



NZCPS 2010 Guidance note

Policy 4: Integration

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Policy 4

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

- a. co-ordinated management or control of activities within the coastal environment, and which could cross administrative boundaries, particularly:
 - i. the local authority boundary between the coastal marine area and land;
 - ii. local authority boundaries within the coastal environment, both within the coastal marine area and on land; and
 - iii. where hapū or iwi boundaries or rohe cross local authority boundaries;
 - b. working collaboratively with other bodies and agencies with responsibilities and functions relevant to resource management, such as where land or waters are held or managed for conservation purposes; and
 - c. particular consideration of situations where:
 - i. subdivision, use, or development and its effects above or below the line of mean high water springs will require, or is likely to result in, associated use or development that crosses the line of mean high water springs; or
 - ii. public use and enjoyment of public space in the coastal environment is affected, or is likely to be affected; or
 - iii. development or land management practices may be affected by physical changes to the coastal environment or potential inundation from coastal hazards, including as a result of climate change; or
 - iv. land use activities affect, or are likely to affect, water quality in the coastal environment and marine ecosystems through increasing sedimentation; or
 - v. significant adverse cumulative effects are occurring, or can be anticipated.
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Overview of the policy

Policy 4 of the New Zealand Coastal Policy Statement 2010 (NZCPS 2010) requires integrated management of both the natural and physical resources in the coastal environment, and any activities that affect that environment. It emphasises the need for coordinated management of activities that cross administrative boundaries and a collaborative approach to management.

All readers of this policy guidance note should also refer to the NZCPS 2010 Implementation Guidance Introductory note¹. The Introductory note contains general information and guidance that is important for implementing all of the objectives and policies in the NZCPS 2010.

Rationale

The interconnected nature of natural and physical resources, as they adjust to changes, means that the use of lands and waters on the coast and upstream of the coast can affect other coastal uses, processes and species. Effective management of the cumulative impacts of activities on the coastal environment also needs an integrated approach.

Many different agencies are involved in managing New Zealand's coast. The Resource Management Act 1991 (RMA) uses mean high water springs² (MHWS) as a jurisdictional boundary for coastal management. But the line of MHWS does not form a natural boundary, nor is it one that is necessarily meaningful for the people who use and enjoy the coast.

A coordinated and collaborative approach to coastal management is needed to promote sustainable management.

¹ <http://www.doc.govt.nz/nzcps-introductory-note>

² <http://www.mfe.govt.nz/publications/climate/coastal-hazards-climate-change-guidance-manual/page18.html>

Related objectives, policies and provisions

This section covers the links (in terms of integrated management) between the various provisions of the NZCPS 2010, the Resource Management Act 1991 (RMA), and other legislation.

NZCPS 2010

Giving effect to Policy 4 of the NZCPS 2010 requires careful consideration of all NZCPS 2010 objectives and policies. Policies 5, 6, 7 and 28 of the NZCPS 2010 are particularly relevant to integration. These links are considered below:

Key objectives and policies	Other related objectives	Other related policies
Policies 5, 6, 7, 28	All	All

Policy 5: Lands or waters managed or held under other Acts

Policy 5 directs decision-makers to consider effects on lands or waters in the coastal environment that are held or managed under the Conservation Act 1987 and other protected areas legislation (including, but not limited to the Marine Reserves Act 1971 and the Marine Mammals Protection Act 1978), and to have regard to publicly notified proposals for statutory protection of these lands or waters. An integrated approach will assist implementation of Policy 5.

Policy 6: Activities in the coastal environment

Policy 6 concerns the location and scale of activities in the coastal environment such as infrastructure, energy generation, mineral extraction, built development and renewable energy generation. An integrated approach to decisions on individual activities will support effective decision-making.

