

Section 32 report: Management of the coastal marine area

for the Proposed Natural Resources Plan for the Wellington Region



greater WELLINGTON

REGIONAL COUNCIL

Te Pane Matua Taiao



Issues and Evaluation Report



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for the Proposed Natural Resources Plan for the
Wellington Region

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Contents

1.	Introduction	1
2.	Scope	1
2.1	Report methodology	3
3.	Resource management issues	4
3.1	Issue 6.4: Natural character	4
3.2	Issue 6.5: Occupation	4
3.3	Issue 6.6: Use and development of the CMA	5
3.4	Issue 6.9: Structures in the CMA	5
3.5	Issue 1.10: Public access	6
4.	Regulatory and policy context	6
4.1	National level	6
4.1.1	Resource Management Act 1991	6
4.1.2	New Zealand Coastal Policy Statement 2010	6
4.1.3	National Policy Statement on Electricity Transmission 2008 and the Submarine Cables and Pipelines Protection Act 1996	7
4.1.4	The Marine and Coastal Area (Takutai Moana) Act 2011	7
4.1.5	Marine Reserves Act 1971	8
4.1.6	Conservation Act 1987	9
4.1.7	Marine Mammals Protection Act 1978	9
4.1.8	Resource Management (Marine Pollution) Regulations 1998	9
4.2	Regional level	9
4.2.1	Regional Policy Statement for the Wellington Region 2013	9
4.2.2	Regional Coastal Plan	10
5.	Appropriateness of the proposed objectives	11
5.1	Proposed objectives	11
5.1.1	Objective O53	12
5.1.2	Objective O54	12
5.1.3	Objective O56	13
5.1.4	Objective O57	13
5.1.5	Objective O59	14
5.2	Conclusion for the appropriateness of the objectives	15
6.	Efficiency and effectiveness of the proposed policies, rules and other methods	15
6.1	Functional need	16
6.1.1	Operative provisions	16
6.1.2	The proposed Plan	17
6.1.3	Lambton Harbour Area	18
6.1.4	Operative provisions	18
6.1.5	The proposed Plan	18
6.1.6	Commercial Port Area	19
6.1.7	Operative provisions	19
6.1.8	The proposed Plan	19
6.2	Efficiency of occupied space in the CMA	20
6.2.1	Operative provisions	20

6.2.2	The proposed Plan	20
6.3	Temporary occupation	21
6.3.1	Operative provisions	22
6.3.2	The proposed Plan	22
6.4	Structures	23
6.4.1	Operative provisions	24
6.4.2	The proposed Plan	25
6.5	Seawalls	26
6.5.1	Operative provisions	26
6.5.2	The proposed Plan	27
6.6	Boatsheds	28
6.6.1	Operative provisions	29
6.6.2	The proposed Plan	29
6.7	Safe use and passage of marine vessels and aircraft	30
6.7.1	Operative provisions	31
6.7.2	The proposed Plan	31
6.8	Summary	32
References		33
Appendix		34
	Assessing the appropriateness of the objectives	34
	Identifying alternative policies, rules and other methods	43

1. Introduction

This section 32 report is an analysis of the appropriateness of the proposed objectives, policies and methods in the proposed Natural Resources Plan for the Wellington Region (referred to as the proposed Plan) that addresses the management of the coastal marine area (CMA). This report is guided by the requirements of section 32 of the Resource Management Act 1991 (RMA).

The CMA is the area below mean high water springs out to 12 nautical miles off the coast. In general, the mean high water spring is the upper extent of the beach that gets wet each day.

Wellington Regional Council (referred to as the WRC) is responsible for controlling a range of activities in the CMA. The CMA is defined in section 2 of the RMA as

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

2. Scope

This section 32 report covers some specific management issues in relation to activities occurring in the CMA including:

- Functional need (Objective O53)
- Efficient use of space (Objective O54)
- Structures (Objective O56 and Objective O57)
- Safe use and passage (Objective O59)

There are three other section 32 reports that directly relate to the coast, which should be read together to understand the context and approach for the evaluation undertaken for the development of the proposed Plan.

The three other section 32 reports are:

- Natural heritage
- Activities in the coastal marine area

- Recreation, public access, and public open space

Table 1 below shows which of the proposed objectives are assessed in the ‘coastal’ section 32 reports.

Table 1: Proposed objectives and the section 32 report they are assessed in

Proposed objective	Section 32 report
Objective O17: Natural character Objective O32: Outstanding natural features and landscapes Objective O36: Significant geological features Objective O37: Significant surf breaks Objective O38: Special amenity landscapes	Natural Heritage
Objective O9: Recreational values Objective O10: Public access Objective O55: Public open space	Recreation, public access and public open space
Objective O53: Functional need Objective O54: Efficient use of space Objective O56: New development Objective O57: Lambton Harbour Area Objective O59: Safe use and passage	Management of the coastal marine area
Objective O19: Natural processes Objective O58: Underwater noise	Activities in the coastal marine area

There are a number of other section 32 reports that cover specific topics and should be read in conjunction with this report:

- Ki uta ki tai – mountains to the sea
- Beneficial use and development
- Sites with significant historic heritage values
- Air quality management
- Māori values
- Wetlands
- Discharges to water
- Aquatic ecosystems
- Natural hazards
- Water quality

2.1 Report methodology

Section 32(2) of the RMA states:

(2) An assessment under subsection (1)(b)(ii) must—

(a) identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—

(i) economic growth that are anticipated to be provided or reduced; and

(ii) employment that are anticipated to be provided or reduced; and

(b) if practicable, quantify the benefits and costs referred to in paragraph (a); and

(c) assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions

To fulfil the requirement of section 32(2) of the RMA, the report identifies and assesses the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions.

In accordance with section 32(2), the analysis identifies the opportunities for economic growth that are anticipated to be provided or reduced and the employment that is anticipated to be provided or reduced.

In addition, the analysis, where practicable, quantifies the benefits and costs and assesses the risk of acting or not acting if there is uncertain or insufficient information.

The structure of the report is shown below:

- *Resource management issues:* An outline of the main issues associated with management of the CMA that were identified by the community (section 3 of this report)
- *Regulatory and policy context:* identification of relevant national and regional legislation and policy direction (section 4 of this report)
- *Appropriateness of the proposed objectives:* An evaluation of the extent to which the proposed objectives are the most appropriate way to achieve the purpose of the RMA, as required by section 32(1)(a) (section 5 of this report)
- *Efficiency and effectiveness of the proposed policies, rules and other methods:* An assessment of the efficiency and effectiveness of the provisions as to whether they are the most appropriate way to achieve the

objectives, in accordance with section 32(1)(b) and section 32(2) (section 6 of this report)

3. Resource management issues

As shown in Parminter (2011), the WRC began region-wide engagement with the community in 2010 to identify the views of the community regarding natural resource management and to help define the issues for the regional plan review. This involved engagement with iwi partner organisations, the general public, agencies and organisations with interests in resource management, resource users, school children, developers and policy-makers.

From the region-wide engagement, three significant issues were identified that were related to the management of the CMA. The relevance and significance of these issues is discussed below.

3.1 Issue 6.4: Natural character

Activities and structures in the coastal marine area continue to degrade the natural character of the coastal environment.

The natural character of the coastal environment of the Wellington Region is complex and varies from area to area. Much of the original natural character of the region's coast has been, and continues to be, adversely affected by the cumulative effects of human activities such as subdivision, changes in land use, and the placement of structures. The natural character of the coast is being degraded through incremental loss and damage to coastal ecosystems including estuaries and salt-marshes, e.g. the Waikanae estuary, Pauatahanui Inlet, and Motuwaireka Stream estuary at Riversdale. It has largely been lost in the built-up area of Wellington Harbour (Port Nicholson) extending from Kaiwharawhara to the airport, in the reclaimed and highly developed Wellington City area, and around the Onepoto Arm of Te Awarua-o-Porirua Harbour. Areas that still have high natural character are under increasing pressure for development, particularly along the Kāpiti and Wairarapa coasts and Pauatahanui Inlet.

3.2 Issue 6.5: Occupation

Occupation of space in the CMA may restrict public access to and along the CMA, and impact on people's enjoyment of the coastal environment.

In the Wellington Region, many different activities occupy space in the CMA such as boatsheds at Pauatahanui Inlet, the wharves around Wellington waterfront and jetties at Days Bay. The occupation of space in the CMA results in restrictions on public access to and along the CMA.

Occupation of space usually involves structures such as boatsheds, wharves, jetties and seawalls. However, occupation of space can also involve temporary events such as speed-boat racing which will often have exclusive use of an area of the CMA. All of these activities can restrict public access to and along the CMA in some way, compete with other users for the use of that space and can affect people's ability to use the coast for recreation, cultural purposes or other

purposes. For some occupational activities, public access is restricted for public health, safety and security reasons, e.g. in the Commercial Port Area.

The development of aquaculture in New Zealand is being actively promoted by central government through the NZCPS and most recently by changes to legislation in the form of the Aquaculture Reform (Repeals and Transitional Provisions) Amendment Act 2011. Aquaculture has a functional need to be located in the CMA (aside from land-based aquaculture), but it can lead to adverse effects on the environment such as a degradation in coastal water quality, effects on indigenous plant and animal species, and on natural character. While aquaculture development in the Wellington Region is still only at a very small scale, future advances in technology could lead to growth in this industry.

3.3 Issue 6.6: Use and development of the CMA

Reclamation and drainage of the foreshore and seabed in the CMA have significant adverse effects on the coastal environment, particularly coastal habitats and ecosystems.

Large sections of the Wellington coast have been reclaimed to provide for marinas, ports areas, airports, roads and other purposes for example Wellington and Te Awarua-o-Porirua harbours. There are benefits to the reclamation of large areas of foreshore and seabed to land, as it can enhance the economic and social well-being of the community by improving access and providing for new development.

However, reclamation of the CMA can have significant adverse effects which are generally irreversible. Adverse effects include: loss of habitats and ecosystems; loss of fishery spawning sites; reduced natural character; changes in tides and water currents; changes to sedimentation processes; potential loss of public access; and significant adverse effects on the values iwi have toward the coast and their relationship with their ancestral taonga; and loss of historic heritage sites.

3.4 Issue 6.9: Structures in the CMA

Structures in the CMA have adverse effects on the coastal environment, particularly natural character.

Structures are used by people and communities in the CMA for a variety of commercial and recreational activities. Structures include: wharves, jetties, breakwaters, groynes, and racks for aquaculture, boat sheds, slipways, seawalls, navigational aids, pipelines, cables, electric lines and bridges. Some structures require a location in the CMA, and some depend on a land connection.

For new structure construction, and for alterations, extensions and additions to existing structures, there can be adverse effects on the CMA that were not originally anticipated. These include: deterioration in natural character; disruption of coastal ecosystem processes; loss of coastal habitat; restrictions on public access to the coast; and possible alteration to historic heritage sites.

3.5 Issue 1.10: Public access

Activities in the beds of lakes and rivers and along the coastal marine area result in a loss of, or restrictions to, public access along the beds of lakes and rivers and the coastal marine area.

Almost all of the CMA and many river and lake beds are in public ownership. Public access should be maintained and enhanced along these areas, except in circumstances where there is a need to protect the health or safety of people; sensitive cultural and historic heritage values; or the integrity and security of regionally significant infrastructure and sensitive indigenous species.

4. Regulatory and policy context

4.1 National level

4.1.1 Resource Management Act 1991

Some activities that occur in the CMA are regulated by section 12 of the Resource Management Act 1991 (RMA) (see Appendix) which means that these activities are not permitted unless there is a rule in a regional plan, or resource consent, permitting the activity. Therefore the proposed Plan has to provide for these activities where appropriate or every activity involving an activity listed in section 12 would need a resource consent, e.g. every disturbance of the foreshore (even very small ones).

4.1.2 New Zealand Coastal Policy Statement 2010

A national policy statement is an instrument available under the RMA to help local government decide how competing national benefits and local costs should be balanced. The WRC is required to give effect to relevant provisions of national policy statements in planning documents and resource consent authorities must have regard to relevant provisions when considering resource consent applications.

The New Zealand Coastal Policy Statement 2010 (NZCPS) guides regional and city and district councils in their day-to-day management of the coastal environment. The NZCPS is of particular relevance in respect of this evaluation report as Policy 6 of the NZCPS promotes activities that have a functional need, an efficient use of occupied space and maintaining the character of the built environment in the CMA, amongst other things.

Policy 6 of the NZCPS provides significant direction with respect of the efficient use of occupied space by seeking that it is promoted through the application of three criteria:

1. By requiring that structures be made available for public or multiple use wherever reasonable and practicable
2. By requiring the removal of any abandoned or redundant structure that has no heritage, amenity or reuse value, and
3. By considering whether consent conditions should be applied to ensure that space occupied for an activity is used for that purpose effectively and without unreasonable delay.

Policy 8 of the NZCPS seeks the recognition of the existing and potential contribution of aquaculture to the social, economic and cultural well-being of people and communities. Policy 9 seeks the recognition of the use of ports in the coastal environment by ensuring their safe and efficient operation (see the section 32 report on beneficial use and development)

In order to give effect to the NZCPS, and respond effectively to the issues that face our region in respect of the CMA, the WRC has introduced specifically defined terms such as ‘regionally significant infrastructure’ and ‘functional need’. The defining of these terms, and their strategic use in the proposed policies and methods, supports the WRC’s aim of ensuring that development and use of the CMA is appropriately located and managed, and that the CMA resource is used efficiently and sustainably in the long term.

