

CE

**Coastal
Environment**

DRAFT
WAITAKI DISTRICT PLAN



Waitaki

DISTRICT COUNCIL
TE KAUNIHERA Ā ROHE O WAITAKI

Coastal Environment

Introduction

This chapter sets out objectives, policies and rules to manage the Coastal Environment. Waitaki's Coastal Environment runs from the Waitaki River in the north, to Pleasant River Estuary in the south and is shown on the Planning Maps. It displays a range of natural features and contains many distinguishing features, such as the Moeraki Boulders, spectacular headlands, including Cape Wanbrow, as well as popular beaches. The Waitaki District's coastline is diverse, alternating between cliffs and beaches. High cliffs with hard bedrock dominate the landscape of Cape Wanbrow, Moeraki Point to Katiki Point, Shag Point, and most of the coast south of the Shag River. Softer cliffs (formed by sedimentary material) occur between the Waitaki River mouth and Ōamaru, as well as along much of the shore between Moeraki and Beach Road, south of Cape Wanbrow. Most bays are made up of sand, gravel, or mixed-sand-and-gravel beaches.

1. Natural character

Preserving the natural character of the Coastal Environment and protecting it from inappropriate subdivision, use and development is a matter of national importance.

The natural character of Waitaki's Coastal Environment makes an important contribution to the community's economic well-being and social, cultural identity. The degree of natural character depends on various factors, but it tends to be highest in the least modified (most pristine) areas. Almost all of the Waitaki District's Coastal Environment is heavily modified, particularly by moderate to intense agricultural uses.

WDC has identified and mapped the landward extent of the Coastal Environment and the following areas within it:

1. Coastal Areas of Degraded Natural Character; and
2. Coastal Protection Areas.

This chapter includes specific objectives, policies and rules to preserve and, over time, improve the natural character of the Coastal Environment.

2. Coastal natural hazards

The management of significant risks from natural hazards is a matter of national importance. This chapter aims to protect people and property from the risk of coastal natural hazards (those caused by coastal processes). The Natural Hazards Chapter contains objectives, policies and rules relating to other natural hazards that are not related to coastal processes.

WDC has identified and mapped the following areas within the Coastal Environment:

1. Coastal Inundation Hazard Overlay; and
2. Coastal Erosion Hazard Overlay; and
3. Tsunami Hazard Overlay.

Coastal natural hazards are influenced by climate change, which is expected to increase the severity of coastal natural hazards over the next 100 years. The Coastal Inundation Hazard Areas and Coastal Erosion Hazard Overlays incorporate climate change predictions.

Tsunamis have the capacity to cause catastrophic harm but they tend to be infrequent events. The Waitaki District's coastline is mostly used for pastoral farming and other rural uses, but there are some residential settlements (Ōamaru , Kakanui, Taranui) that are vulnerable to the impact from tsunami hazard risk. Trends to develop residential development along the coastline can increase the community's vulnerability to tsunami hazards.

3. Ecosystems and Indigenous Biodiversity and Natural Features and Landscapes

This chapter includes provisions to protect Natural Features and Landscapes within the Coastal Environment from the adverse effects of inappropriate subdivision, use and development. It also includes provisions to protect areas of significant indigenous vegetation and significant habitats of indigenous fauna within the Coastal Environment. These provisions apply in addition to those in the Ecosystems and Indigenous Biodiversity Chapter and the Natural Features and Landscapes Chapter, which apply at a district wide scale and apply within all zones.

Objectives

Note: Objectives and policies relating to infrastructure including upgrading and development of the National Grid and upgrades to existing and new infrastructure in the Coastal Environment are found in the Infrastructure Chapter.

CE-O1 Preserving the natural character of the Coastal Environment

There is no further decline of natural character values as a result of land use activities.

CE-O2 Improving the natural character of Coastal Environment

The natural character of the Coastal Environment is improved, over time.

CE-O3 Protection of Natural Features and Landscapes within the Coastal Environment

Natural Features and Landscapes within the Coastal Environment are protected from inappropriate subdivision, use and development.

CE-O4 Protection of indigenous biological diversity within the Coastal Environment

There is no loss of indigenous biological diversity within the Coastal Environment and Significant Natural Areas are protected.