Policy 7: Strategic planning

Policy 7 requires local authorities in the preparation of regional policy statements (RPSs) and plans, to consider where, how and when to provide for future residential, rural residential, settlement, urban development and other activities in the coastal environment. It also requires RPSs and plans to identify where particular activities and development are inappropriate, and to identify where coastal processes, resources or values are under threat or at significant risk from adverse cumulative effects. This type of strategic approach is closely related to Policy 4 because strategic planning will assist with integration.

Policy 28: Monitoring and reviewing the effectiveness of the NZCPS

Policy 28 requires the Minister of Conservation to monitor and review the effectiveness of the NZCPS 2010. The policy states that this should be done in collaboration with local authorities.

Resource Management Act 1991³

The RMA contains provisions that deal directly with integrated management:

- Section 30(1)(a) of the RMA provides that one of the functions of regional councils is ‘the establishment, implementation, and review of objectives, policies and methods to achieve integrated management of the natural and physical resources of the region’.
- Section 31(1)(a) of the RMA provides that one of the functions of territorial authorities is ‘the establishment, implementation, and review of objectives, policies and methods to achieve integrated management of the natural and physical resources of the district’.
- Section 59 provides that the purpose of an RPS is to provide ‘an overview of the resource management issues of the region and policies and methods to achieve integrated management of the natural and physical resources of the whole region’.
- Section 62 of the RMA requires that RPS must state, among other matters, ‘the processes to be used to deal with issues that cross local authority boundaries, and issues between territorial authorities or between regions’ (s62(1)(h)).
- Section 64(2) states that in the preparation and change of regional coastal plans that ‘a regional coastal plan may form part of a regional plan where it is considered appropriate in order to promote the integrated management of a coastal marine area and any related part of the coastal environment’.
- Section 67(2)(f) provides that a regional plan may state ‘the process for dealing with issues –
 - (i) that cross local authority boundaries; or
 - (ii) that arise between territorial authorities; or
 - (iii) that arise between regions.’
- Section 75(2)(f) provides that a district plan may state ‘the processes for dealing with issues that cross territorial authority boundaries’.
- Section 80 of the RMA provides discretion to local authorities to prepare, implement or administer a combined regional (including regional coastal plan) or district plan, and combine plans where significant cross boundary issues relate to the use, development and protection of natural and physical resources.

³http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM230265.html?search=ts_act_resource+management_rese&p=1&sr=1

Origins of the policy

The NZCPS 2010 provides more detailed policy direction on integration than its predecessor, the New Zealand Coastal Policy Statement 1994.

The Board of Inquiry⁴ considered the need for better integration of land and water management with coastal management, responsibilities under the RMA, and greater coordination among local authorities. Submissions supported integration and coordination of responsibilities under the RMA and other legislation, such as the Local Government Act 2002 and the Conservation Act 1987, and that non-regulatory and regulatory approaches should be used together where appropriate.

The Board of Inquiry observed that:

The issue of integration of sustainable decision making over New Zealand's natural and physical resources is one of the most important in the whole statement [NZCPS]. Just about every issue that arose from a consideration of Part 2 RMA matters (from natural character, outstanding landscapes and features through to the effects of climate change and benefits to be devised from the use and development of renewable energy) uncovered difficulties created by the differing functions and powers of regional and territorial authorities as well as those created by the fictional boundary created by the line of MHWS.

To include a strong policy which requires all decision-makers under the NZCPS to have a role in solving cross boundary activities and effects, therefore became a fundamental issue to resolve at the outset. (p. 55)⁵

The Board of Inquiry stressed the need for more collaboration between authorities and agencies with responsibilities in the coastal environment, greater integration of their outputs, and more consistent attention to cross-boundary issues for coastal resource management. Five issues for particular consideration were identified and these are discussed in more detail in the implementation section below.

Integrated management includes considering the cumulative effects of activities on resources over time, the environmental effects which cross jurisdictional boundaries within the coastal environment, and the responsibilities different agencies have for matters in the coastal marine area.

