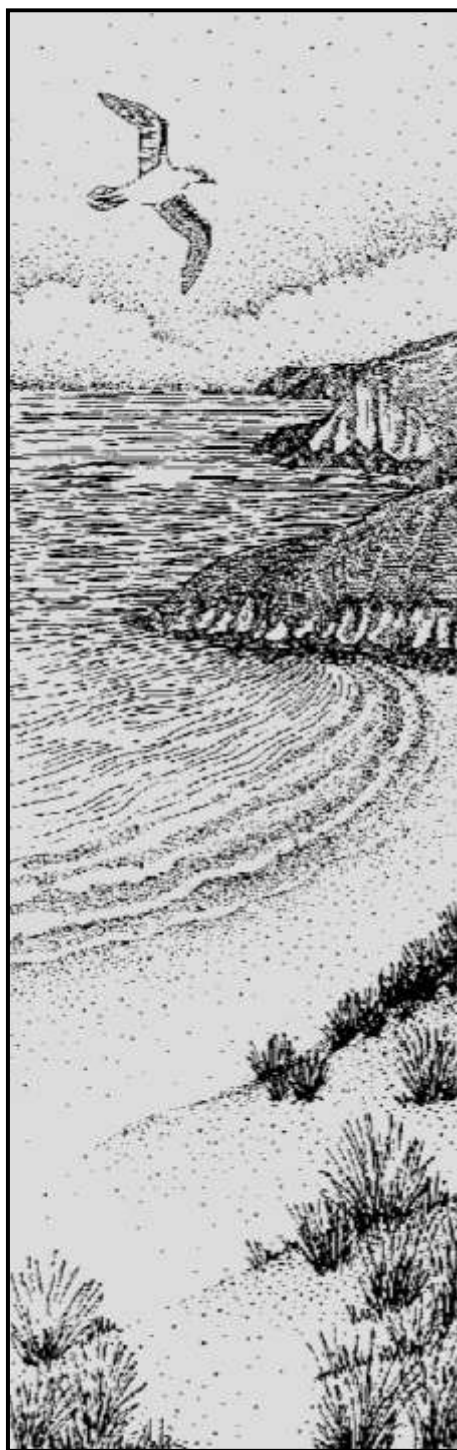


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Introduction



1.1 Purpose of the Plan

The functions of the Otago Regional Council under the Resource Management Act 1991 (the Act) include the control (in conjunction with the Minister of Conservation) of the coastal marine area (Section 30(1)(d)). The purpose of this Plan is to provide a framework for the integrated and sustainable management of Otago's coastal marine area.

A regional coastal plan is required by Section 64 of the Act. Section 432(1A) of the Act requires this Council to publicly notify a proposed regional coastal plan by 1 July 1994. There are no other alternatives provided by the Act in the management of the coastal marine area.

Within the coastal marine area, almost all activities require a resource consent to be held unless the regional coastal plan allows for it (Sections 12, 14 and 15 of the Act). This Regional Plan: Coast for Otago contains a regulatory component which establishes the framework within which uses of the coast can occur. If this Plan did not contain that regulatory component, all activities which otherwise contravened Sections 12, 14, or 15 would continue to require a consent. The Plan also contains other methods that are aimed at bringing about the sustainable and integrated management of Otago's coastal marine area.

1.2 The process and the effect of the Plan

This Regional Plan: Coast for Otago was publicly notified in accordance with the requirements of the First Schedule of the Act. Submissions and further submissions were received on the Plan and considered by a hearings committee. Decisions on the submissions were then made. These decisions were subject to appeal to the Environment Court. The Plan, including any changes required by the Environment Court, was then adopted by the Otago Regional Council for reference to the Minister of Conservation for approval. The Plan became operative after the Minister's approval. The operative date was publicly notified.

This Plan was amended by Plan Change 1 (Harbourside), proposed on 26 January 2008 and made operative on 1 December 2009, following the receipt of 21 submissions and seven further submissions. The amendments related to the introduction of coastal harbourside areas, and introduced new rules regarding development of the Basin.

This Plan was amended by Amendment 1 (NZ Coastal Policy Statement) on 1 January 2012. This amendment removed Restricted Coastal Activities in accordance with the New Zealand Coastal Policy Statement 2010, and removed references to the 1994 New Zealand Coastal Policy Statement.

