

Theme Obligations / Costs on Local Authorities

Total number of submission points on the theme

2472 points are relevant to the theme of Obligations or Costs on Local Authorities

Number of submission points supporting or agreeing with the provisions in the Proposed NZCPS relating to natural character and biodiversity

79 submissions.

Number of submission points opposing the provisions in the Proposed NZCPS

32 submissions.

Note: some submissions comment on but do not support or oppose the provisions. Most support in part, seeking amendments to the provisions, or express major concerns without opposing the provision outright.

Key messages within the submissions

Scope

1. The Objectives section provides improved guidance from the 1994 NZCPS.
2. Objective 9 largely rephrases the RMA, and adds little. If it is to guide local authorities then the objectives should be made clear. The historic heritage objective is scanty in terms of the intention for coastal heritage management. Repetition of the RMA is seen as not adding to the NZCPS.

Timeframes

3. Allow 10 years for Councils to give effect to the NZCPS.
4. Conflict with the timing of implementation of NZCPS and the timing of the existing review cycles Plans and policy documents go through under the RMA and LGA provisions.

Monitoring

5. Allow 10 years for Councils to give effect to the NZCPS.
6. Provide clarity on monitoring and review processes – which should not be devolved to local authorities to undertake without additional funding and the provision of agreed indicators.

Development

7. Provisions referring to urban development (and in particular the design of coastal development) needs clear objectives to ensure that the design fits with the character of the natural coastal environment, and to provide guidance for District Councils when considering development proposals that could impact on iconic coastal landscapes.
8. Discouraging ribbon development would be beneficial.
9. Clarify what types of coastal environments would be appropriate for development. Avoid rural residential sprawl that individually and collectively detract from open space character. Be clear on where development is not allowed (eg. iconic or outstanding landscapes)
10. Encourage use of long term measures – such as covenants.
11. Use of maps is sufficient to identify - areas already compromised by development; low-density development areas; areas of national significance;

Resourcing

12. Allow 10 years for Councils to give effect to the NZCPS.

13. Resourcing issues arise with implementation, in particular in relation to costs and staffing and the potential for environment court and costs associated with this.
14. Clearer direction and support be provided to assist with implementation
15. Clarification of how the phrase 'overall it is considered that the benefits of the policy exceed the cost' was determined
16. Provision of an implementation plan would assist local authorities.
17. Provisions on charging and on waiving charging are supported

Climate Change / Natural Hazards

18. It is not realistic to locate / relocate development away from hazard areas, given the 100 year timeframe indicated in Policy 51. There are significant assets located in the coastal environment and, for example, it would not be feasible to relocate an existing power station, even if this was in a hazard area. This objective needs to be reworded to provide more flexibility in terms of how coastal hazard risks are to be addressed, and to encourage creative responses.
19. The long term intent of Objective 8 is supported (commonly referred to as 'managed retreat'), but there are some significant reservations in terms of the short term practicality of this approach on intensively developed coastlines. For example parts of the Kapiti Coast are already protected by hard protection structures and it is unlikely to be practical to remove these and retreat from these areas in the next 10 years. As currently written objective 8 limits options.

Protection

20. Include provisions for the preservation and protection of nationally important areas by covenants. Also map (and designate) areas of importance and preservation, and where no subdivision, development or mining should occur.
21. Do not predetermine outcomes in Policies 31, 32 and 36. They need to accommodate 'where it would better meet the purpose of the RMA'.
22. Strengthen policy 30 by protecting 'national interest' natural character areas through nationally developed objectives, policies and rules which exclude incompatible activities
23. the requirement for local authorities to assess (and provide for the preservation) of the natural character of the coast, is supported. Include identification of areas at risk from sedimentation.
24. Schedule IV map technique is supported.
25. Conflict could arise with provisions relating to maintaining and enhancing access.

Species

26. No need for separate policies to protect single species (ie. Maui's dolphin). Maui's dolphin is better addressed by the Marine Mammals protection Act 1978.
27. Add separate policies for fairy tern, NZ Dotterel, hector's dolphin.
28. Make regional coastal plans include maps of Maui dolphin habitat areas and provisions to avoid direct threats to the Maui dolphin under section 55(2A)(b) of the RMA without a lengthy public submission and hearing process.
29. Exclude mangroves from natural character considerations. Its extent is due to human influence.
30. Regularly review status of migratory shorebirds

Definition/language

31. Need robust national methodology to define and assess areas of natural character and indigenous biological diversity.
32. Need consistency of terminology within the document, and between the NZCPS and the RMA to remove uncertainty and confusion potential.
33. Need specific wording rather than vagueness to provide clarity, certainty and specific prioritising of provision to assist with local authorities and implementation of the NZCPS

34. Some provisions too detailed resulting in increased compliance implications – e.g. Schedule II.
35. New policy for coastal dune protection and changes to the proposed provisions are recommended (refer below)

Animal Threats

36. Dogs need to be excluded or kept under control in areas used by rare breeding birds or migratory species.
37. recognise vessels as a vector, eg. of pest starfish.

Visual threats

38. Recognise inappropriateness of subdivision effects as seen from the sea or facing land / islands.
39. Have clear objectives to guide acceptable coastal development, and to protect certain areas from development.