Integrated management is particularly relevant in situations where coastal use and development occur across the line of MHWS. Under the RMA, catchments as well as the coastal marine area below MHWS is the responsibility of regional councils and they are therefore able to manage 'catchment to the sea' impacts of activities which is

⁴ <http://www.doc.govt.nz/getting-involved/consultations/results/new-zealand-coastal-policy-statement/proposed-new-zealand-coastal-policy-statement-2008-board-of-inquiry-report-and-recommendations/>

⁵ <http://www.doc.govt.nz/upload/documents/getting-involved/consultations/closed-consultations/nzcps/NZCPS-2008-board-of-inquiry-vol-2.pdf>

a key component of integrated management. The jurisdiction of city and district councils extends to activities on the land above the MHWS. The foreshore, seabed, coastal water and the airspace above the water extending from MHWS out to the 12-nautical mile limit (in other words the 'wet' part of the coast) is called the coastal marine area. The 'line' of MHWS is a dynamic boundary, in that processes, values and uses occur across it. The line of MHWS is also changing in response to climate change induced sea level rise.

Integrated management is also particularly relevant when managing activities within the coastal marine area, as this is a very fluid and dynamic environment, and the lifecycles of marine creatures can extend over very large distances. This means that the effects of activities can be widespread (e.g. culverts that act as barriers to fish passage). In addition, management responsibilities are shared by a number of statutory authorities, including the Ministry for Primary Industries, the Department of Conservation (DOC), and Maritime New Zealand as well as regional councils and territorial authorities.

For further information refer to the NZCPS Board of Inquiry Report, Volume 2, pp. 52-59.⁶

⁶ <http://www.doc.govt.nz/getting-involved/consultations/results/new-zealand-coastal-policy-statement/proposed-new-zealand-coastal-policy-statement-2008-board-of-inquiry-report-and-recommendations/>

Implementing the policy

While guidance is provided here on implementing Policy 4, it is also necessary to consider the entire NZCPS 2010 when implementing each policy. Please also refer to the NZCPS 2010 Implementation Guidance Introductory note⁷ which covers the matters that are relevant in giving effect to the NZCPS 2010.

Policy 4 is about **how** the coastal environment is to be planned for and managed. Integrated management is seen as fundamental to implementing the objectives and policies of the NZCPS 2010 and promoting sustainable management in the coastal environment.

Coastal resources are extremely interconnected. Integration includes ensuring that links between various resources (land, air, water, the coast and ecosystems) and the effects of activities associated with them are fully recognised and well understood. Policy 4 requires the consideration of a range of activities that affect or could affect the coastal environment, and the need for the integrated management of its natural and physical resources at a range of scales and in a variety of contexts.

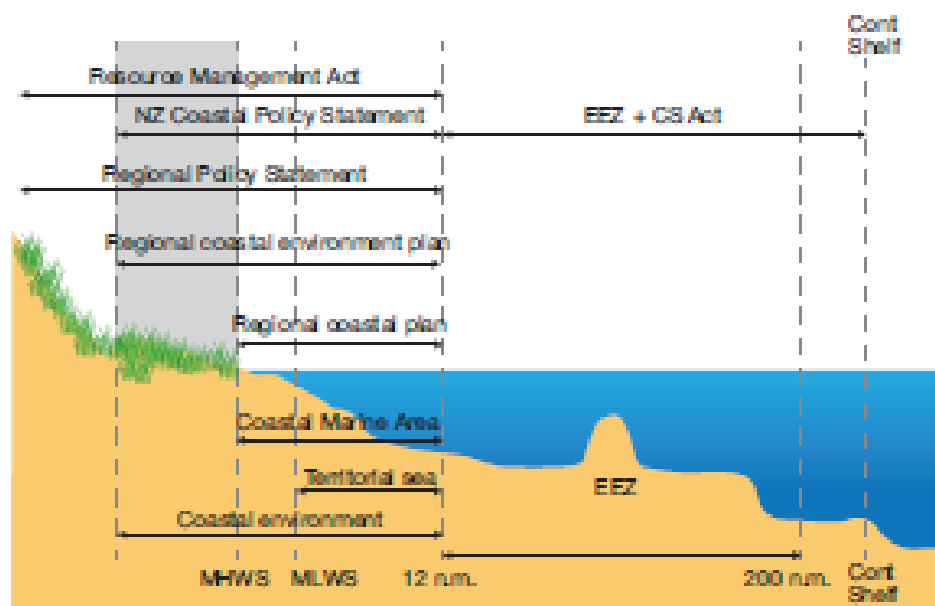
Uses of one natural resource can impact on the whole environment and cumulative effects of many activities can impact on a resource. Such effects may occur over time and space. Giving effect to Policy 4 will ensure that links between various resources (land, air, water, the coast and ecosystems) and the effects of activities associated with them are recognised and proactively managed in an integrated way.

