
REPORT 3
(1215/52/IM)

SUBMISSION ON THE PROPOSED NEW ZEALAND COASTAL POLICY STATEMENT 2008

1. Purpose of Report

This report proposes that the Wellington City Council make a submission on the Proposed New Zealand Coastal Policy Statement (NZCPS).

2. Executive Summary

The New Zealand Coastal Policy Statement administered by the Department of Conservation has been operative for the past 14 years and is currently under review. The review process enables Council to make a submission by 7 May 2008.

The reviewed statement aims at strengthening the management of the coastal environment and proposes new and more directive policies on a range of issues including the location of subdivision, use and development, the form of urban development, protection of the natural environment, the maintenance and enhancement of public access, improved water quality, hazard mitigation and the protection of historic heritage.

It is recommended that the NZCPS be generally, supported but where provisions might adversely affect the interests of Wellington City the submission seeks clarification or amendments.

3. Recommendations

It is recommended that the Committee:

- 1. Receive the information.*
- 2. Agree that the submission attached as Appendix 1 be forwarded to the Department of Conservation's Board of Inquiry on the NZCPS for their consideration.*

4. Background

The New Zealand Coastal Policy Statement is a national policy statement required by the Resource Management Act 1991 (RMA).

Its purpose is to state objectives and policies to achieve the purpose of the Act in relation to the coastal environment. The existing NZCPS became operative in 1994 and has recently been reviewed.

The review process found that while the NZCPS had been effective in generating debate about New Zealand's priorities for coastal management and changing practices (such as discharging sewage directly into the sea) it was difficult to assess its full effectiveness because it is implemented through an array of plans and policy statements at national, regional and local levels.

At the local planning level it was found that the NZCPS has only been partially effective in influencing district plans. In the main the NZCPS is usually only briefly acknowledged in district plans and only generally referred to in resource consent applications. The poorest area of implementation was found to be monitoring environmental outcomes and assessing the degree to which policies and plans have influenced environmental results.

The current review of the NZCPS can therefore be seen as 'lifting the bar' in terms of promoting the sound management of the coastal environment. The document has been strengthened in many respects and is more directive than its predecessor. The following key changes have been proposed:

- new policy directing local authorities to identify in plans where subdivision, use, and development of coastal land will and will not be appropriate, and what form development should and should not take;
- new policy directing planning for appropriate use and development of the coastal marine area, balanced by new emphasis on the importance of the coastal marine area as public open space;
- revised policies on natural character, landscape and biodiversity protection, to address uncertainties in existing policy on these matters by providing clearer and more specific guidance;
- more directive policies on the maintenance and enhancement of public access to and along the coast, including the identification of walking access as a national priority;
- new and more stringent policies on water quality, including new policies on mixing zones for discharges, and on management of stormwater discharges;
- revision of coastal hazard management policies to increase emphasis on risk management, add more specific references to planning for climate change, and encourage managed retreat from hazard areas in preference to reliance on seawalls and similar structures;
- new policy addressing protection of historic heritage, which has become a matter of national importance under the RMA since the 1994 NZCPS was gazetted.

The attached information brochure from the Department of Conservation outlines additional details on the NZCPS and the review process. The proposed

NZCPS is now open for submissions and the Minister of Conservation has established a Board of Inquiry to run the submission and hearing process. Submissions are due with the Board by 7 May 2008.

5. Discussion

The proposed NZCPS has been considered by officers from the relevant Council directorates. In general the proposals are regarded as positive and are supported. However, the draft submission attached as Appendix 1 outlines the key areas of concern and these are summarised briefly in 5.1 below.

5.1 Summary of key points

Objectives

The objectives are supported but with comment on objective 7 regarding the need to determine what is the natural state of water quality.

Policies

General

This section is supported but with some comment on Policy 1 relating to the criteria for determining the coastal environment and Policies 11 and 12 relating to monitoring.

More specific concern is expressed about Policy 13 that requires the Council to give effect to the NZCPS no later than five years after the date of gazettal. The NZCPS and related Regional Policy Statement provisions (also currently under review) will require a considerable amount of work which is unlikely to be fully achieved in the specified timeframe.

Subdivision, Use and Development

Several policies are considered to be problematic in respect of the Council's planning activities in coastal areas. Policy 14 could potentially restrict new infill development and amendments have been sought to clarify where new development is to be encouraged or discouraged. It is also considered that Policy 16 could restrict development of the Wellington waterfront and amendments have been requested to provide for special developments within the coastal marine area. Other provisions are generally supported but with some minor amendments to Policies 15 and 26.

Natural Character

This section is strongly supported but concern has been expressed about the information required to address Policies 31 and 35. In respect of policy 35 there needs to be considerable information gathered on the characteristics of existing discharge of contaminants into receiving environments.

Public Access

This section is strongly supported.

Water Quality

This section is generally supported but with various amendments. The primary concern identified under Policy 45 is the need to establish a baseline to determine the enhancement of water quality. In respect of Policy 49 relating to stormwater discharges, there needs to be considerable information gathered on the characteristics of existing discharge of contaminants into receiving environments.

Coastal Hazards

This section is supported.

Historic Heritage

This section is strongly supported.

6. Conclusion

The current review of the NZCPS provides the opportunity for the Council to make a submission on the proposed statement. It is considered that the NZCPS will provide a sound basis for promoting the efficient and effective management of the coastal environment and should be supported. However, there are a number of areas where the interests of the Wellington City Council could be adversely affected and it is recommended that these matters be specifically addressed as outlined in the draft submission.

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Supporting Information

1) Strategic Fit / Strategic Outcome

The comments in the submission supports Council's overall vision of Creative Wellington – Innovation Capital and in particular the Urban Development and Environment outcomes promoting a more sustainable and liveable city.

2) LTCCP/Annual Plan reference and long term financial impact

The submission relates principally to the Planning Policy Project (C533) under the LTCCP. Funding implications are likely to arise over time as the Council is required to give effect to the New Zealand Coastal Policy Statement through the District Plan and other planning processes.

3) Treaty of Waitangi considerations

All matters under the Resource Management Act 1991 are required to take account of treaty of Waitangi considerations as prescribed in section 8 of the Act.

4) Decision-Making

This is not a significant decision.

5) Consultation

a) General Consultation

All relevant directorates within the Council were consulted on the development of the submission on the proposed New Zealand Coastal Policy Statement.

b) Consultation with Maori

Contact was made with the Wellington Tenth Trust and Ngati Toa on the NZCPS. They both advised that they would be making their own submissions on the proposals.

6) Legal Implications

N/A

7) Consistency with existing policy

The proposed submissions to the NZCPS have been drafted to ensure consistency with existing policy.