4.1.3 National Policy Statement on Electricity Transmission 2008 and the Submarine Cables and Pipelines Protection Act 1996

The proposed Plan must give effect to the requirements in the National Policy Statement on Electricity Transmission 2008 (NPS-ET) which sets out objectives and policies to enable the management of the effects of the electricity transmission network under the RMA.

Policy 7 of the NPS-ET seeks the minimisation of the adverse effects of the transmission network on urban amenity and the avoidance of adverse effects on town centres and areas of high recreational value or amenity and existing sensitive activities. The CMA is acknowledged as having high recreational and amenity value, so giving effect to Policy 7 is of particular relevance.

Policy 8 requires that the planning and development of transmission networks should seek to avoid adverse effects on outstanding natural landscapes, areas of high natural character and areas of high recreational value and amenity and existing sensitive activities. This policy is particularly relevant for the CMA as outstanding natural landscapes and areas of high natural character have either been identified or there are policies in the proposed Plan seeking their protection. The CMA is also clearly an area of high recreational value and amenity.

In the Wellington Region, electricity transmission infrastructure includes the Cook Strait cables (part of the national grid) that enter the WRC’s area of jurisdiction at Oteranga Bay on Wellington’s southwest coast. The proposed Plan must recognise and provide for this infrastructure while also managing effects on the environment. The Submarine Cables and Pipelines Protection Act 1996 further protects the Cook Strait cables through the Cook Strait Submarine Cable Protection Zone which restricts activities such as dredging and fishing.

4.1.4 The Marine and Coastal Area (Takutai Moana) Act 2011

The Marine and Coastal Area (Takutai Moana) Act 2011 (MCCA) replaced the Foreshore and Seabed Act 2004. The MCCA takes account of the Treaty of Waitangi of 1840 through the recognition and promotion of the exercise of customary interests of Māori in the common marine and coastal area. The MCCA introduces a new term being the “common marine and coastal area”.

This is the area between mean high water springs and out to 12 nautical miles excluding private titles and certain conservation areas.

Through the MCCA, whanau, hapū and iwi can seek recognition and protection of longstanding customary interests in the form of a protected customary right or a customary marine title.

a) Protected customary right

A protected customary right must have been exercised since 1840 and must currently be exercised and holders have veto rights on adverse activities affecting the customary right. A customary marine title must be held by the applicant group in accordance with tikanga and have been used exclusively and continuously since 1840. At the time of writing, there are no existing protected customary rights in the Wellington Region.

b) Customary marine title

A planning document may be prepared and lodged with the regional council by a customary marine title group. This may include the identification of relevant regulatory and management issues related to the customary marine title area and include objectives and policies. A customary marine title group can prepare a planning document that sets out the strategy and approach for the management of that area and must be taken into account in decision and plan-making. Holders of customary marine titles have veto powers over some activities and there are listed ‘accommodated activities’ which can continue to be carried out in the common marine and coastal area despite marine title being recognised. Free public access is guaranteed. At the time of writing, there are no customary marine title planning documents for the Wellington Region.

c) Giving effect to the MCCA

A regional council must recognise, provide for and take into account any matters identified in the planning document that relate to resource management issues within its functions under the RMA. For the proposed Plan, when a resource consent application is assessed, the WRC must assess whether the activity sought would directly affect, wholly or in part, the area that is managed under any planning document prepared under the MCCA.

The “common marine and coastal area” has also been referred to in the proposed Plan where appropriate.

4.1.5 Marine Reserves Act 1971

The Marine Reserves Act 1971 provides for the creation of marine reserves for the scientific study of marine life where their continued preservation is in the national interest.

For the proposed Plan, Taputeranga Marine Reserve and Kāpiti Marine Reserve have been identified as sites of significant indigenous biodiversity and with this comes more stringent rules regarding activities that could have

adverse effects. There are also notes within some rules describing that natural material is not to be removed from Taputeranga Marine Reserve.

The management of marine reserves is also guided by conservation management strategies and conservation management plans under the Marine Reserves Act 1971 the Conservation Act 1987 (discussed below).

Under section 66(2) of the RMA regional plans shall have regard to any management plans and strategies prepared under other acts.

4.1.6 Conservation Act 1987

The Conservation Act 1987 promotes the conservation of New Zealand's natural and historic resources, and for that purpose established the Department of Conservation.

In terms of relevance for this report, section 66(2)(c)(i) of the RMA requires that any changes to regional plans have regard to any management plans and strategies prepared under other acts (including the Conservation Act) which includes marine reserves.

4.1.7 Marine Mammals Protection Act 1978

The Marine Mammals Protection Act 1978 makes provision for the protection, conservation, and management of marine mammals within New Zealand and within New Zealand fishery waters.

The proposed Plan is in accordance with this act by providing for activities associated with dealing with marine mammal strandings (namely disturbance associated with vehicles) as a permitted activity (Rule 196).

4.1.8 Resource Management (Marine Pollution) Regulations 1998

The Resource Management Marine Pollution Regulations 1998 surpasses some provisions in the operative Regional Coastal Plan for the Wellington Region (Coastal Plan) which was effective from 2000, and cover activities including dumping and incineration and discharges in the CMA such as sewage, garbage and ballast water. These regulations require a particular rule status for some activities such as the dumping of dredge spoil. The proposed Plan is consistent with these regulations.

4.2 Regional level

4.2.1 Regional Policy Statement for the Wellington Region 2013

The RMA section 67(3) requires the proposed Plan to give effect to the relevant regional policy statement. The Regional Policy Statement for the Wellington Region 2013 (RPS) identifies the significant regional resource management issues facing the region's coastal environment and contains policies providing specific direction to the WRC and to city and district councils as to how these issues should be addressed in the regional and district plans. The proposed Plan must give effect to the RPS.

The RPS definition of ‘regionally significant infrastructure’ includes some structures which have a functional need or operational requirement to be located in the CMA.

Policy 7 of the RPS requires the recognition of the social, economic, cultural and environmental benefits of regionally significant infrastructure in district and regional plans. This includes the safe and efficient travel of goods and people and that public health and safety is maintained through the provision of essential services such as sewage and stormwater and that people have access to energy and telecommunications to meet their needs. Policy 7 is reflected in proposed Policies P12 and P13 of the proposed Plan which recognises regionally significant infrastructure and the benefits that it provides to the community. This is described in further detail in the section 32 report: Beneficial Use and Development.

Policy 8 of the RPS seeks the protection of regionally significant infrastructure from incompatible use and development occurring under, over, or adjacent to the infrastructure. Incompatible activities are those which adversely affect the efficient operation of infrastructure and restrict its ability to be maintained and upgraded. There are often also reverse sensitivity problems. Proposed Policy P14 seeks that regionally significant infrastructure is protected from incompatible activities located nearby and that any adverse effects are avoided, remedied or mitigated including reverse sensitivity effects.

Other provisions in the RPS promote the protection of a number of values that are present in the CMA and that the community appreciates, for example, public access and natural character. Policy 3 directs regional plans to protect natural character in the coastal environment and Policy 53 seeks that particular regard is given to enhancing public access to and along the CMA. This is reflected in the proposed Plan by Policy P9 which seeks the maintenance and enhancement of public access and Policy P25 on preserving the natural character of the CMA.

The CMA is also acknowledged as a high hazard area in the RPS as described in the section 32 report: Natural Hazards. This is addressed in Policy 29 of the RPS which seeks that inappropriate development is avoided in areas at high risk from natural hazards. In order to respond to this direction in the RPS, the proposed Plan provides for development that has a functional need to be located in high hazard areas such as seaports, and provisions that support use and development that has an operational requirement to locate in a high hazard area (such as roading and rail). Similarly, the proposed Plan seeks to ensure that the location of use and development is appropriate and does not impact on the values the community enjoys.

4.2.2 Regional Coastal Plan

The operative Regional Coastal Plan for the Wellington Region 2000 (Coastal Plan) identifies that there is a regional issue around the need to recognise that the CMA is a finite resource, that the number of suitable sites for some structures is limited and that structures and space must be utilised efficiently. It also highlights that some structures that do not require a coastal location may

adversely affect the ability of a future use that does need to occur there. Therefore the Coastal Plan addresses use and development of the CMA.

However, there are no specific overall objectives in the Coastal Plan for functional need, efficient use or the appropriate scale of buildings in the CMA. However, efficient use or scale and functional need are part of outcomes for other operative objectives including: Objectives 4.1.5, 4.1.6, 4.1.10, 4.1.18 and 4.1.24. This is not effective or efficient and does not provide any clear guidance to resource users or the WRC.

The Coastal Plan also includes an anticipated environmental result seeking that space within the CMA is used efficiently by a variety of activities including short-term events such as horse racing, triathlons and temporary military training activities.

5. Appropriateness of the proposed objectives

Section 32(1)(a) of the RMA requires that an evaluation report must “examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of the Act”.

Section 32(1)(b) requires that the proposed provisions (policies, rules and other methods) to achieve the objectives be examined by:

- Identifying other reasonably practicable options for achieving the objectives
- Assessing the efficiency and effectiveness of the provisions in achieving the objectives; and
- Summarising the reasons for deciding on the provisions

5.1 Proposed objectives

A brief description of the five proposed objectives specifically analysed in this report is provided below. Tables A1 to A5 in the Appendix also provides an assessment of the appropriateness of the proposed objectives against section 32(1)(a) of the RMA.

There are other objectives that the provisions for activities in the CMA seek to achieve. The tables in section 6 of this report list these supporting objectives. For an analysis of these objectives, refer to other section 32 reports listed in section 2 above.

To evaluate the appropriateness of the objectives section 32(1) provides four criteria:

1. *Relevance* – is the objective related to addressing a resource management issue? Will it achieve one or more aspects of the purpose and principles of the RMA?
2. *Usefulness* – will the objective guide decision-making? Does it meet sound principles for writing objectives?

3. *Reasonableness* – what is the extent of the regulatory impact imposed on individuals, businesses or the wider community?
4. *Achievability* – can the objective be achieved with tools and resources available, or likely to be available, to the local authority?

5.1.1 Objective O53

Use and development in the CMA has a functional need and/or operational requirement to be located there.

This objective supports a location in the CMA for activities that are functionally dependent on being or operationally required to be, located there. Some activities need to be located in the CMA due to their function (e.g. seaports) or operational requirements (e.g. cables and roading). This is important as space in the CMA is a finite resource so it is vital to control the development of activities in the CMA.

The objective is relevant as it addresses Issues 6.4 (natural character), 6.5 (occupation) and 6.9 (structures) are all issues related to this objective in terms of effects that activities can have as a result of locating in the CMA. The objective is also relevant in that it gives effect to Policy 6 (2)(c) of the NZCP (see Appendix).

The objective is useful because it makes it clear that only use and development that has a functional need and/or operational requirement will be provided for in the CMA.

The objective is reasonable and achievable because the WRC has the jurisdiction to control use and development in the CMA and the objective seeks good environmental outcomes with limited costs.

As shown in Table A1 in the Appendix, proposed Objective O53 is appropriate to achieve the purpose of the RMA and give effect to the NZCPS.

5.1.2 Objective O54

Use and development makes efficient use of any occupied space in the CMA.

As space in the CMA is limited, it is important that any occupied space is used efficiently to get the most sustainable use of this resource.

This is a relevant objective for the proposed Plan as it addresses Issue 6.5 which highlights the problem of occupation which restricts public access to and along the coastal marine area and the impact on people's enjoyment of the coast.

Occupation of space in the coastal marine area may restrict public access to and along the coastal marine area, and impact on people's enjoyment of the coastal environment.

Inefficient use of space in the CMA can have adverse effects on other values in the CMA such as natural character, public access, and biodiversity. This

objective is useful as it promotes efficient use of space rather than sprawl to minimise effects on the coastal environment which is consistent with the NZCPS which also promotes efficient use of occupied space.

The objective is achievable and reasonable because it will be achieved over the life of the proposed Plan and the WRC controls activities in the CMA so can control how efficiently space is used in the CMA. The costs to achieve this objective are low compared to the benefits to be derived in terms of managing a finite resource.

As shown in Table A2 in the Appendix, proposed Objective O54 is appropriate to achieve the purpose of the RMA and give effect to the NZCPS.

5.1.3 Objective O56

New development in the CMA is of a scale, density and design that is compatible with its location in the coastal environment.

This objective is relevant as it gives effect to Objective 6 of the NZCPS being that the protection of values of the coastal environment does not preclude use and development in appropriate places and forms and within appropriate limits. The objective is also relevant as it addresses Issue 6.4 which acknowledges the adverse effects of inappropriate development on the natural character of the CMA. The objective is useful in that it will guide the WRC staff around consenting structures in the CMA.

This objective also gives effect to Policy 6(1)(f) of the NZCPS where councils must consider where development that maintains the character of the existing built environment should be encouraged, and where development resulting in a change in character would be acceptable. New developments in the coastal environment will need to take account of this national policy position and make ensure the scope of the development is not outside the scale of the existing built environment. The objective is reasonable as it does not infer significant costs on any party.

The objective is achievable in that the policy framework supporting this objective enables effects to be appropriately managed on values in the CMA that the community appreciates such as natural character and public access. The WRC has the functions under section 30 to have objectives in relation to the effects of use and development in the CMA. The objective is reasonable in that the benefits to be achieved such as the protection of the CMA from inappropriate development are greater than the costs necessary to achieve it.

As shown in Table A3 in the Appendix, proposed Objective O56 is appropriate to achieve the purpose of the RMA and give effect to the NZCPS.

5.1.4 Objective O57

Use and development is appropriate in the Lambton Harbour Area when it is compatible with its surroundings and the Central Area of Wellington City.

