
**OPENING STATEMENT OF ANDREW CAMREON MACLENNAN:
CE – COASTAL ENVIRONMENT**

Qualifications and Experience

- 1 This statement provides an update on my understanding of the key issues related to Chapter 8: CE – Coastal Environment since I prepared my section 42A report¹ and supplementary evidence² on this topic.

Code of Conduct

- 2 I have read and agree to comply with the Environment Court’s Code of Conduct for Expert Witnesses, contained in the Environment Court Practice Note 2023. I have complied with the Code in preparing my evidence. Other than where I state that I am relying on the advice of another person, I confirm that the issues addressed in this statement of evidence are within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

Scope of Evidence

- 3 In my view, the outstanding issues can largely be grouped into four main themes:
- 3.1 Kāi Tahu relationship to the coastal environment.
 - 3.2 Biodiversity in the coastal environment.
 - 3.3 Infrastructure in the coastal environment.
 - 3.4 Connections to other chapters within the pORPS21.
- 4 There is also a range of more discrete issues that have been raised in evidence, including: the management of regionally significant surf breaks, the aquaculture policy CE-P11, and the methods relating to management of discharges to coastal water.
- 5 To assist the Hearing Panel and signal to the submitters where my views may be changing in response to the evidence, I have attached as Appendix 1 to this

¹ Chapter 5: CE – Coastal Environment (4 May 2022)

² Brief of supplementary evidence of Andrew Cameron Maclellan – CE – Coastal Environment (11 October 2022)

statement, a tracked change version of the CE-Chapter. I am conscious that I have not heard questions from the Hearing Panel to submitters, and therefore these views are preliminary and no s32AA assessment has been included to support these changes. A full analysis and s32AA will be provided in the reply report.

- 6 Where I have recommended additional amendments to provisions, my recommendations are shown in addition to my original section 42A recommendations. The key below sets out how these different recommendations are shown.

Key to proposed amendments

Appearance	Explanation
Black text	Text as notified.
Black text with <u>underlining</u> or strikethrough	Amendments recommended in section 42A report.
Red text with <u>underlining</u> or strikethrough	Additional amendments recommended in supplementary evidence where there has been no previous amendment to the 'as notified' provision text.
Black text with <u>red</u>	Text that was recommended to be deleted in s42A report but now recommended to be retained ("un-deleted") by supplementary evidence.
Red strikethrough with <u>black underlining</u> .	Text that was recommended to be inserted in s42A report (black underline) but now recommended to be deleted by supplementary evidence (red strikethrough).
Blue text with <u>blue</u> or strikethrough	Text that is recommended to be inserted or deleted as part of this summary statement.

- 7 In the same way as the original section 42A report recommendations, the scope for all proposed amendments is included as a footnote in the amended provisions. Where the amendments were recommended in the section 42A report, the supporting explanation is in the section 42A report. Where the amendments are recommended through this supplementary evidence, the supporting explanation is contained in this supplementary evidence.

Kāi Tahu relationship to the coastal environment

- 8 The most significant changes sought in the evidence have come from Kāi Tahu. In summary they seek new provisions or amendments to existing provisions that:

8.1 protect the mauri of Otago's coastal waters,

- 8.2 provide for Kāi Tahu customary and commercial fisheries,
- 8.3 recognise the interactions between the terrestrial environment, fresh water, and the coastal marine area,
- 8.4 take a more active approach to managing coastal water quality,
- 8.5 ensure greater restriction on reclamation,
- 8.6 provide greater direction on: discharges, sedimentation, dredging, and the land/freshwater/sea interface.
- 8.7 recognise aquaculture settlement areas gazetted under the Māori Commercial Aquaculture Claims Settlement Act 2004.
- 9 This planning evidence has been supported by cultural evidence³ that has highlighted, amongst other things:
- the importance of mahika kai gathering for Kāi Tahu,
 - the concept of ki uta ki tai, acknowledging that all environmental elements are interconnected and must be managed as a whole, and
 - the importance of protecting the Mauri of the moana.
- 10 Prior to the hearing I have been in communication with Kāi Tahu planning witness Mr Bathgate and also Te Rūnanga o Ngāi Tahu (Ngāi Tahu) planning witness Ms Stevens.
- 11 Following the discussions with Kāi Tahu and Ngāi Tahu, I agree that several additional amendments to the CE Chapter may be appropriate. These are outlined below and shown in Appendix 1 to this statement.

Objective CE-O1

- 12 The evidence of Mr Bathgate⁴ has sought the introduction of a new objective Te Mauri o te Moana. As set in my s42a report⁵, I disagreed that a new objective is required as I consider the amendments made to the objective achieve the same outcome. However, I understand from the cultural evidence that a central focus on mauri is necessary to restore te taiao and properly recognise the

³ Evidence of Mr Ellison, Mr Flack, and Mr Higgins

⁴ Evidence of Mr Bathgate for Kāi Tahu paras 21 - 23

⁵ Paragraph 55

interconnection between freshwater and coastal environments, and between land and coastal waters. Therefore, I support this addition.

- 13 The evidence of Mr Bathgate has also sought consequential amendments to CE-O1 to remove limbs (1) and (2). If an amendment is made to create a new objective, I agree with the removal of CE-O1(1). However, I consider there is still a place for (2) as these activities are a good indicator of water quality. I disagree with the suggested amendment.
- 14 Finally, I agree with the evidence of Mr Bathgate that the addition of 'protected' within subclause (6) does not fit with the rest of the subclause which relates to the effects of terrestrial and freshwater activities on coastal waters and ecosystems. Mr Bathgate has suggested replacing 'protected' with 'managed'. I consider using 'managed' in an unqualified way does not provide any details on how these effects will be managed. As such, I have suggested an amendment to the subclause so that the 'protection' is associated with the 'interconnectedness of wai Māori and wai tai' and the effects of activities and uses listed in the subclause are to be recognised and understood.

Objective CE-O2

- 15 The evidence of Mr Bathgate⁶ has suggested that CE-O2 should be amended to ensure that vehicle access is controlled within the coastal environment, as required by Policy 20 of the NZCPS. I have re-considered this submission point and agree that this addition would assist in giving effect to the NZCPS and also provide a clear link to Policy CE-P8. As such I support this amendment.

Objective CE-O4

- 16 The evidence of Mr Bathgate⁷ has confirmed that this objective should refer to the enduring cultural 'relationship' of Kāi Tahu with Otago's coastal environment, rather than the 'association'. As such I support this amendment.

Objective CE-O5

- 17 The evidence of Mr Bathgate⁸ has noted that subclause (3) of this objective refers to appropriate locations and 'constraints' rather than 'limits'. For consistency with the rest of the pORPS21 I agree with this amendment. In addition, Mr Bathgate

⁶ Evidence of Mr Bathgate for Kāi Tahu para 58

⁷ Evidence of Mr Bathgate for Kāi Tahu para 40

⁸ Evidence of Mr Bathgate for Kāi Tahu para 61 - 63

has suggested an addition to sub-clause (5) to include the reference to ‘mahika kai’. Given the significant weight placed on mahika kai within the cultural evidence I support this amendment.

Policy CE-P1

- 18 The evidence of Mr Bathgate⁹ suggested that amendments are required to CE-P1 to provide greater policy direction, address issues raised in cultural evidence, and increase the level of integration between the CE chapter and other parts of the pORPS21. He has suggested 4 additional limbs be included within the policy.
- 19 I agree in part with the suggested changes. I agree that more emphasis should be placed on the concept of ki uta ki tai in the CE chapter. However, rather than adding to the current CE-P1, in my view, it is better to retain CE-P1 as a policy that provides a signpost to other chapters in the pORPS21, and a new CE-P1A could be added to the CE chapter related to ki uta ki tai. As such, I suggest that a new policy CE-P1A is included within the chapter that incorporates limbs (1) (3) and (4) of the Kai Tahu drafting. This suggested drafting is set out in the Appendix 1.

Policy CE-P2 and CE-M3(12)

- 20 The evidence of Mr Bathgate¹⁰ suggested that amendments are required to CE-P2 to include additional matters that must be considered when assessing whether areas of water quality in the coastal marine area are considered to be deteriorated. The drafting within the s42a version of this policy reflects the drafting within Policy 21 of the NZCPS. However, I agree with Mr Bathgate that, additional matters should be included within the policy to better specify the ‘cultural activities’ that are undertaken in the Otago context.
- 21 The evidence of Ms Stevens¹¹ for Te Rūnanga o Ngāi Tahu has suggested that an amendment to limb (3) to require identification of aquaculture settlement areas gazetted under the Māori Commercial Aquaculture Claims Settlement Act 2004. On reflection, I agree a change could be made to this limb to specifically highlight aquaculture settlement areas gazetted under the Māori Commercial Aquaculture Claims Settlement Act 2004 if they are created. Although I note that they will be captured by the existing (3) regardless as the limb is not exclusive. I agree that this suggested amendment naturally flows from amendments accepted on the

⁹ Evidence of Mr Bathgate for Kāi Tahu para 24 - 26

¹⁰ Evidence of Mr Bathgate for Kāi Tahu para 45

¹¹ Evidence of Ms Stevens for Kāi Tahu paras 80 - 85

MW-Mana Whenua chapter. I also agree that a consequential amendment to CE-M3(12) is required to support this amendment.

