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PROPOSED NEW ZEALAND COASTAL POLICY STATEMENT 2008

**SUBMISSION TO THE BOARD OF INQUIRY - PROPOSED NEW ZEALAND COASTAL
POLICY STATEMENT 2008
7 MAY 2008**

BACKGROUND TO IPENZ

The Institution of Professional Engineers New Zealand (IPENZ) is the lead national professional body representing the engineering profession in New Zealand. It has approximately 10,000 Members, including a cross-section from engineering students to practising engineers to senior Members in positions of responsibility in business. IPENZ is non-aligned and seeks to contribute to the community in matters of national interest giving a learned view on important issues, independent of any commercial interest. This submission has also been reviewed by members of INGENIUM, the Association of Local Government Engineering New Zealand Incorporated.

EXECUTIVE SUMMARY

We thank the Board of Inquiry for the opportunity to comment on the Proposed New Zealand Coastal Policy Statement (NZCPS) 2008. We support the intention to move towards truly sustainable management of the coastal environment, and consequently support the implementation of this document.

However, while we consider that proposed NZCPS is an improvement on the previous document, we note that additional guidance in some areas may be necessary to ensure that the policies are successfully carried out. We also note that some specific policies are inappropriate as currently written.

SUBMISSION

We note that the content selection appears to be ad hoc and the level of specificity of policies is inconsistent. For example, some of the policies may be viewed as overly directive while other proposed policies do not offer any direction on implementation at all.

We are also concerned that there is a need for improved monitoring of outcomes of the proposed policies, especially in relation to Restricted Coastal Activities and the role of

the Minister of Conservation, which is not addressed in the draft document. We recommend that the finalised NZCPS includes a way of co-coordinating the collection of data across local authority boundaries in order to establish comparable and cohesive datasets.

We also note that in the interpretation it is stated that the ordering of objectives and policies should not be interpreted as an indication of relative importance. However, we think that it would be useful to place the objectives in a priority list to provide guidance to regional councils where there may be conflicts.

As an aside, we note that the state of the environment report, *Environment New Zealand 2007*, emphasises that knowledge of the long-term ecosystem impacts of human activities in the New Zealand marine environment is limited and that bringing together land, freshwater and marine research is particularly important. Whilst monitoring is covered in Policy 11, we consider this policy could be more specific in clarifying procedures for monitoring policies and plans, as distinct from monitoring (measuring) changes and trends in the coastal environment to back up monitoring of coastal planning instruments. For example, if it was discovered that erosion was threatening more of the built environment than has been allowed for in coastal hazard set-back zones, then it could be concluded that the planning instruments need upgrading (and action could be undertaken sooner rather than later).

The following are our comments on the objectives and policies outlined in the discussion paper.

Objectives

We support the objectives as set out in the proposed NZCPS with the following exceptions:

- Objective 4 recognises the role of tangata whenua as kaitiaki. However, "kaitiaki", and other Māori terms, are not defined in the NZCPS. We consider that it would be useful to reiterate the meanings for terms provided in Section 2 of the Resource Management Act 1991 (RMA). This would improve clarity, particularly for audiences not familiar with the content of the RMA.
- Objective 3 only recognises the "natural" character of the coastal environment, whereas we note that the appealing and valued character of some coastal areas is not necessarily derived from indigenous or natural elements. Examples include the Wellington waterfront and Petone foreshore. We recommend that this object is amended to take this into account.
- Objective 7 refers to the "natural state". This term is not clear and, whilst this objective (as currently written) is admirable, we are not convinced it is feasible in practice.

For example, the Hutt River floodplain is almost totally urbanised and has significant investment in private homes, businesses and nationally important infrastructure. This investment has led to the alteration of the natural systems which formerly interacted with the river's flow. Because the land now occupied by infrastructure and buildings is largely founded on these former marshes and the river delta, they cannot be restored to their naturally functioning state. Without these natural systems it is difficult to see how a "natural state" for water can be attained.