The proposed objective is similar to operative Objective 4.1.24 in the Coastal Plan. They both acknowledge that use and development in the Lambton

Harbour Area has impacts on the adjacent central area of Wellington City and seeks to ensure that use and development is compatible with its surroundings. The objective is relevant as it addresses Issue 1.10 around public access, and the importance of providing for it where appropriate. Provisions for the Lambton Harbour Area are also provided in the Wellington City District Plan to ensure consistency across jurisdictional boundaries. The objective is useful in that it recognises that some use and development may be appropriate in the Lambton Harbour Area including development that does not have a functional need to be located in the CMA which is also consistent with national policy direction in the NZCPS Policy 6.

The objective is achievable in that the policy framework supporting this objective enables the Lambton Harbour Area to be appropriately managed with effects considered on public open space and public access. The WRC has the functions under section 30 to have objectives in relation to the effects of use and development in the CMA. The objective is reasonable in that the benefits to be achieved such as the protection of the Lambton Harbour Area from inappropriate development are greater than the costs necessary to achieve it.

As shown in Table A4 in the Appendix, proposed Objective O57 is appropriate to achieve the purpose of the RMA and give effect to the NZCPS.

5.1.5 Objective O59

Provide for efficient and safe passage of vessels and aircraft that support the movement of people, goods and services in the coastal marine area.

This objective is relevant in that it gives effect to national direction provided in the NZCPS specifically Policy 6 and relates to Issue 6.9. This policy seeks the recognition of the social, economic and cultural well-being of communities associated with the use and development in the CMA and activities which have a functional need to be located there. Vessels and aircraft obviously have a functional need to carry out their activities in the CMA and this objective usefully reflects that requirement. Policy 9 in the NZCPS also wants it recognised that a sustainable national transport system requires an efficient national network of safe ports and Objective O59 is consistent with this.

There is no relevant operative objective which is ineffective and unhelpful to consenting processing officers and resource users. Proposed Objective O59 gives some clarity to decision makers over the outcomes that are sought. The costs of inefficient or unsafe passage of vessels and/or aircraft can be severe and the economic, social and cultural benefits high in terms of the services that these vessels and aircraft movements provide. Proposed Objective O59 is useful in that it will help guide the WRC when processing resource consents for proposals that could adversely affect the efficient and safe passage of vessels and aircraft. The objective is achievable but does not have a timeframe; instead it is to be achieved over the life of the proposed Plan and beyond. Proposed Objective O59 is achievable in that it can be measured by determining whether there have been adverse effects on the efficient and safe use of vessels and aircraft. This objective is reasonable as there are significant benefits to be had from achieving this objective which far outweigh any costs necessary to achieve it.

As shown in Table A5 in the Appendix, proposed Objective O59 is appropriate to achieve the purpose of the RMA and give effect to the NZCPS.

5.2 Conclusion for the appropriateness of the objectives

The assessment of the operative objectives in the Appendix shows that these objectives are not as **relevant** or as **useful** in that:

- They do not give effect to the recent RMA amendments for coastal occupation, or the NZCPS and RPS, and
- They do not take into account the wider values that the community has placed on use and development of the CMA, and
- They do not take into account new activities that may affect values appreciated by the community in the CMA

The proposed objectives seeks to address the shortcomings of having limited or inadequate operative provisions, and create a useful and achievable policy framework with which decision-makers and plan users can assess proposed activities to be located in the CMA. The assessment of the proposed objectives in the Appendix shows the following:

The proposed objectives are **relevant** as they:

- Give effect to the changes in the RMA, the updated NZCPS in 2010 and the revised RPS published in 2013, and
- Use language and terminology that is consistent with the RMA, NZCPS and RPS, and

The proposed objectives are more **useful** in achieving the purpose of the RMA as they:

- Are consistent with the national and regional direction provided in the NZCPS and RPS, and
- Provide decision makers with a suite of assessment tools that will enable consistent and comprehensive assessment of activities proposed to occur in the CMA and their effects on values

The assessment summarised in the Appendix also shows that the proposed objectives are more efficient and comprehensive than the operative objectives. Proposed Objectives O53, O54, O56, O57 and O59 are more relevant and useful in achieving the purpose of the RMA, and it is suggested that they are included in the proposed Plan.

6. Efficiency and effectiveness of the proposed policies, rules and other methods

The proposed policies and methods are assessed in accordance with section 32(1)(b) and section 32(2) of the RMA as to whether they are the most appropriate way to achieve the objectives in the proposed Plan.

This section provides an assessment of the effectiveness and efficiency of some of the proposed provisions in the management of the CMA. These are summarised in the Appendix (Tables A6 to A11). These assessments are based on information provided through comments on the draft Natural Resources Plan, industry stakeholders, consultants, and other information obtained as part of the section 32 evaluation.

New development in the CMA is anticipated by the proposed plan but should be managed in a sustainable way. Space in the CMA is limited so development should be appropriate and adverse effects limited on the values that the community appreciates such as public open space, natural character and public access.

6.1 Functional need

Policy 6 of the NZCPS requires recognition in regional plans that certain activities have a ‘functional need’ to be located in the CMA, and if an activity does not have ‘functional need’ to be located in the CMA then generally it should not be located there. The policy provides for some leeway with the use of the word “generally” where some use and development proposals may be acceptable to the community in the CMA even though they are not normally associated in the CMA.

Table 2 below shows some of the proposed objective that will contribute to achieving Objective O53. It should also be noted that these are not all the relevant provisions, due to the integrated nature of the proposed Plan.

Table 2: Provisions to achieve Objective O53 in relation to functional need

Objective O53 Use and development in the coastal marine area has a functional need or operational requirement to be located there.	
Policies	Policy P132: Functional need and efficient use Supporting policies Policy P4: Minimising adverse effects Policy P12: Benefits of regionally significant infrastructure and renewable electricity generation facilities Policy P27: High hazard areas Policy P25: Natural character
Rules	Rule R163: Replacement of a structure or part of a structure Rule R177: Change of use of boatsheds

6.1.1 Operative provisions

The Coastal Plan does not include an objective on functional need but Policy 6.2.1 addresses structures in the CMA and seeks that use and development is considered appropriate if it involves activities which are functionally dependent upon a location in the CMA. Rule 10 in the Coastal Plan permits activities associated with structures that have a functional need to be in the CMA (excluding those activities in the Lambton Harbour Development Area).

There are also more generous provisions for certain activities in the Commercial Port Area such as reclamation, maintenance, repair, additions and alterations to structures, cargo and passenger handling structures and dredging and disturbance which recognises the functional need of the port to be located in the Commercial Port Area.

6.1.2 The proposed Plan

Objective O53 in the proposed Plan is effective in that it gives effect to the national direction provided in the NZCPS. This is supported by a number of policies in the proposed Plan including Policy P12 which seeks to recognise the benefits of regionally significant infrastructure and Policy P27 which seeks to efficiently manage high hazard areas (which includes the CMA).

Proposed Policy P132 provides for activities that have a functional need or operational requirement to locate in the CMA, while also providing for other activities that do not have a reasonable or practicable alternative this is both effective and efficient. This is a tough policy test but it will not be the only policy to be assessed as part of a resource consent application such as Policy P8 (beneficial use). The costs of this policy approach may be from social and economic costs in terms of potentially restricting new development in the CMA including those with social benefits, and this approach could make the consent process lengthy and therefore more costly. The benefit however of this policy framework is that it is designed to protect a finite resource (the CMA), specifically protecting its natural character, open space values and public access which are all outcomes sought in the NZCPS and RMA.

Proposed provisions for activities with a functional need or operational requirement include a permitted rule for the replacement of most structures with a functional need or operational requirement to be located in the CMA. These are structures such as navigation aids, swing moorings, as well as other structures for recreational activities such as boatsheds, wharves, jetties, and boat ramps.

Other supporting policies to achieve Objective O53 include Policy P27 which seeks that use and development in high hazard areas (which includes the CMA) is avoided but makes an exception for activities that have a functional need or operational requirement to be located in a high hazard area. The benefit of this approach is that it is a more strategic approach following national direction provided in the NZCPS (for more analysis on this, refer to the Section 32 report: Natural Hazards).

A number of policies in the proposed Plan also indirectly address functional need, efficient use and scale, form and design. These policies relate to natural character (Policy P24 and Policy P25); public access (Policy P9); Boatshed Management Areas (Policy P140); and public open space and visual amenity (Policy P134). These policies seek the protection and management of particular values in the CMA from inappropriate use and development which can include activities which are not functionally dependent on being located in the CMA or are an inefficient use of space in the CMA. This is better approach and provides benefits around better reflecting the NZCPS and offering more direction to plan users and to the WRC officers.

6.1.3 Lambton Harbour Area

The provisions for the Lambton Harbour Area give effect to Policy 6 of the NZCPS which seeks to recognise that some activities provide contributions to the community’s social, economic and cultural well-being. The Lambton Harbour Area brings vibrancy and vitality to Wellington’s waterfront which provides significant benefits to the public in the form of public access and recreational opportunities.

Table 3 below shows some of the proposed provisions that will contribute to achieving Objective O57. It should also be noted that these are not all the relevant provisions, due to the integrated nature of the proposed Plan.

Table 3: Provisions to achieve Objective O57 in relation to the Lambton Harbour Area

Objective O57 Use and development is appropriate in the Lambton Harbour Area when it is compatible with its surroundings and the Central Area of Wellington City.	
Policies	Policy P142: Lambton Harbour Area Policy P8: Beneficial use Policy P9: Public access Policy P29: Climate change

6.1.4 Operative provisions

In the Coastal Plan the Lambton Harbour Area is referred to as the Lambton Harbour Development Area and is identified on planning maps and Objective 4.1.24 provides for “the comprehensive development of the Lambton Harbour Development Area”. Policy 4.2.45 provides some criteria for development in this space.

6.1.5 The proposed Plan

In the proposed Plan, compared to the Coastal Plan, there is a similar management approach for the Lambton Harbour Area (identified on Map 32 in the proposed Plan). The Lambton Harbour Area has been designated in both the Coastal Plan and proposed Plan to provide for activities that have social benefits such as public spaces and good public access, but also to control activities that create noise. The coastal management general conditions (5.7.2) in the proposed Plan include noise standards for activities operating in this area.

Policy P142 seeks to provide for appropriate development in this part of the CMA that does not have a functional need, but where the development will provide other social, cultural and economic benefits to the community. There will be no significant costs of this approach; however the benefits of proposed Policy P142 are that it provides more clarity about the matters to be considered when assessing proposed activities in the Lambton Harbour Area, including specifying the relevance of the Wellington City District Plan. This is more effective and efficient.

6.1.6 Commercial Port Area

The NZCPS in Policy 9 seeks the recognition of a sustainable national transport system that requires an efficient national network of safe ports, servicing national and international shipping, with efficient connections with other transport modes.

Table 4 below shows some of the proposed provisions that will contribute to achieving Objectives O12 and O13. It should also be noted that these are not all the relevant provisions, due to the integrated nature of the proposed Plan.

Table 4: Provisions to achieve Objectives O12 and O13 in relation to the Commercial Port Area

<p>Objective O12 The social, economic, cultural and environmental benefits of regionally significant infrastructure and renewable energy generation activities are recognised.</p> <p>Objective O13 The use and ongoing operation of regionally significant infrastructure and renewable energy generation activities in the coastal marine area is protected from new incompatible use and development occurring under, over, or adjacent to the infrastructure or activity.</p>	
Policies	<p>Policy P12: Benefits of regionally significant infrastructure and renewable electricity generation facilities</p> <p>Policy P13: Existing regionally significant infrastructure and renewable electricity generation facilities</p> <p>Policy P14: Incompatible activities adjacent to regionally significant infrastructure and renewable electricity generation activities</p> <p>Policy P8: Beneficial activities</p>
Rules	<p>Rule R173: Additions and alterations to structures inside the Commercial Port Area</p> <p>Rule R174 Additions and alterations to structures inside the Commercial Port Area</p> <p>Rule R175: A new structure associated with passenger and cargo handling inside the Commercial Port Area</p> <p>Rule R203: Destruction, damage or disturbance associated with dredging inside the Commercial Port Area and in navigation protection areas</p>

6.1.7 Operative provisions

The Coastal Plan includes a zone for the Commercial Port Area with a policy to recognise commercial port operations by providing for appropriate activities within the Commercial Port Area (Policy 4.2.44). A number of operative rules also provide specifically for activities in the Commercial Port Area such as reclamation (Rule 1) and cargo and passenger handling equipment (Rule 12).

6.1.8 The proposed Plan

The Commercial Port Area has also been mapped in the proposed Plan and proposed Policies P12, P13 and P14 seek the recognition and provision of regionally significant infrastructure (see Section 32 report: Beneficial use and development) instead of a specific policy for the Commercial Port Area. This follows the policy direction provided in the RPS and provides a consistent framework for all regionally significant infrastructure that has been identified

in the RPS and includes the Commercial Port Area. As shown in Table A8, this policy approach is more effective and efficient and provides better guidance for regionally significant infrastructure providers, the community and the WRC.

6.2 Efficiency of occupied space in the CMA

The NZCPS Policy 6 also seeks an efficiency of occupied space in the CMA and requires that plans promote the efficient use of occupied space by requiring that structures be made available for public use, requiring the removal of abandoned structures that have no heritage or reuse value, and for resource consents whether the conditions for an activity are used effectively and without delay.

Table 5 below shows how the proposed provisions that will contribute to achieving Objective O54. It should also be noted that these are not all the relevant provisions, due to the integrated nature of the proposed Plan.