Policy CE-P3

- 22 The evidence of Mr Bathgate¹² suggested that amendments are required to policy CE-P3 to provide a more holistic and active approach to managing effects on coastal water from all activities. I consider an amendment to the chapeau combined with the insertion of a new clause would assist with the expression of the policy. In my view, the chapeau should require the management of water quality in the coastal environment, with the subclauses setting out the management approach to achieve this. I consider a new subclause (x) could be included within the policy related to 'prioritising the restoration' of deteriorated waters. This, I believe, gives greater effect to Policy 21 of the NZCPS.
- 23 In addition, I have re-considered my view on whether subclause (7) should require setting appropriate water quality limits, or whether it should also require that appropriate water quality 'targets' to be set. In my view, managing water quality requires setting water quality 'limits' (a point or level beyond which something does not or may not extend or pass) and 'improving' water quality requires setting water quality 'targets' (where efforts are directed to achieving something). Given I have supported the addition of CE-AO1 which includes the goal of restoring the mauri of Otago's coastal waters and their health and well-being where it is degraded, I consider the reference to setting water quality targets would assist in achieving this objective. Finally, I have suggested a consequential amendment to subclause (5) replacing 'managing' with 'controlling' to improve the readability with the chapeau.

Policy CE-P6

- 24 Ms Bartlett for Kāi Tahu has provided evidence¹³ on CE-P6(4) seeking that the intent of the subclause be clarified. She has suggested that the subclause should be amended to focus on restoring or enhancing natural features and landscapes in the coastal environment where the 'values' of the natural features and landscapes are reduced or lost. I agree this amendment clarifies the purpose of the subclause.

Policy CE-P10

¹² Evidence of Mr Bathgate for Kāi Tahu paras 47 - 50

¹³ Evidence of Ms Bartlett for Kāi Tahu paras 74 - 75

25 The evidence of Mr Bathgate¹⁴ suggested a range of amendments to this policy to limit the use and development of the coastal environment, ensure a greater focus on the health of coastal waters, and provide for cultural wellbeing of Kāi Tahu. I agree with the addition of 'open space' within subclause (4) as it aligns with the Policy 6(2)(b) and Objective 4 of the NZCPS. I also agree that greater clarity could be provided, as to which of the subclauses are conjunctive and which are not. However, I disagree the additions to the chapeau and other subclauses are necessary. I consider Policy 6 of the NZCPS is more enabling than the drafting proposed by Mr Bathgate.

Methods

26 The evidence of Mr Bathgate¹⁵ suggested a range of amendments to the methods in the CE Chapter. The most substantive change relates to CE-M1A. Mr Bathgate has sought that this method is amended to align with method LF-WAI-M1. As set out in Appendix 1, I agree in part with this suggested amendment. I agree with the concept that CE-M1A is aligned with method LF-WAI-M1. However, I disagree with the drafting of subclause (1). In my view, a method implementing actions of other method (MW-M2, etc) is unnecessary as all the relevant methods are to be read together.

27 In relation to the other amendments to the methods section proposed by Mr Bathgate, I agree that the minor amendments to: CE-M2(4)(b), CE-M3(1A), CE-M3(5)(a), CE-M3(7), CE-M4(3), CE-M4(3A), CE-M4(9), and CE-M4(11), as set out in Appendix 1, are also appropriate.

Significant natural areas (SNA's) in the coastal environment

28 Mr Low¹⁶ for Sanford and Ms O'Callahan¹⁷ for Port Otago have provided evidence suggesting that the recommendations within the s42a report made to CE-P5 related to coastal biodiversity create a policy framework that is more restrictive than that required by Policy 11 of the New Zealand Coastal Policy Statement 2010 (NZCPS).

29 As drafted within the s42a report, Policy CE-P5 requires that areas of significant biodiversity in the coastal environment that meet the criteria in APP2 are required to meet the 'avoid adverse effects' test (Policy 11(a) of the NZCPS).

¹⁴ Evidence of Mr Bathgate for Kāi Tahu para 65 - 68

¹⁵ Evidence of Mr Bathgate for Kāi Tahu paras 42, 74 - 85

¹⁶ Evidence of Mr Low for Sanford paras 44 - 45

¹⁷ Evidence of Ms O'Callahan for Port Otago paras 87 - 88

- 30 The question the Hearing Panel is being asked to consider is, should areas in the coastal environment that do not meet the identification criteria Policy 11(a) of the NZCPS, but do meet the criteria for an SNA in APP2, be required to meet the 'avoid adverse effects' test (Policy 11(a) of the NZCPS, or the 'avoid significant adverse effects and avoid remedy or mitigate other adverse effects' test (Policy 11(b) of the NZCPS)?
- 31 The evidence of Ms Glies¹⁸ for Sanford suggested that the broad nature of APP2 when compared to the criteria within Policy 11(a) of the NZCPS would result in large areas of the coastal biodiversity being subject to the 'avoid adverse effects' test within Policy 11(a) of the NZCPS, including areas that would be captured by Policy 11(b) which has a less restrictive 'avoid significant adverse effects and avoid remedy or mitigate other adverse effects' test.
- 32 As highlighted in the attached tracked change version of the CE Chapter in Appendix 1, I agree in principle with the evidence of Mr Low that the addition I have recommended within CE-P5 creates a policy framework that is more restrictive than Policy 11 of the NZCPS. If the panel were of a mind to align CE-P5 with Policy 11 of the NZCPS, I have recommended an amendment to CE-P5 that I consider would achieve the same outcome as that proposed by Mr Low.
- 33 In my view, this drafting will still give effect to in Section 6(c) of the RMA. The areas of significant indigenous vegetation and significant habitats of indigenous fauna that are captured by Policy 11(a) will have a strict avoidance test associated with them. As the most threatened areas of the coastal environment, this will ensure protection of these areas. For all other Section 6(c) areas in the coastal environment, the 'avoid significant adverse effects and avoid, remedy or mitigate other adverse effects' test within CE-P5(2) will ensure protection of these areas.
- 34 Related to this Sanford has also provided evidence seeking amendments to significance criteria for indigenous biodiversity listed in APP2 to narrow the scope of this criteria. The merits of these changes will be considered in the ECO chapter.

Infrastructure in the coastal environment

¹⁸ Evidence of Ms Giles for Sanford paras 47 - 52

- 35 Ms McLeod for Transpower¹⁹ has suggested that an additional limb be added to CE-P1 stating that nationally significant infrastructure in the coastal environment must be managed in accordance with EIT-INF-P13A.
- 36 Similarly, Ms Justice for Aurora²⁰ has sought a carve out from CE-P4 - Natural Character to enable this existing infrastructure to be maintained or upgraded, and a new limb be added to the policy requiring that electricity distribution infrastructure be managed in accordance with a new policy within the EIT Chapter (EIT-EN-PXXA).
- 37 As I understand it, the EIT chapter and specifically EIT-INF-P13A, does not provide direction on nationally significant infrastructure in the coastal environment. As such, these amendments will only be required if amendments to EIT-INF-P13A are made to incorporate the management of nationally significant infrastructure within the coastal environment.
- 38 In addition, Ms O'Callahan for Port Otago²¹ has suggested that the list of cross references in CE-P1 be removed. As set out in my Section 42a report²², Standard 2, direction (7) of the National Planning Standards states that any specific provisions relating to the coastal environment which are located in other topic chapters must be cross-referenced in the CE chapter. In my view, if the cross-references within CE-P1 were removed this would affect the architecture of the pORPS21. I note that the pORPS21 has been designed so that all the relevant provisions on a given topic are to be read together. If these cross-references were removed this would create policy gaps within the pORPS21.

Connections to other chapters with the pORPS21

- 39 Several submitters have raised questions as to how various parts of the pORPS21 link with the CE chapter. These linkages relate to provisions within the ECO, LF Chapters and also the NFL and HAZ-NH Chapters.

ECO Chapter

- 40 Submitters²³ have suggested amendments to clarify the relationship between the ECO and CE chapters. This has largely been considered in the context of SNA in the coastal environment above.

¹⁹ Evidence of Ms McLeod paras 8.2 – 8.4

²⁰ Evidence of Ms Justice para 10.5

²¹ Evidence of Ms O'Callahan paras 32 – 33

²² Paras 113 - 115

²³ Sandford, Port Otago, and DoC

LF Chapter

- 41 Mr Bathgate for Kāi Tahu²⁴, supported by the cultural evidence of Mr Ellison, Mr Flack, and Mr Higgins suggested that amendments are required the CE chapter to increase the level of integration between the CE chapter and other parts of the pORPS21 to achieve integrated management. As set out above, in the Kāi Tahu section above, I have suggested a number of changes to the CE chapter to increase the level of integration between the CE chapter and other parts of the pORPS21, namely the LF and ECO chapters. In addition, Mr Bathgate has suggested²⁵ that a new policy be included within the CE Chapter to align LF–FW–P15 – Stormwater and wastewater discharge. In my view, method CE-M3(4) in the CE chapter provides direction on the management of discharges into coastal water in accordance with Policy 23 of the NZCPS. If the Hearing Panel agree that additional policy direction on stormwater and wastewater discharges to coastal water was required, I consider some of the content within CE-M3(4) could be re-drafted into a new policy.

NFL Chapter

- 42 Mr Bathgate for Kāi Tahu²⁶ has suggested that amendments are made to the NFL chapter to clarify which provisions in the NFL chapter apply in the coastal environment. I agree with Mr Bathgate, that amendments are required to clarify the relationship between the two chapters. In my view the NFL chapter only manages natural features and landscapes outside the coastal environment and the CE chapter manages natural features and landscapes inside the coastal environment. Given this, the reference within CE-P1 to the NFL chapter is not required.

43 HAZ-NH Chapter

- 44 For completeness, I note that Ms O'Callahan²⁷ for Port Otago has suggested that amendments are made to the HAZ-NH chapter to clarify which provisions in the HAZ-NH chapter apply in the coastal environment. I agree with Ms O'Callahan, that if any changes are required to clarify the relationship between the two chapters, these changes need to be made the HAZ-NH chapter and not the CE chapter. As such, my view is that these can be considered within the HAZ-NH chapter hearing.

