

Theme Coastal Subdivision

Total number of submission points on the theme

1726 individual submission points.

Number of submission points supporting or agreeing with the provisions in the Proposed NZCPS

247 submissions.

Number of submission points opposing the provisions in the Proposed NZCPS

48 submissions.

Note: some submissions comment on but do not support or oppose the provisions.

Key messages within the submissions

1. The built environment is favoured over the natural environment.
2. Provision should be made within the NZCPS for appropriate subdivision, use and development.
3. Maps showing the areas of coast which are not suitable for development are required to assist local authorities.
4. Further guidance should be provided within the NZCPS relating to what it is, and is not, appropriate subdivision, use and development.
5. The policies are overly prescriptive, too directive and repetitive of other provisions relating to subdivision in the NZCPS.
6. The NZCPS is an inappropriate location for policies and directives relating to subdivision, in terms of Section 58 of the RMA.
7. Some provisions of the NZCPS provide more protection than the current NZCPS, however direction is required to reduce the pressures of coastal development and subdivision.
8. The effects of sea level rise are not adequately addressed in the policies regarding use and development.
9. The NZCPS should address the increase in residential development along the coastline.
10. National priorities for managing the coastal environment should be identified in the NZCPS.
11. The permissive approach to development in the coastal environment has been encouraged by the “effects based” approach to resource management which the NZCPS has inappropriately retained. It cannot ensure the protection of the coastal environment.
12. The policies re-state many of the provisions of the RMA.
13. The NZCPS should emphasise the need to look at the cumulative effects of coastal development.

14. It is unclear why Policy 14 separates out dwellings and commercial premises, the policy should recognise activities that can only be carried out in the coastal environment.
15. The NZCPS should recognise that in some areas of the coastal environment it is more in keeping with the amenity values and character to allow for development within the coastal marine area.
16. The policies of the NZCPS inappropriately separate the issues of location and form of subdivision, use and development.
17. The policies have implications to tourism operators, with regard to activities and the use of the coastal environment.
18. The policies are contradictory to the principles of the RMA, as they promote subdivision, use and development of the coastal marine area.
19. Determination of what is appropriate subdivision should be on a case by case basis.
20. The policies are inconsistent with the RMA in relation to sustainable management provisions, elevating the preservation of the natural environment to a level beyond sustainable management.
21. The policies do not emphasise the uniqueness of the coastal environment.
22. Tsunamis should be included in the risk assessment as many areas of the coast are at risk.
23. The NZCPS should recognise that some areas of the coastal environment are already highly modified and protection works should be assessed on a case by case basis.
24. The objectives relating to coastal subdivision do not give enough direction.
25. Policy 14 has no relevance to the context and scope of an NZCPS.
26. The existing Policy 3.2.1 is more sensibly worded than Policy 14 and 15 of the NZCPS.
27. The term “continuous urban development” is too narrow in scope. It could encourage developers to leave gaps between subdivisions without reducing the problem.
28. There may be requirements to provide buffers or other means of protection in the NZCPS when there is significant biodiversity and or endangered species in close proximity to or nearby proposed subdivision or development. Such sites need particular protection, not buffers, from subdivision.
29. The NZCPS should focus on determining the appropriate capacity and character of development in the coastal environment.
30. Discourage land banking by requiring that district plans do not provide for the creation of more lots in the coastal environment than required to meet likely demand through the life of the plan.
31. Subdivisions that obtrude on the landscape as viewed from the sea or from facing the land or islands are equally inappropriate.

32. Consider the outcome of the proposal to lock up the coastal area by making subdivision a disallowed activity versus the high values of these areas. Also, the inequality of the wealthy owning the coastal fringes with no ability for the average New Zealander to reside there.

Additional Provisions Sought

33. Submission 240.12 requests new policies to encourage long term certainty over future land use through mechanisms such as covenants.
34. Submissions 240.11 and 524.6 request that new policies are added to discourage ribbon development along the coast.
35. Submission 74.39 (and others) request that all of the policies regarding subdivision, use and development of the coastal environment are rewritten to be made clearer in their intent and to be made simpler. A list of matters or elements taken from policies in the NZCPS is included below to show the various factors that do need to be considered when identifying appropriate areas for subdivision, use and development in the coastal environment. It is the way in which these elements are packaged that needs to be simplified. The elements that could be included in policies to assist in identifying appropriate locations for subdivisions, use and development in the coastal environment are:
- (a) Considerations about where natural character has already been compromised;
 - (b) Considering impacts on natural character both within and outside the immediate location;
 - (c) Recognising what the existing character of locations is;
 - (d) Avoiding sprawling and sporadic subdivision and ribbon development generally;
 - (e) Looking at form, scale, density and design in terms of the surroundings of various locations;
 - (f) Avoiding activities in the coastal environment that do that, by nature, need to be in the coastal marine area;
 - (g) Conversely, recognising that some activities can only be located in the coastal marine area;
 - (h) Encouraging efficient use of coastal space (where this might be applicable);
 - (i) Avoiding proliferation of structures and encouraging joint use of structures where practicable and reasonable;
 - (j) Buffering or otherwise protecting sites of significant biodiversity value.
36. Submissions 340.2, 340.3 and 340.4 state that instead of avoiding, remedying, or mitigating the adverse effects of activities such as subdivision, use, and development, the proposed policies tend to promote such activities in the coastal environment. This is contrary to the principles of the RMA. They request that Policies 14, 15, and 16 are deleted and replaced with a single policy as follows:

Policy Statements and Plans shall take into account the open space character, natural character, and amenity values of the coast, and sites of significant indigenous biological diversity by:

- 1) Recognising the importance of appropriate set-back distances for the sub-division, use, and development in the coastal environment considering the storm events and other coastal processes;
- 2) Limiting the scale, density, and design of subdivision and development; and
- 3) Avoiding the sub-division, use, and development activities which by their nature shall not be located in the coastal marine area.