Table 5: Provisions to achieve Objective O54 in relation to efficient use of occupied space in the CMA

Objective O54 Use and development makes efficient use of any occupied space in the coastal marine area.	
Policies	Policy P132: Functional need and efficient use
Rules	Rule R182: Occupation of space by a structure owned by a network utility operator Rule R183: Renewal of existing resource consents for occupation of space by structures Rule R184: Occupation of space Rule R152: Removal or demolition of structures or part of a structure

6.2.1 Operative provisions

In the Coastal Plan, the occupation of space in the CMA for most activities is a controlled activity under Rule 16. This means that each time a resource consent is sought for a structure, for example, a separate consent is needed for the occupation component. This is inefficient, costly and time-consuming for both the WRC and resource users. The costs of not being an efficient use of space are the loss of public space (often irreversible), restrictions on public access and adverse effects on natural character and amenity values.

6.2.2 The proposed Plan

In the proposed Plan, Policy P132 seeks that use and development in the CMA incorporates public or multiple use (where appropriate), structures are removed when redundant (where appropriate) and development is concentrate in areas with similar types of development. This reflects national policy direction of Policy 6 in the NZCPS which aims to provide benefits including guidance for the WRC when resource consents are being assessed including those for new structures and reclamation.

The occupation of space component of activities in the CMA has been included as an associated activity in appropriate rules to streamline and simplify the rule structure approach (see Rules R150 and R160). This is significantly more

efficient and less cumbersome for consent processing officers as well as resource users who apply for resource consent.

There are also rules for different types of occupation that may not be included as associated activities in some rules such as the occupation of space by a structure owned by a network utility operator (Rule R182) as a permitted activity to recognise the social, cultural and economic benefits that activities such as these provide to the community. Rule R183 is for activities that need to renew the occupation component of their resource consent when it has expired and is provided as a controlled activity. Rule R184 provides for all other occupation not provided for either as an associated activity or Rules R182 and R183 as a discretionary activity.

Rules in the proposed Plan also provide for the removal of structures as a permitted activity (Rule R152) to promote an efficient use of space, but with resource consent required for the removal of structures with historic heritage value (more detail on the provisions of historic heritage structures can be found in the section 32 report: Sites with significant historic heritage value).

These provisions do not necessarily infer an economic cost on any particular party, yet it is reasonable to acknowledge that incorporating design or engineering measures to enable structures to be used by the public or multiple occupants may result in the developer incurring a financial cost. However, these costs are anticipated to be modest, and to be outweighed by the environmental, social, cultural and economic benefits that can be expected over the long-term of providing for activities in the CMA that are appropriate and include community benefits.

In the achievement of the proposed objectives, the WRC seeks to encourage dialogue with and between developers, and, in some circumstances, local authorities, such as Wellington City Council. This is an outcome sought in Policy P2 which states that the effects of use and development across jurisdictional boundaries will need to be appropriately managed. This is important as in some cases proposals for development to occupy space in the CMA can have impacts beyond those being principally sought by the applicant, e.g. impeding public access and adverse effects on land above the CMA such as effects on visual amenity values and open space.

6.3 Temporary occupation

As stated above, NZCPS Policy 6 seeks the efficient use of occupied space in the CMA. Operative provisions do not provide for temporary occupation for recreational activities and a resource consent for a discretionary activity would be necessary. The need for a new rule for activities requiring temporary occupation was highlighted when the WRC received a complaint regarding the swimming leg of a triathlon in Te Awarua-o-Porirua Harbour that was impeding boat traffic from safely using an area of the harbour.

Table 6 below shows some of the proposed provisions that will contribute to achieving Objective O54. It should also be noted that these are not all the relevant provisions, due to the integrated nature of the proposed Plan.

Table 6: Provisions to achieve Objective O54 in relation to temporary occupation

Objective O54 Use and development makes efficient use of any occupied space in the coastal marine area.	
Policies	Policy P132: Functional need and efficient use
Rules	Rule R154: New temporary structures outside sites of significance Rule R185: General surface water and foreshore activities

6.3.1 Operative provisions

A discretionary activity for a minor recreational activity is inappropriate, ineffective and not the type of activity expected to trigger this rule as effects are most likely to be less than minor. Requiring a resource consent for recreational events also comes at a high cost for organisations that often have very small budgets but very important cultural, social and economic benefits. Expensive and lengthy consent processes can make these types of recreational events unaffordable and may discourage the public from using the CMA for recreational events that have public benefits. This is not effective or efficient.

6.3.2 The proposed Plan

However, in an area such as the CMA, where there are multiple and often competing uses for the resource, promoting and facilitating the efficient use of space is critical to ensure that sustainable management of the CMA is achieved.

To sustainably manage space in the CMA, the proposed Plan has a permitted activity rule (Rule R185) for temporary exclusive occupation in the CMA for recreational activities such as waka ama, swimming competitions and speed boat races. Rule R185 provides benefits for resource users in that it enables the public to enjoy recreational activities requiring temporary occupation in the CMA, with limited adverse effects as a permitted activity, and is cost effective in terms of not requiring consents and potential enforcement by the WRC. This is effective and efficient. Rule R185 is supported by Policy P132 which supports activities with a functional need to be in the CMA and P133 which seeks good management of the effects of activities on recreational values. These policies and Rule R185 contribute to the achievement of Objective O54.

The conditions for permitted activity status seek to ensure that resource users provide sufficient public notification of the event, consult adjacent local authorities, comply with any applicable bylaws, and do not result in adverse effects on the operational requirements of the police, coastguard, and surf lifesaving activities. These permitted activity conditions will help to ensure that any effects arising from temporary occupation are minor.

Any activities that cannot comply with the permitted activity conditions must apply for a resource consent that would enable the WRC to undertake a thorough assessment of all actual and potential effects of the activity. There are several policies that would assist in assessing a discretionary activity involving occupation, depending on the nature of the activity such as Policy P150 (noise and lighting) and Policy P135 (safe passage). The benefits include having more

specific guidance to consents staff, decision-makers and applicants than provided in the Coastal Plan, and support the exclusive occupation of space where that occupation is functionally dependent on a coastal location, or necessary for the operational requirements of regionally significant infrastructure. The approach is effective and efficient in that it is consistent with the proposed Plan's strategic support of activities where functional dependence or operational requirement can be demonstrated and to facilitate appropriate regionally significant infrastructure. It also takes into account the potential for the temporary occupation of space by a recreational activity, which was not acknowledged or accommodated for in the Coastal Plan. The proposed Plan provides the opportunity to amend this oversight.

6.4 Structures

NZCPS Policy 6 provides guidance on activities in the coastal environment including structures in terms of managing effects on public open space, recreational qualities, providing for activities with a functional need and promoting efficient use of space.

Table 7 below shows some of the proposed provisions for structures in the CMA. While there are no specific objectives for structures in the CMA, this activity will need to achieve a number of different objectives and policies. It should also be noted that these are not all the relevant provisions, due to the integrated nature of the proposed Plan.

Table 7: Provisions relating to structures in the CMA

Objective O9 The recreational values of the coastal marine area, rivers and lakes and their margins and natural wetlands are maintained and enhanced.
Objective O10 Public access to and along the coastal marine area and rivers and lakes is maintained and enhanced.
Objective O12 The social, economic, cultural and environmental benefits of regionally significant infrastructure and renewable energy generation activities are recognised.
Objective O17 The natural character of the coastal marine area, rivers, lakes and their margins and natural wetlands is preserved and protected from inappropriate use and development.
Objective O19 The interference from use and development on natural processes is minimised.
Objective O29 Use and development provides for the passage of fish and koura, and the passage of indigenous fish and koura is restored.
Objective O53 Use and development in the coastal marine area has a functional need or operational requirement to be located there.
Objective O54 Use and development makes efficient use of any occupied space in the coastal marine area.
Objective O56 New development in the coastal marine area is of a scale, density and design that is compatible with its location in the coastal environment.

Policies	<p>Policy P4: Minimising adverse effects</p> <p>Policy P9: Public access to and along the coastal marine area and the beds of lakes and rivers</p> <p>Policy P12: Benefits of regionally significant infrastructure and renewable electricity generation facilities</p> <p>Policy P26: Natural processes</p> <p>Policy P28: Hazard mitigation measures</p> <p>Policy P32: Adverse effects on aquatic ecosystem health and mahinga kai</p> <p>Policy P34: Fish passage</p> <p>Policy P46: Managing adverse effects on sites with significant historic heritage value</p> <p>Policy P132: Functional need and efficient use</p> <p>Policy P133: Recreational values</p> <p>Policy P138: Structures in sites with significant values</p> <p>Policy P139: Seawalls</p> <p>Policy P141: Boatsheds</p>
Rules	<p>Rule R151: Additions and alterations to structures</p> <p>Rule R154: New temporary structures outside sites of significance</p> <p>Rule R155: New temporary structures</p> <p>Rule R156: New or replacement navigation aids</p> <p>Rule R157: New structures, replacement of a structure for scientific, research, monitoring or education purposes</p> <p>Rule R158: New structures, temporary structures or additions or alterations to a structure in airport height restriction areas for airport purposes or navigation protection areas</p> <p>Rule R159: New structures, temporary structures or additions or alterations to a structure in airport height restriction areas or navigation protection areas</p> <p>Rule R161: New structures, additions or alterations to structures outside sites of significance</p> <p>Rule R162: New structures, additions or alterations to structures inside sites of significance</p>

6.4.1 Operative provisions

In the Coastal Plan, there are specific objectives on structures, including enabling appropriate structures which provide economic and social well-being (6.1.1) and ensuring that no inappropriate use or development of structures occurs in the CMA (6.1.2). There are a number of policies in the Coastal Plan that are used to assess proposals for structures including Policy 6.2.1 which considers activities which are functionally dependent on a location in the CMA as appropriate. A multitude of policies to assess structures it not effective or efficient.

The consenting of structures in the CMA and in the beds of rivers and lakes accounts for a significant portion of the WRC's regulatory and enforcement work. One reason for this is that, in the Coastal Plan, the occupation component of the consent for additions to existing structures requires a consent as a controlled activity or most new structures require a consent for a discretionary activity. Therefore many activities associated with structures require a resource consent.

6.4.2 The proposed Plan

In the proposed Plan there are no specific objectives for structures, instead, the development of structures in the CMA will be managed to achieve a range of objectives (see Table 7 above). For example structures in the CMA can adversely affect the natural character of the coastal environment so the development of structures will need to also be assessed against Objective O17.

These objectives and policies would be assessed for discretionary and non-complying activities and provide useful direction and guidance for resource users and the WRC. This approach is more integrated, and allows a consideration of a wide range of values and effects which is both more effective and efficient than the current structure of the Coastal Plan which has general policies and structures policies.

There are also a number of different policies across a wide range of values and effects that would potentially be considered during the assessment of a structure in the CMA, as illustrated in Table 7. This would obviously depend on the nature of the proposed structure, its location and scale (examples include a seawall or a boat ramp, which bring different issues and considerations). There are high level policies such as those on public access and natural character and more specific policies for the Lambton Harbour Area and boatsheds. Chapter 4 in the proposed Plan includes all of the policies which allows for the integrated consideration and assessment of a range of values and effects in a consistent manner.

In the proposed Plan, the framework of rules that apply to structures has been revised in order to streamline and strengthen the consenting process. The associated activities (e.g. the disturbance and occupation) of the main activity have been included into the same rule, so that in most cases, only one resource consent is needed for the an activity. An example of this is Rule R161 for a new structure which also incorporates the associated activities of occupation and disturbance of the foreshore and seabed. There are benefits of this approach for both resource users and the WRC in terms of a more straightforward consenting regime, lower costs and a faster process. The alternative of having separate rules and therefore requiring separate resource consents is inefficient, costly for resource users and the WRC, can be time-consuming, and can result in a doubling up of some processes.

Repair and maintenance of structures (Rule R149) as well as minor additions are permitted activities (Rule R150) within certain conditions, but other activities that include larger additions to structures mostly require resource consent to be able to assess not just environmental effects but effects on other users of the CMA. There are also provisions in the proposed Plan for specific

resource management issues including the development of seawalls and boatsheds in the CMA which also address Objectives O53 and O54, as described below.

6.5 Seawalls

The NZCPS has considerably updated the strategic policy direction on the management of coastal hazards with an increased focus on avoiding or reducing risk and consideration of a broader range of options, including seawalls, soft engineering options (such as dune restoration) and managed retreat, where existing development is under threat from coastal hazards such as storm surge (this is also addressed in the section 32 report: Natural Hazards). NZCPS Policy 27(3) specifically states that when hard protection structures are necessary that they are designed to minimise adverse effects on the environment.

Table 8 below shows some of the proposed provisions that will contribute to achieving Objective O22. It should also be noted that these are not all the relevant provisions due to the integrated nature of the proposed Plan.

