

## Attachment 4

Relevant policies cited.

### New Zealand Coastal Policy Statement 2010

#### Policy 6 Activities in the coastal environment

- 1) In relation to the coastal environment:
  - a) recognise that the provision of infrastructure, the supply and transport of energy including the generation and transmission of electricity, and the extraction of minerals are activities important to the social, economic and cultural well-being of people and communities;
  - b) consider the rate at which built development and the associated public infrastructure should be enabled to provide for the reasonably foreseeable needs of population growth without compromising the other values of the coastal environment;
  - c) encourage 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;
  - d) recognise tangata whenua needs for papakāinga<sup>3</sup>, marae and associated developments and make appropriate provision for them;
  - e) consider where and how built development on land should be controlled so that it does not compromise activities of national or regional importance that have a functional need to locate and operate in the coastal marine area;
  - f) consider where development that maintains the character of the existing built environment should be encouraged, and where development resulting in a change in character would be acceptable;
  - g) take into account the potential of renewable resources in the coastal environment, such as energy from wind, waves, currents and tides, to meet the reasonably foreseeable needs of future generations;
  - h) consider how adverse visual impacts of development can be avoided in areas sensitive to such effects, such as headlands and prominent ridgelines, and as far as practicable and reasonable apply controls or conditions to avoid those effects;
  - i) set back development 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; and
  - j) where appropriate, buffer areas and sites of significant indigenous biological diversity, or historic heritage value.
- 2) Additionally, in relation to the coastal marine area:
  - a) recognise potential contributions to the social, economic and cultural wellbeing of people and communities from use and development of the coastal marine area, including the potential for renewable marine energy to contribute to meeting the energy needs of future generations:
  - b) recognise the need to maintain and enhance the public open space and recreation qualities and values of the coastal marine area;
  - c) recognise that there are activities that have a functional need to be located in the coastal marine area, and provide for those activities in appropriate places;
  - d) recognise that activities that do not have a functional need for location in the coastal marine area generally should not be located there; and

- e) promote the efficient use of occupied space, including by:
  - (i) requiring that structures be made available for public or multiple use wherever reasonable and practicable;
  - (ii) requiring the removal of any abandoned or redundant structure that has no heritage, amenity or reuse value; and
  - (iii) considering whether consent conditions should be applied to ensure that space occupied for an activity is used for that purpose effectively and without unreasonable delay.

## Policy 7 Strategic Planning

- 1) In preparing regional policy statements, and plans:
  - a) consider where, how and when to provide for future residential, rural residential, settlement, urban development and other activities in the coastal environment at a regional and district level, and:
  - b) identify areas of the coastal environment where particular activities and forms of subdivision, use and development:
    - (i) are inappropriate; and
    - (ii) may be inappropriate without the consideration of effects through a resource consent application, notice of requirement for designation or Schedule 1 of the Act process;
 and provide protection from inappropriate subdivision, use, and development in these areas through objectives, policies and rules.
- 2) Identify in regional policy statements, and plans, coastal processes, resources or values that are under threat or at significant risk from adverse cumulative effects. Include provisions in plans to manage these effects. Where practicable, in plans, set thresholds (including zones, standards or targets), or specify acceptable limits to change, to assist in determining when activities causing adverse cumulative effects are to be avoided.

## Policy 11 Indigenous biological diversity (biodiversity)

To protect indigenous biological diversity in the coastal environment:

- a) avoid adverse effects of activities on:
  - (i) indigenous taxa<sup>1</sup> that are listed as threatened<sup>2</sup> or at risk in the New Zealand Threat Classification System lists;
  - (ii) taxa that are listed by the International Union for Conservation of Nature and Natural Resources as threatened;
  - (iii) indigenous ecosystems and vegetation types that are threatened in the coastal environment, or are naturally rare<sup>3</sup>;
  - (iv) habitats of indigenous species where the species are at the limit of their natural range, or are naturally rare;
  - (v) areas containing nationally significant examples of indigenous community types; and
  - (vi) areas set aside for full or partial protection of indigenous biological diversity under other legislation; and

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<sup>1</sup> Taxa: as defined in the Glossary as "Named biological classification units assigned to individuals or sets of species (e.g. species, subspecies, genus, order, variety)."

<sup>2</sup> Examples of taxa listed as threatened are: Maui's dolphin, Hector's dolphin, New Zealand fairy tern, Southern New Zealand dotterel

<sup>3</sup> Naturally rare: as defined in the Glossary as "Originally rare: rare before the arrival of humans in New Zealand."

