
PREFERRED OPTION REPORT TO DISTRICT PLAN COMMITTEE

DATE: August 2018

TOPIC NAME: Natural Environment Topic: Coastal Environment

SCOPE DESCRIPTION: To identify the extent to which the operative District Plan gives effect to both the New Zealand Coastal Policy Statement 2010 (NZCPS) and the Canterbury Regional Policy Statement (CRPS), and what amendments are necessary to align provisions with current best practice in the protection and management of the coastal environment in the Selwyn District.

TOPIC LEAD: Andrew Mactier

PREPARED BY: Boffa Miskell Ltd (Claire Kelly, James Bentley and Stephanie Styles)

Executive Summary

<i>Issue(s)</i>	<p>The operative Selwyn District Plan does not explicitly recognise the coastal environment of Selwyn District, nor does it provide for active management of the coastal environment. The Plan does not identify the extent of the coastal environment and neither does it include provisions that seek to protect the values and character of that environment. Consequently, the Plan does not give effect to the NZCPS or the CRPS.</p>
<i>Preferred Option</i>	<p>Identify the coastal environment thorough an overlay on the planning maps.</p> <p>Develop a specific Coastal Environment section which includes the coastal environment policy framework (objectives and policies).</p> <p>ONL and ONC managed through the provisions in the Landscape, Landforms and Natural Character Section.</p> <p>Removal of indigenous vegetation managed through Ecosystems and Indigenous Biodiversity Section.</p> <p>Earthworks and buildings/structures, not captured by the above, managed through rules in the Coastal Environment Section, if the Rural Zone rules do not provide sufficient control.</p> <p>Apply an underlying zoning, which is likely to be rural, to the coastal environment area.</p>
<i>DPC Decision</i>	<p><i>"That the Committee notes the report."</i></p> <p><i>"That the Committee endorses the Preferred Option for 'Coastal Environment' for further development and engagement."</i></p> <p><i>"That the Committee notes the summary plan."</i></p> <p><i>"The Committee notes the need to integrate and not to duplicate work programmes and rules"</i></p>



1.0 Introduction

This report provides a summary of the planning and landscape planning assessment of the key issues relating to the Coastal Environment within the control of the Selwyn District Council and should be read in conjunction with the technical report “*Selwyn Coastal Environment: Natural Character and Landscape Study*” (Coastal Environment Study)¹ which contains the specialist review of landscapes within the district. In addition, reference should be made to the *Coastal Environment: Planning Analysis* report². This summary should be read in conjunction with the full Baseline Report, which is attached as **Appendix 1**.

The review of the Coastal Environment seeks to determine what approach should be carried forward into a proposed District Plan, and what amendments are necessary to align provisions with current best practice. In particular, it has been identified that there is a need to ensure alignment with both the New Zealand Coastal Policy Statement 2010 (NZCPS) and the Canterbury Regional Policy Statement (CRPS).

It is noted this work is inter-dependant on other work streams, including those relating to sites and areas of cultural significance including Kāinga Nohoanga, heritage items, landscapes, vegetation and ecosystems and water. The timing of those other work streams is varied and the final outputs of some were not available at the time of preparing this preferred option report (particularly sites and areas of cultural significance and sites of ecological significance). It is understood that to date, there have been no heritage items identified in the coastal environment. However, the Landscape Study has identified two Outstanding Natural Features/Landscapes (ONFL) that fall either entirely (Te Waihora/ Lake Ellesmere – Selwyn section) or partially (Rakaia River- Rakaia River mouth) within the coastal environment, which means that these ONFL will be subject to the provisions of the NZCPS.

It is also noted that this work will need to inform (or be informed by) other workstreams such as Transport, Energy and Infrastructure, Residential, Rural General, Signs, Subdivision, Natural Hazards and Vegetation and Ecosystems to ensure the values of the coastal environment are considered at the time of drafting objectives, policies and rules and there is alignment with the NZCPS and, where relevant, the CRPS.

