

Coastal Overview - Chapter 3: Natural Environment – General, Landscapes and Earthworks Provisions

1.0 Introduction

- 1.1 The section 42A report I have prepared considers submissions received on the provisions of Chapter 3: Natural Environment and the District Plan Maps in relation to the general, landscapes and earthworks provisions.
- 1.2 For the purposes of this Coastal Overview, I will identify the major issues raised by submitters in relation to Chapter 3: Natural Environment within the context of my section 42A report, but then concentrate on the areas of cross-over with other chapters of the PDP as they relate to the coastal environment.

2.0 Major themes

- 2.1 There were a large number of submissions and further submissions received on Chapter 3. The major themes relevant to the coastal environment were:
- The identification of outstanding natural features and landscapes on the District Plan Maps and in Schedule 3.4 and rules restricting subdivision, buildings, earthworks, and plantation forestry within the landscape areas;
 - The identification of significant amenity landscapes on the District Plan Maps and in Schedule 3.5, and the inappropriate focus of protection of these features in the policies and rules, rather than of maintenance or enhancement under section 7(c) of the RMA;
 - Earthworks provisions, including their relationship to stream and river maintenance; and
 - Plantation forestry and shelter belts in relation to outstanding natural features and landscapes and ecological sites.

Landscape Areas

- 2.2 A number of Outstanding Natural Features and Landscapes and Significant Amenity Landscapes located within the Coastal Environment. I have recommended in my section 42A report that Significant Amenity Landscapes be renamed as 'Special Amenity Landscapes' in response to a submission from Greater Wellington Regional Council.
- 2.3 Within the more extensive Coastal Environment area identified in the notified PDP, there are 7 Outstanding Natural Features and Landscapes (ONFLs) and 7 Special Amenity Landscapes (SALs). Within the reduced Coastal Environment area there are 5 Outstanding Natural Features/Landscapes and 3 Special Amenity Landscapes. [Refer to the PowerPoint presentation for a list of these landscape areas]
- 2.4 Limited submissions were received on the ONF/Ls and SALs that are located within the reduced Coastal Environment area. A review of the landscape areas in response to submissions was undertaken by Isthmus Group Ltd (Isthmus). In most cases Isthmus recommended that there be no changes to the landscape area boundaries.

- 2.5 Submission 485.5 Frank and Vicki Boffa request that the entire coastal margin be classified as an ONFL in terms of section 6(b) of the RMA. The recommendation of Isthmus is to retain the ONF/Ls and SALs along the coast identified in the PDP.
- 2.6 As a consequence of Isthmus's assessment of the Outstanding Natural Character Area, Isthmus has also recommended that amendments be made to the boundaries of the Waikanae Estuary ONL and that the feature be identified as an ONF. Isthmus has also recommended that the Whareroa Dunelands ONL be identified as an ONF.
- 2.7 With respect to SALs, I have recommended in my section 42A report on Chapter 3 that all rules relating to these landscape areas be deleted. As such, any potential integration issues in the coastal environment that may have been associated with these provisions will be removed. As SALs are located along most of the coastline, this recommendation is significant to achieving better integration.

Other Submissions to Chapter 3 relating to the Coastal Environment

- 2.7 Submission 511.5 Mari Housiaux seeks the removal of Policies 3.4 – Adaptive Management and Policy 3.5 – Environmental Offsetting in relation to remaining coastal dunes, identified wetlands, buffer areas, peatland remaining from extant wetland and areas of indigenous vegetation. I have recommended that the submission be rejected insofar as the policies are not amended to exclude the Te Hapua environment.
- 2.8 Submission 511.6 Mari Housiaux requests that the provisions in Chapter 3 be amended to provide further control of planting of forestry and shelter belts within and around ecological sites and along the coastal environment between Peka Peka and Te Horo, so these activities are not permitted. I have recommended that the submission be rejected insofar as I consider that it is not necessary to include further controls in the PDP for plantation forestry and shelter belts within and around the Peka Peka and Te Horo area.
- 2.9 Submission 414.2 David Moore supports strong environmental protection and control of activities possibly causing pollution or contamination of streams, wetlands or coastal areas.
- 2.10 Submission 462.7 Wellington Fish and Game Council generally requests (among other things) that the PDP provide for the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development and provides for the maintenance and enhancement of public access to and along the coastal marine area, lakes, rivers, and wetlands. I have recommended that the submission be accepted in part insofar as the policies and rules in Chapter 3 provide for the protection of ecological sites, including wetlands, and also seek to minimise potential adverse effects on waterbodies associated with sediment and stormwater runoff from earthworks activities. The policies and rules also seek to maintain or enhance amenity values associated with identified SALs and to avoid, remedy or mitigate potential adverse effects of earthworks on landscape and visual amenity values. I also note in my recommendation that Chapter 4 of the PDP includes policies and rules that relate to the coastal

environment, including the provision of public access and the preservation of the natural character of the coastal environment.