Table 8: Provisions to achieve Objective O22 in relation to seawalls

Objective O22 Hard engineering mitigation and protection methods are only used as a last practicable option.	
Related objectives	Objective O19 The interference from use and development on natural processes is minimised. Objective O20 The risk, residual risk, and adverse effects from natural hazards and climate change on people, the community and infrastructure are acceptable. Objective O53 Use and development in the coastal marine area has a functional need or operational requirement to be located there.
Policies	Policy P27: High hazard areas Policy P28: Hazard mitigation measures Policy P26: Natural processes Policy P139: Seawalls
Rules	Rule R149: Maintenance and repair of structures – permitted activity Rule R 165: Additions and alterations to existing seawalls – controlled activity Rule R166: A new seawall or additions or alterations to, or replacement of a seawall outside sites of significance – discretionary activity Rule R167: A new seawall or additions or alterations to, or the replacement of a seawall inside sites of significance – non-complying activity
Method	Method M3: Wellington Regional Hazards Management Strategy

6.5.1 Operative provisions

The Coastal Plan includes Policy 6.2.3 that seeks to discourage the development of ad hoc shore protection structures including not allowing

seawalls unless all feasible alternatives have been evaluated and found to be impracticable or to have greater adverse effects on the environment. The resource management issues around coastal hazards and seawalls when the Coastal Plan was made operative were much the same as they are today. However since the adoption of the Coastal Plan, there has been increasing recognition that the presence of structures within the CMA designed to protect assets from coastal hazards (such as seawalls), can give rise to high environmental and social costs such as significant effects on shoreline stability and loss of public access and amenity values.

6.5.2 The proposed Plan

The proposed Plan more effectively promotes the consideration of the impacts of coastal hazards including coastal erosion and the longer-term effects of climate change especially sea level rise and an increase in storm events. This is discussed in more detail in the Section 32 report: Natural Hazards. The proposed Plan includes specific provisions for new seawalls and additions and alterations to them which seek to achieve Objectives O22 (hazard mitigation measures) and Objective O19 (natural processes) as well as other objectives relating to natural character and visual amenity. These objectives are to be addressed by a number of policies including Policy P26 (natural processes) and Policy P139 (seawalls) which seek to give effect to NZCPS direction and reflect the broader and better understanding of the environmental and social impacts that can be caused from the placement or extension of seawalls. This is both effective and efficient.

It is the intention of the proposed Plan to ensure that use and development in the CMA is managed to ensure that the effects from coastal erosion and more generally, coastal hazards, as well as the effects of measures used to protect the coast, are appropriately addressed. In order to implement Policy P139 (seawalls) appropriately, small alterations and additions (with size limits described in the rule) to seawalls are a controlled activity under Rule R165 with control matters on public access, design and construction, effects on coastal natural processes and effects on sites of significance or heritage values.

More significant alterations or additions to seawalls, or their replacement is a discretionary activity (Rule R166) as the effects of seawalls are wide ranging such as those on coastal processes, surf breaks and natural character. In sites of significance seawalls are a non-complying activity (Rule R167) to acknowledge the identified values and discourage this activity in these areas. While this is the same approach as in the Coastal Plan (structures in areas of significant conservation values is a non-complying activity), in the proposed Plan there is a greater number of sites that have been identified as having other significant values (mana whenua, historic heritage, biodiversity), and therefore there is the potential for more activities to trigger this rule. There are social and economic costs of this approach in terms of more costly consent applications and longer processes (e.g. potentially notified applications and a hearing process), however the benefits are that WRC knowledge of significant areas has improved and it is acknowledged that such sites warrant careful management and protection. The proposed provisions are more efficient in that they are clearer, easier to interpret and understand and having extra control

matters provides for social benefits by achieving better outcomes in terms of effects on natural processes amenity and natural character. This is effective and efficient. This achieves greater environmental, cultural and social benefits and the proposed rule structure has been simplified to provide ease of use to both an applicant and to the WRC.

The WRC acknowledges that for some seaside communities there remains considerable debate around the issue of the efficiency or otherwise of seawalls as a coastal hazard protection measure (see the section 32 report: Natural Hazards). For some seawalls are vital to protect infrastructure and property from coastal hazards, while for others seawalls are man-made structures that spoil the natural character of the coastline.

With regard to public infrastructure, the WRC is cognizant of the fact that, in some circumstances, seawalls may be the only practical method by which to protect existing infrastructure, and Policy P139 explicitly acknowledges this. However, there has been some confusion in terms of the consenting of new seawalls or additions to existing ones and poorly designed and constructed seawalls which has resulted in adverse effects to natural character and public access along some coastlines. National policy also directs the WRC to manage the impacts resulting from the development of seawalls and promote alternative approaches. The WRC is committed to ensuring that coastal communities are supported and encouraged to adopt alternatives to seawalls when appropriate, to protect private property from coastal erosion and the effects of climate change. The WRC will provide guidance and technical advice through the development of the Regional Hazards Strategy, as outlined in Method M3. This strategy aims to coordinate natural hazards management for better consistency and alignment between resource management plans and hazards research across the region.

6.6 Boatsheds

Policy 6 of the NZCPS requires recognition in regional plans that certain activities have a 'functional need' to be located in the CMA. If an activity does not have a 'functional need' to be located in the CMA then generally it should not be located there. Boatsheds have a functional need to be located in the CMA when they are used for their intended purposes which is to store boats or to provide for water-based recreational opportunities.

Table 9 below shows some of the proposed provisions for boatsheds that will contribute to achieving a number of objectives. While there are no specific objectives for structures (including boatsheds) in the CMA, the development of new boatsheds will need to achieve a number of different objectives and policies. It should also be noted that these are not all the relevant provisions due to the integrated nature of the proposed Plan.

Table 9: Provisions to achieve Objectives O53, O54, O55 and O56 in relation to boatsheds

Objective O53 Use and development in the coastal marine area has a functional need or operational requirement to be located there.	
Objective O54 Use and development makes efficient use of any occupied space in the coastal marine area.	
Objective O55 The need for public open space in the coastal marine area is recognised.	
Objective O56 New development in the coastal marine area is of a scale, density and design that is compatible with its location in the coastal environment.	
Policies	Policy P140: Boatshed Management Areas Policy P141: Boatsheds
Rules	Rule R149: Maintenance and repair of structures – permitted activity Rule R176: Use of a boatshed – permitted activity Rule R177: Change of use of boatsheds – non-complying activity Rule R178: A new boatshed inside a Boatshed Management Area – discretionary activity Rule R179: A new boatshed outside a Boatshed Management Area – non-complying activity

6.6.1 Operative provisions

In the Coastal Plan, the conversions of boatsheds to activities that are not water-based (e.g. residential) is a non-complying activity and there is an operative policy (6.2.11) that seeks the prevention of the use of boatsheds for residential habitation and for activities which are not associated with the CMA.

6.6.2 The proposed Plan

Boatsheds are a type of structure in the CMA often associated with significant historical and recreational values. These historic values have been further described in the 2013 technical report entitled ‘Coastal and Underwater Archaeological Sites of the Wellington Regional’. Through this work, some boatsheds in the CMA have been identified in the proposed Plan as having significant historic heritage values and are included in Schedule E2. The proposed historic heritage provisions seek to manage adverse effects on sites with significant historic heritage values (Policy P46). More information on significant historic heritage values in the CMA can be found in the section 32 report: Sites with significant historic heritage values, as well as in further technical reports including the 2013 report cited above.

In the proposed Plan, Policy P140 makes specific reference to the management of boatsheds in Boatshed Management Areas by requiring new boatsheds to be compatible in scale, size and character to existing boatsheds. This policy also seeks the avoidance of the building of new boatsheds outside Boatshed Management Areas. This is to manage the effects of new boatsheds on the amenity and visual character of the surrounding area. Rule R179 makes boatsheds outside Boatshed Management Areas a non-complying activity.

As well as the location of boatsheds, the proposed Plan seeks to ensure that boatsheds are used for appropriate purposes (e.g. storing boats and kayaks) not as places of residence. Policy P141 seeks to maintain the recreational values of boatsheds by preventing their conversion to residential or other non-recreational uses and Rule R177 makes this conversion a non-complying activity. These provisions will contribute to the achievement of Objectives O53 and O54 and are effective and efficient.

The maintenance and repair of boatsheds will continue to be provided for as a permitted activity in Rule R149. This is a sensible option, and will encourage boatshed owners to maintain the structural integrity of their boatshed which is a benefit to the community.

The mapping of Boatshed Management Areas has been included in the proposed Plan and provides benefits in the form of greater certainty to both resource users and the WRC over where boatsheds are appropriate with clear policy guidance. There are costs associated with this approach in terms of additional assessments required for the construction of new boatsheds where their location may not be consistent with policy direction in Policies P140 or P141. However benefits include the protection of values appreciated by the community including natural character, amenity and public access. This is effective and efficient.

6.7 Safe use and passage of marine vessels and aircraft

The NZCPS supports activities that have a functional need to be located in the CMA and the need to protect these activities from other non-functional activities which might compromise their ability to efficiently operate. NZCPS Policy 9 seeks the recognition of a sustainable national transport system of safe ports for national and international shipping by ensuring that development in the CMA does not adversely affect the efficient and safe operation of ports and their connections with other transport nodes.

Table 10 below shows some of the proposed provisions that will contribute to achieving Objective O59. It should also be noted that these are not all the linkages due to the integrated nature of the proposed Plan.

Table 10: Provisions to achieve Objective O59 in relation to safe use and passage

Objective O59 The efficient and safe passage of vessels and aircraft that support the movement of people, goods and services is provided for in the coastal marine area.	
Policies	Policy P135: Safe passage Policy P132: Functional need and efficient use

Rules	<p>Rule R151: Additions and alterations to structures – controlled activity</p> <p>Rule R154: New temporary structures outside sites of significance – permitted activity</p> <p>Rule R157: New structures, replacement of a structure for scientific, research, monitoring or education purposes – controlled activity</p> <p>Rule R158: New structures, temporary structures or additions or alterations to a structure in airport height restriction areas for airport purposes or navigation protection areas – discretionary activity</p> <p>Rule R159: New structures, temporary structures or additions or alterations to a structure in airport height restriction areas or navigation protection areas – prohibited activity</p>
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6.7.1 Operative provisions

The Coastal Plan acknowledges that new structures can have positive and adverse effects on navigation and safety of aircraft and ships and on fishing activities as described in Issue 2.3.8 in the Coastal Plan. There was no specific objective related to this issue apart from Objective 4.1.3 on avoiding, remedying or mitigation the adverse effects that new activities may have on existing legitimate activities in the CMA. This is not efficient or effective. There was also a policy (4.2.6) to recognise the importance of the CMA as a place for the safe and convenient navigation of ships and aircraft and to protect these activities from inappropriate use and development. Flight approach paths for Wellington International Airport and Kapiti Airport were mapped in the Coastal Plan, but there were no maps showing navigation tracks.

6.7.2 The proposed Plan

For the proposed Plan, Objective O59 is clear in the outcome it is seeking in relation to safe navigation in the CMA and activities that may have adverse effects on it, which is an effective approach. Navigation protection areas and airport height restriction areas have been identified and mapped in the proposed Plan which is effective and efficient. Policy P135 promotes the safe use and passage of vessels and aircraft in the CMA, while proposed Rule R158 provides for structures in flight approach paths for airport purposes as a discretionary activity, and R159 makes other structures in flight approach paths and all structures in navigation protection areas (excluding navigation aids, cables and pipelines) a prohibited activity. This provides clear direction to resource users and to the WRC on what activities are appropriate and comfort to those in the community that navigate in the CMA that this passage is safe, which provides significant benefits.

The proposed provisions better reflect national policy direction and offer better guidance on the outcomes that are sought in relation to navigation in the CMA. There are is a specific objective and rules to achieve this objective which were not provided in the Coastal Plan. Costs of the proposed provisions are small, and may be around extra processing costs for resource users. The benefits are significant in terms of: protecting public health and safety; providing for regionally significant infrastructure which provides benefits in terms of economic, social and cultural well-being; and protecting activities functionally dependent on having a location in the CMA, from other activities which may be incompatible with this need.

6.8 Summary

In summary the assessment identified in this section (and supported by the tables in the Appendix) have identified that the proposed policies, rules and other methods for the management of the CMA (as specified in this report), will be more effective and efficient than the status quo and will contribute to achieving Objectives O53, O54, O56, O57 and O59 of the proposed Plan. The proposed provisions will better meet the requirements of both national and regional policy direction and provide better outcomes in terms of protecting values appreciated by the community.

The assessment of costs and benefits shows that the proposed provisions do not impose undue regulatory cost and burden, inhibit legitimate recreational use of the CMA, or involve excessive use of regional council resources for compliance and monitoring of permitted activities. For permitted and controlled activities, the use of comprehensive permitted conditions will ensure that activities can take place safely, and that the adverse effects such as disturbance and noise are no more than minor and temporary in nature. A more restrictive approach would impose greater costs on both resource users and the WRC in terms of consent processing costs and time and, in some situations, could prevent the appropriate use of, and development in, the CMA.

References

Department of Conservation (2010), *New Zealand Coastal Policy Statement 2010*. New Zealand Department of Conservation.

Dodd, A (2013), *Coastal and underwater Archaeological sites of the Wellington Region – Survey for the Coastal Plan Review*. Subsurface Ltd.

Parminter, T. (2011), *Your view about our environment – Public engagement (2010) for the Natural Resource Regional Plan Review for the Wellington region*. Wellington Regional Council, Wellington.