2.0 Summary of Issues

The key resource management issues within the coastal environment, as they relate to this specific topic include:

- i. The need to give effect to the RMA, the NZ Coastal Policy Statement and the RPS.
- ii. The potential loss of, or adverse effects on, the coastal environment’s outstanding natural features and landscapes, natural character, cultural values or sites and ecology;

¹ Boffa Miskell Ltd, 16 February 2018.

² Boffa Miskell Ltd, 20 March 2018.

- iii. Adverse effects of land use, development and subdivision (including cumulative effects), on the coastal environment;
- iv. The effects of coastal processes, including coastal erosion and seawater inundation on subdivision, use, and development;
- v. The need to recognize and provide for the relationship of mana whenua and their culture and traditions within the coastal environment, including their role as kaitiaki in the coastal environment, mahinga kai, wāhi tapu; and
- vi. The need to provide for appropriate public and Ngāi Tahu access to and along the coast.

It is noted that cultural values / sites, vegetation and ecosystems and natural hazards (coastal processes) issues will be addressed through separate workstreams and will need in time to be integrated with this topic.

3.0 Statement of Operative District Plan approach

The operative Selwyn District Plan does not contain any objectives and policies that address the coastal environment, and only one provision relating to the coastal area (Rule 3.1.1.1(b)), which makes buildings that are seaward of the Coastal Hazard 1 Line, a non-complying activity.

The Plan does not contain any other provisions that specifically relate to the coastal environment, with the land adjacent to the sea and that part of Te Waihora/Lake Ellesmere within the Selwyn District being zoned as Outer Plains, except for the Rakaia Huts which are zoned as Living 1. This is unsurprising as the Plan was made operative prior to the NZCPS being gazetted in 2010.

The operative Plan identifies Te Waihora/Lake Ellesmere as an Outstanding Natural Feature (ONF) and as a Wāhi Taonga Management Site, and includes two Silent File Areas. The Lake edge is within the Lake Ellesmere Flood Area and a Wāhi Taonga Management Site is identified on the south-eastern edge of the Lake. Policy B1.4.13³ recognises Te Waihora/Lake Ellesmere as an ONF and seeks to manage activities that may adversely affect its natural character or views across the lake, or from the lake across the Plains. The Policy also seeks to manage the clearance of existing areas of indigenous vegetation and wetlands, and encourage restoration and enhancement.

Relevant operative District Plan provisions are set out in Appendix 1 of the Coastal Environment: Planning Analysis report.

³ Policy B1.4.13 (a) Recognise Te Waihora/Lake Ellesmere and its margins as an Outstanding Natural Feature; and
 (b) Ensure that any structures, earthworks or tree planting located along the margins of the lake, or any structure located across the surface of the lake do not detract from its natural character or the views across the lake or from the lake across the Plains; and
 (c) Control the clearance of existing areas of indigenous vegetation and wetlands, and encourage the restoration and enhancement of these areas in and around the vicinity of the lake.

4.0 Summary of relevant statutory and/or policy context and other background information

4.1 Resource Management Act (RMA)

Under Section 6 of the Resource Management Act 1991 (RMA) the Council must preserve the natural character of the coast and protect the important natural values of the coastal environment, whilst also providing for public access. Section 7 (b), (c), (d) and (f) require the efficient use and development of natural and physical resources, the maintenance and enhancement of amenity values, the intrinsic values of ecosystems and the maintenance and enhancement of the quality of the environment. Section 8 requires all persons exercising functions and powers under the RMA, in relation to managing the use, development, and protection of natural and physical resources, to take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

4.2 New Zealand Coastal Policy Statement 2010

The objectives in the New Zealand Coastal Policy Statement (NZCPS) closely reflect the Council's obligations under s5 and s6 of the RMA. The NZCPS recognises the need to balance preservation and protection with enabling people to undertake land uses and development for economic, cultural and social reasons. However, activities need to be appropriately located and managed, recognising that some activities can only be located in the coastal environment. It also acknowledges the need for the integrated management of the land component of the coastal environment and the Coastal Marine Area (CMA).