²⁴ Evidence of Mr Bathgate for Kāi Tahu para 43

²⁵ Evidence of Mr Bathgate for Kāi Tahu para 48(d)

²⁶ Evidence of Mr Bathgate for Kāi Tahu para 135 - 136

²⁷ Evidence of Ms O'Callahan paras 102 - 111

Other discrete issues

Regionally significant surf breaks

45 Ms O'Callahan for Port Otago²⁸ has sought the removal of references to 'regionally significant surf breaks'. The key reasons for seeking the removal references to 'regionally significant surf breaks' include:

- there is no explicit higher order policy direction that requires the identification and management of regionally significant surf breaks, and
- there is no methodology for identifying regionally significant surf within the pORPS21.

46 My response to these concerns is set out within my s42a report²⁹.

CE-P11 Aquaculture

47 A range of submitters³⁰ have sought amendments to the CE-P11 Aquaculture to add or remove limbs from the policy. In my view there are two live decisions to be made by the Hearing Panel in relation to these amendments:

- Should the policy include additional subclauses or policy direction that is not included within direction within Policy 8 of the NZCPS, and if so, what?
- Is it clear that the other relevant provisions of the pORPS21 that relate to coastal water quality, biodiversity, landscape, natural character, etc also need to be considered?

48 In relation to the first question, I am of the view that it is beneficial that the policy include direction on the management of aquaculture activities that is not otherwise included with the pORPS21. I retain the view, that a subclause related to biosecurity is a helpful addition to the policy. I agree with Mr Brass from DoC that the management of cultural values in subclause (1B) within my s42a version of the policy is managed by CE-P13(2) and so is not required in the CE-P11. Finally, I disagree that the introduction of an additional limb, indicates that these matters are the only relevant considerations, or have some priority over other considerations which are not specified in the policy. As set out in the paragraph below, I consider the provisions of the pORPS21 are to be read together and the

²⁸ Evidence of Ms O'Callahan paras 77 – 83

²⁹ Paras 290 – 292.

³⁰ Kai Tahu, Ngāi Tahu, Sanford, and DoC.

relevant provisions apply. The intention of the additional subclause is to provide additional direction that is not otherwise included with the pORPS21.

- 49 In relation to the second question posed above, I retain the view that the provisions of the pORPS21 are to be read together. This means that when an aquaculture activity is proposed within, for example, an ONL/F or area of indigenous biodiversity, the provisions managing these overlays would also apply.

Discharges to coastal water

- 50 Mr Taylor for DCC³¹ has sought amendments to the methods that manage discharges to coastal water. These amendments largely relate to:

- the appropriate qualifier for the size of the mixing zone,
- how the new discharges of untreated human sewage directly to water in the coastal environment should be managed, and
- how progressively reducing the effects of existing discharges to the coastal environment should be managed.

- 51 As set out in Appendix 1, I have suggested an amendment to CE-M3(4)(a) to align the mixing zone requirement within that set out in Policy 23(1)(e) of the NZCPS. Notwithstanding the amendment discussed above, at this stage my response to these suggested amendments remains as set out within my s42a report³².



Andrew Cameron Maclennan

24 February 2023

³¹ Evidence of Mr Taylor paras 37 – 40

³² Paras 203 – 208.

Appendix 1 – Tracked change version of the CE Chapter

CE – Coastal environment

Objectives

CE-AO1 – Te Mauri o te Moana

The mauri of Otago’s coastal waters and their health and well-being is protected and restored where it is degraded, including through enhancing coastal water quality where it has deteriorated from its natural condition.³³

CE-O1 – Safeguarding the coastal environment (Te Hauora o Te Tai o Arai-te-uru)³⁴

The health,³⁵ integrity, form, functioning and resilience of Otago's coastal environment is safeguarded so that:

- ~~(1) the mauri of coastal water and its health and well-being³⁶ is protected, and restored where it has degraded,³⁷~~
- (2) *coastal water* quality supports healthy ecosystems, natural habitats, water-based recreational activities, existing activities, and customary uses, including practices associated with ~~mahika kai~~ *mahika kai*³⁸ and kaimoana,
- (3) the dynamic and interdependent natural biological and physical processes in the coastal environment are maintained or enhanced,
- (4) the diversity of indigenous coastal flora and fauna is maintained, and areas of representative or significant indigenous biodiversity are protected, ~~areas of biodiversity are protected,~~³⁹ and
- (5) *surf breaks* of national significance are protected,
- ~~(6) the interconnectedness of wai Māori and wai tai is protected⁴⁰, and the effects of terrestrial and freshwater uses and activities on coastal waters and ecosystems, are recognised and understood and protected⁴¹, and⁴²~~
- (7) the ongoing effects of climate change within the coastal environment are identified and planned for.⁴³

³³ 00226.131 Kāi Tahu Ki Otago,

³⁴ 00226.131 Kāi Tahu Ki Otago

³⁵ 00226.131 Kāi Tahu Ki Otago

³⁶ 00226.130 Kāi Tahu Ki Otago

³⁷ 00226.131 Kāi Tahu Ki Otago,

³⁸ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

³⁹ 00137.049 DOC, 00230.046 Forest and Bird

⁴⁰ 00226.131 Kāi Tahu Ki Otago,

⁴¹ 00226.131 Kāi Tahu Ki Otago

⁴² 00226.131 Kāi Tahu Ki Otago

⁴³ 00226.131 Kāi Tahu Ki Otago, 00234.015 Te Rūnanga o Ngāi Tahu

CE-02 – Public access and recreation ~~Maintaining or enhancing highly valued areas of the coastal environment~~⁴⁴

Public walking⁴⁵ access, and recreation opportunities, ~~and highly valued natural features and landscapes~~⁴⁶ in the coastal environment are maintained or enhanced, and vehicle access is controlled⁴⁷.

CE-03 – Natural character, features and landscapes

Areas of natural character, are preserved and⁴⁸ natural features, and landscapes ~~and~~ (including seascapes)⁴⁹ within the coastal environment are protected from inappropriate activities, and restoration is encouraged where the values of these areas have been compromised.

CE-04 – ~~Kāi Tahu associations with Otago’s coastal environment~~ Mana moana⁵⁰

The enduring cultural relationship association⁵¹ of Kāi Tahu with Otago’s coastal environment is recognised and provided for, and *mana whenua* are able to exercise their kaitiaki rakatirataka role, manaakitaka and their kaitiaki duty of care⁵² within the coastal environment.

CE-05 – Activities in the coastal environment

Activities in the coastal environment:

- (1) make efficient use of space occupied in the *coastal marine area*,
- (2) are of a scale, density and design compatible with their location,
- (3) are only provided for within appropriate locations and ~~limits constrains~~ limits⁵³, and
- (4) maintain or enhance public access to and along the *coastal marine area*, including for customary uses, such as mahika kai⁵⁴, except where public access needs to be restricted for reasons of health and safety or ecological or cultural sensitivity.⁵⁵

Policies

CE-P1A Integrated management/ki uta ki tai

Implement an integrated approach to managing Otago’s coastal environment that:

⁴⁴ 00121.039 Ravensdown, 00230.047 Forest and Brid, 00239.057 Federated Farmers, 00306.027 Meridian Energy, 00124.015 Southern Inshore Fisheries

⁴⁵ 00226.132 Kāi Tahu ki Otago

⁴⁶ 00121.039 Ravensdown, 00230.047 Forest and Brid, 00239.057 Federated Farmers, 00306.027 Meridian Energy, 00124.015 Southern Inshore Fisheries

⁴⁷ 00226.132 Kāi Tahu ki Otago

⁴⁸ 00226.133 Kāi Tahu Ki Otago

⁴⁹ 00301.057 Port Otago

⁵⁰ 00226.134 Kāi Tahu Ki Otago

⁵¹ 00230.049 Forest and Bird

⁵² 00226.134 Kāi Tahu Ki Otago

⁵³ 00231.009 Fish and Game

⁵⁴ 00226.014, 00226.135 Kai Tahu ki Otago

⁵⁵ 00234.017 Te Rūnanga o Ngāi Tahu

- (1) recognises the interactions, ki uta ki tai, between the terrestrial environment, freshwater, including the migration of fish species between fresh and coastal waters, and the coastal marine area,
- (2) manages the effects of the use and development of land and freshwater to maintain or enhance the health and well-being of the coastal environment and
- (3) takes into account the ongoing effects of climate change.⁵⁶

CE-P1 – Links with other chapters

Implement an integrated approach to managing Otago’s coastal environment which Rrecognises⁵⁷ that:

- (1) coastal hazards must be identified ~~in accordance with CE-P2(4)~~⁵⁸ and managed in accordance with the HAZ–NH – Natural hazards section of this RPS;
- (2) ~~commercial~~⁵⁹ port activities must be managed in accordance with EIT-TRAN-P23 ~~the TRAN–Transport section of this RPS~~⁶⁰; and
- (3) ~~historic heritage~~ must be managed in accordance with the HCV – Historical and cultural values section of this RPS.
- (4) where relevant, the provisions within the following chapters of this RPS also apply within the coastal environment, unless expressly excluded:
 - (a) IM – Integrated management,
 - ~~(aa) MW – Mana whenua~~⁶¹
 - (b) AIR – Air,
 - (c) LF – Land and freshwater,
 - (d) ECO – Ecosystems and indigenous biodiversity,
 - (e) EIT – Energy, infrastructure and transport,
 - (f) HAZ – Hazards and risks,
 - (g) HCV – Heritage and historical values, and
 - ~~(h) NFL – Natural features and landscapes, and~~⁶²
 - (i) UFD – Urban form and development.⁶³

⁵⁶ 00226.136 Kai Tahu ki Otago

⁵⁷ 00226.136 Kāi Tahu ki Otago

⁵⁸ Clause 10(2)(b)(i) of Schedule 1 of the RMA – consequential amendment arising from 00301.047 Port Otago

