

5. Coastal Environment

Submission No. and Point / Submitter Name	Plan Provision	Summary of Submission	Decision Requested
2.4 ISSUES, OBJECTIVES AND POLICIES			
	Introduction		
18.31 Environment Southland	Introduction	The submitter suggests that all the coastline (as defined by the edge of vegetation) is within the Invercargill city district rather than “bordering” it.	Amend the first sentence of the opening paragraph to read: “The Invercargill city district contains about 165 kilometres of coastline around harbours, estuaries or tidal rivers and along the open coast.”
18.32 Environment Southland	Introduction	The submitter supports the last sentence “Change due to coastal processes is expected to continue.” in principle but believes it could be stronger.	Amend the last sentence to read: “Change due to coastal processes is expected to continue especially if sea level continues to rise as much as predicted.”
24.3 South Port NZ Ltd	Introduction	Support. The submitter considers it appropriate to recognise that the Port activities contribute to the existing character of that part of the coastal environment.	Retain the introductory text.
71.4 NZAS Ltd	Introduction	Support. The submitter supports the recognition of the Tiwai aluminium smelter as being a regionally significant development	Retain paragraph 3 of the introduction
	2.4.1 Issues		
24.4 South Port NZ Ltd	2.4.1	Oppose in part. The submitter considers that this issue statement should be amended to recognise that the Port and associated infrastructure needs to be able to meet the economic and social needs of people and communities. The reference to affecting natural character is unnecessary as the first point already deals with this. It is unnecessary to specify that the Port activities need to be balanced with environmental/conservation values when there are other issue statements that deal with this.	Amend the issue statement as follows: 4. Sea ports and infrastructure located in the coastal environment have <u>a functional need to locate in the coastal environment in order to meet the economic and social needs of people and communities.</u>
77.8 Te Runaka o Waihopai and Te Runaka o Awarua	2.4.1	Support	Retain all

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71.5 NZAS Ltd	2.4.1 Issue 4	Support in part. The submitter supports the recognition of functional need but would like the Issue expanded to specifically recognise the aluminium smelter	Amend Issue 4 as follows: “Sea ports, <u>the aluminium smelter at Tiwai Point and infrastructure located within the coastal environment...</u> ”
79.4 KiwiRail Holdings Ltd	2.4.1 Issue 4	Support. The submitter supports the balance between the recognition of the values of the coastal environment and the functional need for lifeline infrastructure.	Retain 2.4.1 Issue 4
87.3 Transpower NZ Ltd	2.4.1 Issue 4	Oppose in part. The submitter considers that natural character and conservation are separate considerations and the issue should be amended to refer to ‘natural character’ only as this reflects the intent of the associated objectives and policies. Furthermore, the submitter seeks that the Issue refers specifically to the National Grid to give effect to the NPSET.	(i) Amend Issue 2.4.1 as follows: “4. Sea ports and infrastructure located within the coastal environment can affect its natural character but also have a functional need of coastal space. In these cases <u>conservation natural character</u> needs to be balanced against development needs, <u>in particular regarding the National Grid.</u> ” (ii) And any consequential amendments
91.1 PowerNet Ltd	2.4.1 Issue 4	Support, The submitter considers it appropriate that a balance between conservation needs and development needs is recognised within the District Plan	Retain 2.4.1 Issue 4
18.33 Environment Southland	New Issue	The submitter believes there should be a reference to sea level rise as an issue. Sea level rise and adjusting or adapting to it is going to become more and more of an issue for the ICC in the future. Already there are issues at Omaui, Bluff and Sandy Point, which the submitter believes will become more significant and widespread in the future.	Add as a 6 th issue “Continuing and accelerated sea level rise will result in more erosion, inundation and drainage problems.”
2.4.2 Objectives			
24.5 South Port NZ Ltd	Objective 1	Support.	Retain Objective 1
64.13 Department of Conservation	Objective 1	Support. The submitter considers that this gives effect to s6(a) of the RMA, is consistent with Policy 13(1) of NZCPS 2010, and Policy COAST.7 of the proposed regional Policy Statement for Southland.	Retain Objective 1
71.6 NZAS Ltd	Objective 1	Support. The submitter considers it appropriate to recognise that in some circumstances subdivision, use and development is appropriate.	Retain Objective 1
79.5 KiwiRail Holdings Ltd	Objectives 2, 3 and 5	Support. The submitter supports the balance between the recognition of the values of the coastal environment and the functional need for lifeline infrastructure.	Retain Objectives 2, 3 and 5