The NZCPS provides very clear expectations around activities occurring in the coastal environment including:

- avoid all adverse effects of activities on areas with outstanding natural character (Policy 13);
- avoid significant adverse effects, and avoid, remedy or mitigate other adverse effects on natural character in all other areas of the coastal environment (Policy 13);
- all adverse effects of activities on ONFL are avoided (Policy 15); and
- significant adverse effects are avoided, and all other adverse effects of activities on other natural features and landscapes are avoided, remedied or mitigated (Policy 15).

4.3 Canterbury Regional Policy Statement (CRPS)

Chapter 8 of the Canterbury Regional Policy Statement (CRPS) sets out the issues, objectives and policies that apply to the Coastal Environment. The CRPS was being written at around the same time that the NZCPS was gazetted and due to this timing, the CRPS was not able to fully consider the requirements of the NZCPS. It is therefore understood that the CRPS provisions does not give full effect to the NZCPS and that direct reference back to the NZCPS is appropriate in this circumstance. The policies seek to provide for the integrated management of natural and physical resources and activities in the coastal environment, the protection of the values of the coastal environment as well as maintaining and enhancing public and Ngāi Tahu access to and along the CMA. The policies also seek to preserve and restore the natural character of the coastal environment through a range of

means including protecting outstanding natural features and landscapes including seascapes; and managing the adverse effects of occupation, subdivision, use and development.

4.4 Mahaanui Iwi Management Plan (IMP)

The Coastal Environment including the CMA is of great cultural importance and the IMP addresses this matter in several chapters. The principal interest is the identification and protection of cultural values and sites, and ensuring that development, land uses and subdivision do not generate adverse effects on those particular areas/values within the coastal environment.

Of particular relevance is Policy TAN7.1:

To require that local authorities recognise and provide for the particular interest of Ngāi Tahu in coastal land development activities, including but not limited to:

- (a) The protection of coastal headlands and skylines;*
- (b) The protection of coastal indigenous biodiversity, including remnant forest and endemic species;*
- (c) The protection of mahinga kai values;*
- (d) The protection of wāhi tapu and wāhi taonga;*
- (e) The protection of views of significant natural features and landmarks;*
- (f) Access to coastal areas for customary use;*
- (g) Ngāi Tahu aspirations for coastal areas, including the establishment of matāitai and taiāpure;*
- (h) The potential for sedimentation and contamination of coastal waters; and*
- (i) The increased pressure on existing water resources and community infrastructure.*

The areas of particular cultural significance are being addressed through a separate district plan review workstream being undertaken by Mahaanui Kurataiao Ltd for the Council.

4.5 Other Documents of Particular Relevance

The Regional Coastal Environment Plan became operative in 2005 and includes some updates from 2011 in relation to restricted coastal activities. However, given its age, the Plan does not align with or give full effect to the NZCPS.

The National Policy Statement on Renewable Electricity Generation, and the National Policy Statement on Electricity Transmission will be addressed in the Utilities workstream but the utility provisions will need to consider the recommendations in the Coastal Environment Study.

5.0 Best practice

The identification of the Coastal Environment and the process of defining natural character has evolved over recent years and has been the subject of a range of decisions from the Courts, particularly since the NZCPS was gazetted in 2010. Whilst the NZCPS provides guidance as to the characteristics of the coastal environment, expert landscape planning assessment is still required to determine the

extent of the coastal environment in a locality or along an entire coastline. As such there is no agreed process of defining the coastal environment that can be readily applied.

A description of the best practice approach to defining and judging the coastal environment and its values and, defining and judging natural character is set out in the Coastal Environment Study.

In terms of the management of coastal environments within planning documents (objectives, policies, rules or other methods), the NZCPS sets out how the purpose of the RMA, in relation to the coastal environment, will be achieved. However, the policies need to be interpreted at a district level and appropriate methods set to achieve the intended outcomes. There is no best practice approach to the creation of rules and methods at this present time. In fact, many first and even second generation plans that were made operative prior to November 2010⁴ fail to fully recognise the coastal environment in their plans and seemingly rely on the regional councils managing activities in the CMA.