Appendix

Assessing the appropriateness of the objectives

Table A1: Objective O53 Functional need

Objective: O53	Use and development in the CMA has a functional need or operational requirement to be located there.
Relevance	
Directly related to resource management issue?	This objective is related to Issue 6.4 (natural character) and Issue 6.5 (public access) and Issue 6.9 (structures)
Will achieve one or more aspects of the purpose and principles of the RMA?	Meets section 5 of the RMA (sustainable management) and section 7(b) the efficient use and development of natural and physical resources.
Relevant to Māori environmental issues? (sections 6(e),6(g),7(aa),8)	Yes, section 6(e) of the RMA.
Relevant to statutory functions or to give effect to another plan or policy (i.e. NPS-FM RPS)?	Objective O53 gives effect to Policy 6 (2)(c) of the NZCPS.
Usefulness	
Will effectively guide decision-making?	Yes. This objective makes it clear that only use and development that has a functional need and/or operational requirement will be provided for in the CMA. The policy framework set up around this objective, also reinforces this position.
Meets sound principles for writing objectives? (specific; state what is to be achieved where and when; relate to the issue; able to be assessed)	Objective O53 simply and clearly states what is to be achieved. There is no timeframe as this will occur over the longer term and is more of a guiding principle as well as an objective.
Consistent with other objectives?	Yes.
Achievability	
Will it be clear when the objective has been achieved in the future? Is the objective measurable and how would its achievement be measured?	Objective O53 must be achieved all the time. There is no timeframe. Achievement would be measured by the types of development that would be located in the CMA. The policy framework around this objective also further supports the objective.
Is it expected that the objective will be achieved within the life of the proposed Plan or is it an aspirational objective that will be achieved some time in the future?	As above.

Does the WRC have the functions, powers, and policy tools to ensure that they can be achieved? Can you describe them?	The WRC under section 30(1)(d) controls the use of development in the CMA and therefore can achieve this objective. Further supporting policies in the proposed Plan will ensure that it can be achieved.
What other parties can the WRC realistically expect to influence to contribute to this outcome?	None.
What risks have been identified in respect of outcomes?	No risks have been identified in relation to O53.
Reasonableness	
Does the objective seek an outcome that would have greater benefits environmentally, economically or socially compared with the costs necessary to achieve it?	This objective seeks environmental benefits in terms of the CMA. There is also the possibility that activities that are functional and therefore consistent with this objective could have an environmental and/or social cost associated with it.
Who is likely to be most affected by achieving the objective and what are the implications for them?	Those most likely to be affected would be potential developers who wish to locate their non-functionally dependent activity in the CMA. However, consents for these types of applications are infrequent.
Existing objectives	
Is the objective still relevant or useful?	Yes, the operative objective (4.1.3) is still relevant taking into account the scope and time of the operative plan. Compared to the operative plan, the NZCPS and the RPS have provided more clarification about the use and development of legitimate uses in the coastal environment.

Table A2: Objective O54 Efficient use of space

Objective: O54	Use and development makes efficient use of any occupied space in the CMA
Relevance	
Directly related to resource management issue?	Related to Issue 6.4 (natural character), Issue 6.5 (occupation) and Issue 6.9 (structures)

Will achieve one or more aspects of the purpose and principles of the RMA?	Objective O54 will achieve section 5 and section 7 (b) of the RMA.
Relevant to Māori environmental issues? (sections 6(e),6(g),7(aa),8)	Yes
Relevant to statutory functions or to give effect to another plan or policy (i.e. NPS-FM, RPS)?	Objective O54 is consistent with, and gives effect to, Policy 6 (2)(e) of the NZCPS.
Usefulness	
Will effectively guide decision-making?	This objective will enable decision-makers to require when when space in the CMA is being sought by an activity that efficient use is being made of that space, as it is a finite resource.
Meets sound principles for writing objectives? (specific; state what is to be achieved where and when; relate to the issue; able to be assessed)	Objective O54 states what it is set out to achieve and specifies the CMA as being where this occurs. There is no time frame as this is an objective that will apply over the long term. In terms of assessment, decision-makers can use this objective to determine that an activity is only using the space it actually requires.
Consistent with other objectives?	Yes.
Achievability	
Will it be clear when the objective has been achieved in the future? Is the objective measureable and how would its achievement be measured?	It is a matter of achieving this objective over the longer term rather than it being met at a certain time. Achievement could be met by assessing the efficiency of space in the CMA.
Is it expected that the objective will be achieved within the life of the proposed Plan or is it an aspirational objective that will be achieved some time in the future?	Objective O54 is expected to be achieved within the life of the proposed Plan, although it's a matter of being achieved all the time rather than by a specific time.
Does the WRC have the functions, powers, and policy tools to ensure that they can be achieved? Can you describe them?	The WRC controls activities in the CMA, so controlling how efficiently the space is used is within our functions and powers. The policy framework set up around this objective further supports and guides how this is to be achieved.
What other parties can the WRC realistically expect to influence to contribute to this outcome?	None.

What risks have been identified in respect of outcomes?	No risks have been identified.
Reasonableness	
Does the objective seek an outcome that would have greater benefits environmentally, economically or socially compared with the costs necessary to achieve it?	For this objective, the costs are minimal compared to the benefits to be derived from it.
Who is likely to be most affected by achieving the objective and what are the implications for them?	No one would be affected by this objective in a direct way.
Existing objectives	
Are the existing objectives still relevant or useful?	There is no existing objective on efficient use in the CMA.

Table A3: Objective O56 New development

Objective: O56	New development in the CMA is of a scale, density and design that is compatible with its location in the coastal environment
Relevance	
Directly related to resource management issue?	Related to Issue 6.4 (natural character), Issue 6.5 (occupation), and Issue 6.9 (structures)
Will achieve one or more aspects of the purpose and principles of the RMA?	Will achieve section 6(a) of the RMA.
Relevant to Māori environmental issues? (sections 6(e),6(g),7(aa),8)	Not inconsistent with these issues.

Relevant to statutory functions or to give effect to another plan or policy (i.e. NPS-FM, RPS)?	Gives effect to NZCPS Policies 6 (activities in the CMA), 13 (natural character), 15 (natural features and landscapes), 18 (public open space), and 19 (public access).
Usefulness	
Will effectively guide decision-making?	The objective will provide consents staff with guidance around consenting structures in the CMA and support them with determining whether a structure is appropriate at its location.
Meets sound principles for writing objectives? (specific; state what is to be achieved where and when; relate to the issue; able to be assessed)	Overall this objective meets sound principles as it states what is to be achieved but there are no timeframes due to the nature of this objective which is continued to be given effect.
Consistent with other objectives?	Yes it is consistent.
Achievability	
Will it be clear when the objective has been achieved in the future? Is the objective measureable and how would its achievement be measured?	The policy framework supporting this objective enables effects to be managed on natural character, coastal processes, public access and other natural and physical resources. This objective is not measureable, but could be assessed according to what has been consented.
Is it expected that the objective will be achieved within the life of the proposed Plan or is it an aspirational objective that will be achieved some time in the future?	This objective is long term.
Does the WRC have the functions, powers, and policy tools to ensure that they can be achieved? Can you describe them?	The WRC has functions under section 30 to have objectives in relation to actual or potential effects of use and development. The policy framework attached to this objective allows for the consideration of the visual impacts of use and development on public open space in the CMA, as well as effects on natural character.
What other parties can the WRC realistically expect to influence to contribute to this outcome?	Stakeholders, including recreational users and other resource users of the coast through early stakeholder engagement and the Schedule 1 process.

What risks have been identified in respect of outcomes?	There is the risk of contention with this objective from those interested in undertaking development in the CMA that could be seen as not an appropriate scale, density or design.
Reasonableness	
Does the objective seek an outcome that would have greater benefits environmentally, economically or socially compared with the costs necessary to achieve it?	There is not considered to be any increase in costs in terms of the WRC's consent processing associated with this objective. Some applicants for development in the CMA may incur costs to assess the visual impacts of their development. It is considered that the modest costs associated with this objective are outweighed by the benefits of protecting the CMA from development that is out of scale or not considerably designed and not of an appropriate density.
Who is likely to be most affected by achieving the objective and what are the implications for them?	The wider community will benefit from the achievement of the objective through the avoidance of inappropriate development in the CMA. Some developers in the CMA may be affected by the objective, as discussed above.
Existing objectives	
Are the existing objectives (4.1.9) still relevant or useful?	There is no existing objective on the scale, density or design of development in the CMA. The closest one would be Objective 4.1.9 on amenity values. This is not particularly useful or specific enough to provide necessary guidance.

Table A4: Objective O57 Lambton Harbour Area

Objective: O57	Use and development is appropriate in the Lambton Harbour Area when it is compatible with its surroundings and the Central Area of Wellington City.
Relevance	
Directly related to resource management issue?	Yes, Issue 6.5 and 6.9
Will achieve one or more aspects of the purpose and principles of the RMA?	Will achieve section 5 of the RMA.
Relevant to Māori environmental issues? (sections 6(e),6(g),7(aa),8)	Not inconsistent with these issues.
Relevant to statutory functions or to give effect to another plan or policy (i.e. NPS-FM, RPS)?	Gives effect to NZCPS Policies 6 (activities in the CMA) and 19 (public access).

Usefulness	
Will effectively guide decision-making?	The objective will guide the processing of resource consents for activities being undertaken in the Lambton Harbour Area.
Meets sound principles for writing objectives? (specific; state what is to be achieved where and when; relate to the issue; able to be assessed)	This objective is a clear and complete sentence related to an issue. This objective is not time-bound as it aims to deliver benefits over time.
Consistent with other objectives?	Yes, all the objectives have been assessed, and work together to achieve the sustainable management of natural resources in the Wellington Region.
Achievability	
Will it be clear when the objective has been achieved in the future? Is the objective measureable and how would its achievement be measured?	Yes, the achievement of this objective will become clear in the future through State of the Environment monitoring.
Is it expected that the objective will be achieved within the life of the proposed Plan or is it an aspirational objective that will be achieved some time in the future?	This objective will be achieved over a longer time frame than the life of the proposed Plan.
Does the WRC have the functions, powers, and policy tools to ensure that they can be achieved? Can you describe them?	Yes, section 12 This objective will be achieved through the policies, rules, and other methods in the proposed Plan.
What other parties can the WRC realistically expect to influence to contribute to this outcome?	Wellington City Council
What risks have been identified in respect of outcomes?	The risk of inappropriate development in the Lambton Harbour Area will be reduced through the achievement of this objective.
Reasonableness	
Does the objective seek an outcome that would have greater benefits environmentally, economically or socially compared with the costs necessary to achieve it?	Yes, this objective will have greater environmental benefits than the costs necessary to achieve it.
Who is likely to be most affected by achieving the objective and what are the implications for them?	People or agencies undertaking activities in the Lambton Harbour Area will need to consider the costs of getting resource consent and/or measures to avoid, remedy, mitigate or offset the adverse effects of their activities. However, it is not substantially different from the operative plan requirements.
Existing objectives	
Is the existing objective still relevant or useful?	Yes, Objective 4.1.24 in the Coastal Plan is still relevant, but has been revised to emphasise that any use or development is to be compatible with the surroundings.

Table A5: Objective O59 Safe use and passage

Objective: O59	Provide for efficient and safe passage of vessels and aircraft that support the movement of people, goods and services in the coastal marine area.
Relevance	
Directly related to resource management issue?	Yes, this objective relates to Issue 6.9.
Will achieve one or more aspects of the purpose and principles of the RMA?	Yes, Part 2 and section 7(b)
Relevant to Māori environmental issues? (sections 6(e),6(g),7(aa),8)	No
Relevant to statutory functions or to give effect to another plan or policy (i.e. NPS-FM, RPS)?	Yes, NZCPS specifically Objective 6, Policies 6 and 9.
Usefulness	
Will effectively guide decision-making?	Yes, guides consenting process when assessing activities with potential effects on the movement of vessels and aircraft in the CMA.
Meets sound principles for writing objectives? (specific; state what is to be achieved where and when; relate to the issue; able to be assessed)	This objective is specific in its desire to ensure the efficient movement of people, goods and services to provide for social and economic well-being for the community from being adversely affected by activities in the CMA. It provides appropriate guidance to decision makers.
Consistent with other objectives?	Yes, all the objectives have been assessed and work together to achieve the sustainable management of natural resources in the Wellington Region.
Achievability	
Will it be clear when the objective has been achieved in the future? Is the objective measurable and how would its achievement be measured?	This objective does not have a time frame, instead it is ongoing. It is measurable in that consents for certain activities can be monitored in the CMA that could have impacts on the safe and efficient movement of vessels and aircraft in the CMA and effects on the environment.
Is it expected that the objective will be achieved within the life of the proposed Plan or is it an aspirational objective that will be achieved some time in the future?	This objective does not have a set timeframe.

Does the WRC have the functions, powers, and policy tools to ensure that they can be achieved? Can you describe them?	Powers: section 30(1)(d)(vii) gives the WRC the power to control activities on the surface of the water in the CMA.
What other parties can the WRC realistically expect to influence to contribute to this outcome?	All resource users.
What risks have been identified in respect of outcomes?	The risks to the safe and efficient navigation of vessels and aircraft in the CMA will be reduced through the achievement of this objective.
Reasonableness	
Does the objective seek an outcome that would have greater benefits environmentally, economically or socially compared with the costs necessary to achieve it?	Yes – this objective will have greater environmental benefits than the costs necessary to achieve it. The effects of adverse impacts on the efficient and safe movement of vessels and aircraft can have serious consequences on the community and on the economic benefits this achieves.
Who is likely to be most affected by achieving the objective and what are the implications for them?	All resource users will be affected by the achievement of this objective through rules in this proposed Plan that prohibit structures in flight approach paths or in navigation protection areas.
Existing objectives	
Are the existing objectives still relevant or useful?	No, there is not an existing objective on the safe and efficient movement of vessels and aircraft which is not useful. Currently it would be loosely addressed by Objective 4.1.3 on the adverse effects that activities can have on existing activities in the CMA.