CE-O5 Coastal natural hazard risks and new subdivision, use and development

Subdivision, use and development does not increase the risk of social, economic or environmental harm from coastal natural hazards.

CE-O6 Coastal natural hazard risks and existing development

The risk of harm to existing development in coastal natural hazard overlays is reduced through natural defences, and the option to relocate buildings and structures to areas outside coastal natural hazard overlays is available.

CE-O7 Mana whenua and the Coastal Environment

Mana whenua's relationship with the Coastal Environment is recognised and provided for, including their cultural values, traditions, and role as kaitiaki.

Policies

CE-P1 Identify the Coastal Environment

Identify and map the location of the inland extent of Waitaki’s Coastal Environment in accordance with Policy 1 of the New Zealand Coastal Policy Statement (2010).

CE-P2 Recognise the importance of the Coastal Environment

1. Recognise and provide for the following matters of national importance:
 - a) the preservation of the natural character of the Coastal Environment and protection of it from inappropriate subdivision, use and development; and
 - b) protection of Natural Features and Landscapes of the Coastal Environment from inappropriate subdivision, use and development; and
 - c) protection of Significant Natural Areas of the Coastal Environment; and
 - d) management of significant coastal hazard risks; and
2. recognise the particular significance of the Coastal Environment to Kāi Tahu.

CE-P3 Precautionary approach

Adopt a precautionary approach to subdivision, use and development within the Coastal Environment, particularly in relation to potential climate change effects, where the potential adverse effects of those activities are likely to be significant but are also uncertain, unknown or little understood.

CE-P4 Preserve the natural character of the Coastal Environment

Preserve the natural character of the Coastal Environment and protect it from inappropriate subdivision, use and development, including by:

1. avoiding significant adverse effects, and avoiding, remedying or mitigating any other adverse effects on the natural character of the Coastal Environment; and
2. limiting the size, scale and colour of buildings and structures within the Coastal Environment; and
3. avoiding indigenous vegetation clearance within the Coastal Environment, except in limited circumstances; and
4. discouraging plantation forestry, quarrying and mining within the Coastal Environment.

CE-P5 Identify Coastal Areas of Degraded Natural Character

Identify and map the location of Coastal Areas of Degraded Natural Character.

CE-P6 Improve the natural character of the Coastal Environment

1. Actively support improvements to the natural character of the Coastal Environment, including by:
 - a) re-establishing native dune systems; and
 - b) using a range of tools, including education and advocacy to encourage owners, community groups and others to take action to expand and connect natural areas; and
 - c) enabling planting of indigenous vegetation; and
 - d) enabling the removal of non-indigenous vegetation, including those identified as a pest species or an organism of interest in the Otago Regional Pest Management Plan; and
 - e) enabling the removal of redundant buildings, or structures where they are adversely affecting the natural character of the Coastal Environment.
2. consider incentives for landowners within Coastal Areas of Degraded Natural Character where they:
 - a) cease plantation forestry, quarrying activities, or pastoral farming;
 - b) remove weeds;
 - c) plant indigenous vegetation;
 - d) restore wetlands; and/or
 - e) fence an area of land to promote natural regeneration.

CE-P7 Subdivision within the Coastal Environment

In relation to subdivision in the Coastal Environment:

1. avoid new subdivision within the Coastal Protection Overlay unless it is for a boundary adjustment, or required for infrastructure or a utility allotment.
2. provide for subdivision outside of the Coastal Protection Overlay where:
 - a) new allotments are within or directly adjacent to existing townships or settlements, and a consolidated urban or rural-residential form is retained and sprawling or sporadic development is avoided; or
 - b) for sites outside existing townships or settlements, it incorporates works to actively rehabilitate or restore the natural character of the site, including:
 - i. planting of endemic indigenous vegetation to mitigate the adverse effects of built form;
 - ii. clearance of vegetation that is identified in a Regional Pest Management Plan as a pest, pest agent, or organism of interest;
 - iii. removal of redundant structures; and/or
 - iv. restoration of wetlands.