However, since the gazetting of the NZCPS in 2010, and due to increased attention on competing activities (i.e. recreation, marine reserves, marinas, drilling for oil and gas and aquaculture, development in coastal areas and natural hazards, often associated with sea level rise), there has been a greater focus on the coastal environment and the interaction between the CMA and land that is affected by coastal processes. There has also been an increase in caselaw on matters related to the coastal environment, which has led to more detailed and directive approaches in some second-generation plans, including specific coastal environment chapters or at least a dedicated policy framework.

There have also been cases that have provided clarity as to the intent of some policies in the NZCPS. Of the many, the most pertinent is a Supreme Court decision (NZSC38) in April 2014 on two appeals in relation to salmon farms in the Marlborough Sounds⁵. This case focussed attention on the underlying policies, particularly directive policies that require the avoidance of adverse effects. That decision provides strong direction to avoid adverse effects on areas identified as having Outstanding Natural Character and Outstanding Natural Landscapes in the Coastal Environment. The decision states that where policy direction states 'avoid', essentially this is what should occur.

This decision also held that because a plan change is required to 'give effect to' (or 'implement') the NZCPS, and because the NZCPS itself is designed to achieve the purpose of the Act, a plan change which gives effect to the NZCPS must necessarily also be in accordance with Part 2. This means that it is unnecessary to refer back to Part 2 of the RMA when determining a plan change. However, the CRPS states that it will need 'to implement additional processes to gather the information that will be necessary to give meaningful effect to the provisions of the NZCPS', and therefore direct reference back to the NZCPS is required as the CRPS does not give full effect to that document.

6.0 Summary of alternative management responses – Other Districts

In reviewing the operative District Plan provisions, it is relevant to consider the approach taken in other comparable district plans in relation to the coastal environment. The planning analysis report

⁴ Or were past the point of change at the time the NZCPS was gazetted.

⁵ *Environmental Defence Society Inc v The New Zealand King Salmon Co Ltd* [2014]

specifically reviewed the Hurunui District Plan (HDP), Christchurch District Plan (CDP) and the Proposed Dunedin District Plan (PDPP).

The HDP applies a Coastal Environment Zone identified in accordance with the NZCPS, whereas the CDP and PDDP apply natural character overlays with land having an underlying zoning. However, the CDP also identifies the extent of the coastal environment on the planning maps.

The objective in the HDP closely reflects the intent and wording of the NZCPS, but the policies, whilst generic, are an interpretation of its intent. The objectives and policies in the CDP and the PDDP address similar issues i.e. the intent to identify the coastal environment, protect its values and provide for public access. Both plans also seek to protect values of importance to the District and identify these in the plan. However, the objectives and policies in the PDDP also seek to limit the types of activities that can occur, and provide guidance as to appropriate activities and manage adverse effects.

The rules that apply to the coastal environment are contained in the same chapter as the relevant objectives and policies in the HDP. Whereas the CDP Coastal Environment chapter does not contain any rules and the Coastal Environment chapter in the PDDP contains a small number of rules related to, for example clearance of vegetation. Otherwise, rules managing activities in the Coastal Environment are contained in the relevant zone/management chapters or natural character sub-chapter of the CDP and PDDP.

Most of the plans provide for a low level of change and small-scale activities as a permitted activity. This is generally restricted to small scale buildings.

The HDP applies a restricted discretionary or discretionary activity status to the majority of activities i.e. larger buildings, earthworks, forestry, indigenous vegetation clearance, tracks and roads in the coastal environment, whereas the CDP and the PDDP generally apply such activity status to activities in areas of natural character and to activities that do not meet permitted activity standards. The use of restricted discretionary and discretionary activity status provides for these activities subject to a consent process and enables the assessment of impacts on identified values. It also means that applications can be declined, if necessary.

In all plans reviewed, the most stringent activity status is non-complying, with this usually applied to large scale activities with high potential for visual change, including forestry, mining/quarrying, and large buildings or activities in areas with high and outstanding natural character. The use of a non-complying status suggests that applications should be subject to a stringent assessment of adverse effects and consents should only be granted if the activity will not result in more than minor adverse effects on areas with outstanding natural character or the activity(ies) is/are not contrary to the relevant objectives and policies.