- b) avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on:
  - (i) areas of predominantly indigenous vegetation in the coastal environment;
  - (ii) (habitats in the coastal environment that are important during the vulnerable life stages of indigenous species;
  - (iii) indigenous ecosystems and habitats that are only found in the coastal environment and are particularly vulnerable to modification, including estuaries, lagoons, coastal wetlands, dunelands, intertidal zones, rocky reef systems, eelgrass and saltmarsh;
  - (iv) habitats of indigenous species in the coastal environment that are important for recreational, commercial, traditional or cultural purposes;
  - (v) habitats, including areas and routes, important to migratory species; and
  - (vi) ecological corridors, and areas important for linking or maintaining biological values identified under this policy.

#### Policy 13 Preservation of natural character

- 1) To preserve the natural character of the coastal environment and to protect it from inappropriate subdivision, use, and development:
  - a) avoid adverse effects of activities on natural character in areas of the coastal environment with outstanding natural character; and
  - b) avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on natural character in all other areas of the coastal environment; including by:
  - c) assessing the natural character of the coastal environment of the region or district, by mapping or otherwise identifying at least areas of high natural character; and
  - d) ensuring that regional policy statements, and plans, identify areas where preserving natural character requires objectives, policies and rules, and include those provisions.
- 2) Recognise that natural character is not the same as natural features and landscapes or amenity values and 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, 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; and
  - h) experiential attributes, including the sounds and smell of the sea; and their context or setting.

#### Policy 14 Restoration of natural character

Promote restoration or rehabilitation of the natural character of the coastal environment, including by:

- a) identifying areas and opportunities for restoration or rehabilitation;

- b) providing policies, rules and other methods directed at restoration or rehabilitation in regional policy statements, and plans;
- c) where practicable, imposing or reviewing restoration or rehabilitation conditions on resource consents and designations, including for the continuation of activities; and recognising that where degraded areas of the coastal environment require restoration or rehabilitation, possible approaches include:
  - (i) restoring indigenous habitats and ecosystems, using local genetic stock where practicable; or
  - (ii) encouraging natural regeneration of indigenous species, recognising the need for effective weed and animal pest management; or
  - (iii) creating or enhancing habitat for indigenous species; or
  - (iv) rehabilitating dunes and other natural coastal features or processes, including saline wetlands and intertidal saltmarsh; or
  - (v) restoring and protecting riparian and intertidal margins; or
  - (vi) reducing or eliminating discharges of contaminants; or
  - (vii) removing redundant structures and materials that have been assessed to have minimal heritage or amenity values and when the removal is authorised by required permits, including an archaeological authority under the Historic Places Act 1993; or
  - (viii) restoring cultural landscape features; or
  - (ix) redesign of structures that interfere with ecosystem processes; or
  - (x) decommissioning or restoring historic landfill and other contaminated sites which are, or have the potential to, leach material into the coastal marine area.

#### Policy 18 Public open space

Recognise the need for public open space within and adjacent to the coastal marine area, for public use and appreciation including active and passive recreation, and provide for such public open space, including by:

- a) ensuring that the location and treatment of public open space is compatible with the natural character, natural features and landscapes, and amenity values of the coastal environment;
- b) taking account of future need for public open space within and adjacent to the coastal marine area, including in and close to cities, towns and other settlements;
- c) maintaining and enhancing walking access linkages between public open space areas in the coastal environment;
- d) considering the likely impact of coastal processes and climate change so as not to compromise the ability of future generations to have access to public open space; and
- e) recognising the important role that esplanade reserves and strips can have in contributing to meeting public open space needs.

#### Policy 19 Walking access

- 1) Recognise the public expectation of and need for walking access to and along the coast that is practical, free of charge and safe for pedestrian use.
- 2) Maintain and enhance public walking access to, along and adjacent to the coastal marine area, including by:

- a) identifying how information on where the public have walking access will be made publicly available;
- b) avoiding, remedying or mitigating any loss of public walking access resulting from subdivision, use, or development; and
- c) identifying opportunities to enhance or restore public walking access, for example where:
  - (i) connections between existing public areas can be provided; or
  - (ii) improving access would promote outdoor recreation; or
  - (iii) physical access for people with disabilities is desirable; or
  - (iv) the long-term availability of public access is threatened by erosion or sea level rise; or
  - (v) access to areas or sites of historic or cultural significance is important; or
  - (vi) subdivision, use, or development of land adjacent to the coastal marine area has reduced public access, or has the potential to do so.
- 3) Only impose a restriction on public walking access to, along or adjacent to the coastal marine area where such a restriction is necessary:
  - a) to protect threatened indigenous species; or
  - b) to protect dunes, estuaries and other sensitive natural areas or habitats; or
  - c) to protect sites and activities of cultural value to Māori; or
  - d) to protect historic heritage; or
  - e) to protect public health or safety; or
  - f) to avoid or reduce conflict between public uses of the coastal marine area and its margins; or
  - g) for temporary activities or special events; or
  - h) for defence purposes in accordance with the Defence Act 1990; or
  - i) to ensure a level of security consistent with the purpose of a resource consent;
  - j) in other exceptional circumstances sufficient to justify the restriction.
- 4) Before imposing any restriction under (3), consider and where practicable provide for alternative routes that are available to the public free of charge at all times.