The Hutt City Council has some experience with the amelioration of waterways, particularly gained through the project to clean up the Waiwhetu Stream, in conjunction with Greater Wellington Regional Council. The pilot project for this work

was successful, but in performing the clean up the project managers did concede that it was impossible to return the stream water quality to its natural state, and they would be happy with a recreationally-usable standard.

Consequently, we suggest that Objective 7 uses a standard which is considered safe and desirable for recreational use, rather than a “natural state” standard. The standards contained within *Microbiological Water Quality Guidelines for Marine and Freshwater Recreational Areas* (Ministry for the Environment, 2003), would be a nationally recognised and tested framework for achieving this.

We also note that it is not only water quality that needs to be maintained, but sediment quality as well. This is already recognised by local authorities, for example Section 20.2.1 of the Auckland Regional Plan: Coastal states that water and sediment quality are the major environmental issues for the Auckland coastal marine area.

- As currently written Objective 8 is very specific and limits options. We hold the view that all options should be considered and a benefits and costs analysis approach should be used to identify the preferred option. In limiting (through discouragement) the range of options, the policy as currently written may also conflict with Objective 1.

We also note that Section 2 of the RMA defines benefits and costs to include benefits and costs of any kind, whether monetary or non-monetary.

General

- **Policy 1 - The coastal environment**

We support the inclusion of a policy that specifically recognises and defines the “coastal environment”, which addresses the gap in the current NZCPS.

However, we note that “active coastal processes” in (c) needs defining, including what timescale and occurrences (for example, erosion) are considered “active”, and also in relation to aeolian (wind) processes. Alternatively, (c) could be amended to read: “land and waters likely to be affected by coastal variability and change”, which takes the focus off processes (whether wind or sea) and also adds in a future time dimension.

We are concerned that it is not clear whether (d) includes tsunamis in the coastal hazards, or whether they are excluded as per Policy 51, or possible climate change hazards. If they are included as coastal hazards, guidance should be provided to regional councils as to the magnitude of event that should be used in modelling, and also the weighting this risk should be given in policy. Such advice, which could be contained within the policy statement or in a National Environmental Standard, should ensure territorial local authorities are consistent in their definition of these risks.

- **Policy 2 - The Treaty of Waitangi and tangata whenua**

We are concerned that the requirements of (g) are over and above what is set out in the RMA. We also note that involving tangata whenua in consent processes can be inappropriate as they may also constitute an affected party. This could pose a conflict of interest if they are also involved in decision making on resource consents.

In addition, we note that the term iwi or Māori may be more appropriate than “tangata whenua” and consider that definitions should be included for “tikanga Maori” and “matauranga Maori”, as well as information as to how the latter should be implemented.

- **Policy 3 - Characteristics of special value to tangata whenua**
We do not have any comments on this policy.
- **Policy 4 - Transfer, delegation or sharing of local authority functions, powers and duties regarding characteristics of special value to tangata whenua.**
We note that the policy largely restates the provisions of Section 33 of the RMA and consequently can be seen to add little value to the NZCPS, especially as this does not address the difficulties in making an effective Section 33 transfer under the current legislation and iwi resourcing. We suggest that this policy is either removed or that the word “shall” in the first paragraph is replaced with “may”.
- **Policy 5 - Precautionary approach**
We support the formal adoption of this approach, and think it should be made a top priority.
- **Policy 6 - Integration**
We generally support this policy. However, we consider that this policy should take into account the effects of coastal change and inundation (coastal and rivers) on coastal development on land above the coastal marine area. In the current draft it appears that (a) and (b) only cover developments that are linked with associated development outside of the coastal marine area and land jurisdictional boundary.