- 2.11 Submission 451.55 Rob Crozier and Joan Allin requests that earthworks Rule 3A.1.7, and in particular the wording of standard '4a)', be amended to clarify its meaning in relation to clearance of Mangaone Stream. I have recommended that the submission be accepted insofar as it is recommended that a new Rule 3A.1.9 be inserted into Chapter 3 to exempt earthworks associated with activities permitted under Rule 9B.1.6 and Rule 9B.1.4.

3.0 Cross-over issues

- 3.1 With regard to the section 42A reports for other chapters relevant to the coastal environment, issues that cross-over Chapter 3 in relation to general provisions, landscape areas and earthworks are:
- Areas of Outstanding/High natural character and Outstanding Natural Features and Landscapes
 - Dune restoration
 - Stream and river maintenance, including gravel extraction
 - Plantation forestry and shelter belts

Areas of Outstanding / High Natural Character and Outstanding Natural Features and Landscapes

- 3.2 As noted in the Opening Statement for Chapter 4, Rule 4A.3.1 classifies buildings on land in the coastal environment which has been identified as having high natural character as being a restricted discretionary activity. Rule 4A.4.1 classifies buildings on land in the coastal environment which has been identified as having outstanding natural character as a discretionary activity. There will be an overlap between Areas of High Natural Character and Outstanding Natural Features/Landscapes at three locations within the coastal environment – Waiorongamai Dunes ONF, Otaki River Mouth ONL and the Whareroa Dunelands ONF. In response to submissions I have recommended that buildings with a gross floor area not exceeding 54m² be permitted under new Rule 3A.1.8 within ONFLs, subject to compliance with standards. Larger buildings within these areas will be a restricted discretionary activity under Rule 3A.3.6. I concur with the Reporting Officer for Chapter 4, that while there is a cross-over between these rules this issue will only occur in three specific locations.

Dune restoration

- 3.3 Rule 4A.2.1 of Chapter 4 classifies earthworks on dunes undertaken for the purpose of dune restoration as a controlled activity. Rule 3A.1.7 permits earthworks in all areas, except areas subject to flood hazards, outstanding natural features and landscapes, ecological sites, geological sites and historic heritage features. The volume of earthworks is limited to 50m³ within a 5 year period in open space zones and 100m³ within a 5 year period in rural zones, and the earthworks are subject to standards, including a requirement that they not be undertaken on slopes greater than 28 degrees or within 20 metres of a water body, including wetlands and coastal water. Earthworks not meeting one or more of the permitted activity standards are a restricted discretionary activity under Rule 3A.3.7.

- 3.4 I note that with the amendments I have recommended to be made to Rule 3A.1.7, I have included areas of outstanding natural character in the areas/features that the rule does not apply to. This is an error on my part. I have also recommended that a note be added to Rule 3A.1.7, referring plan readers to rules and standards for earthworks in other chapters of the PDP, although I have omitted (in error) including a reference to the provisions in Chapter 4. It is therefore my intention to recommend that these errors be corrected in my opening statement for the Chapter 3 hearings.

Stream and River Maintenance, including Gravel Extraction

- 3.5 As I have referred to above, Submission 451.55 Rob Crozier and Joan Allin request that earthworks Rule 3A.1.7 and in particular the wording of standard '4a)' be amended to clarify its meaning in relation to clearance of Manganone Stream. Rather than amend Rule 3A.1.7, I have recommended that a new Rule 3A.1.9 be inserted into Chapter 3 to permit earthworks associated with a number of activities, including those permitted under Rule 9B.1.6 and Rule 9B.1.4.
- 3.6 I note that the PDP Coastal Overview Section 42A Report states that new Rule 3A.1.9 includes earthworks permitted under Rule 9B.1.8, relating to gravel extraction. That is not correct. However, I concur with the Reporting Officer that it should be included and I will be recommending in my opening statement for the Chapter 3 hearings, that Rule 3A.1.9 be amended accordingly.

Plantation Forestry and Shelter Belts

- 3.7 I note that the Reporting Officer for Chapter 4 Coastal Environment supports my recommendation to insert new discretionary activity Rule 3A.3.9 which applies to plantation forestry within outstanding natural features and landscapes, ecological sites, geological features, historic heritage features, as well as areas of outstanding natural character, areas of high natural character.

4.0 Resolution of Issues

- 4.1 I agree with the PDP Coastal Overview Section 42A Report that if Chapter 3: Natural Environment and Chapter 4: Coastal Environment are combined, integration of the various matters referred to above will be more certain. I also agree that the integration issues affecting Chapter 7: Rural Environment will need to be addressed as part of the proposed integration hearing in late 2016.
- 4.2 I can also confirm that in preparing my section 42A report, I have worked with the Reporting Officer for Chapter 9: Hazards to achieve consistent language in reference to effects relating to adaptive management and the precautionary principle in Chapter 3 and Chapter 9.

5.0 Conclusion

- 5.1 I am not aware of any other cross-over issues relating to the coastal environment with regard to the general, landscape and earthworks provisions in Chapter 3.

Janeen Kydd-Smith
12 July 2016