1.3 Transitional Regional Coastal Plan

A number of instruments were in force within Otago's coastal marine area at the time of commencement of the Act (1 October 1991). These were deemed to form a Transitional Regional Coastal Plan (Section 370 of the Act). The Transitional

Regional Coastal Plan for Otago will cease to be operative when this Regional Plan: Coast for Otago becomes operative.

1.4 Area covered by the Plan

This Plan covers the coastal marine area, which is:

... the area of foreshore, seabed, and coastal water, and the air space above the water-

- (a) Of which the seaward boundary is the outer limits of the territorial sea:*
- (b) Of which the landward boundary is the line of mean high water springs, except that where that line crosses a river, the landward boundary at that point shall be whichever is the lesser of -*
 - (i) One kilometre upstream from the mouth of the river; or*
 - (ii) The point upstream that is calculated by multiplying the width of the river mouth by 5.*

(Section 2 of the Act)

Otago's coastal marine area, extending from the line of mean high water springs, to the limits of the territorial sea at 12 nautical miles (22.2 kilometres), from the Waitaki River in the north to Wallace Beach in the south is shown in (Figure 1-1).

There are three territorial local authorities within Otago which have the common line of mean high water springs as boundary between the area covered by the respective district plans and this Regional Plan: Coast for Otago. These three authorities are:

- Waitaki District Council;
- Dunedin City Council; and
- Clutha District Council.

1.5 Structure of the Plan

This Plan has been divided into a number of general parts:

Chapters 1 to 4

This provides an introduction to the Plan, a description of the legislative framework applying to the coast, and provides background information about Otago's coastal marine area and the perspective of Kai Tahu, Otago's Manawhenua.

Chapters 5 to 14

This identifies the relevant coastal management issues, and contains objectives, policies, methods and, where appropriate, rules. It is this part of the Plan which users should have particular regard to when considering the undertaking of activities within Otago's coastal marine area. It is this part of the Plan which establishes the management framework within which those activities need to fit.

Chapters 15 to 17

This identifies the main administrative issues that affect the use of the coastal marine area, specifying the information required with any resource consent application, the circumstances where a financial contribution may be required, and the processes to be used to review and monitor this Plan.



Figure 1.1: Otago's Coastal Marine Area

Schedules

This contains elements of the Plan which need to be taken into account throughout the Plan:

1. The definition of cross river boundaries for the purposes of the Plan.
2. The coastal management areas that have been established for the Plan.
3. Areas that need to be recognised above the line of mean high water springs as cross boundary issues.
4. Mooring areas within Otago Harbour coastal development area.
5. Dredge dumping sites.

6. Department of Conservation administered land adjacent to the coastal marine area.
7. *[Repealed]*
8. Historic sites and values that must be given particular regard to.
9. Harbourside Structure Plan.

Appendices

This contains a glossary of terms used in this Plan.

1.6 Integrated management

This Regional Plan: Coast for Otago seeks to achieve sustainable management of the natural and physical coastal resources of the region. This requires an integrated approach, taking an all-embracing, holistic view of resource management. It requires that decision-making about any particular resource take into account the likely effects on other natural and physical resources. It also requires an approach that meets the social, economic and cultural needs of the people and communities of Otago, now and in the future.

Integrated management includes:

- (a) Integration of **management responses across management agencies** - Recognising that although different agencies have varying functions, powers and duties under the Act and other acts, coordination of their actions is necessary to promote sustainable management in the region, particularly in areas of shared responsibility.
- (b) Integration **toward shared environmental outcomes** - Recognising that the resolution of key resource management issues which will affect the region's future will be more effective and efficient if management agencies work together for common goals.
- (c) Integration of **management responses across resource systems** - Recognising that natural and physical resources must be treated as parts of complex and inter-connected bio-physical systems affecting each other.
- (d) Integration of **actions across a range of time scales** - Recognising that the effects of human activities in the environment can be temporary or permanent, may have already occurred, may be happening now, may happen some time in the future and may be cumulative over time.
- (e) Integration of **decision-making with community participation** - Recognising that the values and beliefs of the community, including those of iwi, must play an important part in natural and physical resource management.
- (f) Integration of **methods to be used to implement policies** - Recognising that there is usually more than one way of implementing policies in an efficient and effective way.
- (g) Integration **across individual decisions** - Recognising that if each decision about the use of, or effects on, a resource is made in isolation, by the time the accumulated effects are seen as a problem it may be too late to take remedial action.