Consequently, we recommend the inclusion of an additional subsection: “(f) where development or land management practices may be affected by physical changes to the coastal environment or potential inundation.” This would cover situations where river mouths, harbour entrances or sand spits migrate (that is, where land can become coastal marine area and vice versa) or where land is subject to exposure from inundation (sea, lowland rivers or a combination of sea and river inundation).

In relation to subsection (d) we note that land use generates a significant problem with sediment and erosion control. Much of this sediment makes its way to the coastal marine area. Whilst it is in suspension it is a water quality issue, but subsequent to this it is a sediment issue; we suggest that subsection (d) explicitly recognises this.

We also recommend a further clause (g) is included to consider land that could potentially become a coastal marine area. We note that climate change (in relation to rising sea levels) is not mentioned in this section (despite being recognised elsewhere in the document). Such a clause should be drafted to either specifically include or exclude climate change in the consideration of such a policy, thereby clarifying this issue.

- **Policy 7 - Conservation land**
We are not convinced that this policy provides any additional guidance to the processes implemented by the RMA, or any additional protection to conservation land. While we note that this policy may serve to focus applicants who are applying for such activities, we are unsure how it is intended that councils would give effect to this policy.
- **Policy 8 - Areas proposed for statutory protection**
We are unsure what this policy actually means, including what is meant by “statutory protection”. We are also unsure as to whether this refers to land reserves, marine reserves or both. Consequently, we recommend that this policy is redrafted to clarify what is intended, and how this is to be carried out in practice.

- **Policy 9 - Biosecurity**

We consider that the “movement of structures” in (a) needs clarifying. Such clarification should address whether this covers semi-submersible oil-rig platforms, and at which point a structure becomes a vessel.

We also consider that this policy should address vessels, including fauna on hulls, and discharges of ballast water. It should also be linked to Policy 47.

- **Policy 10 - Review of the New Zealand Coastal Policy Statement**

We note that this policy initiates a review but does not commit to possible actions that could follow such a review (as is the case in the current NZCPS in Policy 7.1.1). We consider that this should be strengthened to reflect the commitment towards improved management of the coastal environment.

- **Policy 11 - Monitoring of the New Zealand Coastal Policy Statement**

We support this policy; however, we consider it could be more specific in clarifying procedures for monitoring policies and plans, as distinct from monitoring (measuring) changes and trends in the coastal environment to back up monitoring of coastal planning instruments. For example, if coastal water quality was to decline over time, then it could be concluded that the planning instruments need upgrading (and action could be undertaken sooner rather than later).

We also consider that Policies 10 and 11 should be reordered to reflect current best practice of monitoring before review.

- **Policy 12 - Local authority monitoring**

We note that this policy requires national co-ordination and specifications. We note that it would be difficult for local authorities to successfully co-ordinate with the 85 other local authorities in New Zealand and produce data with identical parameters which are directly comparable. Consequently, we suggest that this policy is amended to provide guidance on how monitoring should be co-ordinated, and the aspects of the environment which should be monitored as a basic information set.

We also recommend that this policy includes reference to what action will be taken following data collection.

- **Policy 13 - Amendment of policy statements and plans**

We support this policy.

Subdivision use and development

- **Policy 14 - Location of subdivision and development**

We support policies (a), (b), (d) and (h).

While there will be tacit agreement on some of the ideals expressed in (c), we have concerns about how acceptable development (including limits on development, urban sprawl and ribbon development) would be defined and applied in practice. We note that there can be other constraints to development, such as geographical features which may limit communities’ ability to spread out along the coast, or infrastructural limits, such as a lack of roads.

We also note that there would be differences between regions on how this would be implemented in Regional Policy Statements and Plans.

Additionally, we consider that (g) should be extended (or a separate category added) to include other special types of development, including essential surf life-saving facilities (such as buildings and watch towers) which perform a public safety service. We note that this would have to be drafted in such a way that it is not in conflict with the multiple use provisions of Policy 25.