⁵⁹ 00301.018 Port Otago

⁶⁰ 00301.018 Port Otago

⁶¹ 00137.0048 DOC

⁶² 00137.052 DOC

⁶³ 00137.052 DOC

CE-P2 – Identification

Identify the following in the coastal environment:

- (1) the landward extent of the coastal environment, recognising that the coastal environment includes:
 - (a) the *coastal marine area*,
 - (b) islands within the *coastal marine area*,
 - (c) areas where coastal processes, influences or qualities are significant, including coastal lakes, lagoons, tidal estuaries, saltmarshes, coastal wetlands, and the margins of these,
 - (d) areas at risk from coastal hazards as identified in ~~CE-P2(4)~~ HAZ-NH-P1A⁶⁴,
 - (e) coastal vegetation and the habitat of indigenous coastal species including migratory birds,
 - (f) elements and features that contribute to the natural character, landscape, visual qualities or *amenity values*,
 - (g) items of Kāi Tahu⁶⁵ cultural association⁶⁶ and *historic heritage* in the *coastal marine area* or on the coast,
 - (h) inter-related coastal marine and terrestrial systems, including the intertidal zone, and
 - (i) physical resources and built facilities, including *infrastructure*, that have modified the coastal environment.
- (2) areas of *water* quality in the *coastal marine area* that are considered to have deteriorated so that it is having a significant adverse *effect* on:
 - (a) the mauri of coastal water,
 - (b) ecosystems, and natural habitats, or
 - (c) water-based recreational activities,or is restricting existing uses, such as:
 - (a) customary fisheries, including mātaimai reserves and taiāpure,
 - (b) cultural activities such as mahika kai, including harvesting of kaimoana, or
 - (c) aquaculture, shellfish gathering, and cultural activities such as mahika kai⁶⁷ and harvesting of kaimoana,⁶⁸
- (3) areas of *coastal water* where mana takata⁶⁹ *whenua* have a particular interest, including Mātaimai and Taiapure,⁷⁰ and any aquaculture settlement areas gazetted under the Māori Commercial

⁶⁴ Clause 10(2)(b)(i) of Schedule 1 of the RMA – consequential amendment arising from 00301.047 Port Otago

⁶⁵ 00226.137 Kāi Tahu ki Otago

⁶⁶ 00226.137 Kāi Tahu ki Otago

⁶⁷ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁶⁸ 00226.038 Kāi Tahu ki Otago

⁶⁹ 00226.154 Kāi Tahu ki Otago

⁷⁰ 00234.018 Te Runanga o Ngāi Tahu

[Aquaculture Claims Settlement Act 2004, and](#)⁷¹

- ~~(4) — areas that are potentially affected by coastal hazards (including tsunami), giving priority to the identification of areas at high risk of being affected, and~~⁷²
- (5) the nationally significant *surf breaks* at Karitane, Papatowai, The Spit, and Whareakeake and any regionally significant *surf breaks*.

CE-P3 – Coastal water quality

~~Manage water quality in the coastal environment by: Improve coastal water quality Coastal water quality is improved,~~⁷³ ~~where it is considered to have deteriorated to the extent described within CE-P12(2),~~⁷⁴ ~~and otherwise managed water quality~~⁷⁵ ~~by so that:~~⁷⁶

~~(x) — prioritising the restoration of coastal water quality where it is considered to have deteriorated to the extent described within CE-P2(2),~~⁷⁷

- (1) ~~maintaining or enhancing~~⁷⁸ healthy coastal ecosystems, indigenous habitats provided by the coastal environment, and the migratory patterns of indigenous *coastal water* species ~~are maintained or enhanced,~~⁷⁹
- (2) ~~sustaining~~⁸⁰ Kāi Tahu relationships with and customary uses of *coastal water* ~~are sustained,~~⁸¹
- ~~(3) — maintaining or enhancing~~⁸² recreation opportunities and existing uses of *coastal water* ~~are maintained or enhanced~~⁸³, and
- ~~(4) — within identified areas where takata whenua have a particular interest, adverse effects on these areas and values are remedied or where remediation is not practicable, are mitigated.~~⁸⁴
- ~~(5) — managing controlling~~⁸⁵ activities outside the coastal marine area that have an effect on coastal water quality,⁸⁶
- ~~(6) — maintaining or enhancing water quality within areas of coastal water identified in CE-P2(3) where mana whenua have a particular cultural interest, and~~⁸⁷

⁷¹ 00234.018 Te Rūnanga o Ngāi Tahu

⁷² Clause 10(2)(b)(i) of Schedule 1 of the RMA – consequential amendment arising from 00301.047 Port Otago

⁷³ 00139.064 DCC, 00226.138 Kāi Tahu Ki Otago, 00223.070 Ngāi Tahu ki Murihiku

⁷⁴ 00226.138 Kāi Tahu Ki Otago, 00137.054 DOC, 00301.020 Port Otago, 00121.043 Ravensdown, 00223.070 Ngāi Tahu ki Murihiku, 00234.019 Te Runanga o Ngāi Tahu

⁷⁵ 00139.064 DCC, 00226.138 Kāi Tahu Ki Otago, 00223.070 Ngāi Tahu ki Murihiku

⁷⁶ 00226.138 Kāi Tahu Ki Otago, 00234.019 Te Rūnanga o Ngāi Tahu

⁷⁷ 00226.014, 00226.138 Kāi Tahu Ki Otago, 00234.019 Te Rūnanga o Ngāi Tahu

⁷⁸ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00226.138 Kāi Tahu Ki Otago

⁷⁹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00226.138 Kāi Tahu Ki Otago

⁸⁰ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00226.138 Kāi Tahu Ki Otago

⁸¹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00226.138 Kāi Tahu Ki Otago

⁸² Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00226.138 Kāi Tahu Ki Otago

⁸³ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00226.138 Kāi Tahu Ki Otago

⁸⁴ 00226.138 Kāi Tahu Ki Otago, 00234.019 Te Rūnanga o Ngāi Tahu

⁸⁵ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00226.138 Kāi Tahu Ki Otago

⁸⁶ 00230.053 Forest and Bird

⁸⁷ 00226.138 Kāi Tahu Ki Otago, 00234.019 Te Rūnanga o Ngāi Tahu

(7) setting appropriate *environmental*⁸⁸ *limits and targets*⁸⁹ for coastal water quality, including ecosystem health, sediment, kaimoana gathering, contact recreation and habitats of taoka species.⁹⁰

CE-P4 – Natural character

Identify, preserve and restore the natural character of the coastal environment by:

- (1) identifying areas and values of high and outstanding natural character which may include matters such as:
 - (a) natural elements, processes and patterns,
 - (b) biophysical, ecological, geological and geomorphological aspects,
 - (c) natural landforms such as headlands, peninsulas, cliffs, dunes, *wetlands*, estuaries, reefs, *freshwater* springs and *surf breaks*,
 - (d) the natural movement of *water* and sediment,
 - (e) the natural darkness of the night sky,
 - (f) places or areas that are wild or scenic,
 - (g) a range of natural character from pristine to modified,
 - (h) experiential attributes, including the sounds and smell of the sea, and their context or setting,
- (2) avoiding adverse *effects* on natural character in areas identified as having outstanding natural character,
- (3) avoiding significant adverse *effects* and avoiding, remedying or mitigating other adverse *effects* on natural character outside the areas in (2) above,
- ~~(4) encouraging de-reclamation of redundant reclaimed *land* where it would restore the natural character and resources of the coastal marine area and provide for more public open space, and⁹¹~~
- (5) promoting *activities* and restoration⁹² projects that will restore or rehabilitate⁹³ natural character in the coastal environment where it has been reduced or lost.

CE-P5 – Coastal indigenous *biodiversity*

Protect indigenous *biodiversity* in the coastal environment by:

- (1) identifying and avoiding adverse effects on the following ecosystems, vegetation types and areas:
 - (a) indigenous taxa that are listed as threatened or at risk in the New Zealand Threat

⁸⁸ 00231.009 Fish and Game

⁸⁹ 00226.138 Kāi Tahu ki Otago

⁹⁰ 00226.138 Kāi Tahu Ki Otago, 00234.019 Te Rūnanga o Ngāi Tahu

⁹¹ 00226.139 Kāi Tahu ki Otago

⁹² 00226.139 Kāi Tahu ki Otago

⁹³ 00226.139 Kāi Tahu ki Otago

Classification System lists,

- (b) taxa that are listed by the International Union for Conservation of Nature and Natural Resources as threatened,
- (c) indigenous ecosystems and vegetation types in the coastal environment that are threatened or are naturally rare,
- (d) habitats of indigenous species where the species are at the limit of their natural range, or are naturally rare,
- (e) areas containing nationally significant examples of indigenous community types, ~~and~~
- (f) areas set aside for full or partial protection of indigenous *biodiversity* under other legislation, and

~~(g) significant natural areas identified in accordance with APP2, and^{94,95}~~

~~(h) indigenous species and ecosystems identified as taoka in accordance with ECO-M3.⁹⁶~~

(2) identifying and avoiding significant adverse *effects* and avoiding, remedying or mitigating other adverse *effects* on the following ecosystems, vegetation types and areas:

- (a) areas of predominantly indigenous vegetation in the coastal environment,
- (b) habitats in the coastal environment that are important during the vulnerable life stages of indigenous species,
- (c) indigenous ecosystems and habitats that are only found in the coastal environment and are particularly vulnerable,
- (d) areas sensitive to modification, including estuaries, lagoons, coastal *wetlands*, dunelands, intertidal zones, rocky reef systems, eelgrass and saltmarsh,
- (e) habitats of indigenous species in the coastal environment that are important for recreational, commercial, traditional or cultural purposes,
- (f) habitats, including areas and routes, important to migratory species, ~~and~~
- (g) ecological corridors, and areas important for linking or maintaining biological values identified under this policy.⁷