Some of the plans reviewed are complex and this makes interpretation and application potentially difficult, especially for landowners who are unlikely to be familiar with district plan terminology and layout. The more simplistic plan approaches such as adopted in the HDP are likely to be more

understandable for a wider audience e.g. a specific section or chapter dealing with coastal environment issues holistically or an overlay with rules contained in the appropriate zone chapter.

7.0 Summary of Options to address Issues

7.1 Option 1: Status Quo.

This option would involve a continuation of the current approach whereby the Plan does not recognise nor does it provide for appropriate management of the coastal environment. The Plan does not identify the extent of the coastal environment and neither does it include provisions that seek to protect the values and character of that environment.

Effectiveness in Addressing Issues: This option would not address the issues identified above in section 2.0, and would not give effect to the NZCPS or CRPS, or reflect current best practice. The ONF in the operative Plan have not been identified as part of a comprehensive study using criteria in the CRPS and best practice methodologies. So, whilst Te Waihora/Lake Ellesmere would be identified as an Outstanding Natural Feature (ONF) and the Plan would continue to contain objectives, policies and rules that seek to manage the effects of activities on the values of ONF, these would not be aligned with up to date approaches for outstanding landscapes in the coastal environment.

Furthermore, the Plan would not contain objectives and policies that specifically address the coastal environment. It would only contain one provision relating to the coastal area (Rule 3.1.1.1(b)), which makes buildings that are seaward of the Coastal Hazard 1 Line, a non-complying activity. The Plan would not contain any other provisions that specifically relate to the coastal environment, with the land adjacent to the sea and that part of Te Waihora/Lake Ellesmere within the Selwyn District being zoned as Outer Plains, except for the Rakaia Huts which would be zoned as Living 1.

Risks: The Plan would not follow best practice or give full effect to the NZCPS/CRPS and given the issues identified above, may attract many submissions in opposition to this approach.

Budget or Time Implications: None as no work would be required. However, it may be that a significant number of concerns and issues are raised through submissions. This could lead to protracted hearing times and even appeals to the Environment Court with subsequent time and cost implications.

Stakeholder and Community Interests: Federated Farmers, Department of Conservation, Forest and Bird, Fish and Game, Environmental Defence Society, landowners in the coastal environment and special interest groups such as tenants of Selwyn Huts.

Recommendation: This option is not recommended as it does not give full effect to the NZCPS or the CRPS and neither would it reflect current best practice. As such, the Council would not be meeting its statutory obligations.

7.2 Option 2: Adopt the findings of the Coastal Environment Study and Planning Assessment, include a section which only includes the coastal environment policy framework and generally rely on rules in other appropriate chapters/sections.

This option would involve:

- identifying the coastal environment as an overlay on the planning maps,
- the inclusion of a Coastal Environment section in the proposed plan which includes all objectives and policies relating to the management of activities in the coastal environment, and
- rely on rules in other sections/chapters to control/manage activities in the Coastal Environment e.g. indigenous vegetation clearance in an Ecosystems and Indigenous Biodiversity section, buildings in the Rural Chapter etc.

To implement this option, the following would be undertaken:

- Map the extent of the coastal environment (as shown in the Coastal Environment Study) as an overlay on the planning maps.
- Map areas of outstanding, high and other natural character as a further layer within the coastal environment (as shown in the Coastal Environment Study).
- Apply a rural zoning to the coastal environment area. (It is noted that the hut settlements are zoned Living 1 and the appropriate zoning of the hut settlements will be determined as part of the Residential workstream.)
- Draft objectives and policies (located in a Coastal Environment section) that give effect to the NZCPS and CRPS and include policies to:
 - avoid all adverse effects of activities on areas with outstanding natural character;
 - avoid significant adverse effects, and avoid, remedy or mitigate all other adverse effects on natural character in all other areas of the coastal environment;
 - avoid all adverse effects of activities on ONFL; and
 - avoid significant adverse effects, and avoid, remedy or mitigate all other adverse effects of activities on other natural features and landscapes.
- Ensure there are rules to effectively manage identified threats to the Coastal Environment. The Coastal Environment Study has identified threats as activities that lead to “major change” from the current situation⁶. The types of activities are considered to be significant earthworks, buildings/structures, and indigenous vegetation clearance. Rules will be needed to manage potential adverse effects arising from these activities. There will be rules managing these activities in the underlying Rural Zone provisions, as well as in the Natural Hazards, Biodiversity and Landscape Sections, and these may be sufficient