In general, we note that while this policy might reflect good planning practice, the policy is likely to need some form of government support to promote in-fill development, urban rejuvenation and transport routes that discourage ribbon development. These mechanisms may not necessarily be part of the NZCPS, but are part of integrated strategies in the areas of government supported land transport and urban planning initiatives.

- ***Policy 15 - Form of subdivision and development***

We have concerns with the content of this policy, and are also not convinced that these issues should be considered by the NZCPS.

- ***Policy 16 - Use and development of the coastal marine area***

We support this policy, but have concerns with (c) through to (e) both in terms of their appropriateness and also how they should be implemented

We also consider that this policy should recognise appropriate use of the coastal marine area for coastal monitoring activities and facilities, both temporary and permanent, which are needed to support coastal engineering design and assess environmental effects. Such recognition should address occupation of the coastal marine area and structures to support monitoring facilities, for example, temporary coastal instruments to monitor flows, currents, waves and water quality for assessment of environmental effects investigations, and permanent installations such as tide gauges, tsunami warning gauges and coastal weather gauges.

As these generally have minimal impact on the environment, we recommend the inclusion of an additional sub-section to recognise the role and need for such monitoring activities, thereby facilitating their deployment.

- ***Policy 17 - Crown interest in particular activities on land of the Crown in the coastal marine area***

We are not sure what is meant by the “Crown Interest” and suggest this is clarified. However, we also note that this Policy is very much incorporated within the existing projects of national importance sections of the RMA and as such could be removed.

If the policy is not removed, we suggest the addition of regionally important infrastructure.

- ***Policy 18 - Crown interest in aquaculture activities***

We are not convinced that this is appropriate for inclusion in the NZCPS.

- ***Policy 19 - Amenity values***

We generally support this policy, but consider that the term “natural sites” should be defined or replaced, or alternatively that this Policy should be removed. We also consider that allowances should be made for built or cultural amenity. Although these aspects would be considered under any RMA process (in accordance with Part II of the Act), we consider that it is appropriate to include them as specific criteria if natural amenity is included.

- ***Policy 20 - Surf breaks of national significance***

We do not have any concerns with the implementation of this policy.

- **Policy 21 - Cumulative effects**
We consider that it would be difficult to give effect to this policy as it is currently written. We consider that what constitutes “under threat or at significant risk” needs to be clarified. However, we also note that cumulative effects are already provided for under the RMA and as such do not require addressing in the NZCPS.
- **Policy 22 - Precedent effects**
We do have any comments on this policy.
- **Policy 23 - Defence**
We think it is important to recognise this in the NZCPS.
- **Policy 24 - Coastal occupation charging**
We consider that the current situation is already overly prescriptive and recommend that this policy should be removed.
- **Policy 25 - Public or multiple use of structures in the coastal marine area**
We support this principle, which we note aligns with requirement to maintain or enhance public access, although we note that multiple uses are already well established in law and doubt that this provision would have any discernible effect on current coastal development trends.

We also suggest that ports are explicitly mentioned in this policy, with regard to protecting commercial interests and recognising potential health and safety issues.

- **Policy 26 - Abandoned or redundant structures in the coastal marine area**
We support this policy but recommend that provision should be made for structures of heritage or historical value (which we note is recognised in District Plans).
- **Policy 27 - Reclamation**
We consider that there needs to be more explicit reference to the “existing use” of coastal infrastructure such as ports and road and rail corridors, especially where improvements or growth of existing infrastructure may require additional reclamation in the future.

While subsection (c) is a good ideal to aim for, armouring protection on open exposed coasts from dynamic coastal forces can severely limit the materials and shape profiles used at the edges of reclamations in practice. Therefore “...as far as possible...” should be replaced by “...as far as practicable...”, otherwise cost is likely to become a major issue, along with possible compromise on design safety.

We also note that this policy should be linked to Policy 37 to indicate the scale of reclamations may also be governed by the policies on Restricted Coastal Activities.