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24.6 South Port NZ Ltd	Objective 2	Support. The submitter considers it is appropriate to recognise that certain activities (i.e. Port facilities) have a functional need to locate within the coastal environment. This is consistent with the NZCPS 2010.	Retain Objective 2
64.14 Department of Conservation	Objective 2	Support. The submitter considers it gives effect to Policy 6(1)(e) and 6(2)(c) of NZCPS 2010	Retain Objective 2
71.7 NZAS Ltd	Objective 2	Support. The submitter considers it is appropriate to recognise some activities have a functional need to locate within the coastal environment.	Retain Objective 2
90.1 H W Richardson Group Ltd	Objective 2	Support. The submitter considers it is appropriate to recognise that infrastructure and renewable energy generation can have a functional, technical or operational need to locate within the coastal environment.	Retain Objective 2
91.2 PowerNet Ltd	Objective 2	Support. The submitter considers it is appropriate to recognise that infrastructure and renewable energy generation can have a functional, technical or operational need to locate within the coastal environment.	Retain Objective 2
24.7 South Port NZ Ltd	Objective 3	Support in part. The submitter considers it is appropriate to specifically recognise that Bluff is an appropriate location for Port related activities. Tiwai Point should also be recognised in the same manner.	Retain the objective. Add a reference to Tiwai Point as also being appropriate for port facilities associated with the NZAS facilities.
64.15 Department of Conservation	Objective 3	Support. The submitter considers it gives effect to Policy 6(1)(e) and 6(2)(c), and Policy 9 of NZCPS 2010	Retain Objective 3
24.8 South Port NZ Ltd	Objective 5	Support. The submitter considers this objective to be generally consistent with the RMA and the NZCPS 2010. It is appropriate to provide for certain activities that have a functional need to take place within the coastal environment.	Retain Objective 5
53.4 NZ Transport Agency	Objective 5	Support.	Retain Objective 5 as proposed.
87.4 Transpower NZ Ltd	Objective 5	Support in part. The submitter considers that the objective should also specifically recognise locational and technical constraints when developing nationally important infrastructure, as this will set the framework for the policies, in particular those relating to functional need.	(i) Amend Objective 5 as follows: "Infrastructure, renewable energy projects and associated development are provided for in the coastal environment, while maintaining and enhancing public access and preserving natural

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			<p>character as far as practicable, <u>recognising the locational and technical constraints of nationally significant infrastructure.</u> “</p> <p>(ii) And any consequential amendments</p>
91.23 PowerNet Ltd	Objective 5	Support. The submitter considers it appropriate to provide for certain activities that have a functional need to take place within the coastal environment	Retain Objective 5
24.9 South Port NZ Ltd	Objective 6	<p>Oppose. The submitter considers that the matters covered by this objective fall within the jurisdiction of the regional council and thus it should be deleted.</p> <p>The submitter considers that it is not always appropriate or practicable to enhance coastal water quality and ecosystems that may have deteriorated from natural state. There are circumstances, for example in and around the Port where water quality is appropriate for port related activities, but would not be suitable for recreational purposes (i.e. swimming) therefore the objective should seek to where it is appropriate maintain and enhance water quality and ecosystems.</p>	<p>Delete the objective;</p> <p>OR</p> <p>Amend the objective as follows: <u>“Where appropriate coastal water quality and ecosystems are maintained or enhanced.”</u></p>
71.8 NZAS Ltd	New Objective	The submitter considers that the aluminium smelter should be specifically recognised in the objectives	<p>The inclusion of a new objective as follows <u>“Objective X: Tiwai Point is identified as the appropriate location for the aluminium smelter, and other activities associated with aluminium smelting which have a functional need to locate in close proximity to the smelter.”</u></p>
	2.4.3 Policies		
18.34 Environment	Policy 1 – Identification and	The submitter considers that the explanation to this policy is not reflective of the New Zealand Coastal Policy Statement (NZCPS) 2010 Policy 1 –	Ensure consistency between the explanation for proposed policy 1 and Policy 1 – Extent and