~~(h) significant natural areas identified in accordance with APP2, not included in (1) above, and⁹⁷~~

~~(i) indigenous species and ecosystems identified as taoka in accordance with ECO-M3, not included in (1) above.⁹⁸~~

⁹⁴ 00137.055 DOC, 00120.042 Yellow-eyed Penguin Society

⁹⁵ 00122.017 Sanford

⁹⁶ 00122.017 Sanford

⁹⁷ 00137.055 DOC, 00120.042 Yellow-eyed Penguin Society

⁹⁸ 00137.055 DOC, 00120.042 Yellow-eyed Penguin Society

CE-P6 – Natural features, ~~and~~ landscapes ~~and~~ (including seascapes)⁹⁹

Protect natural features, ~~and~~ landscapes ~~and~~ (including seascapes)¹⁰⁰ in the coastal environment by:

- (1) identifying their areas and values, at minimum by land typing, soil characterisation and landscape characterisation,¹⁰¹ in accordance with APP9,
- (2) avoiding adverse *effects* of activities on outstanding natural features, ~~and~~ landscapes ~~and~~ (including seascapes)¹⁰²,
- (3) avoiding significant adverse *effects* and avoiding, remedying, or mitigating other adverse *effects* of activities on other natural features, ~~and~~ landscapes ~~and~~ (including seascapes)¹⁰³, and
- (4) promoting restoration or enhancement of natural features, ~~and~~ landscapes ~~and~~ (including seascapes)¹⁰⁴ where ~~they~~ the values of these areas¹⁰⁵ have been reduced or lost.

CE-P7 – Surf breaks

Manage Otago’s nationally and regionally significant *surf breaks* so that:

- (1) nationally significant *surf breaks* are protected by avoiding adverse *effects* on the *surf breaks*, including on access to and use and enjoyment of them, and
- (2) the values of and access to regionally significant *surf breaks* are maintained.

CE-P8 – Public access

~~Maintain or enhance~~ Manage public walking and vehicle access to, ~~and~~ along and adjacent to the coastal marine area by unless restricting public access is necessary:

- (1A) maintaining or enhancing public walking access,
- (1B) controlling vehicle access, and
- (1C) restricting public walking and vehicle access where necessary:
 - (a) to protect public health and safety,
 - (b) to protect areas of significant indigenous vegetation and significant habitats of indigenous fauna,
 - (c) to protect dunes, estuaries and other sensitive natural areas or habitats,
 - (d) to protect places or areas containing *historic heritage* of regional or national significance,
 - (e) to protect places or areas of significance to *mana whenua*, including wāhi tapua, wāhi tapu

⁹⁹ 00301.057 Port Otago

¹⁰⁰ 00301.057 Port Otago

¹⁰¹ 00230.056 Forest & Bird, 00122.018 Sanford

¹⁰² 00301.057 Port Otago

¹⁰³ 00301.057 Port Otago

¹⁰⁴ 00301.057 Port Otago

¹⁰⁵ 00223.071 Ngāi Tahu ki Murihiku

and wāhi taoka,

(f) for defence purposes in accordance with the Defence Act 1990,

(g) for temporary activities or special events, or

(h) to ensure a level of security consistent with the operational requirements of a lawfully established activity.

(1) — to protect public health and safety,

(2) — to protect areas of significant indigenous vegetation and significant habitats of indigenous fauna,

(3) — to protect dunes, estuaries and other sensitive natural areas or habitats,

(4) — to protect places or areas containing *historic heritage* of regional or national significance,

(5) — to protect places or areas of significance to *takata mana whenua*, including wāhi tapua, wāhi tapu and wāhi tūpuna,

(6) — for defence purposes in accordance with the Defence Act 1990,

(7) — for temporary activities or special events, or

(8) — to ensure a level of security consistent with the operational requirements of a lawfully established activity.¹⁰⁶

CE-P9 – Activities on *land* within the coastal environment

The strategic and co-ordinated use of *land* within the coastal environment is achieved by:

(1) encouraging the consolidation of existing coastal settlements and urban areas where this will contribute to the avoidance or mitigation of sprawling or sporadic patterns of settlement and urban growth, avoiding sprawling or sporadic patterns of subdivision, use and development,¹⁰⁷

(2) considering the rate at which built development should be enabled to provide for the reasonably foreseeable needs of population growth without compromising the values of the coastal environment,

(2A) recognising and providing for the functional needs and operational needs of nationally significant infrastructure and regionally significant infrastructure where appropriate,¹⁰⁸

(3) recognising the importance of the provision of *infrastructure*, food production, and pastoral farming activities¹⁰⁹ to the social, economic and cultural well-being of people and communities,

(4) requiring development be set back from the coastal marine area and other water bodies, where practicable and reasonable, to protect the natural character, open space, public access and amenity values of the coastal environment, maintaining or enhancing public access to the coastal

¹⁰⁶ 00226.143 Kāi Tahu Ki Otago, 00230.058 Forest and Bird

¹⁰⁷ 00139.071 DCC

¹⁰⁸ 00305.013, 00305.014, 00305.015 Waka Kotahi

¹⁰⁹ 00239.062 Federated Farmers, 00236.055 Horticulture

environment, and¹¹⁰

- (5) considering where activities that maintain the character of the existing built environment should be encouraged, and where activities resulting in a change in character would be acceptable, and

(6) taking into account the risks of climate change and coastal hazards.¹¹¹

CE-P10 – Activities within the *coastal marine area*

Use and development in the *coastal marine area* must:

- (1) enable multiple uses of the *coastal marine area* wherever reasonable and practicable, and¹¹²
- (2) maintain or improve the health,¹¹³ integrity, form, function and *resilience* of the *coastal marine area*, or and¹¹⁴
- (3) have a *functional need*¹¹⁵ or *operational need* to be located in the *coastal marine area*, or
- (4) have a public open space¹¹⁶ benefit or opportunity for public recreation that cannot practicably be located outside the *coastal marine area*.

CE-P11 – Aquaculture

Provide for the development and operation of *aquaculture activities* within appropriate locations and limits, taking into account:

(1A) risks to biosecurity from disease or introduced pest species,¹¹⁷

(1B) the effects of aquaculture on cultural values, including effects on *mahika kai* and *kaimoana* practices, and customary fisheries, including *mātaitai reserves* and *taiāpure*,¹¹⁸

- (1) the need for high quality *water* required for an *aquaculture activity*,
- (2) the need for *land-based* facilities and infrastructure required to support the operation of *aquaculture activities*, and
- (3) the potential social, economic and cultural benefits associated with the operation and development of *aquaculture activities*.

¹¹⁰ 00139.071 DCC

¹¹¹ 00139.071 DCC

¹¹² 00226.145 Kāi Tahu ki Otago

¹¹³ 00226.145 Kāi Tahu Ki Otago

¹¹⁴ 00315.025 Aurora Energy

¹¹⁵ Clause 16(2), Schedule 1, RMA

¹¹⁶ 00226.145 Kāi Tahu ki Otago

¹¹⁷ 00226.146 Kai Tahu Ki Otago

¹¹⁸ 00226.146 Kai Tahu Ki Otago

CE-P12 – Reclamation and de-reclamation¹¹⁹

Manage reclamation and de-reclamation by:¹²⁰

(1A) Avoiding¹²¹ reclamation in the *coastal marine area*, unless:

- ~~(1)(a)~~ (a) *land* outside the *coastal marine area* is not available for the proposed activity,
- ~~(2)(b)~~ (b) the activity to be established on the reclamation can only occur immediately adjacent to the *coastal marine area*,
- ~~(3)(c)~~ (c) there are no practicable alternative methods of providing for the activity, ~~and~~
- ~~(4)(d)~~ (d) the reclamation will provide significant regional or national benefit-, and

(1B) Encouraging de-reclamation of redundant reclaimed land where it would restore natural character, resources of the coastal marine area, and provide for more public open space.¹²²

CE-P13 – Rakatirataka and kaitiakitaka ~~Kaitiakitaka~~¹²³

Recognise and give practical effect to Kāi Tahu rakatirataka and provide for¹²⁴ the role of Kāi Tahu as kaitiaki of the coastal environment by:

- (1) facilitating partnership with, and actively¹²⁵ involving *mana whenua* in decision making and management processes in respect of the coast,
- (2) identifying, protecting, and improving where degraded, sites, areas and values of importance to Kāi Tahu within the coastal environment, and managing these in accordance with tikaka,
- (3) providing for customary uses, including ~~mahika kai~~ mahika kai¹²⁶ and the harvesting of kaimoana,
- (4) incorporating the impact of activities on customary fisheries, mātaitai reserves and taiāpure¹²⁷ in decision making, and
- (5) incorporating mātauraka Maōri in the management and monitoring of activities in the coastal environment.