⁶ See Coastal Environment Study page 49

to manage the identified threats to the coastal environment values⁷. Once these other sections/zones have been developed, it will be determined if additional rules are required in the Coastal Environment section to adequately manage the threats from the activities identified above.

Consequently, activities and their effects on the coastal environment are recommended to be controlled as follows:

- Activities seaward of the Coastal Hazard 1 Line to be managed in relation to risks as well as values, in the Environmental Risks Chapter.
- Areas identified as Outstanding Natural Landscapes or Outstanding Natural Character to be managed through the provisions in the Landscape, Landforms and Natural Character Section.
- The removal of indigenous vegetation to be managed through provisions in the Ecosystems and Indigenous Biodiversity Section.
- Earthworks and buildings/structures, not captured by the above, may need to be managed through rules in the Coastal Environment Section to reflect the nature and scale of impact on identified coastal values, if the Rural Zone rules do not provide sufficient control⁸.

This option would align with the draft National Planning Standards which require that if a district has a coastline, a coastal environment section must be provided. This section should contain: objectives, policies and methods, including rules (if any) to give effect to the NZCPS, ensure the life supporting capacity of coastal systems are safeguarded and manage the effects of activities in the coastal environment.

Effectiveness in Addressing Issue: This option differs significantly from the operative plan as it introduces the concept of natural character and outstanding landscapes in the coastal area, and identifies the extent of the Coastal Environment. It also better enables the coastal environment to be protected from inappropriate activities and land uses to give effect to Policy 8.3.3 in the CRPS and the objective and policies of the NZCPS.

This option will ensure that the rules will be supported by a robust and comprehensive assessment of the district's coastal environment and expert technical landscape planning advice, and a clear and directive policy framework. This approach is intended to better protect the identified values and character of the coastal environment as sought by the CRPS and NZCPS.

This option would also avoid unnecessary duplication of provisions in the Plan by relying on rules in other chapters to protect and manage ONFL, protect indigenous biological diversity, protection of heritage and natural hazards etc. However, the policy framework will be clearly set out in its own chapter ensuring that the protection or preservation of the values of the coastal environment are

⁷ For example, if the Coastal Hazard Line encompasses most or all of the Coastal Environment and imposes rules to require consent for earthworks and buildings, this would adequately address the identified threats.

⁸ The rules need to be such that no new buildings or earthworks, beyond maintenance and repair of existing land uses, are permitted.

appropriately provided for, and not included with those seeking to protect other parts of the District i.e. ONFL in the High Country.

Risks: This option may mean that resource consents are required for a wider range of activities to ensure that protection is achieved. Consequently, landowners may oppose the provisions and the decisions on the provisions could be appealed to the Environment Court. However, this risk can be mitigated through engagement with landowners.

Budget or Time Implications: Need to engage with landowners to ensure an understanding of the process, statutory drivers and the implications of the provisions.

Stakeholder and Community Interests: Federated Farmers, Department of Conservation, Forest and Bird, Fish and Game, Environmental Defence Society, landowners in the coastal environment and special interest groups such as tenants of Selwyn Huts.

Recommendation: This option is recommended as it is an effective and efficient approach that sets a specific policy framework for the coastal environment but avoids repetition of rules. It also gives effect to the CRPS and the NZCPS and ensures that the values of the coastal environment are protected or preserved and the adverse effects of activities are appropriately managed.

7.3 Option 3: Adopt the findings of the Coastal Environment Study and Planning Assessment and create a Coastal Environment chapter that is inclusive of all provisions.

