

Kia tika ai mō te takutai

Getting it right for our coasts

Waikato Regional
Coastal Plan Review
November 2021

Rārangi kaupapa

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He kupu whakataki

Me atawhai te takutai

The coastline of the Waikato region stretches for about 1150km and includes two very different coastal areas – the rugged west coast from Mōkau in the south to Port Waikato in the north, including Kāwhia, Aotea and Whāingaroa harbours, across to the Hauraki Gulf, Tikapa Moana – Firth of Thames and the waters off the Coromandel Peninsula on the region’s east coast.

Our coastal environment of two coasts is varied and is recognised for its unique landscape and large population of people that live, work and play within and adjacent to this area. It’s also home to a diverse range of native plants and animals, and valued for its aquaculture, high quality surf breaks and pristine beaches.

For Waikato Regional Council, its role is to look after the region’s natural environment, including its air, water, land, coasts, plants and animals through regional plans. These plans help us to strike a balance between protecting the environment and using its resources by defining the way activities are managed.

To make sure we get this balance right for our coasts, we’re reviewing the *Waikato Regional Coastal Plan* – the ‘rulebook’ for certain activities in the coastal marine area. This document summarises the review process and breaks down key information to enable our communities to get involved in the review.

This review presents an opportunity for us to work together to make the Waikato even better.





Mahere takutai moana ā-rohe o Waikato

Waikato Regional Coastal Plan

Mō te mahere takutai moana

What is the coastal plan?

The *Waikato Regional Coastal Plan* (the coastal plan) provides for the sustainable management of our natural and physical resources by setting out the policies, rules and methods the council will use to manage and regulate activities in the coastal marine area.

In this area the coastal plan manages activities like occupation of marine space, the extraction of sand and other materials, discharges of contaminants to water and air, aquaculture and so on. It also sets out a framework for how we'll respond to the impacts of climate change and how we manage things like coastal erosion and coastal inundation.

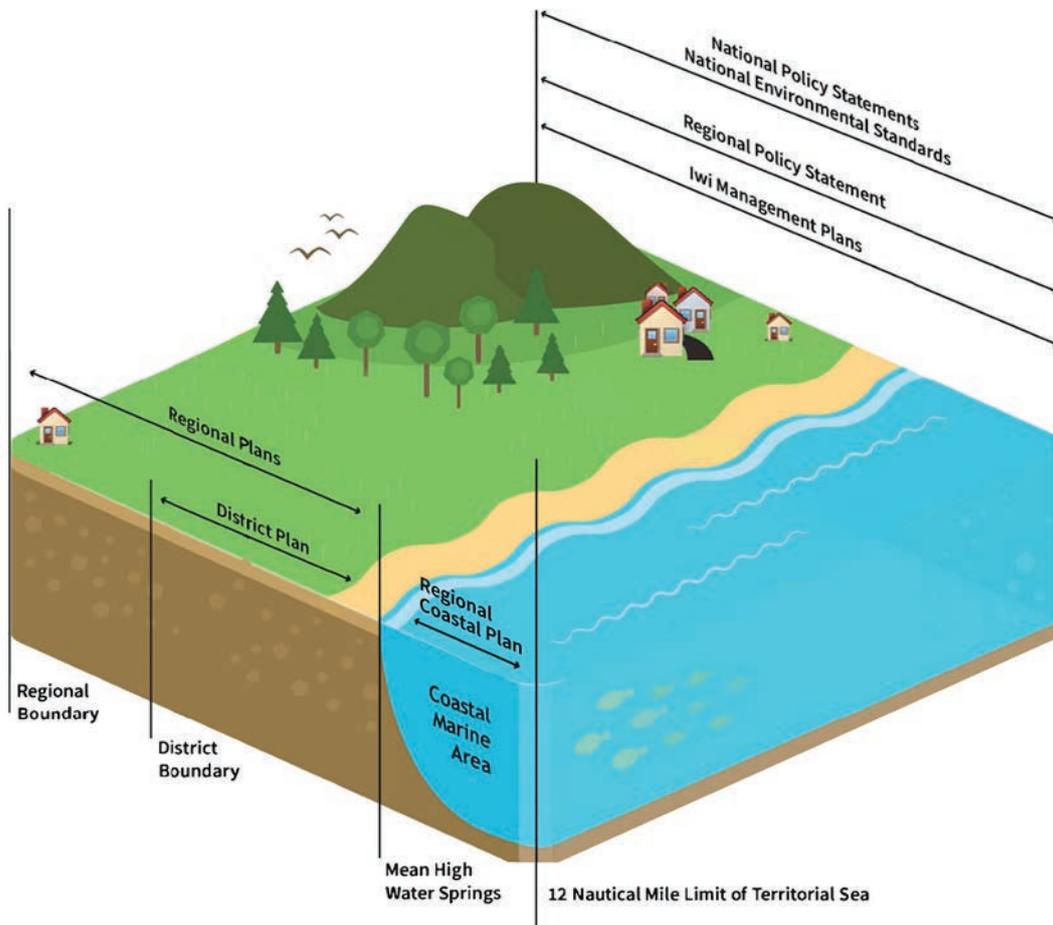
But the coastal plan is only a part of the council's response to the sustainable management of our coasts. It is also supported by national legislation and regional policy, notably the New Zealand Coastal Policy Statement (NZCPS), the Waikato Regional Policy Statement, the Marine and Coastal Area (Takutai Moana) Act, and the Hauraki Gulf Marine Park Act and Spatial Plan.