¹¹⁹ 00226.147 Kāi Tahu ki Otago

¹²⁰ 00226.147 Kāi Tahu ki Otago

¹²¹ 00226.147 Kāi Tahu ki Otago

¹²² 00226.147 Kāi Tahu ki Otago

¹²³ 00226.148 Kāi Tahu ki Otago

¹²⁴ 00226.148 Kāi Tahu Ki Otago

¹²⁵ 00226.148 Kāi Tahu Ki Otago

¹²⁶ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

¹²⁷ 00226.148 Kāi Tahu Ki Otago

Methods

CE-M1A – Mana whenua/mana moana involvement

Otago Regional Council must partner with Kāi Tahu in coastal management by actively identifying and pursuing opportunities for mana whenua to exercise their rakatirataka role, manaakitaka and their kaitiaki duty of care kaitiaki role within the coastal environment.¹²⁸

Otago Regional Council must partner with Kāi Tahu in coastal management by:

- (1) actively identifying and pursuing opportunities for mana whenua to be involved in coastal governance, including through use of available mechanisms such as transfers of functions (under section 33 of the RMA 1991) and supporting the establishment of mātaimai reserves and taiāpure,
- (2) implementing actions to foster the development of mana whenua capacity to contribute to the Council’s decision-making processes, including resourcing,
- (3) supporting mana whenua initiatives that contribute to maintaining or improving the health and well-being of coastal water and ecosystems, and
- (4) providing relevant information to mana whenua for the purposes of (1), (2), and (3).¹²⁹

CE-M1 – Identifying the coastal environment

Local authorities must:

- (1) no later than 31 May 2023, work collaboratively, including with local authorities in neighbouring regions,¹³⁰ to:
 - (a) identify the landward extent of the coastal environment, in accordance with CE-P2(1),
 - (b) map the landward extent of the coastal environment area in the relevant *regional plans*¹³¹ and *district plans*.

CE-M2 – Identifying other areas

Local authorities must work collaboratively, with Kāi Tahu¹³² and local authorities in neighbouring regions,¹³³ together to:

- (1) identify areas and values of high and outstanding natural character within their jurisdictions in accordance with CE-P4(1), map the areas and describe their values in the relevant *regional plans*¹³⁴ and *district plans*, and identify their capacity to accommodate change through use or development while protecting the values that contribute to the natural character of the area

¹²⁸ 00226.156 Kāi Tahu Ki Otago

¹²⁹ 00226.156 Kāi Tahu Ki Otago

¹³⁰ 00013.009 ECan

¹³¹ Clause 16(2), Schedule 1, RMA

¹³² 00226.149 Kāi Tahu ki Otago

¹³³ 00013.010 ECan

¹³⁴ Clause 16(2), Schedule 1, RMA

being considered high or outstanding,

- (2) identify, at an appropriate scale,¹³⁵ areas and values of outstanding natural features, and landscapes and (including seascapes) (in the coastal environment)¹³⁶ within their jurisdictions in accordance with CE-P6(1), map the areas and describe their values in the relevant *regional plans*¹³⁷ and *district plans*, and identify their capacity to accommodate change through use or development while protecting the values that contribute to the natural features, and landscapes and (including seascapes)¹³⁸ being considered outstanding,
- (3) identify areas and values of indigenous *biodiversity* within their jurisdictions in accordance with CE-P5, map the areas and describe their values in the relevant *regional plans*¹³⁹ and *district plans*, and
- (4) prioritise identification under (1) – (3) in areas that are:
 - (a) likely to face development or growth pressure over the life of this RPS, or
 - (b) likely to contain outstanding natural character areas, outstanding natural features or landscapes, and areas of significant¹⁴⁰ indigenous *biodiversity*, including the areas in the table below.

Table 1 – Areas likely to contain significant values

Oamaru Harbour Breakwater	Te Whakarekaiwi
Moeraki Beach	Papanui Inlet
Moeraki Peninsula	Hoopers Inlet
Shag Point & Shag River Estuary	Kaikorai Estuary
Stony Creek Estuary	Brighton
Pleasant River Estuary	Akatore Creek Estuary
Hawksbury Inlet	Tokomairiro Estuary
Waikouaiti River Estuary	Wangaloa
Karitane Headland	Clutha River Mata-au, Matau Branch
Puketeraki	Nugget Point
Blueskin Bay	Surat Bay
Orokonui Inlet	Catlins Lake Estuary
Mapoutahi	Jacks Bay
Purakanui Inlet	Waiheke Beach
Aramoana	Tahakopa Estuary
Otago Harbour Historic Walls	Oyster Bay
Otakou & Taiaroa Head	Tautuku Estuary
Pipikaretu Point	Waipati Estuary & Kinakina Island

¹³⁵ 00122.018 Sanford

¹³⁶ 00301.057 Port Otago

¹³⁷ Clause 16(2), Schedule 1, RMA

¹³⁸ 00301.057 Port Otago

¹³⁹ Clause 16(2), Schedule 1, RMA

¹⁴⁰ 00226.152 Kāi Tahu ki Otago

<u>Cape Wanbrow</u>	<u>Nugget Point</u>
<u>All Day Bay Lagoon</u>	<u>Sandy Bay</u>
<u>Te Hikapureirei Beach</u>	<u>False Islet</u>
<u>Moeraki Point and adjacent coast</u>	<u>Penguin Bay</u>
<u>Kātiki Point</u>	<u>Cosgrove Island</u>
<u>Kātiki Beach</u>	<u>Long Point</u>
<u>Shag Point (incl. Shag River estuary & Cliffs between Shag and Stoney Rivers)</u>	<u>Tahakopa Bay</u>
<u>Cliffs south of Stoney Creek</u>	<u>Mahaka Point</u>
<u>Bobbys Head</u>	<u>Frances Pillars / Cathedral Caves</u>
<u>Cliffs south of Tavora</u>	<u>Makati</u>
<u>Pleasant River spit</u>	<u>Waianakarua</u>
<u>Pleasant River estuary</u>	<u>Goodwood</u>
<u>Tumai</u>	<u>Pūrākaunui</u>
<u>Karitāne Headland</u>	<u>Lower Otago Harbour</u>
<u>Seacliff</u>	<u>Smaills / Tomahawk</u>
<u>Māpoutahi</u>	<u>Brighton</u>
<u>Potato Point</u>	<u>Taieri River Gorge</u>
<u>Heyward Point (incl. Long Beach & Aramoana)</u>	<u>Outer Otago Peninsula</u>
<u>Harbour Islands / Portobello Peninsula</u>	<u>Southern Otago Peninsula</u>
<u>Taiaroa Head</u>	<u>Outer Otago Peninsula</u>
<u>Harington Point</u>	<u>Taieri Mouth</u>
<u>Pīpikāretu</u>	<u>Akatore Coast</u>
<u>Okia (incl. Victory Beach & Papanui Inlet)</u>	<u>Toko Mouth</u>
<u>Allans Beach / Hoopers Inlet</u>	<u>Wangaloa</u>
<u>Seal Point</u>	<u>Clutha Mouth</u>
<u>Boulder Beach</u>	<u>Kaka Point</u>
<u>St Clair cliffs</u>	<u>Jacks Bay / Penguin Bay</u>
<u>Kuri Bush</u>	<u>Hinahina</u>
<u>Cape Saunders</u>	<u>Waipāti (incl. Waipāti Beach & Waipāti Estuary)</u>
<u>Sandfly Bay</u>	<u>Wallace Head</u>
<u>Sandymount</u>	<u>Waitaki River mouth</u>
<u>Highcliff / Pudneys Cliff</u>	<u>Cape Wanbrow wave cut notch and platform</u>
<u>White Island</u>	<u>Bridge Point</u>
<u>Tunnel Beach</u>	<u>Moeraki Boulders</u>
<u>Green Island</u>	<u>Warrington Spit / Rabbit Island</u>
<u>Coutts Gully wetland</u>	<u>Matanaka</u>
<u>Taieri Beach</u>	<u>Karitāne Peninsula</u>
<u>Akatore gorge</u>	<u>Goat Island – Rakiriri</u>
<u>Akatore wetland</u>	<u>Quarantine Island</u>
<u>Quoin Point</u>	<u>Pyramids</u>
<u>Measly Beach</u>	<u>Wharekākahu Island</u>
<u>Cannibal / Surat Bay</u>	<u>Lovers leap and the Chasm</u>
<u>Caitlins Lake</u>	<u>Blackhead organ pipes</u>
<u>Caitlins Heads</u>	<u>Chrystalls Beach</u>
<u>Pūrākaunui Bay</u>	<u>Cooks Head Rock</u>
<u>Haywards Point</u>	<u>Jacks Blowhole</u>
<u>Pillans Head</u>	<u>Tuhawaiki Island</u>

<u>Tahakopa River</u>	<u>Cosgrove Island</u>
<u>Tautuku (incl. Tautuku Peninsula (incl. Tautuku Bay & Tautuku River)</u>	<u>Rainbow Isles</u>
<u>Lower Taieri River</u>	<u>Lake Wilkie</u>
<u>Moturata</u>	<u>Cathedral Caves</u>
	<u>Kinakina Island¹⁴¹</u>

CE-M3 – Regional plans

Otago Regional Council must prepare or amend and maintain its *regional plans* no later than 31 December 2028 to:

- (1) map areas of deteriorated *water* quality in the coastal environment, in accordance with CE-P2(2) and CE-P2(3),¹⁴²
- (1A) identify, protect manage¹⁴³, and improve where degraded, areas of coastal water where mana whenua have a particular cultural¹⁴⁴ interest, including wāhi tupuna, statutory acknowledgement areas, tōpuni and nohoaka identified in the NTCSA, and customary fisheries,¹⁴⁵
- (1B) set water quality targets for coastal waters in accordance with CE-P3,¹⁴⁶
- (2) map the areas and characteristics of, and access to, nationally surf breaks of national significance¹⁴⁷ and regionally significant *surf breaks*,
- (3) require development to be set back from the *coastal marine area* where practicable to protect the natural character, open space, public access and *amenity values* of the coastal environment,
- (4) manage the *discharge* of *contaminants* into *coastal water* to achieve environmental¹⁴⁸ limits for water quality¹⁴⁹ by:
 - (a) using the smallest mixing zone necessary to achieve the required water quality standards minimising the size of the mixing zone¹⁵⁰ ~~only enabling the use of small mixing zones¹⁵¹ before the water quality standards need to be met¹⁵²~~ in the *receiving environment* and minimising adverse *effects* on the life-supporting capacity of *water* within any mixing zone,
 - (b) prohibiting any new the¹⁵³ *discharge* of untreated human *sewage* directly to water in the coastal environment,