Natural Character values and processes

40. Protect the quiet night sky and associated values
41. Allow for built natural character
42. Recognise and protect Kawhia Harbour as an outstanding landscape
43. Recognise (i.e. manage rather than preserve) natural character as it changes over time due to natural processes.
44. Add 'significant landscape value' to policy 34.

Restoration and Enhancement

45. Include positive policies to ensure the restoration and enhancement of natural areas. These also need to be a national priority.
46. Greater emphasis on the protection and restoration is needed, rather than encouraging further development. Remove the invitation to develop in areas of outstanding natural landscapes.
47. Address restoration through LTCCPs, not the NZCPS, due to funding implications.
48. Encourage restoration of the coast via native vegetation planting and creation of natural habitats (eg. wetlands).

Climate Change

49. Recognise climate change impacts on natural character.
50. Consider dune restoration as mitigation for dune retreat due to global warming / climate change.

Other

51. Use other sources as implementation guidance ie. NZ threat classification system; IUCN and Natural Resources lists; OSNZ survey data; migratory shorebirds status
52. Detail or guidance needs to be provided on how science can assist local authorities on implementing the NZCPS and forming policy.
53. Recognition is required in the NZCPS that each Council often works independent of others and therefore inconsistencies can arise between authorities. This can be an issue for iwi resource management which doesn't follow local authority boundaries.
54. Historic heritage should be reflected as a matter of national importance.
55. Recognition of the interface between territorial local authorities and regional authorities to ensure 'double-dipping' does not eventuate.
56. More guidance is needed where RMA provisions are repeated, or RMA terms are used with meanings that vary from those in the Act.
57. Remove references to non-RMA matters and those not addressed by RMA planning documents.

58. Delete 32 (f) and 34(b) as Maori cultural considerations are considered elsewhere. Delete Wild and scenic as this is too uncertain and is also addressed elsewhere in the NZCPS.
59. Moratorium on outstanding natural landscapes and areas of high natural character, until the NZCPS is gazetted

Relief is sought regarding definitions / interpretation of the following terms:

Maintenance of amenity values	Land
Contaminants	Natural sites
Exceptional circumstances	Natural character (very high, restoration of)
Appropriate / inappropriate development	Naturally rare, rare
Give effect to	Natural defences
Statutory protection (proposals for) dwellings	Policy Statements and plans
Given due regard	Historic heritage
Terms in Policy 1(f)	Human sewage
Mixture of uses	resilience
Weighting of treaty principles	Baseline water quality
significant landscapes, valued landscapes and landscape characteristics	Outstanding natural landforms
Sustainable	Natural, natural state
Wild and Scenic	natural landscapes, features and processes., (and whether natural landscapes include exotic plantings)
Redundant Structures	Indigenous biological diversity, indigenous ecosystem
Adverse effects (& significant, & the effects thresholds between avoid, remedy & mitigate))	Natural
Elements of significance	Dynamic, Memorability
limits of natural range	“Shared and recognised”
Appropriate circumstances	Coast (definitions from case law)
Natural substrate composition	Natural biotic patterns and movements
restoration	Matters of Policy 30 (a)-(f)
Ecological corridors	Scope of policy

Additional Provisions Sought

60. Submissions 79.54, 81.51, 104.110, 115.52, 147.51, 183.110, 481.54, 485.54 seek a new policy 30A recognising the natural character value of modified coastal environments:
 ‘To preserve the natural character of the coastal environment it is important to recognise that many parts of the coastal environment which have been highly modified, such as through the clearance of indigenous vegetation and establishment of pastoral farming activities, retain high natural character which needs to be protected in the national interest.’

61. Submissions 121.2, 6-7 and 139.1 seek mapping and new policy for areas of the coast where preservation is of national importance (no subdivision, construction of major infrastructure or urban development should occur), and policies that will ensure high standards in terms of landscape and biodiversity conservation for areas considered suitable for low density development (up to 20 hectares.)
62. Submission 335.5 seeks a new objective regarding prevention of sedimentation in the coastal area, especially in estuaries
63. Submission 369.18 seeks new objectives for outstanding natural landscapes and features and indigenous biodiversity.
64. Submission 374.30 seeks discrete policies for biological diversity and outstanding natural features unconnected to natural character. Submission 445.68 seeks that policy 32 be a separate "outstanding natural features and landscapes" policy
65. Submission 430.04 seeks recognition of Kawhia Harbour (as a Maori Reserve) and other regional outstanding landscapes in the NZCPS
66. Submission 63.26 seeks a new policy 14(j) be added as follows:

"Avoid sprawling rural residential development which has the potential to individually or cumulatively detract from the natural and open space character of the coastal environment."
67. Submission 68.1 requests the inclusion of the following policy:

"Protection of active coastal dunes: The protection of the active coastal dunes listed in Schedule X is a national priority. Plans and policy statements should ensure these dune systems are protected from inappropriate use and development, including by:

 - (a) ensuring that activities within, adjacent to, or down drift from, these dune systems to not result in the establishment of invasive exotic plants;
 - (b) encouraging the restoration of degraded dune systems;
 - (c) providing appropriate public access and information;
 - (d) avoiding development that adversely affects the ecology, botany or geomorphology of these dune systems, including disturbance to coastal sand systems in the adjacent coastal marine area;
 - (e) avoiding damaging off-road vehicle use;
 - (f) protecting archaeological site; and by
 - (g) establishing appropriate environmental monitoring of dune system condition.