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Southland	delineation	Extent and characteristics of the coastal environment.	characteristics of the coastal environment in the NZCPS.
64.16 Department of Conservation	Policy 1 – Identification and delineation	Support in part. The submitter is concerned that there may be areas of the coast that have not been mapped yet and that the policy should acknowledge that these may be identified on a case-by-case assessment.	Amend Policy 1 to allow for determination of the coastal environment beyond that already mapped, or to allow for case-by-case assessments as part of consent processes.
18.35 Environment Southland	Policy 2 - Locations for use and development	Support.	Retain
24.10 South Port NZ Ltd	Policy 2 - Locations for use and development	Oppose. The submitter considers that the explanation to the policy is poorly worded and appears to confuse its function. In areas such as the Port, natural character has already been altered and it would be inappropriate to give preference or priority to preserving natural character in this areas. This should be made very clear in the explanatory text.	Clarify the explanatory text associated with this policy to meet South Ports concerns.
64.17 Department of Conservation	Policy 2 - Locations for use and development	Support in part. The submitter considers that the policy is not consistent with Objective 4. The submitter notes that the objective is only focussed on residential development, while the policy refers to all potential subdivision, use and development	Amend Policy 2 as follows: “To identify Bluff and Omaui as the appropriate locations for <u>residential development subdivision, use and development</u> in the coastal environment and to give priority to preservation of the natural character of the coastal environment elsewhere.”
77.9 Te Runaka o Waihopai and Te Runaka o Awarua	Policy 2 - Locations for use and development	Support	Retain
18.36 Environment Southland	Policy 3 – Assessment criteria	The submitter considers that the criteria within this policy do not align with the NZCPS or the Proposed Regional Policy Statement.	Ensure consistency between the proposed policy and policy 13 of the NZCPS.
24.11 South Port NZ Ltd	Policy 3 – Assessment criteria	Oppose in part. South Port considers the matters listed in Policy 3 to be generally appropriate for assessing natural character. However the policy should also recognise the extent to which natural character has already been modified by subdivision, use and/or development.	Add a new (H) which reads: <u>The extent to which natural character has already been modified by subdivision, use and/or development.</u>

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64.18 Department of Conservation	Policy 3 – Assessment criteria	Oppose. The submitter considers that the proposed plan does not give effect to Policy 13 of NZCPS as it does not identify areas of high natural character. The submitter considers that there should be an undertaking in the Policy for the Council to carry out a natural character assessment within a specified time period. The submitter notes that there is a natural character study of the coastal environment appended to the Regional Coastal Plan for Southland which identified areas within the coastal environment of Invercargill that are of high natural character, and suggests that this could be referenced in the proposed Plan to satisfy the requirements of the NZCPS.	To identify within the Plan areas of at least high natural character of the coastal environment; OR Amend the wording of Policy 3 to commit to identifying these areas in the proposed plan by a specified timeframe.
71.9 NZAS Ltd	Policy 3 – Assessment criteria	Oppose in part. The submitter considers that the policy requires rewording to make it clear that it just sets out criteria for consideration of natural character, not as assessment for all subdivision use and development in the coastal environment.	Reword Policy 3 as follows: “ <u>When assessing natural character in relation to Te</u> assess <u> proposals for subdivision, use and development, in relation to the natural character of the coast and in particular using the following criteria should be considered:</u> ”
77.10 Te Runaka o Waihopai and Te Runaka o Awarua	Policy 3 – Assessment criteria	Support	Retain
79.6 KiwiRail Holdings Ltd	Policy 3 – Assessment criteria	Oppose in part. The submitter considers that there should be an additional criterion that seeks to preserve the operation of strategic infrastructure in coastal areas so that its operations are not compromised	Amend Policy 3 by adding the following: “ <u>The extent to which subdivision, use and development might create reverse sensitivity effects on significant infrastructure</u> ”
88.37 Federated Farmers	Policy 3 – Assessment criteria	Support in part. The submitter considers that farming activities in the coastal environment should be allowed to continue, recognising the ethics of stewardship and responsible environmental management that are an increasingly important part of the decisions of coastal landowners.	That the Council recognise that farming activities within the coastal environment are an appropriate use of the land by adding the following criterion to the list: “(H) <u>Agricultural values.</u> ”