Identifying alternative policies, rules and other methods

Table A6: Provisions for functional need and efficient use

		Option 1 – Status Quo	Option 2 – proposed Plan
Costs (of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions)	The WRC	<p>The status quo policy framework for functional need is a general policy about considering whether an activity has a functional need to locate in the CMA. There are no obvious costs of this option apart from a continuing unclear direction about what sort of activities are appropriate in the CMA and not effectively implementing the NZCPS. This could lead to further costs if challenged.</p> <p>The status quo policy framework for efficient use is no objective or policy about this issue. This option is low cost apart from continuing unclear guidance and direction on promoting the efficient use of space in the CMA.</p> <p>This has lead to no discernible benefits for the public and development in the CMA which is has impacted on the values that the community appreciates such as public access.</p>	<p>New provisions on functional need and efficient use could create new costs for the WRC for advice and compliance.</p> <p>There may also be costs around managing relationships with stakeholders who might find these provisions difficult.</p>
	Resource user (consent applicant or permitted use)	Relatively low cost as the existing policy is weak.	Costs to some individuals to comply with new provisions
	Community costs (environmental, social, economic, cultural)	Environmental costs of further non-functional activities in the CMA and their impact on public access and natural character. Further potential impacts on things like cultural values etc.	<p><u>Social costs</u> Costs around potential limit to development in the CMA that could contribute to social well-being.</p> <p><u>Economic costs</u> Costs around potential limit to development in the CMA</p>

		Option 1 – Status Quo	Option 2 – proposed Plan
Benefits (of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions)	The WRC	The WRC knows the existing costs of this option and the existing provisions are well known, so advice can be given in a straightforward way and consents processed efficiently.	The WRC is implementing the RPS Assists the WRC in implementing the NZCPS. This approach ensures that the WRC meets its management outcomes in terms of other values it is seeking to protect, e.g. public access and natural character.
	Resource user (consent applicant or permitted use)	Fewer restrictions on activities that may not have a functional need to locate in the CMA	Additional policy guidance for those activities that are functionally dependent on having a location in the CMA and certainty for developers.
	Community benefits (environmental, social, economic, cultural)	<p><u>Social benefits</u> Provides for functional activities in the CMA and protects social values that the community holds for this area. However, a lack of clear policies makes assessment of proposed activities occurring in the CMA difficult.</p> <p><u>Environmental benefits</u> Development in the CMA will be appropriate and protect values such as open space that the community appreciates.</p> <p><u>Cultural benefits</u> Development in the CMA will be appropriate in this space but a lack of knowledge about mana whenua values and related provisions make the existing provisions ineffective.</p> <p><u>Economic benefits</u> The existing provisions do not give enough certainty of development for functionally dependent activities,</p>	<p><u>Social benefits</u> Providing for functional activities in the CMA as well as those with no other practicable option will encourage the appropriate use of development in the CMA and protects values that the community holds for this area.</p> <p><u>Environmental benefits</u> Development in the CMA will be appropriate and protect values such as open space that the community appreciates.</p> <p><u>Cultural benefits</u> Development in the CMA will be appropriate in this space and area highly valued by mana whenua who have also identified sites of significance in the CMA.</p> <p><u>Economic benefits</u> Certainty of development for functionally dependent activities</p>

		Option 1 – Status Quo	Option 2 – proposed Plan
		and it is currently inconsistent with the NZCPS. However, potentially lower costs associated with development anticipated but limited by having a functional need or operational requirement.	
Efficiency (costs vs benefits) and effectiveness (will the provisions achieve the objective?) (costs vs benefits; will the provisions achieve the objective)		There are potentially lower costs of this Option 1 such as there being fewer restrictions and associated costs for resource users and potentially the community around development in the CMA. However this approach is not giving effect to the NZCPS and the costs of doing so can have significant adverse effects on other values appreciated by the community. It is also unclear how the operative provisions meet the current objective and the policy framework around this does not provide clear guidance. Option 1 is therefore not efficient or effective.	There may be some costs to the WRC in defending a tougher stance in terms of most development needing a functional need or operational requirement to locate in the CMA. However the benefits are that this approach provides developers with more certainty. The policy approach to implement the objectives provides better guidance for decision-makers. Weighing up the expected costs and benefits Option 2 is seen as being an efficient way of achieving the objective.
Risks (of acting or not acting, if there is uncertain or insufficient information)		The existing policy in the operative plan is only a consideration policy.	The new policy is more tightly worded and is a stricter requirement reflecting national policy direction.
Appropriateness		The operative policy framework to implement the existing objective for functional need is not appropriate as it does not provide certainty, is open to interpretation and is hard for decision makers to use.	The new provisions are appropriate given the high level of efficiency and effectiveness for meeting the RMA requirements and providing for appropriate development in the CMA. There are no other useful alternatives.
Conclusions			The new provisions for functional need are the most efficient and effective for meeting the purpose of the RMA by providing for appropriate development in the CMA.

Table A7: Provision for the Lambton Harbour Area (LHA)

		Option 1 – Status Quo	Option 2 – proposed Plan
Costs (of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions)	The WRC	Only limited additional costs for the WRC for maintaining status quo provisions for the LHA.	Limited costs of implementing the proposed provisions as they are similar to the operative provisions.
	Resource user (consent applicant or permitted use)	The existing provisions already impose a cost on resource users in terms of consenting requirements in the LHA.	The policy approach for the LHA has been slightly amended to be more specific in terms of requirements in design guides in Wellington City Council's District Plan. This may result in additional costs for resource users in terms of additional assessments required as part of consent applications.
	Community costs (environmental, social, economic, cultural)	The operative policy does not provide enough clear guidance and this could lead to environmental, social and cultural costs.	The social, economic and cultural costs may be in terms of a loss of opportunity for new buildings that may not meet the policy requirements of buildings in the LHA.
Benefits (of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions)	The WRC	The existing provisions are known well which makes consent processing efficient.	There is better direction and guidance for processing officers provided in the proposed policy approach for the LHA. The policy has been updated to reflect values that are appreciated by the community arising from new structures and other development in the LHA.
	Resource user (consent applicant or permitted use)	The status quo provisions are well known and provide certainty to resource users.	The LHA zone is being maintained which provides certainty and the policy approach has only been slightly amended to provide better guidance.

Option 1 – Status Quo		Option 2 – proposed Plan
	Community benefits (Environmental, Social, Economic, Cultural)	No additional costs to the community to develop structures and other development which provide for social and economic well-being.
		Better guidance and policy direction is provided on the potential adverse effects resulting from new development in the LHA such as impacts on heritage values, open space and public access. Community values are protected from the adverse effects of inappropriate development in the LHA.
Efficiency (costs vs benefits) and effectiveness (will the provisions achieve the objective?) (costs vs benefits; will the provisions achieve the objective)	The existing provisions are not satisfactorily addressing the potential adverse effects resulting from new development in the LHA. There is also a lack of guidance for processing officers when it comes to asking for further assessments of adverse effects. The existing provisions will not achieve the objectives.	While there may be additional costs to resource users and perhaps the WRC around requiring additional assessments of the effects of development in the LHA, this will lead to better outcomes for sustainable coastal management in the long term. The new provisions provide a much clearer direction and guidance around what is required for a resource consent and what effects should be considered and addressed efficiently. The new provisions will achieve the objectives that they are linked to such as visual amenity, public access and public open space.
Risks (of acting or not acting, if there is uncertain or insufficient information)	There are no ascertainable risks associated with these provisions.	It is important to act on new information and the updated provisions reflect this.
Appropriateness	This option is not appropriate as it fails to reflect new information and does not provide sufficient guidance to plan users or to processing officers.	This option is appropriate as it is clearer in its intent to sustainably manage development in the LHA providing guidance on effects for resource users and processing officers to consider when development is proposed in the LHA.
Conclusions	Option 1 is not considered to be the most effective or efficient way to achieve the objective or the purpose of the RMA.	Option 2 is considered to be the most effective and efficient means of achieving the proposed objectives and meeting the purpose of the RMA.

Table A8. Provisions for the Commercial Port Area

		Option 1 – Status Quo	Option 2 – proposed Plan
Costs (of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions)	The WRC	<p>The status quo policy framework for the Commercial Port Area is a general policy about recognising commercial port operations by providing for appropriate activities in the Commercial Port Area. Other infrastructure is not fairly provided for in this way.</p> <p>Costs associated with continuing unclear direction for consent processing officers about what sort of operations may be appropriate in the Commercial Port Area.</p> <p>Unfairness for other infrastructure providers where a policy only provides for port activities, which is inconsistent with the RPS.</p>	No discernible costs of having new provisions on regionally significant infrastructure in the proposed Plan.
	Resource user (consent applicant or permitted use)	Inconsistent approach to infrastructure providers.	Having no specific policy provision for port activities may cause concern for some infrastructure providers.
	Community costs (Environmental, Social, Economic, Cultural)	Some infrastructure companies with community benefits may be disadvantaged.	With infrastructure providers being more clearly and more fairly provided for in policy, there would be limited costs associated with this.
Benefits (of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions)	The WRC	The existing provisions are well known by WRC and there are benefits in being familiar with provisions.	The WRC is implementing the RPS in terms of providing for regionally significant infrastructure. Clearer provisions for consenting staff.
	Resource user (consent applicant or permitted use)	Specific provisions for activities in the Commercial Port Area which may have benefits for port activities.	Regionally significant infrastructure companies are provided for equally and more clearly than in the Coastal Plan.

Option 1 – Status Quo		Option 2 – proposed Plan
	Community benefits (environmental, social, economic, cultural)	The existing provisions provide for activities in the Commercial Port Area which has some community benefits such as providing for the delivery of goods.
		The proposed provisions which provide for all regionally significant infrastructure identified in the RPS, will provide a policy framework for those activities that provide significant community benefits such as the development of roads, rail and stormwater infrastructure. These activities can have flow on economic, social and cultural benefits, and provides a level of certainty for these regionally significant infrastructure providers.
Efficiency (costs vs benefits) and effectiveness (will the provisions achieve the objective?) (costs vs benefits; will the provisions achieve the objective)	The costs of the status quo option largely are around the unequal way in which the Coastal Plan provides for infrastructure companies that all offer some community benefits. This is inconsistent and results in confusion for resource users, the community and for WRC in terms of assessing applications for infrastructure development. This approach is also not consistent with the RPS which has identified regionally significant infrastructure in its definitions chapter. Option 1 is not efficient or effective.	The proposed provisions largely provide for regionally significant infrastructure provides in the same way. This provides clarity and certainty to resource users, the community and the WRC when processing consents. While there may be some costs around having no specific policy for the commercial port area, these are expected to be limited and the proposed policy framework does appropriately recognise the importance of port activities. Weighing up the expected costs and benefits Option 2 is seen as being an efficient way of providing for the Commercial Port Area.
Risks (of acting or not acting, if there is uncertain or insufficient information)	The Coastal Plan does not adequately reflect regional policy direction.	The RPS seeks that the proposed Plan recognises regionally significant infrastructure rather than only one component of it.
Appropriateness	The operative policy framework for the Commercial Port Area is not appropriate as it only provides for port activities and not for other infrastructure companies such as road and rail.	The new provisions are appropriate to provide for regionally significant infrastructure in the CMA. There are no other useful alternatives.
Conclusions	Option 1 is not considered to be the most effective or efficient way to provide for the Commercial Port Area.	The new provisions for the Commercial Port Area are the most efficient and effective for meeting the purpose of the RMA by providing for regionally significant infrastructure in the CMA.

Table A9: Provisions for new structures

		Option 1 – Status Quo	Option 2 – proposed Plan
Costs (of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions)	The WRC	Costs associated with time to assess and process multiple consents for one activity and associated compliance costs.	There will be fewer costs to the WRC as the new rule structure with associated activities within the rule means only one consent is necessary and therefore there will be time savings. Costs associated with compliance will also be lower for the WRC due to the new “bundling” structure.
	Resource user (consent applicant or permitted use)	Continued costs for a resource user due to multiple consents being necessary, application costs and a longer process.	Potential increased costs around additional assessments required for the construction of new structures and other development due to new objectives and policies to assess and consider.
	Community costs (environmental, social, economic, cultural)	Continued degradation of values that the community appreciates about the coastal environment such as natural character and public access resulting from inappropriate development in the CMA.	Loss of opportunity for social and economic benefits arising from new structures in the CMA which may not be consistent with policy direction.
Benefits (of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions)	The WRC	Existing processing and assessment of consents is inefficient. However, the WRC officers are familiar with the existing policy and rule framework.	Better direction and guidance for processing officers in the new provisions around protecting natural coastal processes and impacts on natural character and other values that are appreciated by the community arising from new structures and other development in the CMA.
	Resource user (consent applicant or permitted use)	No additional costs applied to resource users who build structures in the CMA. Efficient consent processing.	Clearer direction and guidance for resource users in what to consider when developing new structures or changing existing ones in the coastal environment.

Option 1 – Status Quo		Option 2 – proposed Plan	
	Community benefits (environmental, social, economic, cultural)	No additional costs to the community to develop structures and other development which provide for social and economic well-being.	The adverse effects resulting from new structures or changing existing ones in the CMA such as impacts on heritage values, mana whenua values, ecosystem health, natural character and public access are sustainably managed. Community values are protected from the adverse effects of inappropriate development in the CMA.
Efficiency (costs vs benefits) and effectiveness (will the provisions achieve the objective?) (costs vs benefits; will the provisions achieve the objective)		The existing provisions are not satisfactorily addressing the adverse effects resulting from new structures or changes to existing ones in the CMA. Public access has been restricted in places, natural character has been lost and public open space has been impacted. There is also a lack of guidance for processing officers when it comes to asking for further assessments on effects. The existing provisions will not achieve the objectives.	While there may be additional costs to resource users and perhaps the WRC around requiring additional assessments of the effects of structures and other development in the CMA, this will lead to better outcomes for sustainable coastal management in the long term. The new provisions provide a much clear direction and guidance around what is required for a resource consent and what effects should be considered and addressed efficiently. The new provisions will achieve the objectives that they are linked to such as natural character, public access and public open space.
Risks (of acting or not acting) (if there is uncertain or insufficient information)		No risks identified.	There are risks around not acting on the information in the NZCPS namely a challenge from stakeholders including statutory bodies with certain legislative functions.
Appropriateness		This option is not appropriate as it fails to acknowledge the NZCPS policy direction considered appropriate to meet the purpose of the RMA.	This option is appropriate as it implements national policy direction around limiting hard protection structures in the CMA unless necessary to protect existing infrastructure as well as providing for other structures in the CMA and managing adverse effects.

