

## 4 Coastal Environment

The primary objective (set out in Chapter 2) to be implemented by this Chapter is Objective 2.4 Coastal Environment; the following objectives are also relevant due to the objectives' integrated nature:

- 2.1 Tāngata whenua
- 2.2 Ecology and Biodiversity
- 2.3 Development Management
- 2.9 Landscapes

### Introduction

The *coastal environment* is important to residents and visitors to the District and there are a number of issues relating to management of activities and *development* within this area which need to be addressed through District Plan policies and methods.

This Chapter addresses the following:

- the extent of the *coastal environment*;
- the preservation of *natural character* in the *coastal environment*; and
- the maintenance and enhancement of public access to and along the coast.

The Chapter sets out general policies which primarily relate to the identification and protection of coastal natural character and processes. This section also needs to be read in conjunction with Chapter 3 Natural Environment which contains policies and rules relating to overall protection of sensitive, *significant indigenous vegetation* and habitat and landscapes.

The Council will take a leadership role in the management of the *coastal environment* in Kāpiti; however, other public organisations, private entities, developers and individuals also play important roles in the protection and enhancement of coastal values. The following policies are the primary means by which all of these stakeholders are to implement the relevant objectives including the *coastal environment*, biodiversity, *open space*, and character and amenity objectives.

The Council has prepared the document *Kāpiti Coast: Choosing Futures – Coastal Strategy* (2006). The Strategy is not a detailed plan of action but a high level guidance document for management of the coast. It will be referred to where relevant, when making decisions on *resource consent* applications required by the District Plan. The District Plan is a major tool for implementing the Strategy.

### 4.1 Coastal Environment

#### Extent of Coastal Environment

The New Zealand Coastal Policy Statement (NZCPS) relates to all land and activities in the *coastal environment*, therefore it is necessary to define its extent in the District to provide certainty for the Council and the community.

Policy 1 of the NZCPS 2010 states that the extent of the *coastal environment* varies from region to region. The *coastal environment* includes the coastal marine area and islands within the coastal marine area, as well as areas where *coastal processes*, influences or

qualities are significant, inter-related coastal marine and terrestrial systems, including the intertidal zone, physical resources and built facilities, including *infrastructure*, that have modified the *coastal environment* and places containing:

- coastal vegetation and the habitat of indigenous coastal species including migratory birds;
- elements and features that contribute to the natural character, landscape, visual qualities or *amenity values*; and
- items of cultural and historic heritage in the coastal marine area or on the coast.

Policy 4 of the Wellington Regional Policy Statement (WRPS) requires that District Plans identify the landward extent of the *coastal environment* using criteria set out in Policy 4. In order to define the extent of the *coastal environment* the Council commissioned the Isthmus Group to undertake a landscape and ecological study which identified land subject to *coastal processes* and coastal landscapes consistent with the criteria in Policy 4 of the WRPS. The area where the coastal environment is dominant is shown on the District Plan Natural Features maps.

## Natural Character of the Coastal Environment

The preservation of natural character in the *coastal environment* and its protection from inappropriate *subdivision*, use and development is a matter of national importance (section 6(a) of the Resource Management Act 1991 (*RMA*)). Policy 13 of the NZCPS provides guidance on the preservation of *natural character* in the *coastal environment*, and its protection from inappropriate *subdivision*, use and *development*. Policy 14 of the NZCPS promotes the restoration or rehabilitation of *natural character* of the *coastal environment* including identifying areas for restoration, providing policies and methods in the District Plan and through imposing *conditions* on *resource consents* and *designations*.

These policies have been given effect to by identifying and mapping areas of outstanding *natural character* and areas of high *natural character* in the *coastal environment* which are shown on the Natural Environment Maps, to enable protection from inappropriate *subdivision*, use and *development* and promotion of restoration to occur as part of future *development* of these areas.

## Public Access

The maintenance and enhancement of public access to and along the coastal marine area is a matter of national importance in the *RMA*. Policy 19 of the NZCPS requires that councils recognise the public expectation of and need for walking access to and along the coast and that councils avoid, remedy or mitigate any loss of public walking access as a result of *subdivision*, use or *development* and identify opportunities to enhance or restore public walking access.

This policy is given effect to by providing for access to the coast as part of *subdivision* of land adjacent to the coastal marine area or coastal esplanade reserves, including taking esplanade reserves where none currently exist. Rules include providing esplanade reserves and requiring public accessways as part of *subdivision* and including coastal access routes/ways on District Plan Maps.

## Land Uses

Policy 6 of the NZCPS recognises that the provision of *infrastructure*, the supply and transport of energy including the generation and transmission of electricity, and the

extraction of minerals, are activities important to the social, economic and cultural well-being of people and communities.