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			<u>This will provide additional protections for coastal landowners and enable them to continue to benefit from the use of their land, and farm profitably into the future.</u>
18.37 Environment Southland	Policy 4 – Protection of values and attributes	The submitter notes that there are a number of ONFLs in both the wider Bluff and Omaui areas which could be adversely effected inappropriate development. The submitter believes that the explanation to the policy is very unclear. It discusses ONFLs and other values of the area, however, this is not listed within the policy itself. This needs to be clarified either within the policy or the explanation to it.	<p>Reword policy to read:</p> <p>“To identify <u>existing nodes of development within the Bluff and Omaui areas</u> as the appropriate locations for subdivision, use and development in the coastal environment and to give priority to the preservation of the natural character <u>and outstanding natural features and landscapes</u> of the coastal environment elsewhere.”</p> <p>Review the explanation to the policy to ensure it is clear and adds value to the policy.</p>
24.12 South Port NZ Ltd	Policy 4 – Protection of values and attributes	<p>The submitter considers that the drafting of this policy is confusing and inconsistent with Part 2 of the RMA. The Act does not require outright provision for the protection of amenity, social, intrinsic, ecological (etc) values. The submitter also considers that it is inappropriate to provide for public access to all parts of the coastal environment, particularly where public safety could be compromised, for example in and around the Port operations.</p> <p>The submitter also considers (E) to be out of place within the context of this policy and that it should be removed.</p>	<p>Amend the policy as follows:</p> <p>“To promote the utilisation of adequate measures or methods within the coastal environment when providing for subdivision, use and development to:</p> <p>(A) Protect <u>Avoid, remedy or mitigate adverse effects on</u> amenity, social, intrinsic, ecological, cultural, heritage, natural character and landscape and natural features values.</p> <p>(B) Maintain or enhance public access <u>where appropriate</u>.</p> <p>(C) Avoid or mitigate the effects of natural hazards.</p> <p>(D) Avoid or mitigate the impact of predicted sea level rise and climate change.</p> <p>(E) Take cumulative and precedent effects into account in making decisions affecting the coast”</p>

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77.11 Te Runaka o Waihopai and Te Runaka o Awarua	Policy 4 – Protection of values and attributes	Support	Retain
Federated Farmers 88.38	Policy 4 – Protection of values and attributes	Support in part. The submitter considers that it is important to recognise that many of the natural features and areas of indigenous biodiversity in the coastal environment can be situated within working farm environments. The intrinsic and heritage values associated with the coastal environment must be balanced with the importance of these working environments and the use of non-regulatory methods will ensure the greatest landowner buy-in.	Amend the wording of the policy as follows: “ Policy 4 Protection of values and attributes: To promote the utilisation of adequate <u>non-regulatory</u> measures or methods within the coastal environment when providing for subdivision, use and development to: (A) Protect amenity, social, intrinsic, ecological, cultural, heritage, natural character and landscape and natural features values. (B) Maintain or enhance public access. “
24.13 South Port NZ Ltd	Policy 5 - Functional Need	Support. The submitter supports this policy in so far as it is appropriate to recognise that certain activities have a functional need to locate within the coastal environment.	Retain Policy 5
53.5 NZ Transport Agency	Policy 5 - Functional Need	Support.	Retain Policy 5 as proposed.
64.18 Department of Conservation	Policy 5 - Functional Need	Support in part. The submitter considers that the policy gives priority to certain land uses over other coastal uses and that context is important in determining functional need and the appropriateness of providing for activities in a particular location.	Reword Policy 5 as follows so that the policy is consistent with Policy 6(2)(c) of NZCPS: To give priority to <u>recognise the functional need for</u> infrastructure, port and renewable energy projects in <u>determining appropriate locations and/or management in the</u> that have a functional need of a coastal environment location , and make provision for other facilities and activities that have located in the coastal environment for historic reasons.
71.10 NZAS Ltd	Policy 5 -	Oppose in part. The submitter considers that the policy does not recognise	Amend Policy 5 and associated explanation as follows:

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	Functional Need	that the smelter has located within the coastal environment for not only historical reasons but also for a functional need.	<p>NZAS seeks that Policy 5 and the associated explanation be amended as follows: “To give priority to infrastructure, port, <u>the Tiwai Point Aluminium Smelter</u> and renewable energy projects that have a functional need of a coastal environment location, and make provisions for other facilities and activities that have located in the coastal environment for historical reasons .</p> <p>Explanation: ... <u>The aluminium smelter at Tiwai Point, has located in the coastal environment because of its functional need to be within this location and for historic reasons. As a result, it has invested heavily in its buildings, plant and equipment. Other activities, such as the aluminium smelter at Tiwai Point, located in the coastal environment for historic reasons and have invested heavily in buildings, plant and equipment.”</u></p>
77.12 Te Runaka o Waihopai and Te Runaka o Awarua	Policy 5 – Functional Need	Oppose in part. The submitter considers that priority cannot be given to activities in locations that are considered inappropriate by Iwi	Reword to balance more with Policy 2, 3, and 4 and Method 3
87.5 Transpower NZ Ltd	Policy 5 – Functional Need	Support in part. The submitter suggests that the words ‘functional need’ be replaced with ‘technical and/or operational requirement’ to reflect the wording used in the NPSET.	<p>(i) Amend Policy 5:Functional Need as follows: <u>“Policy 5 Functional Need Technical and Operational Requirements:</u> To give priority to infrastructure, port and renewable energy projects that have a functional need <u>technical and/or operational requirement</u> of a coastal environment location, and make provision for other facilities and activities that have located in the coastal environment for historical reasons. “</p> <p>(ii) And any consequential amendments</p>