CE-P8 Buildings and structures within the Coastal Margin

Avoid buildings and structures within the coastal margin unless they have a functional need or operational need for their location.

CE-P9 Protect Significant Natural Areas within the Coastal Environment

Protect Significant Natural Areas within the Coastal Environment by:

1. avoiding adverse effects on Significant Natural Areas within the Coastal Environment; and
2. avoiding significant adverse effects, and avoiding, remedying, or mitigating any other adverse effects on areas that are not Significant Natural Areas but are areas of predominantly indigenous vegetation within the Coastal Environment.

CE-P10 Protect Natural Features and Landscapes within the Coastal Environment

Protect Natural Features and Landscapes within the Coastal Environment by:

1. avoiding adverse effects of subdivision, use and development on Outstanding Natural Features and Landscapes within the Coastal Environment; and
2. avoiding significant adverse effects, and avoiding, remedying, or mitigating any other adverse effects of subdivision, use and development, on Significant Natural Features and Rural Scenic Landscapes within the Coastal Environment.

CE-P11 Managing conservation land within the Coastal Environment

Avoid significant adverse effects, and avoid, remedy, or mitigate any other adverse effects of use and development, on the conservation values of conservation land.

CE-P12 Papakāika, marae and associated development within the Coastal Environment

Provide opportunities for papakāika, marae and associated development on Māori land, by mana whenua, within the Coastal Environment, in accordance with traditional cultural practices.

CE-P13 Mana whenua and the Coastal Environment

Enable mana whenua to:

1. exercise their customary responsibilities as Kaitiaki of the Coastal Environment, including by providing for their involvement in decision-making in relation to the Coastal Environment; and
2. undertake māhika kai activities within the Coastal Environment.

CE-P14 Identify coastal natural hazards

Identify and map the following areas that may be subject to coastal natural hazards, over the next 100 years:

1. Tsunami Hazard Overlays;
2. Coastal Inundation Hazard Overlays; and
3. Coastal Erosion Hazard Overlays.

CE-P15 Coastal natural hazard risks and new subdivision, use and development

Avoid new subdivision, coastal hazard sensitive activities and associated buildings and structures within the Coastal Natural Hazard Overlays, unless a site-specific risk assessment demonstrates it will not result in an increased risk of loss of life, or serious injuries, environmental harm, or economic loss in the event of a coastal natural hazard occurrence.

CE-P16 Coastal natural hazard risks and existing development

Increase the resilience of exposed communities from coastal natural hazard risks within Coastal Natural Hazard Overlays by:

1. applying an adaptive management approach, which can be adjusted over time and in response to changing risk levels and tolerances or new information; and
2. encouraging and enabling managed retreat, including the relocation or removal of existing buildings or structures from within coastal natural hazards areas to areas outside Coastal Natural Hazard Overlays, when natural defences are not an effective response to risk; and
3. avoiding additions to existing buildings in Coastal Natural Hazard Overlays unless the increase in building footprint is minor and it does not involve the establishment of a new coastal hazard sensitive activity.

CE-P17 Natural defences against coastal natural hazards

1. Recognise that natural defences are the preferred method to reduce harm from coastal natural hazards; and
2. enable earthworks undertaken by district or regional councils, for the protection or restoration of natural defences against coastal natural hazards while ensuring that any exposed areas are appropriately rehabilitated.

CE-P18 Hard protection structures

Avoid hard protection structures unless:

1. they reduce an immediate risk of serious harm to people, property, or infrastructure arising out of coastal natural hazards or if they are the only practical means to protect regionally significant infrastructure; and
2. they would not compromise the function of natural features and systems as natural defences; and

3. they are designed to minimise adverse effects on social, cultural and environmental values of the Coastal Environment; and
4. it is demonstrated that alternative measures would not mitigate the risk to an acceptable level; and
5. where they are to protect private land, they are not located on public land, except where they provide a significant public benefit.

Rules

Note: For certain activities, a resource consent may be required by rules in more than one chapter in the District Plan. Unless expressly stated otherwise by a rule, resource consent is required under each of those rules. The steps to determine the status of an activity are set out in the General Approach Chapter.