- **Policy 28 - Rights vested in reclaimed land**
We are not convinced that these issues are in the domain of the NZCPS and its linkage with the Foreshore and Seabed Act 2004 is unclear (for example, Section 19).
- **Policy 29 - Financial contributions**
We do not think that this policy is appropriate for inclusion in the NZCPS, particularly as it suggests that financial contributions can overcome objections to inappropriate use, and suggest that it is removed.

Natural character

- **Policy 30 - Integrity and functioning**
We consider that more clarity is required to provide guidance to councils. For example, we are unsure how it is intended that “natural substrate composition” should be maintained.
- **Policy 31 - Indigenous biological diversity**
This policy is very specific in terms of defining where adverse effects of activities should be avoided, but does not offer much guidance on how this policy should be implemented or what outcomes should be sought.
- **Policy 32 - Outstanding natural features and landscapes**
We support this policy.
- **Policy 33 - Appropriate location, density and design of subdivision, use, and development**
We support this policy but note that “appropriate locations” may need to be defined. We also note that this policy could be combined with Policy 14 as they cover similar issues. We also note that Policy 14 is much more prescriptive in relation to the type and style of development than Policy 33, which simply states that adverse effects should be mitigated through subdivisions which are “...appropriate in scale, density and design...”.
- **Policy 34 - Natural areas and features**
We note that this subject is covered in other policies. We also consider that “natural” should be defined.
- **Policy 35 - Restoration of natural character**
“Natural” should be defined and more direction is required in relation to who is responsible for implementing this policy and how it will be monitored and enforced.
- **Policy 36 - Assessment and protection of natural character**
“Natural” should be defined.
- **Policy 37 - Restricted Coastal Activities**
We do not think that this policy is appropriate for inclusion in the “natural character” section, as it has links to a number of other policies outside this sub-section, for example, water quality, coastal hazards and occupation. We recommend consideration is given to moving this policy to either the “general” section or alternatively addressing this issue in other relevant policies.
- **Policy 38 - Maui dolphin**
We are concerned that this policy is overly specific, and recommend that this policy is broadened to include other endangered or protected species.

Public access

- **Policy 39 - Walking access as a national priority**
We note that the provision of walking access may be in conflict with other policies in the NZCPS.
- **Policy 40 - Esplanade reserves and strips**
This policy implies that esplanade reserves or strips should be promoted in areas where they do not already exist, which could be interpreted as policy statements and plans shall promote such reserves and strips in all areas. However, this policy is not

appropriate in all situations, particularly on rough coastlines, where esplanade strips would not provide practical public access. Consequently, we recommend that this policy is removed.

Alternatively, we recommend that the wording of this policy is amended to clarify that this situation pertains to subdivision developments, where the esplanade reserve should be taken up rather than waived.

We do note that this policy has cost implications for territorial authorities (in terms of maintenance) that need to be recognised, and such costs are likely to act as a barrier to the uptake of esplanade reserves and strips.

- **Policy 41 - Access enhancement**

We support the principle of access enhancement and note that indicating where it would be preferred would enable consents to be better assessed to provide for access. It would also allow landowners and developers to better understand the consent conditions likely to be imposed upon them. However, we are concerned with the priorities in this policy as it could be argued that (b), (c) and (d) apply to all areas. We are also concerned that councils may not be able to give effect to (c) under the RMA – this may be more appropriately addressed via the Building Act. There should also be some cognisance given to not unduly increasing the exposure of the hinterland to inundation hazards through improving access (by lowered public access ways and boat ramps) and consequently compromising the coastal hazard policies (51-54).

- **Policy 42 - Vehicle access**

We are not convinced that public safety is an NZCPS matter – the issue of vehicle access could instead be addressed through bylaws.

- **Policy 43 - Restrictions on access**

We consider that provision for short-term events (permitted by a coastal plan or resource consent) should be included.

Water quality

We note that the NZCPS generally focuses on water quality in terms of the “end of pipe” approach – there is more that should be said and done with respect to source control.