Policy 6 also encourages consolidation of existing coastal settlements and urban areas, within the *coastal environment*. This policy is given effect to in the *Living Zones* and *Infrastructure* Chapters of this District Plan. Coastal *yards* apply to Te Horo, Peka Peka and Waikanae Beaches, not only for the amenity of the *Living Zones* but also to assist in retaining the natural character and amenity of the *beach* (see Chapter 5 Living Zones).

## Management Approach

As noted above, the extent of the area where the *coastal environment* is dominant has been mapped in the District Plan Natural Features maps. From a development management perspective, the presence of this *coastal environment* area, gives additional weight to consideration of *effects* and the need to ensure adverse *effects* are avoided, remedied or mitigated.

There are particular features which sit within this *coastal environment* which have also been mapped. These include:

- areas of outstanding *natural character* and areas of high *natural character*;
- *geological features*;
- *ecological sites*; and
- *outstanding natural features and landscapes* or *special amenity landscapes*.

Chapter 3 Natural Environment - includes general policies relating to the management of these features. The Coastal Environment Chapter contains additional policies and rules which relate to managing particular aspects which relate to *coastal processes* and features, such as dunes. Some of these features are relevant to rules found in other Chapters. For example, within the Rural Zones (Chapter 7 Rural Zones) certain rules require *buildings* to not be visible from *the beach*.

#### 4.1.1 Coastal Environment - General Policies

##### Policy 4.1 – Identify Coastal Environment Extent

The extent of the *coastal environment* is identified as being any area meeting any one or more of the following criteria:

- a) areas mapped in the District Plan as being part of the ‘dominant coastal environment’;
- b) areas or landforms dominated by coastal vegetation or habitat of indigenous coastal species;
- c) landform affected by active *coastal processes*, excluding tsunami;
- d) elements or features, including coastal escarpments, that contribute to the natural character, landscape, visual quality or *amenity value* of the coast; and
- e) sites, *structures*, places or areas of *historic heritage* value adjacent to, or connected with, the coast, which derive their heritage value from a coastal location.

Comment [ET1]: 10 - Coastal Ratepayers United (CRU)

##### Policy 4.2 – Identify Natural Character

*Natural character* in the *coastal environment* is identified and mapped in the District Plan using the following criteria:

1. For areas of outstanding *natural character* and areas of high *natural character*:
  - a) natural elements, systems, processes and patterns, which are relatively unmodified;
  - b) the presence of water (lakes, rivers, sea), geological and geomorphological features;
  - c) natural landforms and landscapes which are legible and uncluttered by *structures* or ‘obvious’ human influence including the natural darkness of the night sky;
  - d) places dominated by natural patterns such as the natural movement of water and sediment; and
  - e) places or areas that are wild or scenic including the presence of vegetation (especially native vegetation) and other ecological patterns; and
2. In addition to the features listed above in 1, areas of outstanding *natural character* will have the following characteristics:
  - a) they are exceptional, pre-eminent and clearly superior to areas of high *natural character*; and
  - b) they have a combination of elements, patterns and processes that are exceptional in their intactness, integrity and lack of built structures and other modifications compared to areas of high *natural character*.

##### Explanation

This policy is to give effect to the NZCPS 2010 and the WRPS.

**Policy 4.3 – Preservation of Natural Character**

Preserve *natural character* in the *coastal environment*, and protect it from inappropriate *subdivision*, use and *development*, including by:

- a) avoiding adverse effects of activities on *natural character* in areas of outstanding *natural character*;
- b) avoiding significant adverse effects, and avoiding, remedying or mitigating other adverse effects of activities on *natural character* in all other areas of the *coastal environment*;
- c) reinstating dunes which function as natural buffers where practicable;
- d) providing managed public access ways to *the beach* and foreshore and limiting damage to dunes from unmanaged access;
- e) regulating encroachment of permanent *structures* and private uses onto the *beach* or public land;
- f) removing existing unnecessary *structures* and associated waste materials from *the beach*;
- g) retaining a natural *beach* and foreshore including a dry sand *beach* where practicable.

**Explanation**

This policy is to give effect to the NZCPS 2010 and the WRPS.

**Policy 4.4 – Restore Natural Character**

Promote restoration of the *natural character* of the *coastal environment* where practicable, by:

- a) creating or enhancing indigenous habitats and ecosystems, using local genetic stock;
- b) encouraging natural regeneration of indigenous species, while effectively managing weed and animal pests;
- c) rehabilitating dunes and other natural coastal features or processes, including saline *wetlands* and intertidal saltmarshes;
- d) restoring and protecting riparian and intertidal margins;
- e) removing redundant coastal *structures* and materials that do not have heritage or *amenity values*; or
- f) redesign of *structures* that interfere with ecosystem processes.