Rules relating to infrastructure, including upgrading and development of the National Grid and upgrades to existing and new infrastructure in the Coastal Environment are found in the Infrastructure Chapter.

PERMITTED ACTIVITIES

CE-R1 Planting vegetation within the Coastal Environment		
All zones	<p>Activity status: Permitted</p> <p>Where: PER-1 The planting is indigenous vegetation; or PER-2 The planting is amenity planting; or PER-3 The planting is undertaken by Waitaki District Council, Otago Regional Council, Canterbury Regional Council, or their agents, for the protection or restoration of natural defences against coastal natural hazards.</p>	<p>Activity status when compliance is not achieved: Restricted Discretionary</p> <p>Where: RDIS-1 Compliance is not achieved with PER-1 or PER-2 or PER-3</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the effects on sedimentation; and 2. the effects on erosion or flood management; and 3. the effects on natural character values; and 4. the effects on amenity values; and 5. the effects on the naturalness and openness of the landscape; and 6. the effects on indigenous biological diversity.
CE-R2 Vegetation clearance within the Coastal Environment		
All zones	<p>Activity status: Permitted</p> <p>Where: PER-1 The vegetation clearance is undertaken for mahika kai purposes in accordance with tikaka Māori by mana whenua; or</p>	<p>Activity status when compliance is not achieved: Restricted Discretionary</p> <p>Where: RDIS-1 Compliance is not achieved with PER-1, PER-2, PER-3 or PER-4</p>

<p>PER-2 The vegetation is identified in the Otago Regional Pest Management Plan as a pest, pest agent, or organism of interest; or</p> <p>PER-3 The vegetation is non-indigenous vegetation; and</p> <p>PER-4 The vegetation has not been planted for flood protection or erosion management purposes (unless it is cleared by Otago Regional Council or their agents for flood protection or erosion management).</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the effects from sedimentation; and 2. the effects on erosion and/or flood management; and 3. the effects on natural character values; and 4. the effects on amenity values; and 5. the effects on the naturalness and openness of the landscape; and 6. the effects on indigenous biological diversity; and 7. the effects on cultural values of mana whenua.
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CE-R3 Relocation or removal of existing buildings or structures within the Coastal Environment		
All zones	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The building or structure is not for hazard protection or public access, unless it is being removed by Otago Regional Council, Waitaki District Council or their agents; and</p> <p>PER-2 The area is left in a natural state and rehabilitated; and</p> <p>PER-3 The building is removed for one of the following reasons:</p> <ol style="list-style-type: none"> 1. it is located within a coastal natural hazard overlay and is being removed or relocated to be located outside a coastal natural hazard overlay; or 2. it is removed for the purpose of restoring or rehabilitating the natural character of the coastal environment or for the avoidance of natural hazards; and 	<p>Activity status when compliance is not achieved: Discretionary</p> <p>Where:</p> <p>DIS-1 Compliance is not achieved with PER-1, PER-2, PER-3 or PER-4.</p>

	<p>PER-4 All in-ground and above-ground infrastructure and services are removed.</p>	
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CE-R4 Earthworks within Coastal Natural Hazard overlays		
All zones	<p>Activity status: Permitted</p> <p>Where: PER-1 The earthworks are undertaken by Waitaki District Council, Otago Regional Council, Canterbury Regional Council, or their agents, and are for the protection or restoration of natural defences against coastal natural hazards; and</p> <p>PER-2 Any exposed areas are re-vegetated as soon as practical, but no later than three months after the completion of earthworks.</p>	<p>Activity status when compliance is not achieved: Discretionary</p> <p>Where: DIS-1 Compliance is not achieved with PER-1 or PER-2</p>

CE-R5 Additions and alterations to existing buildings in a Coastal Natural Hazard Overlay		
All zones	<p>Activity status: Permitted</p> <p>Where: PER-1 The additions and/or alterations do not increase the building footprint by more than 20m²; and</p> <p>PER-2 The additions or alterations do not establish an additional coastal hazard sensitive activity on the site.</p>	<p>Activity status when compliance is not achieved: Non-Complying</p> <p>Where: NC-1 Compliance is not achieved with PER-1</p>