- **Policy 44 - Maintaining water quality**

We are concerned with the use of the term “high water quality”, as in order to effectively address water quality a clear standard must be set and maintained. As such, we recommend that a recognisable standard is used instead, either in the form of a National Environmental Standard for water quality or the recreational water standards contained in *Microbiological Water Quality Guidelines for Marine and Freshwater Recreational Areas* (Ministry for the Environment, 2003).

We also note that the policy as written is generally covered by the RMA, although there is a conflict between “avoid adverse effects” in the draft policy and for example Sections 15B and 107(1) that relate to “significant adverse effects”.

- **Policy 45 - Enhancement of water quality**

As noted in our comments on Objective 7, we are concerned that it is difficult to identify where water has deteriorated from its “natural state”. It could be argued that the quality of water has deteriorated in many locations, and the guidelines for priority may not be sufficient to narrow the scope of water to be “enhanced” (which again may need to be defined). However, we also note the difficulty in drafting a baseline

for water quality to be ameliorated due to the variation between natural environments and the biological and physical qualities of the water in them.

This issue might be addressed by defining the quality of water in ecosystems according to its ability to be used for recreation, and subsequently utilising the *Microbiological Water Quality Guidelines for Marine and Freshwater Recreational Areas* for guidance. The exception to this would be where water is defined as an important element of an outstanding natural feature or landscape (according to Policy 32). In such circumstances an ecologically based standard could be used according to the landscape features classification in *The New Zealand Marine Environment Classification* (Ministry for the Environment, 2005).

We also consider that the focus on water quality is too narrow, and should be extended to include sediment quality.

We note that care should be taken with the use of the term “enhancement” as this can lead to excessive demands from some stakeholders.

- **Policy 46 - Mixing zones**

We consider that the details relating to mixing zones should be left up to the RMA as it is site specific.

However, we note that (c) demands a higher test on adverse effects after reasonable mixing than the RMA does by removing the term “significant”, and moving the “significant adverse effects” test to the point of discharge (when using end-of-pipe standards). There is also a higher test applied inside the mixing zone in (b). This shift in the level of testing of coastal environment water quality and ecosystem effects should be highlighted, either here or in guidelines.

The inclusion of end-of-pipe water quality standards reflects modern trends in setting resource consent conditions but needs to reflect the discharger’s reduced efforts on coastal receiving-water monitoring.

Stakeholders may need guidance on the definition of “large” in section (a) in reference to the extent of mixing zones, and “minor” effects should also be defined (either here or in guidelines).

The definition of “mixing zones” in the glossary should be qualified at the end by including the words “(apart from conditions within the mixing zone covered in Policy 46)”. Otherwise, it could be interpreted that water quality standards don’t apply inside the mixing zone.

- **Policy 47 - Ecological effects of discharges**

We recommend that the terms “minor adverse effects” and “reasonable” are clarified.

- **Policy 48 - Discharge of human sewage**

We have concerns about this policy related to the points made previously and suggest that “shall” is replaced with “may”. We also note that what constitutes “land” in this context is very similar to the existing NZCPS and has been the subject of legal debate. Consequently, this wording may need to be changed.

- **Policy 49 - Stormwater discharges**

Subsection (d) requires stormwater quality standards to be set but this is impracticable. This sub-section should be altered to require compliance with the best practicable option that specifies appropriate methods for the construction and management of stormwater systems.

- **Policy 50 - Ports and other marine facilities**

As it stands, (b) applies to disturbances of seabed and dredged-material disposal without invoking an area of reasonable mixing before significant adverse effects are tested. This should be changed so that (b) applies “after reasonable mixing”, so it is consistent with policies 46 and 47.