**Explanation**

This policy gives effect to the NZCPS.

**Policy 4.5 – Amenity and Public Access**

Maintain and enhance *amenity values* in the *coastal environment*, such as *open space* and scenic values, and provide opportunities for recreation and the enjoyment of the coast, including the enjoyment of a high tide dry *beach* by the public. Public access to and along the coast will be maintained and enhanced while minimising any significant adverse effects on the public's use and enjoyment of the coast.

**Policy 4.6 – Natural Coastal Processes**

Natural shoreline movement will be accommodated where practicable and the resilience of coastal communities will be increased by using best practice coastal management options, including:

- a) dune management;
- b) inlet management; and
- c) engineering measures.

**Policy 4.7 – Natural Dunes**

Natural dune systems will be protected and enhanced (including through restoration) and natural dune function will be enabled where practicable.

## 4.1.2 Rules and Standards

### Rules and Standards Table (General)

#### Introduction: Applicability of Rules in Tables 4A.1 and 4A.4

The rules in Tables 4A.1 and 4A.4 apply to all land within the *coastal environment* to activities in any *Zones* unless otherwise specified. There may be other rules within the District Plan that also apply to *sites* and activities within the *coastal environment*. Section 1.1 in Chapter 1 sets out how to use the Plan and identify other rules that may also apply to a *site* or activity.

For clarity, activities in the *coastal environment* are also subject to the *zone* rules in other Chapters of the District Plan.

#### Table 4A.1. Permitted Activities

The following activities are **permitted** activities, provided that they comply with all corresponding permitted activity standards in this table, and all relevant rules and permitted activity standards in other Chapters (unless otherwise specified).

Permitted Activities	Standards
1. Public access and amenity structures <b>in areas of outstanding natural character and areas of high natural character.</b>	1. Permitted public access and amenity structures must be one of the following: <ol style="list-style-type: none"> <li>rubbish bin with capacity of 100L less;</li> <li>public seating not exceeding 2000mm in length, 600mm in width and 900mm in height;</li> <li>bollards with a height of 900mm or less;</li> <li>fencing of less than 1.5m of height above <i>original ground level</i>; and</li> <li>gates of less than 1.5m in height.</li> </ol> 2. <i>Earthworks</i> for the installation or construction of structures 1a) to e) above, must not exceed more than 2m <sup>2</sup> of disturbance.

**Comment [ET2]:** 10 - Coastal Ratepayers United (CRU)

**Table 4A.2 Controlled Activities**

The following activities are **controlled** activities, provided that they comply with all corresponding controlled activity standards in this table, and all relevant rules and standards in other Chapters (unless otherwise specified).

Controlled Activities	Standards	Matters over which Council reserves control	
There are no <i>controlled activities</i> .			



**Table 4A.3 Restricted Discretionary Activities**

The following activities are **restricted discretionary** activities, provided that they comply with all corresponding restricted discretionary activity standards in this table, and all relevant rules and standards in other Chapters (unless otherwise specified).

Restricted Discretionary Activities	Standards	Matters over which Council will restrict its discretion	
<i>There are no restricted discretionary activities.</i>			

**Table 4A.4 Discretionary Activities**

The following activities are **discretionary** activities

**Discretionary Activities**

1. Any activity which is not identified as a *permitted activity* in Table 4A.1, or *earthworks* associated with activities permitted under Rules 9A1.4, 9A1.6 and 9A1.7.

**Comment [ET3]:** 10 - Coastal Ratepayers United (CRU)

**Table 4A.5 Non-Complying Activities**

The following activities are **non-complying** activities.

There are no *non-complying activities*.

**Coastal Environment Schedules**

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**Schedule 4.1** – Areas of high *natural character*, areas of outstanding *natural character* and the extent of the dominant *coastal environment*

**Schedule 4.1 Areas of high natural character, areas of outstanding natural character and the extent of the dominant coastal environment**

Areas of high natural character (dark green), outstanding natural character (light green) and the extent of the dominant coastal environment (red) are shown in the map below. This information is also included in more detail in the District Plan Natural Features Maps.

**Comment [SH4]:** 10 - Coastal Ratepayers United (CRU)  
[Note: the CRU appeal identified errors in the PDP Decisions version in relation to the Schedule 4.1 text and map figure - these have been corrected for this Appeals version under the provisions of clause 16 to be consistent with the Hearing Panel recommendation report]

