
the Plan	The Regional Coastal Plan for the West Coast.
Policy	The course of action to achieve the objective.
Poutini Ngai Tahu	The section of Ngai Tahu who, by whakapapa, derive their status as tangata whenua from their ancestors who held the customary title and rights to the lands of Westland (West Coast) at the time of the signing of the Treaty of Waitangi in 1840.
Prohibited activity	An activity which a plan expressly prohibits and describes as an activity for which no resource consent shall be granted; and which includes any activity prohibited by section 105(2) of the Historic Places Act 1993.
Radiocommunication Facility	Any transmitting/receiving devices such as aerials, dishes, antenna, cables, wires and associated equipment/apparatus, as well as

~~support structures such as towers, masts, poles and ancillary buildings.~~

- ~~Raft*~~ — ~~Any moored floating platform which is not self propelled; and includes platforms that provide buoyancy support for the surfaces on which fish or marine vegetation are cultivated or for any cage or other device used to contain or restrain fish or marine vegetation.~~
- ~~Reclamation~~ — ~~The permanent infilling of the foreshore or seabed with sand, rock, quarry material, concrete, or other similar material, for any purpose, and includes any embankment, but does not include any structure above water where that structure is supported by piles, any rubble mound breakwater that does not have a vehicle access track, any deposition of material or infilling that is not permanent, or any infilling where the purpose of that infilling is to provide beach nourishment.~~
- ~~Regional coastal plan *~~ — ~~An operative plan approved by the Minister of Conservation under the First Schedule of the Act, and includes all operative changes to such a plan (whether arising from a review or otherwise).~~
- ~~Resource consent~~ — ~~A consent for an activity as set out in section 87; and includes all conditions to which the consent is subject.~~
- ~~Restricted access~~ — ~~The public can pass through an area with some restrictions.~~
- ~~Restricted coastal activity*~~ — ~~Any discretionary activity or non-complying activity—~~
~~(a) Which, in accordance with section 68, is stated by a regional coastal plan to be a restricted coastal activity; and~~
~~(b) For which the Minister of Conservation is the consent authority.~~
- ~~River*~~ — ~~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).

RMA	Resource Management Act 1991 and amendments.
Runaka	Local representative groups or community system of organisation.
Sand, shingle and stones	For the purposes of Rules 9.5.2.1, 9.5.2.3, and 9.5.2.4, sand, shingle and stones also encompasses gravel, pebbles and finer material such as silt.
Runanga	Same meaning as Runaka.
Ship	Means every description of boat or craft used in navigation, whether or not it has any means of propulsion and includes a barge, lighter, or other vessel: a hovercraft or other thing deriving full or partial support in the atmosphere from the reaction of air against the surface of the water over which it operates: A submarine or other submersible. (Maritime Transport Act 1994).
Structure*	Any building, equipment, device, or other facility made by people and which is fixed to land; and includes any raft.
Swing mooring	A weight placed in or on the bed of the coastal marine area with a chain attached which secures a vessel.
Tai Whenua	Coastal area or domain.
Taiapure	A taiapure local fishery declared under the Maori Fisheries Act 1989, Part IIIA; local fishery areas in estuarine or littoral coastal waters which are of special significance to hapu or iwi.
Taking	In relation to the taking of coastal water, is the process of extracting the coastal water for any purpose and for any period of time.
Taonga	Treasures.
Tauiwi	Pakeha.

Telecommunication Facility	Any telephone exchange, telephone booth, telephone cabinet or pay phone, or any other structure, facility or apparatus intended for the purpose of affecting telecommunication.
Telecommunication Line	Wire or wires or a conductor of any other kind (including a fibre optic cable) used or intended to be used for telecommunication and includes any pole, insulator, casing, minor fixture, tunnel or other equipment or material used or intended to be used for supporting, enclosing, surrounding or protecting any such wire or conductor; and also includes any part of a line.
Territorial Local Authority	A term that collectively describes city councils and district councils, but not regional councils or any district council which also combines the functions of a regional council under s30 of the Act (a unitary authority).
Territorial sea*	The territorial sea of New Zealand as defined by Section 3 of the Territorial Sea and Exclusive Economic Zone Act 1977.
The Act	The Resource Management Act 1991 and any amendments to the Act.
Tikanga	Customary way of doing things.
Treaty of Waitangi (Te Tiriti o Waitangi)	The same meaning as the word "Treaty" as defined in Section 2 of the Treaty of Waitangi Act 1975.
Tsunami	A sea wave of local or distant origin that results from sea floor fault movement, large scale sea floor slides or volcanic eruption on the sea floor.
Use	In relation to the use of coastal water, is the passive use of coastal water that does not involve any extraction.
Vessel	Every description of ship, boat, ferry, or craft used in navigation, whether or not it has any means of propulsion, and regardless of that means; and includes: a barge, lighter, or other like vessel; a hovercraft or other thing deriving full or partial support in the atmosphere from the

~~reactions of air against the surface of the water over which it operates; a submarine or other thing used in navigation whilst totally submerged.~~

Waahi Taonga	Places of treasured resources and values.
Waahi Tapu	Means a place which is particularly sacred or spiritually meaningful to tangata whenua. It includes burial grounds and places where significant events have taken place.
Waste	Any contaminant, whether liquid, solid, gaseous, or radioactive, which is discharged, emitted, or deposited into the environment in such a volume, constituency or manner as to cause an adverse effect on the environment and which includes all unwanted and economically unusable by products at any given place and time, and any other matter which may be discharged, accidentally or otherwise, to the environment.
Water*	Means water in all its physical forms whether flowing or not and whether over or under the ground and: includes fresh water, coastal water and geothermal water; and does not include water in any form while in any pipe, tank or cistern.
Wetland*	Includes permanently or intermittently wet areas, shallow water, and land margins that support a natural ecosystem of plants and animals that are adapted to wet conditions.
Whakapapa	Genealogy.
Whakatauki	Proverb.
Whanau	Family.
Wharf	An open piled or floating structure for the purpose of securing vessels while boarding and disembarking, and loading and unloading, vessels.
Whitebait stand	A temporary wood structure designed and operated in a manner compatible with the Fisheries (West Coast Whitebait Fishing)

~~Regulations 1985 and for which a resource
consent has been obtained.~~