Integration of coastal management can be improved by coordination and collaboration of issues that cross administrative boundaries. Relevant RMA coastal management jurisdictions are shown in Figure 1.

Integrated management is supported through the early identification of conflicting issues, and the provision of processes to resolve issues before they become part of the formal resource management process (such as in resource consent hearings or plan hearings). Regional councils and unitary authorities can use their RPSs and regional coastal plans to provide leadership on integration to territorial authorities.

⁷ <http://www.doc.govt.nz/nzcps-introductory-note>

Figure 1: Resource Management Act 1991 (RMA) coastal management jurisdictions⁸



MHWS = Mean High Water Springs
 MLWS = Mean Low Water Springs
 EEZ = Exclusive Economic Zone
 Cont Shelf = Continental Shelf
 EEZ + CS Act = Exclusive Economic Zone + Continental Shelf (Economic Effects) Act 2012
 nm. = nautical miles

Coordinated management under the RMA

There are a number of different ways to organise planning documents that will help achieve integration. The second generation of RMA plans and policy statements has seen greater use of combined plans to enable integration. Examples include the Wairarapa Combined Plan prepared by the Masterton, South Wairarapa and Carterton District Councils⁹, and the Horizons Regional Council One Plan¹⁰. In the case of unitary authorities (that have both regional and district council functions and responsibilities) an integrated approach can be articulated through unitary plans.

There are examples of good integration between regional councils and between regional councils and other agencies; for example the Hauraki Gulf Forum. There are many coastal examples where an integrated approach would be beneficial, such as the Kaipara Harbour and the Firth of Thames, where different statutory jurisdictional boundaries apply. Regional councils could also work collaboratively on regional coastal plans in some locations.

⁸ Figure prepared by DOC for this guidance.

⁹ <http://www.mstn.govt.nz/planning/combinedplan/index.php>

¹⁰ <http://www.horizons.govt.nz/about-us/one-plan/>

Collaboration with other bodies and agencies

Consultation and collaboration to manage issues of common interest with Māori is important in the coastal environment. Policy 4 promotes coordinated management of activities within the coastal environment, and which could cross administrative boundaries, particularly where hapū or iwi boundaries or rohe cross local authority boundaries. Read alongside Policy 2¹¹ this part of the policy means that Māori concepts of resource management, such as ‘managing the mountains to the sea’; become important to implementing Policy 4. Cultural contexts and boundaries of relevance to Māori are therefore a relevant consideration of how to achieve integrated management of the coastal environment. A number of iwi have prepared resource management plans and these should also be considered.

A component of integrated management that is specifically referred to in Policy 4 includes situations where land or waters are held or managed for conservation purposes (see also Policy 5: Land or waters managed or held under other Acts¹²). Because the coastal environment is managed under a range of different statutes and many agencies are involved, the statutory plans of other agencies become a consideration in the achievement of Policy 4.