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87.6 Transpower NZ Ltd	Policy 5 – Functional Need (Explanation)	Oppose in part. The submitter notes that the policy describes ‘other activities’ in the coastal environment such as the ‘aluminium smelter at Tiwai Point’ but does not include mention of the Transpower lines that provide power to the smelter. The submitter seeks that the explanation to the policy be amended to specifically identify the National Grid connection to the Tiwai smelter, and that words ‘functional need’ be replaced with ‘technical and/or operational requirement’ to reflect the wording used in Policy 3 of the NPSET.	(i) That the Explanation to Policy 5 be amended as follows: “Explanation: The Port of Bluff straddles the coastal marine area and the landward edges of the coastal environment, as do roads and railways around the district. There are several other important utilities and facilities in the coastal environment around the New River Estuary. These include the Invercargill Airport and Waste Water Treatment Plant at Clifton. Other activities, such as the aluminium smelter at Tiwai Point <u>and the associated National Grid transmission lines</u> , located in the coastal environment for historic reasons and have invested heavily in their buildings, plant and equipment..... Many have a <u>functional need technical and/or operational requirement to be located within</u> of coastal space. For others, it is not practicable to consider relocation. (ii) And any consequential amendments”
90.2 H W Richardson Group Ltd	Policy 5 – Functional Need	Support. The submitter supports this policy in so far as it is appropriate to recognise that certain activities have a functional need to locate within the coastal environment.	Retain Policy 5
91.4 PowerNet Ltd	Policy 5 – Functional Need	Support. The submitter supports this policy in so far as it is appropriate to recognise that certain activities have a functional need to locate within the coastal environment.	Retain Policy 5
103.1 Invercargill Airport Ltd	Policy 5 - Functional Need	Support. The submitter states that it is appropriate to recognise that certain infrastructure has locational constraints that may necessitate it being located within the coastal environment	Retain Policy 5
	2.4.4 Methods of Implementation		
71.11 NZAS Ltd	Method 2	Support. The submitter considers it appropriate that development has been indicated as appropriate within the coastal environment through	Retain Method 2

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		zoning	
18.38 Environment Southland	Method 3	The submitter considers this method (Resource Consents) lacks any reference to “natural hazards” yet Policy 4 clearly contemplates their consideration.	Add the following to Method 3: “(C) Avoid or mitigate the adverse effects of natural hazards including the impact of predicted sea level rise and climate change.”
65.8 ICC Environmental and Planning Services	Method 4	Support in part. The submitter considers that this method should be split up into two methods, with the first method being “disseminating information”; and the second method being “co-operating with other organisations and landowners”.	Amend Method 4 to read: “Method 4 Facilitation of information dissemination” AND Add new Method 5: “Method 5 Co-operating with other organisations and “landowners
65.9 ICC Environmental and Planning Services	Method 6	Support in part. The submitter considers that regulatory means can also be used to facilitate the provision of access to the coast, for example through conditions on resource consents where a subdivision occurs in the coastal environment requiring some form of esplanade reserve.	Amend Method 6 to read: “Facilitation of the provisions of access to the coast through <u>both regulatory and non-regulatory means</u> ”
88.39 Federated Farmers	Method 6	Support. The submitter points out that there is no legal requirement for public access to areas of value either on, or that can only be accessed across, privately owned land, and emphasises that access must be negotiated with the landowner without the presumption of a right to public access.	Amend the wording of the method as follows: “Method 6 Facilitation of the provision of access to the coast <u>with appropriate landowner permission and through non-regulatory means.</u> ”
88.40 Federated Farmers	Method 7	Support. The submitter considers that where Council uses “financial incentives” to gain public access to privately owned coastal land, this should be for the agreed duration of the public access and include all associated maintenance, so as not to become a burden for the landowner.	Amend the wording of the method as follows: “Method 7 Use of financial incentives <u>and maintenance agreements</u> by Council <u>for the duration of the agreed term</u> where access is provided.”