¹⁴¹ 00226.151 Kāi Tahu ki Otago

¹⁴² 00226.153 Kāi Tahu ki Otago

¹⁴³ 00226.153 Kāi Tahu ki Otago

¹⁴⁴ 00226.153 Kāi Tahu ki Otago

¹⁴⁵ 00226.153 Kāi Tahu ki Otago

¹⁴⁶ 00226.153 Kāi Tahu ki Otago

¹⁴⁷ Clause 16(2), Schedule 1 RMA

¹⁴⁸ 00231.009 Fish and Game

¹⁴⁹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00226.153 Kāi Tahu ki Otago

¹⁵⁰ 00139.076 DCC

¹⁵¹ 00139.076 DCC

¹⁵² 00139.076 DCC

¹⁵³ 00139.076 DCC

- (bb) requiring the implementation of methods to progressively reduce the volume and frequency of existing discharges of untreated human sewage from reticulated wastewater system in the event of a system failure or overloading the system, including by minimising stormwater inflows and infiltration into wastewater systems,¹⁵⁴
- (bc) encouraging methods and actions to reduce contaminant discharges at source,¹⁵⁵
- (c) prohibiting the *discharge* of treated human *sewage* directly to water in the coastal environment unless:
- (i) there has been adequate consideration of alternative methods, sites and routes for undertaking the *discharge*, and
 - (ii) it can be demonstrated that the proposal has been informed by consultation with *tangata whenua* and the affected community, and
- (d) reducing the *discharge* of sediment by:
- (i) requiring that *subdivision*, use, or development will not increase sedimentation of the *coastal marine area* or other *coastal water*,
 - (ii) controlling the impacts of vegetation removal on sedimentation including the impacts of harvesting *plantation forestry*, and
 - (iii) reducing sediment loadings in runoff and in *stormwater* systems through controls on *land* use activities, and
- (e) designing installing, operating and maintaining new reticulated wastewater systems to avoiding cross-contamination between *sewage* and *stormwater* systems where new systems are proposed and remedying cross-contamination where ~~they~~ it currently exists in established systems, and¹⁵⁶
- (f) having particular regard to:
- (i) the sensitivity of the receiving environment,
 - (ii) the nature of the *contaminants* to be *discharged*, the *contaminant* concentration thresholds not to be exceeded to achieve the required *water* quality in the receiving environment, and the risks if that concentration of *contaminants* is exceeded,
 - (iii) the capacity of the receiving environment to assimilate the *contaminants*, and
 - (iv) avoiding significant adverse *effects* on ecosystems and habitats after reasonable mixing,
- (5) control the use and development of the *coastal marine area*, in order to:
- (a) preserve and restore the¹⁵⁷ coastal water quality; and natural character; and protect¹⁵⁸

¹⁵⁴ 00139.076 DCC

¹⁵⁵ 00510.020 Fuel Companies

¹⁵⁶ 00139.076 DCC

¹⁵⁷ 00226.153 Kāi Tahu ki Otago

¹⁵⁸ 00226.153 Kāi Tahu ki Otago

natural landscapes, features, ~~and~~ landscapes ~~and~~ (including seascapes)¹⁵⁹; wāhi tūpuna and indigenous *biodiversity* of the *coastal marine area* in accordance with CE-P3, CE-P4, CE-P5, ~~and~~ CE-P6 and HCV-WT-P2¹⁶⁰, and

- (b) manage Otago's surf breaks of national significance ~~nationally~~¹⁶¹ and regionally significant *surf breaks* in accordance with CE-P7,
- (6) include provisions requiring the adoption of a precautionary approach to assessing the *effects* of activities in the coastal environment in accordance with IM-P15¹⁶² where:
- (a) there is scientific uncertainty, or
- (b) there are potentially significant or irreversible adverse *effects*, or
- (c) coastal resources are potentially vulnerable to effects from climate change,¹⁶³
- (7) identify areas that may be¹⁶⁴ appropriate for aquaculture and the forms and ~~limits~~ constraints limits¹⁶⁵ associated with providing for aquaculture that will enable achievement of objectives CE-O1 to CE-O5,
- (8) provide for walking access to, ~~and~~ along, and adjacent to¹⁶⁶ the *coastal marine area* in accordance with Policy 19 of the NZCPS,
- (9) control vehicle access to, ~~and~~ along, and adjacent to¹⁶⁷ the *coastal marine area* in accordance with Policy 20 of the NZCPS,
- (10) manage reclamation and de-reclamation¹⁶⁸ activities in accordance with CE-P12, and when *reclamation* is considered suitable in accordance with CE-P12, have particular regard to the matters listed in Policy 10(2) and (3) of the NZCPS,
- (11) require stock to be excluded from the *coastal marine area*, adjoining intertidal areas and other *water bodies* and riparian margins in the coastal environment, ~~and~~¹⁶⁹
- (12) provide for and encourage activities undertaken for the primary purpose of enhancing coastal water quality, coastal habitats and ecosystems, customary fisheries, mahika kai and kaimoana activities, and¹⁷⁰ restoring natural character, features, ~~and~~ landscapes ~~and~~ (including seascapes)¹⁷¹ in accordance with CE-P3,¹⁷² CE-P4, CE-P5, ~~and~~¹⁷³ CE-P6, and CE-P13¹⁷⁴, and

¹⁵⁹ 00301.057 Port Otago

¹⁶⁰ 00226.153 Kāi Tahu ki Otago

¹⁶¹ Clause 16(2), Schedule 1, RMA

¹⁶² Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00137.042 DOC, 00014.022 John Highton

¹⁶³ 00230.063 Forest and Bird

¹⁶⁴ 00226.153 Kāi Tahu ki Otago

¹⁶⁵ 00231.009 Fish and Game

¹⁶⁶ Consequential amendment to 00230.058 Forest and Bird

¹⁶⁷ Consequential amendment to 00230.058 Forest and Bird

¹⁶⁸ 00226.147 Kāi Tahu ki Otago

¹⁶⁹ 00234.022 Te Rūnanga o Ngāi Tahu

¹⁷⁰ 00226.153 Kāi Tahu ki Otago

¹⁷¹ 00301.057 Port Otago

¹⁷² 00226.153 Kāi Tahu ki Otago

¹⁷³ 00226.153 Kāi Tahu ki Otago

¹⁷⁴ 00226.153 Kāi Tahu ki Otago

[\(13\) identify any aquaculture settlement areas gazetted under the Māori Commercial Aquaculture Claims Settlement Act 2004.](#)¹⁷⁵

CE-M4 – District plans

Territorial authorities must prepare or amend and maintain their *district plans* to:

- (1) control the location, density and form of *subdivision* in the coastal environment (outside the *coastal marine area*),
- (2) control the location, scale and form of *buildings* and *structures* in the coastal environment (outside the *coastal marine area*),
- (3) control the location and scale of *earthworks*, [mining](#),¹⁷⁶ and vegetation planting, modification and removal in the coastal environment (outside the *coastal marine area*),
- [\(3A\) achieve the integrated management of, and control over, land use activities which could cause direct or indirect effects on the *coastal marine area*;](#)¹⁷⁷ [in accordance with CE-P1](#),¹⁷⁸
- (4) require *resource consent* for uses of *land* on reclamations that have occurred after the date this RPS becomes operative,
- (5) provide for the establishment of *esplanade reserves* and *esplanade strips*,
- (6) include provisions requiring the adoption of a precautionary approach to assessing the *effects* of activities in the coastal environment in accordance with IM-P615¹⁷⁹ where:
 - (a) there is scientific uncertainty, or
 - (b) there are potentially significant or irreversible adverse *effects*, or
 - [\(c\) coastal resources are potentially vulnerable to effects from climate change.](#)¹⁸⁰
- (7) provide for walking access to, ~~and~~ [along, and adjacent to](#)¹⁸¹ the *coastal marine area* in accordance with Policy 19 of the NZCPS,
- (8) control vehicle access to, ~~and~~ [along, and adjacent to](#)¹⁸² the *coastal marine area* in accordance with Policy 20 of the NZCPS,
- (9) recognise [takata mana](#)¹⁸³ *whenua* needs for *papakāika*, marae and associated developments within the coastal environment and make appropriate provision for them,
- (10) provide access to [surf breaks of national significance](#) ~~nationally~~¹⁸⁴ and regionally significant *surf breaks*, and

¹⁷⁵ 00234.022 Te Rūnanga o Ngāi Tahu

¹⁷⁶ 00226.154 Kāi Tahu ki Otago

¹⁷⁷ 00137.059 DOC, 00226.154 Kāi Tahu ki Otago

¹⁷⁸ 00226.154 Kāi Tahu ki Otago

¹⁷⁹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00137.042 DOC, 00014.022 John Highton

¹⁸⁰ 00230.064 Forest and Bird

¹⁸¹ Consequential amendment to 00230.058 Forest and Bird

¹⁸² Consequential amendment to 00230.058 Forest and Bird

¹⁸³ 00226.154 Kāi Tahu ki Otago

¹⁸⁴ Clause 16(2), Schedule 1, RMA

- (11) provide for and encourage activities undertaken for the primary purpose of [enhancing coastal water quality, coastal habitats and ecosystems, customary fisheries and other mahika kai activities](#) restoring natural character, features, or landscapes in accordance with [CE-P1, CE-P3, CE-P4, and CE-P6 and CE-P13](#)¹⁸⁵.