37. Submission 112.71 requests the addition of a new Policy 52 (b) as follows:

Ensure that subdivision provides a minimum of 20 metre esplanade reserve or strip (the latter used only in recognised volatile situations where boundary edges are known to move), with other use and development requiring setbacks of at least 20 metres.

38. Submission 56.7 (and others) request a new Policy 40A to encourage local authorities and developers to provide for public access to and along the coast when rural land is subdivided but where there may be no legal requirement or provide an esplanade reserve, as follows:

Policy statements and plans shall promote the provision for public access to and along the coast when land is subdivided irrespective of whether an esplanade reserve or strip is legally required and consent authorities shall consider whether such public access should be provided when making a decision on subdivision consents.

39. Submission 79.36 (and others) requests that a new policy should be created for subdivision use and development. Insert a new Policy 15A which provides a holding position while councils implement Policies 14 and 15 in their planning documents. This could be achieved by providing that the minimum lot size for subdivision of land within the coastal environment outside of existing settlement areas be 100 hectares. The provision should be directly incorporated into planning documents without the need for a public hearing process.

40. Submission 481.37 (and others) requests the insertion of a new Policy 15B which indicates the desirability of ensuring in appropriate cases that covenants are placed on land titles at the time of subdivision to restrict any future subdivision, as follows:

Policy 15B: Restricting future subdivision and development

When granting a resource consent for subdivision of rural land within the coastal environment local authorities shall consider whether a covenant restricting future subdivision and development of the land should be provided as a condition of the consent.

41. Submission 79.38 (and others) requests a new Policy 15C which discourages land banking, as follows:

Policy 15C: Discouraging land banking

In order to control subdivision in the coastal environment in excess of foreseeable demand, policy statements and plans shall:

- (a) prohibit coastal subdivision outside existing settlements except where (b) below applies;
- (b) allow limited additional provision for coastal subdivision only where the existing stock of subdivided land within the district provides insufficient capacity to meet the reasonable needs of the district during the life of the policy statement or plan provided the additional subdivision:-
 - (i) does not exceed the capacity required to meet those needs during the life of the policy statement or plan; and
 - (ii) avoids areas with significant heritage, landscape or natural character values; and
 - (iii) is otherwise consistent with this policy statement.

42. Submission 481.73 requests that a new Policy 40A should be provided to encourage local authorities and developers to provide for public access to and along the coast when rural land is subdivided but where there may be no legal requirement or provide an esplanade

reserve, as follows:

Policy statements and plans shall promote the provision for public access to and along the coast when land is subdivided irrespective of whether an esplanade reserve or strip is legally required and consent authorities shall consider whether such public access should be provided when making a decision on subdivision consents.

43. Submission 79.14 (and others) request that there should be a policy for areas of the coast that are nationally important and which need to be protected from subdivision and development, as follows:

New Policy 1A: Identification of nationally important areas of the coastal environment.

Adverse effects of activities on nationally significant areas of the coastal environment, as identified in Schedule V, shall be avoided. District plans shall identify these areas on maps and include provisions to ensure that any negative effects on them arising from subdivision, use or development are avoided. Until operative district plan provisions are in place to implement this policy as under Policy 14, all subdivision and consequent development within these areas is a prohibited activity. The maps and the prohibited activity status provisions shall be directly incorporated into regional policy statements and district plans as soon as possible, under section 55(2A)(b) of the Resource Management Act, without notification or hearing.

44. Submission 100.3 requests that there is a need to have objectives that state clearly what sort of subdivision use along coastlines is acceptable. It refers to a "mixture of uses" but doesn't define what these uses could be. Some mixtures of use could be detrimental to the coastal landscape. It is really useful that the policy refers to avoiding urban sprawl by encouraging development in existing urban areas. It is important for the policy to also address the smaller developments along the coastline which may have a large impact on the coastal landscape. Provisions which refer to urban development, in particular the design of coastal development need to have clear objectives that ensure that the design fits with the unique character of the natural coastal environment. It is important to have clear objectives that give steerage to District Councils when they are considering development proposals that could impact adversely on iconic coastal landscapes. There could also be an objective that states that some areas of important coastline which have unique biodiversity values be protected from development in the future.

45. Submission 224.7 requests that a definition for 'appropriate form' should be defined as a development that will not affect the amenity values of a site nor restrict access or create a subdivision that will limit, reduce or restrict public access.

46. Submission 378.40 states it is important to recognise airports of national significance and requests the addition of a new policy as follows:

Policy 20B: Airport of national significance

Auckland International Airport is of national significance for airport activities and shall be protected from inappropriate subdivision, use and development including by:

- (a) Ensuring that activities in the coastal environment do not adversely affect the Auckland International Airport and airport activities; and
- (b) Avoiding, remedying or mitigating adverse effects or other activities on access to, and use of Auckland International Airport.

47. Submission 500.29 requests a new policy be added to protect some areas from subdivision, use and development, as follows:

Local authorities shall identify sites and areas within the coastal environment, where subdivision or development shall not occur due to outstanding natural features or landscapes, significant biodiversity values, sites of cultural significance, historical heritage or high public amenity values.

48. Submission 121.10 requests that new clear subdivision policies which will discourage the creation of new lots in excess of foreseeable demand are added to the NZCPS.
49. Submission 126.11 states that there is no policy to address managing the effects in the coastal environment of catchment areas. Add a new policy to the effect that activities in the catchments are managed to avoid, remedy or mitigate effects on the coastal environment.