The NZCPS 2010 applies to all lands and waters in the coastal environment. As such local authorities are required to consider relevant plans and policy statements including those prepared under the Conservation Act and the Acts listed in Schedule 1 of this Act¹³. Examples of relevant plans include conservation management strategies, plans and policies developed by DOC¹⁴ and reserve management plans prepared by local authorities¹⁵. Options to manage these linkages are further discussed in the Policy 5 guidance note.

¹¹ <http://www.doc.govt.nz/publications/conservation/marine-and-coastal/new-zealand-coastal-policy-statement/new-zealand-coastal-policy-statement-2010/policy-2-the-treaty-of-waitangi-tangata-whenua-and-maori/>

¹² <http://www.doc.govt.nz/publications/conservation/marine-and-coastal/new-zealand-coastal-policy-statement/new-zealand-coastal-policy-statement-2010/policy-5-land-or-waters-managed-or-held-under-other-acts/>

¹³ http://www.legislation.govt.nz/act/public/1987/0065/latest/DLM103610.html?search=ts_act_conservation_resel&p=1&sr=1

¹⁴ <http://www.doc.govt.nz/about-doc/role/policies-and-plans/conservation-management-strategies-and-plans/>

¹⁵ <http://www.qualityplanning.org.nz/plan-development/writing-provisions-plans/linkages-with-selected-non-rma-plans.php>

Situations requiring particular consideration

Policy 4 sets out five resource management issues that specifically require an integrated approach, where:

1. A coastal use and development crosses the line of MHWS
2. The public use and enjoyment of public space in the coastal environment is affected or likely to be affected (refer to guidance note for 'Policy 18: Public open space').
3. Land management practices are likely to be affected by physical changes to the coastal environment or potential inundation from coastal hazards (refer to guidance note for 'Policy 25: Subdivision, use and development in areas of coastal hazard risk').
4. Land use activities affect or are likely to affect coastal water quality and ecosystems through sedimentation (refer to guidance notes for 'Policy 6: Activities in the coastal environment', 'Policy 21: Enhancement of water quality' and 'Policy 22: Sedimentation').
5. Significant adverse cumulative effects are occurring or can be anticipated.

These matters are discussed further here.

1. Coastal subdivision, use and development crossing MHWS

Many values of the coastal environment are affected by activities that take place on both sides of the coastal marine area boundary (the line of MHWS). RPSs have an important role in providing for integrated management across MHWS as they apply to the entire region and regional and district plans must give effect to them. Combined resource management plans, including coastal environment plans, can be a useful means of promoting an integrated approach to coastal management.

In some circumstances a transfer of functions or part of functions, may provide an efficient and effective means of integrated management. Local authorities can undertake combined (regional and district) strategic planning (refer to the guidance notes for 'Policy 7: Strategic planning') for the whole of catchments and the coastal marine area and can actively look for other pragmatic solutions to issues involving overlapping management.

2. Public use and enjoyment of public space in the coastal environment

The NZCPS 2010 recognises the need for public open space within and adjacent to the coastal marine area (refer to Policy 18¹⁶). If activities in the coastal environment have the potential to reduce the public use and enjoyment of public space, and/or if public use traverses the line of MHWS and can be vulnerable to effects, then Policy 4(c)(ii) directs local authorities to consider cross boundary activities and effects and manage them in an integrated manner.

¹⁶ <http://www.doc.govt.nz/publications/conservation/marine-and-coastal/new-zealand-coastal-policy-statement/new-zealand-coastal-policy-statement-2010/policy-18-public-open-space/>

3. Coastal hazards and physical changes to the coastal environment

Coastal hazards (including those resulting from climate change) require coordinated management across administrative boundaries, as do coastal hazard response activities. Providing for integrated management specifically requires ‘particular consideration of situations where ... development or land management practices may be affected by physical changes to the coastal environment or potential inundation from coastal hazards, including as a result of climate change’ (Policy 4(c)(iii)).