## Waikato Regional Policy Statement

### Policy 11 Indigenous biodiversity

#### Policy 11.1 Maintain or enhance indigenous biodiversity

Promote positive indigenous biodiversity outcomes to maintain the full range of ecosystem types and maintain or enhance their spatial extent as necessary to achieve healthy ecological functioning of ecosystems, with a particular focus on:

- a) working towards achieving no net loss of indigenous biodiversity at a regional scale;
- b) the continued functioning of ecological processes;
- c) the re-creation and restoration of habitats and connectivity between habitats;
- d) supporting (buffering and/or linking) ecosystems, habitats and areas identified as significant indigenous vegetation and significant habitats of indigenous fauna;
- e) providing ecosystem services;
- f) the health and wellbeing of the Waikato River and its catchment;
- g) contribution to natural character and amenity values;

- h) tāngata whenua relationships with indigenous biodiversity including their holistic view of ecosystems and the environment;
- i) managing the density, range and viability of indigenous flora and fauna; and
- j) the consideration and application of biodiversity offsets.

#### Policy 11.2 Protect significant indigenous vegetation and significant habitats of indigenous fauna

Significant indigenous vegetation and the significant habitats of indigenous fauna shall be protected by ensuring the characteristics that contribute to its significance are not adversely affected to the extent that the significance of the vegetation or habitat is reduced.

#### Implementation Method 11.2.2 Protect areas of significant indigenous vegetation and significant habitats of indigenous fauna

Regional and district plans shall (excluding activities pursuant to 11.1.4):

- a) protect areas of significant indigenous vegetation and significant habitats of indigenous fauna;
- b) require that activities avoid the loss or degradation of areas of significant indigenous vegetation and significant habitats of indigenous fauna in preference to remediation or mitigation;
- c) require that any unavoidable adverse effects on areas of significant indigenous vegetation and significant habitats of indigenous fauna are remedied or mitigated;
- d) where any adverse effects are unable to be avoided, remedied or mitigated in accordance with (b) and (c), more than minor residual adverse effects shall be offset to achieve no net loss; and
- e) ensure that remediation, mitigation or offsetting as a first priority relates to the indigenous biodiversity that has been lost or degraded (whether by on-site or offsite methods). Methods may include the following:
  - (i) replace like-for-like habitats or ecosystems (including being of at least equivalent size or ecological value);
  - (ii) involve the re-creation of habitat;
  - (iii) develop or enhance areas of alternative habitat supporting similar ecology/significance; or
  - (iv) involve the legal and physical protection of existing habitat;
- f) recognise that remediation, mitigation and offsetting may not be appropriate where the indigenous biodiversity is rare, at risk, threatened or irreplaceable; and
- g) have regard to the functional necessity of activities being located in or near areas of significant indigenous vegetation and significant habitats of indigenous fauna where no reasonably practicable alternative location exists.

#### Policy 11.4 Safeguard coastal/marine ecosystems

Protect indigenous biodiversity in the coastal environment by:

- a) avoiding adverse effects on:

- (i) indigenous taxa listed as 'Threatened' or 'At Risk' in the New Zealand Threat Classification System lists or taxa2 listed as threatened by the International Union of Nature and Natural Resources;
  - (ii) habitats of indigenous species where the species are listed as Threatened or At Risk, are at the limit of their natural range, or are naturally rare;
  - (iii) areas containing nationally significant examples of indigenous community types;
  - (iv) indigenous ecosystems and vegetation types that are threatened in the coastal environment, or are naturally rare; and
  - (v) areas set aside for full or partial protection of indigenous biological diversity under legislation.
- b) maintaining or enhancing:
- (i) areas used by marine mammals and wading/coastal birds including breeding, feeding, roosting and haul-out sites (areas where marine mammals come ashore);
  - (ii) whitebait spawning areas and shellfish beds;
  - (iii) habitats, corridors and routes important for preserving the abundance and diversity of indigenous and migratory species;
  - (iv) indigenous habitats and ecosystems that are unique to the coastal environment and vulnerable to modification and the impacts of climate change, including estuaries, lagoons, coastal wetlands, dunelands, rocky reef systems, seagrass and saltmarsh;
  - (v) habitats of indigenous species that are important for recreational, commercial, traditional or cultural purposes; and
  - (vi) areas of predominately indigenous vegetation in the coastal environment.