CONTROLLED ACTIVITIES

CE-R6 New buildings and structures within the Coastal Environment	
All zones	<p>Activity status: Controlled</p> <p>Where: CON-1 The building or structure is located outside the coastal margin; and</p> <p>CON-2 The building or structure is located outside Coastal Protection Areas; and</p> <p>CON-3 The height of the building or structure is less than 5m in height above ground level.</p> <p>Matters of control are restricted to:</p> <ol style="list-style-type: none"> 1. where the site is located within an existing Residential or Settlement Zone: <ol style="list-style-type: none"> a) the scale, form, design and finish (materials and colours) proposed; 2. where the site is located outside an existing settlement: <ol style="list-style-type: none"> a) the effects on natural character and landscape values, including: <ol style="list-style-type: none"> i. the visual coherence and cohesiveness or unity; and ii. the extent to which the building blends with the natural landscape patterns/surface topography and its location avoids skylines and ridgelines; and iii. proposed measures to reduce the building’s visible presence (for example, the extent to which it is softened by endemic indigenous vegetation); and b) the effects on amenity values; and
	<p>Activity status when compliance is not achieved: Restricted Discretionary</p> <p>Where: RDIS-1 Compliance is not achieved with CON-3</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the effects on natural character and landscape values, including: <ol style="list-style-type: none"> a) the visual coherence and cohesiveness or unity; and b) the extent to which the building blends with the natural landscape patterns/surface topography and its location avoids skylines and ridgelines; and c) proposed measures to reduce the building’s visible presence (for example, the extent to which it is softened by endemic indigenous vegetation); and 2. the effects on amenity values; and 3. the effects on indigenous biological diversity. <p>Activity status when compliance is not achieved: Discretionary</p> <p>Where: DIS-1 Compliance is not achieved with CON-2</p> <p>Activity status where compliance is not achieved: Non-Complying</p> <p>Where: NC-1 Compliance is not achieved with CON-1</p>

	c) the effects on indigenous biological diversity.	
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RESTRICTED DISCRETIONARY ACTIVITIES

CE-R7 New buildings or structures (excluding hard protection structures) within a Coastal Natural Hazard Overlay		
All zones	<p>Activity status: Restricted Discretionary</p> <p>Where: RDIS-1 The building or structure is not used for a coastal hazard sensitive activity; and RDIS-2 The building is a relocatable building.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the potential for the new building or structure to increase the risk of social, economic or environmental harm arising out of coastal natural hazards; and 2. the proposed risk reduction and hazard mitigation measures; and 3. the impacts on infrastructure, including access and services; and 4. access for emergency services; and 5. the extent to which the proposal increases the burden on civil defence agencies and emergency services; and 6. any requirement to remove buildings, structures or associated services from the site where the site is affected by natural hazards, including the registration of such requirements through legal instruments, such as covenants; and 	<p>Activity status when compliance is not achieved: Non-Complying</p> <p>Where: NC-1 Compliance is not achieved with RDIS-1 or RDIS-2</p> <p><i>Note: Section 88 information Requirements for Applications: Pursuant to s88 of the RMA, any application for activities made under this provision must provide, in addition to the standard information requirements, a risk assessment, provided by a suitably qualified and experienced expert, addressing the matters set out in CE-P15.</i></p>

	7. the positive social, cultural and economic benefits associated with the new building or structure.	
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DISCRETIONARY ACTIVITIES

CE-R8 Hard protection structures		
All zones	Activity status: Discretionary Where: DIS-1 The hard protection structure is to protect Regionally Significant Infrastructure.	Activity status when compliance is not achieved: Non-Complying Where: NC-1 Compliance is not achieved with DIS-1

NON-COMPLYING ACTIVITIES

CE-R9 Plantation forestry within the Coastal Environment		
All zones	Activity status: Non-Complying	Activity status when compliance is not achieved: Not Applicable

CE-R10 Mining or quarrying within the Coastal Environment		
All zones	Activity status: Non-Complying	Activity status when compliance is not achieved: Not Applicable

CE-R11 Coastal hazard sensitive activities within the Coastal Natural Hazard Overlay		
All zones	Activity status: Non-Complying	Activity status when compliance is not achieved: Not Applicable