In order to achieve the Act's requirement that the Regional Plan: Coast provide for integrated management of the region's coastal resources, its provisions must be read as a whole.

To assist in the achievement of a holistic, integrated approach to resource management, the Regional Plan: Coast uses a system of cross referencing to provide linkage between chapters, and between issues, objectives, policies and methods within each chapter. Within this system:

- Each issue, objective and policy is referenced to other chapters within the Plan, where those chapters contain issues, objectives or policies which may affect that particular issue, objective or policy.
- Each of the issues is referenced through to the relevant objectives and policies within each chapter.
- Each of the objectives is referenced through to the relevant policies within each chapter.
- Each of the policies is referenced through to the relevant methods within each chapter.

This cross reference system is for information purposes, to aid understanding of the integrated nature of the Regional Plan: Coast and to assist Regional Plan: Coast users to read it as a whole by highlighting potential links between resource issues and concerns. Particular connections and issues of integration will still need to be addressed on a case by case basis, in relation to particular circumstances.

1.7 Consultation

The Otago Regional Council views the process of consultation with the people of Otago as a very important element of its activities. The development of policies and plans, the undertaking of works and the consideration of resource consents all require a well informed public to have their say.

The following principles in respect of consultation emerged from the Court of Appeal in *Wellington International Airport v Air New Zealand (1993) 1 NZLR 671*:

- Sufficient information needs to be made available to the consulted party or parties, including further information should this be requested.
- Meetings should be held with the consulted parties and these should be entered into with an open mind.
- Due notice should be taken of what consulted parties have to say.
- The consulting party should wait until all parties have had their say before making its decision.

The Otago Regional Council will actively seek the views of Otago's communities, and will be guided by the Court of Appeal's principles in seeking those views. It will seek to use the consultation methods best suited to the particular circumstances and to develop consultation protocols with affected communities. It will provide adequate

timeframes, adequate information, and advice to those communities as required to ensure their participation.

In developing this Regional Plan: Coast for Otago, the Otago Regional Council has consulted with a variety of individuals, groups and agencies including:

1. The Department of Conservation.
2. The Ministry of Fisheries.
3. The Ministry for the Environment.
4. Maritime Safety Authority, Ministry of Transport.
5. Kai Tahu.
6. Waitaki District Council.
7. Dunedin City Council.
8. Clutha District Council.
9. A variety of user groups.
10. Interest groups through a series of interviews.
11. The public generally through a series of public meetings.

1.8 Background information

A variety of reports were compiled which provide additional information about Otago's coastal marine area and about the issues that were considered in the development of this Regional Plan: Coast for Otago. The reports do not constitute the Regional Plan: Coast for Otago, nor any part of it. They are for information purposes only. These reports, which are available from the Otago Regional Council, are:

- Background Report 1: Section 32 Report;
- Background Report 2: The Management of Otago's Coastal Water Quality;
- Background Report 3: Manawhenua Report;
- Background Report 4: Eastward to the Sea: A Scientific Review of Otago's Coastal Marine Area;
- Background Report 5: Marine Recreational Fishing Along Otago's Coastline.

The Otago Regional Council also has available a number of other reports which provide additional information that were used in the development of this Plan:

- Otago Coastal Environment Plan: Report on Issues and Options;
- Otago Coastal Environment Plan: Findings from Public Participation;
- North Otago Coastal Hazard Mapping Investigation: Discussion Document;
- East Otago Coastal Hazard Mapping: Investigations Report;
- South Otago Coastal Hazard Mapping: Discussion Document;
- Otago Harbour Planning Study: Issues and Options Report;
- Otago Harbour Planning Study: Report of the Ecosystems and Physical Systems

Working Group;

- Otago Harbour Planning Study: Report of the Cultural and Social Working Group;
- Otago Harbour Planning Study: Report of the Pollution Working Group;
- Otago Harbour Planning Study: Report of the Recreation Working Group;
- Otago Harbour Planning Study: Report of the Land Use and Development Working Group;
- Otago Harbour Planning Study: Report of the Safety and Navigation Working Group.

Also available, from the Department of Conservation, is a report identifying areas that the Department considers have significant conservation value within and adjacent to Otago's coastal marine area. The values identified in that report have been taken into account in the preparation and development of this Regional Plan: Coast for Otago and are the basis for identifying coastal protection areas, marine mammal and bird sites, and areas of outstanding natural features and landscapes as contained in Schedules 2 and 3 of this Plan.