## Policy 12 Landscape (including seascape), natural character and amenity

### Policy 12.2 Preserve natural character

Ensure that activities within the coastal environment, wetlands, and lakes and rivers and their margins are appropriate in relation to the level of natural character and:

- a) where natural character is pristine or outstanding, activities should avoid adverse effects on natural character;
- b) where natural elements/influences are dominant, activities should avoid significant adverse effects and avoid, remedy or mitigate other adverse effects on natural character;
- c) where man-made elements/influences are dominant, it may be appropriate that activities result in further adverse effects on natural character, though opportunities to remedy or mitigate adverse effects should still be considered;
- d) promote the enhancement, restoration, and rehabilitation of the natural character of the coastal environment, wetlands and lakes and rivers and their margins; and
- e) regard is given to the functional necessity of activities being located in or near the coastal environment, wetlands, lakes, or rivers and their margins where no reasonably practicable alternative locations exist.

### Policy 12.4 Maintain and enhance public access

Public access to and along the coastal marine area, lakes, and rivers will be maintained and enhanced by:

- a) providing direction about where and when additional access should be established;
- b) ensuring that subdivision, use and development do not constrain the ability of the land/water edge to adjust over time in response to natural processes, including the effects of climate change; and
- c) ensuring subdivision, use and development do not result in inappropriate loss of existing public access.

#### Policy 12.5 Appropriate restrictions on public access

Public access to and along the coastal marine area, lakes, and rivers will only be restricted where necessary:

- a) to protect areas of significant indigenous vegetation and/or significant habitats of indigenous fauna;
- b) to protect tāngata whenua values;
- c) to protect public health or safety;
- d) to ensure a level of security consistent with the purpose of a resource consent;
- e) to avoid conflicts with activities of landowners or occupiers;
- f) to protect the stability of banks or dunes;
- g) to protect historic heritage;
- h) for temporary activities or special events;
- i) for defence purposes in accordance with the Defence Act 1990; or
- j) in other exceptional circumstances sufficient to justify the restriction, notwithstanding the national importance of maintaining that access.

### Proposed Waikato District Plan

#### 3.1 Indigenous Vegetation and Habitats

##### Objective 3.1.1 Biodiversity and ecosystems

- a) Indigenous biodiversity values and the life-supporting capacity of indigenous ecosystems are maintained or enhanced.

#### 3.2 Significant Natural Areas

##### Objective 3.2.1 Significant Natural Areas

- a) Indigenous biodiversity in Significant Natural Areas is protected and enhanced.

##### Policy 3.2.3 Management hierarchy

- a) Recognise and protect indigenous biodiversity within Significant Natural Areas by:



- (i) avoiding the significant adverse effects of vegetation clearance and the disturbance of habitats unless specific activities need to be enabled;
- (ii) remedying any effects that cannot be avoided; then
- (iii) mitigating any effects that cannot be remedied; and
- (iv) after remediation or mitigation has been undertaken, offset any significant residual adverse effects in accordance with Policy 3.2.4.

#### Policy 3.2.5 Biodiversity in the coastal environment

- a) Avoid the adverse effects of subdivision use and development within Significant Natural Areas of the coastal environment on:
  - (i) indigenous species that are listed as threatened or at risk in the New Zealand Threat Classification System lists
  - (ii) habitats of indigenous species where the species are listed as threatened or at risk, are at the limit of their natural range, or are naturally rare
  - (iii) areas containing nationally-significant examples of indigenous community types
  - (iv) indigenous ecosystems and vegetation types that are threatened in the coastal environment, or are naturally rare, and
  - (v) areas set aside for full or partial protection of indigenous biological diversity under legislation.

### National Policy Statement – Urban Development Capacity

#### Objective 1:

New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.

#### Objective 4:

New Zealand's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities, and future generations.

#### Policy 1:

Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum:

- (a) have or enable a variety of homes that:
  - (i) meet the needs, in terms of type, price, and location, of different households; and
  - (ii) enable Māori to express their cultural traditions and norms; and
- (b) have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and

- (c) have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and
- (d) support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and
- (e) support reductions in greenhouse gas emissions; and
- (f) are resilient to the likely current and future effects of climate change.

Policy 6:

When making planning decisions that affect urban environments, decision-makers have particular regard to the following matters:

- (a) the planned urban built form anticipated by those RMA planning documents that have given effect to this National Policy Statement
- (b) that the planned urban built form in those RMA planning documents may involve significant changes to an area, and those changes:
  - (i) may detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types; and
  - (ii) are not, of themselves, an adverse effect
- (c) the benefits of urban development that are consistent with well-functioning urban environments (as described in Policy 1)
- (d) any relevant contribution that will be made to meeting the requirements of this National Policy Statement to provide or realise development capacity
- (e) the likely current and future effects of climate change.