Coastal hazards

- **Policy 51 - Identification of hazard risks**

We strongly support the intention to identify and assess areas potentially at risk from coastal hazards, provided that the methodology used is both appropriate and consistent. We also support the proposal to extend the timeframe for planning and design from 50 to at least 100 years. In some cases, with predicted sea level rise, engineering design of critical infrastructure in coastal environments may need to extend beyond a 100-year design life.

However, it seems inconsistent to deliberately leave out tsunami hazards. While severe tsunami inundation and damage is a low-probability event, such severe events can be dealt with through a risk management approach. In such an approach, residual risk is covered off by emergency-management arrangements, tsunami-design of critical infrastructure and risk transfer mechanisms. However, for consistency, small to moderate tsunami hazards should be included in coastal hazard set-back zones along with storm-surge inundation and coastal erosion.

Our other concern is that there is no reference to coastal inundation in (a)–(d), which instead is focused on coastal erosion, accretion or geotechnical processes. This should be amended to also take coastal inundation into account.

We feel that this policy is too prescriptive on which matters should be given regard, while missing out some aspects (for example, waves and sediment supply) and mixing climate change in with both (d) and (e). We suggest that the policy could instead be streamlined to something like:

- a. potential short- and long-term physical changes in the coastal environment, taking into account historic changes, coastal geomorphology and geology, the physical drivers and processes that cause coastal change, and the influence of past and present development
- b. the potential for inundation of the coastal environment, taking into account potential sources, pathways and overland extent
- c. the effects of climate change on (a) and (b), taking into account the most recent available national guidance on the potential effects of climate change on the region or district

However, we note that without a nationally accepted and recognised standard for sea level rise it is likely that local councils will have difficulty giving effect to the policy.

- **Policy 52 - Subdivision and development in areas of hazard risk**

We strongly support this policy. However, we recommend that the words “residential or commercial” are removed from (a), as it doesn’t cover infrastructure, and note that the term “abandonment” in (c(i)) may not be appropriate, especially in relation to Policy 26 which requires removal.

- **Policy 53 - Natural defences against hazards**

We support this policy, although we are concerned with the use of the term “restoration”. We also note that erosion is natural while protection is not.

- **Policy 54 - Protection structures**

We are generally in agreement with (a), (b) and (c). However (d) to (g) are overly prescriptive. For the local situation, it would be best to implement a policy which invokes a risk assessment of various risk-reduction options (including staged approaches and the “do-nothing” option) and a cost-benefit analysis (including environmental effects) to arrive at a sustainable solution with the community. This is preferred to the current focus on what can and can’t be done in general with “hard protection structures”.

Historic heritage

- **Policy 55 - Historic heritage identification and protection**

We consider that this policy should be linked to Policy 26. We do not have any additional issues with this policy, but note that this only appears to reiterate what is already in the RMA.

- **Policy 56 - Historic heritage of significance to Maori**

We do not have any comments on this policy.

- **Policy 57 - Collaborative management of historic heritage**

We support this policy.

Schedule 1

We have concerns with S1.4(a)(i) in respect of its application to the repair or improvement of existing sea walls. We note that Hutt City Council has a policy of improving the sea wall on the Eastbourne coast to include provision for walking and cycling. This is carried out by a variety of means, but most commonly by cantilevering structures outwards from the existing wall to carry a widened footpath. This cantilevering is done by introducing a curve to the outer face of the wall to carry the widened parapet.

Clarification should be provided as to whether such an approach (altering an existing structure) would be within the remit of S1.4. Clarification should also be provided in relation to the terms “oblique” and “perpendicular”. For example, this could be interpreted as perpendicular or oblique to mean high-water springs in either the plan view of the structure (that is, for a jetty or groyne) in the cross-sectional view, (that is, for a sea wall).

CONCLUSION

We support the revision of the NZCPS and consider that proposed NZCPS is an improvement on the previous document. However, as outlined in detail above, we note that additional guidance in some areas may be necessary to ensure that the policies are successfully carried out, and consider that some of the policies as written are inappropriate.