CE-M5 – Other incentives and mechanisms

~~Local authorities are encouraged to~~ shall¹⁸⁶ consider the use of other mechanisms or incentives to assist in achieving Policies CE-P2 to CE-P12~~3~~,¹⁸⁷ including:

- (1) identifying areas and opportunities within the coastal environment for restoration or rehabilitation,
- (2) identifying opportunities to enhance or restore public walking access in accordance with Policy 19(c) of the NZCPS,
- (3) promoting the removal of abandoned or redundant structures that have no heritage, amenity or reuse value,
- (4) funding assistance for restoration projects (for example, through Otago Regional Council's ECO Fund),
- (5) development or design guidelines (for example, colour palettes for *structures* in the coastal environment),
- (6) rating differentials for *land* that is protected due to its status as a high or outstanding natural character area,
- (7) education and advice,
- (8) research relevant to the *effects* of activities on:
 - (a) coastal network *infrastructure*,
 - (b) coastal values,
 - (c) coastal hazards,
 - (d) riparian vegetation cover or any *land* cover that contributes to supporting coastal values or mitigating coastal hazards, ~~or~~
 - (e) areas particularly sensitive to *land* use changes,
 - (f) coastal water quality, or¹⁸⁸
 - (g) coastal habitats and ecosystems,¹⁸⁹
- (9) facilitating the restoration, rehabilitation or creation of coastal habitats, particularly when it:

¹⁸⁵ 00226.154 Kāi Tahu ki Otago

¹⁸⁶ 00137.060 DOC

¹⁸⁷ Clause 16(2), Schedule 1, RMA

¹⁸⁸ 00226.155 Kai Tahu Ki Otago

¹⁸⁹ 00226.155 Kāi Tahu ki Otago

- (a) encourages the natural regeneration of indigenous species,
 - (b) buffers or links ecosystems, habitats and areas of significance that contribute to ecological corridors, or
 - (c) maintains or enhances the provision of indigenous ecosystem services, and
 - (d) benefits *mahika kai* and kaimoana species or customary fisheries areas, or¹⁹⁰
 - (e) will lead to the improvement of areas of deteriorated water quality, and¹⁹¹
- (10) bylaws controlling vehicle access to and along the *coastal marine area* in accordance with Policy 20 of the NZCPS.

CE-M6 – Monitoring

Otago Regional Council must:

- (1) establish a long-term monitoring programme for coastal waters and coastal ecosystems that incorporates cultural health monitoring,
- (2) record information (including monitoring data) about the state of coastal waters and coastal ecosystems and the challenges to their health and well-being,
- (3) regularly prepare reports on the matters in (1) and (2) and publish those reports, and
- (4) take action where the results of monitoring show that this is necessary to achieve the objectives of this policy statement.¹⁹²

Explanation

CE-E1 – Explanation

The provisions in this chapter recognise that the coastal environment is a finite resource with a range of values that need to be preserved. The policies within the chapter are designed to protect the coastal environment from inappropriate activities. The coastal environment is also recognised as dynamic and the policies, in association with others in the ORPS, seek to prevent increasing *risks* to life, *infrastructure* and property.

The policies in this chapter require the identification and management of a range of values within the coastal environment. They also set out a number of environmental bottom lines that give effect to the requirements of the NZCPS. Provided these environmental bottom lines are achieved, the chapter also acknowledges that there are a range of activities including port activities, aquaculture, and appropriately designed and located *subdivision*, use and development that can be undertaken within the coastal environment. The policies also provide specific direction on how activities in the coastal environment are to be undertaken. The balance combination¹⁹³ of protective and enabling policies

¹⁹⁰ 00226.155 Kāi Tahu ki Otago

¹⁹¹ 00226.155 Kai Tahu Ki Otago

¹⁹² 00226.157 Kāi Tahu Ki Otago

¹⁹³ 00230.066 Forest and Bird

within this chapter are designed to implement the objectives by requiring that activities in the coastal environment are undertaken in a manner that preserves or restores the values of the coastal environment.

Kāi Tahu tūpuna had an extensive knowledge of the coastal environment and weather patterns, passed from generation to generation. This knowledge continues to be held by whānau and hapū and is regarded as a taoka. The seasonal lifestyle of Kāi Tahu led to their dependence on the resources of the coast. This enduring relationship with the coastal environment, arising from long whakapapa associations and the use of tikaka to guide resource management practices, is manifested in the rakatirataka and *kaitiakitaka* responsibilities that Kāi Tahu hold as *mana whenua*.

Coastal waters can be influenced by activities which are undertaken beyond the coastal environment. This interconnectedness between coastal and freshwater environments means provisions contained within the LF – Land and freshwater chapter may also need to be considered to manage the coastal environment.¹⁹⁴

Some of the policies in the NZCPS are highly prescriptive and will be most effectively implemented through *regional plans*¹⁹⁵ and *district plans*. In those cases, the policies in this RPS have included additional region-specific context where that is possible, but have not sought to restate the content of NZCPS policies with the expectation that those policies will be implemented by the *regional plans*¹⁹⁶ and *district plans*.

In addition to the policies in this chapter, the values of the coastal environment are recognised and provided for in a number of other the following chapters of the ORPS, as set out in CE-P1. where they provide direction on the management of the coastal environment or activities within the coastal environment:

- ~~ECO – Ecosystems and indigenous biodiversity~~
- ~~LF – Land and freshwater~~
- ~~EIT – Energy, infrastructure and transport~~
- ~~HCV – Historical and cultural values~~
- ~~NFL – Natural features and landscapes~~
- ~~HAZ – Hazards and risks~~¹⁹⁷

Principal reasons

CE-PR1 – Principal reasons

The coastal environment includes the *coastal marine area*, islands within the *coastal marine area* and the area landward of the line of mean high-water springs. The landward extent of the coastal environment is determined by the natural and physical elements, features and processes set out in Policy 1(2) of the NZCPS. The importance of the coastal environment is reflected in the statutory

¹⁹⁴ 00230.066 Forest and Bird

¹⁹⁵ Clause 16(2), Schedule 1, RMA

¹⁹⁶ Clause 16(2), Schedule 1, RMA

¹⁹⁷ 00301.027 Port Otago, 00230.066 Forest and Bird

resource management framework, particularly as identified in sections 6 and 7 of the RMA ~~1991~~¹⁹⁸ and as set out in the NZCPS.

A number of activities occur within or affect the coastal environment including urban development, recreational activities, transport infrastructure, port activities, *infrastructure*, energy generation and transmission, food production and other farming activities, *plantation forestry*, rural industry and *mineral* extraction. These activities can be important contributors to the existing and future health and well-being of communities. However, poorly located or managed activities can have adverse *effects* that compromise the values of the coastal environment such as natural character, biophysical processes, *water* quality, *surf breaks*, indigenous *biodiversity* and natural landscapes.

The coastal environment is highly valued by Kāi Tahu *mana whenua*, with a number of areas in the coastal environment recognised in statutory acknowledgments in the NTCSA ~~1998~~¹⁹⁹. The marine environment is a moving force, a reminder of the power of Takaroa. The *coastal waters* and processes were integral to the way of life tūpuna enjoyed, and the coastal environment supports significant ~~māhika kai~~ *māhika kai*²⁰⁰/kaimoana resources and *wāhi tūpuna*. This environment was traditionally important for settlement and travel and continues to provide for settlement and ~~māhika kai~~ *māhika kai*²⁰¹ and fisheries resources. Kaimoana is essential to coastal iwi and hapū relationships with the *environment* and in particular as part of the tikaka of food gathering and as indicators of the health of coastal environments.

The *coastal waters* are a *receiving environment* for *freshwater*, gravels, sediment and *contaminants* from the terrestrial landscape - of particular concern are the significant *discharges* of sediments, transported by *rivers* and waterways, that have a smothering effect on the benthic systems of the coastal area, including the important kelp beds. The interconnection of the *land* and sea environments is central to the ki uta ki tai ('mountains to the sea') philosophy. This interconnection requires careful consideration in managing the *effects* of *land* use activities.

Other chapters of the Regional Policy Statement are also relevant for managing the coastal environment as land-based activities can have a significant *effect* on the health of the marine environment. Sediment, *contaminants* and litter that are carried by waterways or pipes into the sea affect *water* quality and the ecological health of the coastal environment.

Implementation of the provisions in this chapter will occur primarily through *regional plans*²⁰² and *district plan* provisions, however *local authorities* may also choose to adopt additional non-regulatory methods to support the achievement of the objectives.

Anticipated environmental results

CE-AER1

The values of the coastal environment are not adversely affected or lost because of inappropriate uses of the *natural and physical resources* in the coastal environment.

¹⁹⁸ Clause 16(2), Schedule 1, RMA

¹⁹⁹ Clause 16(2), Schedule 1, RMA

²⁰⁰ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

²⁰¹ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

²⁰² Clause 16(2), Schedule 1, RMA

CE-AER2	There is no reduction in the extent of identified areas of high and outstanding natural character in the coastal environment.
CE-AER3	Areas where natural character has been reduced or lost are restored.
CE-AER4	There is an improvement in the quality of <i>water</i> in areas identified as having deteriorated <i>water</i> quality.
CE-AER5	The quality of <i>coastal water</i> supports healthy coastal ecosystems and provides for contact recreation and customary uses.
CE-AER6	New building and development in the coastal environment is consistent with the character of the area and avoids <u>increasing the</u> or <u>minimises</u> ²⁰³ risks from <i>natural hazards</i> to people and communities.
CE-AER7	The public have improved access to, along, and adjacent to the <i>coastal marine area</i> .
CE-AER 8	<u>The mauri of the coastal environment is protected, and restored where it has been degraded.</u> ²⁰⁴
CE-AER 9	<u>Customary uses, including practices associated with <i>mahika kai</i> and <i>kaimoana</i>, are supported, and mana whenua exercise their kaitiaki role within the coastal environment.</u> ²⁰⁵

²⁰³ 00239.067 Federated Farmers

²⁰⁴ 00234.014 Ngāi Tahu ki Murihiku

²⁰⁵ 00234.014 Ngāi Tahu ki Murihiku