This option would involve the inclusion of a Coastal Environment Zone chapter in the proposed plan which includes the policy framework and all relevant rules for all activities in the coastal environment area.

Effectiveness in Addressing Issue: This option would have all the benefits of Option 2 above in addressing the issues. However, it could lead to provisions being duplicated across a number of chapters if rules to manage ONL's in the coastal environment, for example, are also included in a separate chapter that identifies, protects and manages the effects of activities on all ONFL's. The same would apply to ecological sites, the removal of indigenous vegetation and providing for utilities and infrastructure, for example. Furthermore, all relevant rural-type provisions would need to be duplicated in the Coastal Environment section as rural activities would be the predominant land use in this Zone and would therefore need to be provided for, albeit with additional controls as a result of the coastal environment.

This would create unnecessary complexity, duplication and could be confusing for users of the Plan.

Risks: This option may mean that resource consents are required for a wider range of activities. Consequently, landowners may oppose the provisions and the decisions on the provisions could be appealed to the Environment Court. However, this risk can be mitigated through engagement with landowners.

Budget or Time Implications: As above.

Stakeholder and Community Interests: Federated Farmers, Department of Conservation, Forest and Bird, Fish and Game, Environmental Defence Society, landowners in the coastal environment and special interest groups such as tenants of Selwyn Huts.

Recommendation: This option would provide a specific policy and rule framework for the coastal environment and would give effect to the CRPS and the NZCPS. However, this option is not recommended as it could lead to the duplication of plan provisions and unnecessary complexity.

7.4 Option 4: Adopt the findings of the Coastal Environment Study and Planning Assessment and include the policy framework for the coastal environment in the Rural Zone.

This option would mean that the policy framework for the coastal environment would be included in the rural chapter (as the underlying zone for the area), with activities managed through the zone and district wide rules and specific provisions applying in the natural character overlays.

Effectiveness in Addressing Issue: This option would have all the benefits of Option 2 above in addressing the issues. However, it may mean that the significance and importance of the coastal environment is lost as it would simply be integrated as a part of the wider rural issues. Also, confusion could arise between management requirements in the coastal environment and other parts of the District i.e. ONFL in the High Country. Therefore, given the need for specific coastal environment objectives and policies, these could most efficiently be included in their own chapter.

Risks: This option may mean that resource consents are required for a wider range of activities. Consequently, landowners may oppose the provisions and the decisions on the provisions could be appealed to the Environment Court. However, this risk can be mitigated through engagement with landowners.

Budget or Time Implications: As above.

Stakeholder and Community Interests: Federated Farmers, Department of Conservation, Forest and Bird, Fish and Game, Environmental Defence Society, landowners in the coastal environment and special interest groups such as tenants of Selwyn Huts.

Recommendation: This option would give effect to the CRPS and the NZCPS and ensure that the values of the coastal environment are protected and the adverse effects of activities are appropriately managed. However, it could lead to the requirements of the NZCPS being 'lost' amongst policies that address the management of, for example, ONFL in other parts of the District.

Note: this option is not available due to directions in the draft National Planning Standards as they state that if a district has a coastline, a coastal environment section must be provided. This section must contain: objectives, policies and methods, including rules (if any) to give effect to the NZCPS, ensure the life supporting capacity of coastal systems are safeguarded and manage the effects of activities in the coastal environment. Consequently, even if no specific rules apply in the Coastal Environment, the policy framework cannot be included in the Rural Zone chapter.

8.0 Preferred Option for further engagement

The Project Team recommends that Option 2 is the most efficient and effective option as it gives full effect to the CRPS, and NZCPS, and reflects current best practice in terms of identifying the Coastal environment, and protecting ONL and natural character. In summary, Option 2 seeks to improve clarity, increase protection where necessary, align with current best practice approaches and give full effect to the CRPS and NZCPS. It is also considered to be an effective and efficient approach as it sets a specific policy framework for the coastal environment and avoids the repetition of rules.

Appendix 1: Baseline Report “Coastal Environment”