Implementation of Policy 4(c)(iii) requires consideration in policy statements and regional and district plans of integrated management responses to coastal hazards and physical changes to the environment. Please refer also to the guidance note on ‘Policy 25: Subdivision, use and development in areas of coastal hazard risk’.

4. Land use activities affecting water quality and marine ecosystems through sedimentation

Land use activities can affect water quality, benthic habitats and marine ecosystems through increasing sedimentation (refer to the guidance notes for Policy 21: Enhancement of water quality and Policy 22: Sedimentation). In some locations high levels of sedimentation, due to upstream land uses, is a major issue. Estuaries, wetlands, coastal lakes and saltwater lagoons are particularly vulnerable to sedimentation. Silt and mud impacts on sea grass, shellfish beds and fish spawning grounds and threatens the productivity and life-supporting capacity of coastal waters.

Giving effect to Policy 4(c)(iv) will involve land use planning to address coastal water and habitat effects of land based activities. This could include identifying high value marine habitats at risk from the impacts of sedimentation and establishing limits for the discharge of sediment into those areas. These matters are expected to be considered in the development of policy statements and plans, and in the assessment of consents and other regulatory decision-making.

5. Significant adverse cumulative effects

The term ‘cumulative effects’ is referred to in section 3(d) of the RMA as a component of the definition of ‘effect’. It has two concepts: effects arising over time, and effects arising in combination with other effects. Any one change may be insignificant in itself but at some point in time or space the accumulation of these changes can become significant. For example, impacts on water quality and ecology from a range of point and non-point discharges from land can adversely affect the life-supporting capacity and natural character of the coast.

To implement Policy 4(c)(v) of the NZCPS 2010, local authorities need to consider whether significant adverse cumulative effects are occurring, or can be anticipated, and include provisions in plans to manage these effects. Some relevant considerations may be, for example:

- Fresh and coastal water quality and quantity issues and nutrient build up from land use intensification
- Natural character being compromised by the increasing development on coastal margins including aquaculture
- Landscape and amenity values affected by wind farm developments.

Related and ongoing work

A number of regions, districts and other authorities are progressing work to integrate management in the coastal environment.

Bay of Plenty Proposed Regional Policy Statement

<http://www.boprc.govt.nz/knowledge-centre/policies/the-next-regional-policy-statement/>

The Bay of Plenty Regional Council's proposed (second generation) RPS, released on 9 November 2011, discusses the integrated management of natural and physical resources. The document states that because all resources are interrelated, integrated management of natural and physical resources is necessary for the promotion of sustainable management. In this context, integrated management involves recognising the Māori environmental resource management system, and requires agencies involved in administering resource management to coordinate their roles. The RPS is currently under appeal.

Greater Wellington Regional Council Proposed Regional Policy Statement

<http://www.gw.govt.nz/RPS/>

The Proposed RPS for the Wellington Region sets out approaches to integration. The RPS is currently under appeal.

Hauraki Gulf Marine Spatial Plan

The Waikato Regional Council and the Auckland Council are working with other agencies including the Hauraki Gulf Forum to prepare a marine spatial plan for the Hauraki Gulf to address coastal management issues in the Gulf, including through the monitoring results outlined in the report "State of our Gulf Tikapa Moana, Hauraki Gulf State of the Environment Report 2011".

<http://www.aucklandcouncil.govt.nz/en/aboutcouncil/representativesbodies/haurakigulfforum/Pages/home.aspx>

Horizons Regional Council One Plan

<http://www.horizons.govt.nz/about-us/one-plan/>

The Horizons Regional Council One Plan is an integrated plan combining the RPS and six regional plans, including the regional coastal plan. The One Plan is currently under appeal.

Waikato Regional Council Proposed Regional Policy Statement

http://www.waikatoregion.govt.nz/Council/Policy-and-plans/Regional-Policy-Statement/Regional-Policy-Statement-Review/Proposed_Regional_Policy_Statement/Introduction/2Integrated-management/

The Proposed RPS for the Waikato Region sets out approaches to integration. The RPS is currently under appeal.