	Option 1 – Status Quo	Option 2 – proposed Plan
Conclusions	Option 1 is not considered to be the most effective or efficient way to achieve the objective or the purpose of the RMA.	Option 2 is considered to be the most effective and efficient means of achieving the proposed objectives and meeting the purpose of the RMA.

Table A10: Provisions for boatsheds

	Option 1 – Status Quo	Option 2 – proposed Plan
Costs (of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions)	The WRC	Limited policy support to prevent the sprawl of new boatsheds in the CMA.
	Resource user (consent applicant or permitted use)	Limited change in costs for resource users from keeping the status quo.
	Community costs (environmental, social, economic, cultural)	Continued degradation of values that the community appreciates about the coastal environment such as natural character and public access resulting from the inappropriate location of boatsheds in the CMA.
		Restrictions on where boatsheds can be placed may create costs for those who wish to use boatsheds for recreational purposes such as community groups.

		Option 1 – Status Quo	Option 2 – proposed Plan
Benefits (of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions)	The WRC	The existing provisions are known well which makes consent processing efficient.	Better direction and guidance for processing officers in the new provisions around protecting values in the CMA from the development of new boatsheds such as impacts on natural character and other values that are appreciated by the community.
	Resource user (consent applicant or permitted use)	No additional costs applied to resource users who build structures in the CMA. Efficient consent processing.	Clearer direction and guidance for resource users in what to consider when proposing new boatsheds or changing existing ones in the CMA.
	Community benefits (environmental, social, economic, cultural)	No additional costs to the community to develop boatsheds and other development which provide for social and economic well-being.	The adverse effects resulting from new structures or changing existing ones in the CMA such as impacts on heritage values, mana whenua values, ecosystem health, natural character and public access are sustainably managed. Community values are protected from the adverse effects of inappropriate development in the CMA.
Efficiency (costs vs benefits) and effectiveness (will the provisions achieve the objective?) (costs vs benefits; will the provisions achieve the objective)		The existing provisions are not satisfactorily addressing the adverse effects resulting from new boatsheds or changes to existing ones in the CMA. Public access has been restricted in places, natural character has been lost and public open space has been impacted. There is a lack of guidance for processing officers when it comes to asking for further assessments on effects. The existing provisions will not achieve the objectives.	While there may be additional costs to resource users in terms of restrictions on the location of boatsheds in the CMA, this will lead to better outcomes for sustainable coastal management in the long term. The new provisions provide a much clearer direction and guidance around what is required for a resource consent and what effects should be considered and addressed efficiently. The new provisions will achieve the objectives that they are linked to such as natural character, public access and public open space.
Risks (of acting or not acting, if there is uncertain or insufficient information)		Adverse effects on values identified by the community as a result of the placement of boatsheds in inappropriate areas.	There are risks around unease from stakeholders of this approach.

	Option 1 – Status Quo	Option 2 – proposed Plan
Appropriateness	This option is not appropriate as there is only limited guidance for where boatsheds might be appropriate.	This option is appropriate as it implements national policy direction around providing for structures with a functional need in the CMA, and provides useful guidance on the management of boatsheds in the CMA.
Conclusions	Option 1 is not considered to be the most effective or efficient way to achieve the objective or the purpose of the RMA.	Option 2 is considered to be the most effective and efficient means of achieving the proposed objectives and meeting the purpose of the RMA.

Table A11: Provisions for seawalls

	Option 1 – Status Quo	Option 2 – proposed Plan
Costs (of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions)	The WRC	By maintaining the status quo provision framework for seawalls in the CMA, the WRC is not effectively implementing the NZCPS and could be challenged on this, incurring legal and expert fees, time etc.
	Resource user (consent applicant or permitted use)	Existing costs will continue such as that for gaining a resource consent for a structure which could also be a notified process.
	Community costs (environmental, social, economic, cultural)	Continued degradation of values that the community appreciates about the coastal environment such as natural character and public access resulting from inappropriate coastal protection structures.
		Potential costs associated with process arising from a change in policy direction around providing for seawalls especially for the protection of private land. Costs associated with the development and implementation of the Regional Hazards Management Strategy (Method M3).
		Potential increased costs around additional assessments required for the construction of new seawalls or extensions to existing ones.
		Additional costs on the community arising from increased costs for seawalls in the CMA that may require additional assessments.

		Option 1 – Status Quo	Option 2 – proposed Plan
Benefits (of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions)	The WRC	There are limited benefits to the WRC of the status quo approach, as the current provision structure for seawalls in the CMA is unclear. The status quo approach is not efficient.	Better direction and guidance for processing officers in the new provisions around protecting natural coastal processes and impacts on natural character and other values that are appreciated by the community arising from seawalls in the CMA.
	Resource user (consent applicant or permitted use)	No additional costs applied to resource users who construct seawalls in the CMA. Efficient consent processing.	Clearer direction and guidance for resource users in what to consider when developing new seawalls or changing existing ones in the coastal environment.
	Community benefits (environmental, social, economic, cultural)	No additional costs to the community to develop seawalls which provide for social and economic well-being.	<p>The adverse effects resulting from new seawalls or changing existing ones in the CMA such as impacts on heritage values, tangata whenua values, ecosystem health, natural character and public access are sustainably managed.</p> <p>Community values are protected from the adverse effects of inappropriate development of seawalls in the CMA.</p>
<p>Efficiency (costs vs benefits) and effectiveness (will the provisions achieve the objective?)</p> <p>(costs vs benefits; will the provisions achieve the objective)</p>		<p>The existing provisions are not satisfactorily addressing the adverse effects resulting from new seawalls or changes to existing ones in the CMA. Public access has been restricted in places, natural character has been lost and public open space has been impacted.</p> <p>There is also a lack of guidance for processing officers when it comes to asking for further assessments on effects.</p> <p>The existing provisions will not achieve the objectives.</p>	<p>While there may be additional costs to resource users and perhaps the WRC around requiring additional assessments of the effects of seawalls in the CMA, this will lead to better outcomes for sustainable coastal management in the long term. The new provisions provide a much clearer direction and guidance around what is required for a resource consent and what effects should be considered and addressed efficiently.</p> <p>The new provisions will achieve the objectives that they are linked to such as natural character, public access and public open space.</p>

Option 1 – Status Quo		Option 2 – proposed Plan
Risks (of acting or not acting, if there is uncertain or insufficient information)	No risks identified.	There are risks around not acting on the information in the NZCPS namely a challenge from stakeholders including statutory bodies with functions.
Appropriateness	This option is not appropriate as it fails to acknowledge the NZCPS policy direction considered appropriate to meet the purpose of the RMA.	This option is appropriate as it implements national policy direction around limiting hard protection structures in the CMA unless necessary to protect existing infrastructure as well as providing for other structures in the CMA and managing adverse effects.
Conclusions	Option 1 is not considered to be the most effective or efficient way to achieve the objective or the purpose of the RMA.	Option 2 is considered to be the most effective and efficient means of achieving the proposed objectives and meeting the purpose of the RMA.

Table A12: Provisions for safe use and passage

Option 1 – Status Quo		Option 2 – proposed Plan
Costs (of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions)	The WRC	Limited guidance for the WRC officers when assessing applications that may affect the safe use and passage of vessels and aircraft.
	Resource user (consent applicant or permitted use)	Limited protection for navigation paths used by vessels in the CMA could result in costs for resource users who depend on these paths for the navigation and safety of their operation.
		Limited change to costs for the WRC, with only an additional map included in the proposed Plan which shows the navigation protection areas (Map 49).
		Potential increased costs around additional assessments required for development proposals and their potential impacts on navigation protection areas with new objectives and policies to assess and consider.

Option 1 – Status Quo		Option 2 – proposed Plan	
	Community costs (environmental, social, economic, cultural)	Economic costs associated with impacts on navigation protection areas which could negatively affect businesses with social and economic benefits to the community.	Limits placed on activities occurring in navigation protection areas.
Benefits (of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions)	The WRC	Limited benefits to the WRC from the existing approach. Efficient consent processing with familiar provisions.	Better direction and guidance for processing officers in the new provisions around protecting navigation protection areas and airport height restriction areas from inappropriate development in the CMA.
	Resource user (consent applicant or permitted use)	No additional costs applied to resource users who build structures in the CMA.	Clearer direction and guidance for resource users in what to consider when developing new structures or changing existing ones in the CMA.
	Community benefits (environmental, social, economic, cultural)	No additional costs to the community to develop structures and other development which provide for social and economic well-being.	Navigation protection areas and airport height restriction areas which provide significant social and economic benefits to the community are protected from the adverse effects of inappropriate development.
Efficiency (costs vs benefits) and effectiveness (will the provisions achieve the objective?) (costs vs benefits; will the provisions achieve the objective)		The existing provisions are not satisfactorily providing for the safe use and passage of vessels and aircraft in the CMA. Existing policy guidance and information is unclear. There is also a lack of guidance for processing officers when it comes to asking for further assessments on effects. The existing provisions will not achieve the objectives.	While there may be additional costs to resource users and perhaps the WRC around requiring additional assessments of the effects on the safe use and passage of vessels and aircraft from structures or other development in the CMA, this will lead to better outcomes for sustainable coastal management in the long term. The new provisions provide a much clearer direction and guidance around what is required for resource consent applications and what effects should be considered and addressed efficiently. The new provisions will achieve the objective.

	Option 1 – Status Quo	Option 2 – proposed Plan
Risks (of acting or not acting, if there is uncertain or insufficient information)	There is sufficient information to act appropriately.	There are risks around not acting on the information about navigation protection areas and airport height restriction areas provided to the WRC from third parties.
Appropriateness	This option is not appropriate as it fails to acknowledge and protect important navigation protection areas and airport height restriction areas in the CMA for the safe use and passage of vessels and aircraft. New information is not acted upon.	This option is appropriate as it acts on new information and actively protects navigation protection areas and airport height restriction areas from inappropriate development.
Conclusions	Option 1 is not considered to be the most effective or efficient way to achieve the objective or the purpose of the RMA.	Option 2 is considered to be the most effective and efficient means of achieving the proposed objectives and meeting the purpose of the RMA.

Section 12 RMA

12 Restrictions on use of the coastal marine area

(1) No person may, in the CMA,—

(a) reclaim or drain any foreshore or seabed; or

(b) erect, reconstruct, place, alter, extend, remove, or demolish any structure or any part of a structure that is fixed in, on, under, or over any foreshore or seabed; or

(c) disturb any foreshore or seabed (including by excavating, drilling, or tunnelling) in a manner that has or is likely to have an adverse effect on the foreshore or seabed (other than for the purpose of lawfully harvesting any plant or animal); or

(d) deposit in, on, or under any foreshore or seabed any substance in a manner that has or is likely to have an adverse effect on the foreshore or seabed; or

(e) destroy, damage, or disturb any foreshore or seabed (other than for the purpose of lawfully harvesting any plant or animal) in a manner that has or is likely to have an adverse effect on plants or animals or their habitat; or

(f) introduce or plant any exotic or introduced plant in, on, or under the foreshore or seabed; or

(g) destroy, damage, or disturb any foreshore or seabed (other than for the purpose of lawfully harvesting any plant or animal) in a manner that has or is likely to have an adverse effect on historic heritage—

unless expressly allowed by a national environmental standard, a rule in a regional coastal plan as well as a rule in a proposed regional coastal plan for the same region (if there is one), or a resource consent. (2) No person may, unless expressly allowed by a national environmental standard, a rule in a regional coastal plan or in any proposed regional coastal plan for the same region, or a resource consent,—

(a) occupy any part of the common marine and coastal area; or

(b) remove any sand, shingle, shell, or other natural material from that area

(3) Without limiting subsection (1), no person may carry out any activity—

(a) in, on, under, or over any CMA; or

(b) in relation to any natural and physical resources contained within any CMA,—

in a manner that contravenes a national environmental standard, a rule in a regional coastal plan, or a rule in a proposed regional coastal plan for the same region (if there is one) unless the activity is expressly allowed by a resource consent or allowed by [section 20A](#) (certain existing lawful activities allowed). (4) In this Act,—

(a) (Repealed)

*(b) **remove any sand, shingle, shell, or other natural material** means to take any of that material in such quantities or in such circumstances that, but for the national environmental standard or the rule in the regional coastal plan or the holding of a resource consent, a licence or profit à prendre to do so would be necessary.*

(5) This section applies to overflying by aircraft only to the extent to which noise emission controls for airports within the CMA have been prescribed by a national environmental standard or set by a regional council.

(6) This section shall not apply to anything to which [section 15A](#) or [15B](#) applies.

The Greater Wellington Regional Council's purpose is to enrich life in the Wellington Region by building resilient, connected and prosperous communities, protecting and enhancing our natural assets, and inspiring pride in what makes us unique

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