Resources

Relevant case law¹⁷

Gisborne District Council v Faulkner A82/94 [Planning Tribunal]

This case includes a legal definition of MHWS.

Minister of Conservation v Christchurch City Council (1993) 2 NZRMA, 593, [High Court]

This case concerns the definition of a river mouth in determining the landward boundary of the coastal marine area.

Examples of regional strategies and forums

Wairarapa Coastal Strategy

<http://www.gw.govt.nz/assets/Plans--Publications/Wairarapa-Coastal-Strategy/711FinalStrategywis1347.pdf>

The Wairarapa Coastal Strategy was an initiative of the Carterton, Masterton, and South Wairarapa District Councils, Rangitāne o Wairarapa, Ngāti Kahungunu ki Wairarapa, and Greater Wellington Regional Council. The Strategy and its companion 'Caring for our Coast, a guide for coastal visitors, residents and developers', were published in March 2004 and involved key stakeholders such as local affected communities, major coastal landowners, fishing clubs, residents associations, the Royal Forest and Bird Protection Society, Federated Farmers, DOC and the Ministry for the Environment. The Strategy sets a long-term vision and integrated strategy to sustain the Wairarapa coast and identifies an inland coastal boundary based on landscape and ecological criteria.

Whangarei Coastal Management Strategy

<http://www.wdc.govt.nz/PlansPoliciesandBylaws/Plans/CoastalPlanning/CoastalManagementStrategy/Pages/default.aspx>

The Coastal Management Strategy was commissioned in 2002 and identified a number of development issues in the Whangarei coastal region that needed addressing by Council and the community. The resulting recommendations were adopted in 2003 as an official Council working document.

¹⁷ These decisions are not available on the NZ Environment Court database
<http://www.justice.govt.nz/courts/environment-court/search-environment-court-decisions-from-2006>

Examples of regional policy statements and plan provisions

Regional Coastal Plan for Southland

Chapter 20 of the Regional Coastal Plan for Southland sets out provisions to achieve integration.

<http://www.es.govt.nz/publications/plans/coastal-plan/>

Wairarapa Combined District Plan

The Wairarapa Combined District Plan is operative and covers the Masterton, South Wairarapa and Carterton Districts.

<http://www.mstn.govt.nz/planning/combinedplan/index.php>

Reports, websites and additional information

Northland Regional Council (2010)

‘Integrated management’

<http://www.nrc.govt.nz/upload/7851/Integrated%20Management%20-%20Background.pdf>

Parliamentary Commissioner for the Environment and the Auditor General (2001)

‘Local government environmental management: A study of models and outcomes’.

http://www.pce.parliament.nz/assets/Uploads/Reports/pdf/local_govt.pdf

Environmental Defence Society (2006)

‘Strengthening second generation regional policy statements’.

<http://eds.org.nz/shop/publication/regpol.htm>

Frieder, Julie (1997)

‘Approaching sustainability: Integrated environmental management and New Zealand’s Resource Management Act’

http://www.fulbright.org.nz/wp-content/uploads/2011/12/axford1997_frieder.pdf

Milne, Philip (2008)

‘When is enough, enough? Dealing with cumulative effects under the Resource Management Act’. Paper included on the Quality Planning website.

<http://www.qualityplanning.org.nz/pubs/Dealing-with-cumulative-effect-under-the-RMA.pdf>

Peart, Raewyn (2008).

‘Beyond the tide: Integrating the management of New Zealand’s coasts’. In the Proceedings of the Conserv-Vision Conference, University of Waikato, July 2007.

<http://www.waikato.ac.nz/wfass/Conserv-Vision/proceedings/Peart.pdf>

Glossary of terms and definitions

NZCPS 2010 glossary

No relevant definitions.

Other definitions

Coastal marine area means the 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) 1 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.

(Definition from section 2 of the RMA)