Mō te pānga a te mahere takutai moana

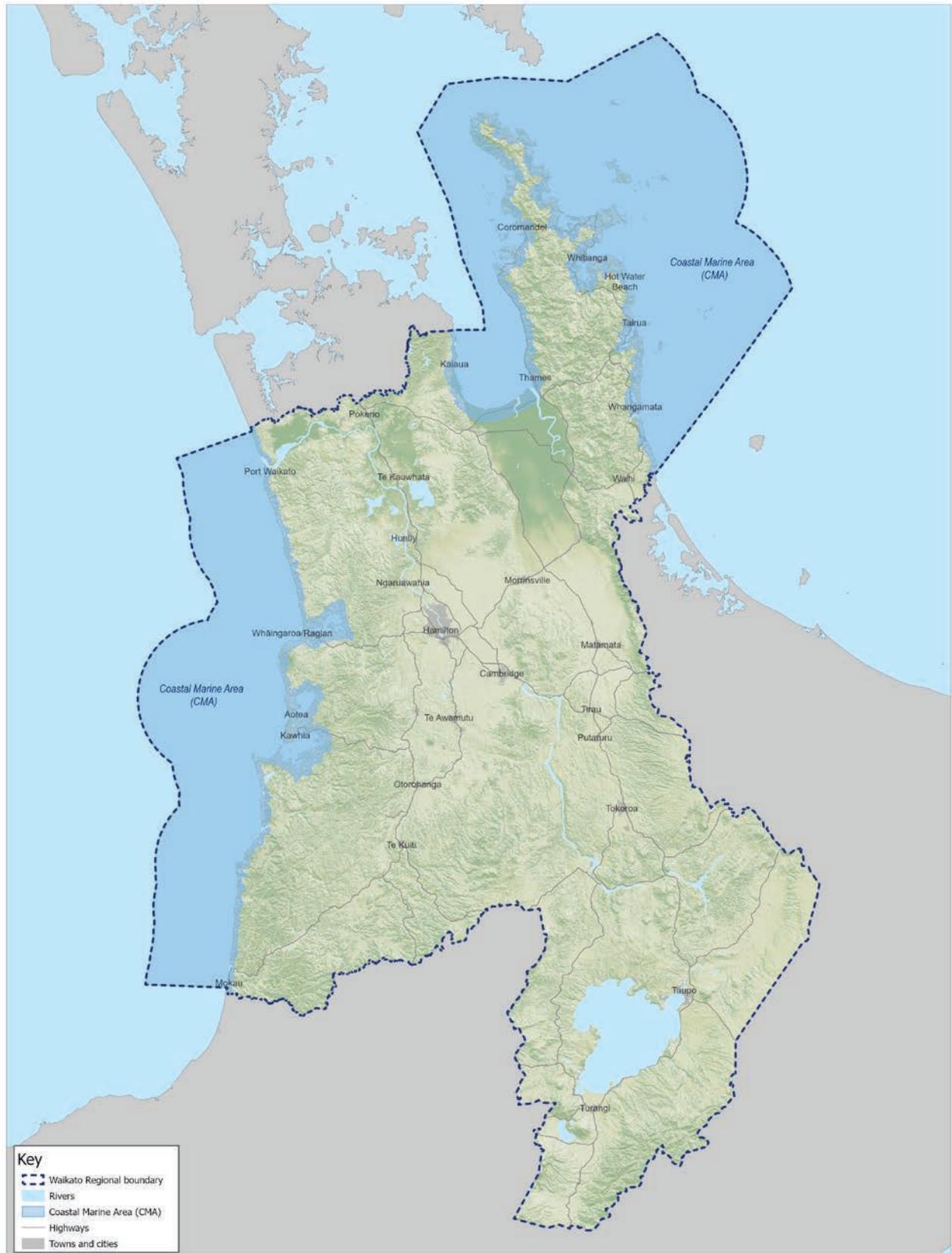
Where does the coastal plan apply?

The coastal plan applies across our region's coastal marine area – that's the 'wet' part of the sea from the mean high water springs mark extending out to 12 nautical miles (or approximately 20km). Management of the coastal marine area focuses essentially on the foreshore, seabed, coastal water and the air space above the water.

While the coastal plan focuses on the coastal marine area, it also recognises there are management issues which cross mean high water springs. Therefore, integrated management is critical and consistency with other regional and district plans is necessary. This area of interface is known as the coastal environment which includes the coastal marine area as well as its landward features.



Map of the coastal environment, including the coastal marine area of the Waikato region



Mō te arotake i te mahere takutai moana

Why are we updating the coastal plan?

The Resource Management Act (RMA) requires the coastal plan to be reviewed every 10 years to update provisions, as necessary, and take into account current issues and community aspirations as well as legislative changes and national and regional policy direction.

There are also lots more people living, playing or working on and around our region's coasts, adding complexity to the sustainable management of the coastal marine area.

The current coastal plan became operative in 2005 and is now out of step with statutory requirements and the growing needs of our communities.

Notably the coastal plan:

- does not fully implement some statutory documents like the NZCPS and other national policy statements and environmental standards
- contains rules that do not sustain values of the coastal marine area, enable regional development, or incorporate Te Tiriti o Waitangi (Treaty of Waitangi) settlement obligations
- contains objectives and policies that are difficult to meet, monitor and enforce
- lacks clarity in some areas to guide regulatory processes.

So we need to take a fresh look at key resource management issues within the coastal marine area and improve the effectiveness of the plan to manage these issues.



Mō te whakahāngai i te mahere takutai moana

How we're updating the coastal plan and meeting the needs of communities

Over the past 18 months, feedback has been sought from a range of stakeholders, including iwi, agencies, industry and coastal users and residents. At the same time, council staff have been compiling issues and have identified gaps with the current coastal plan.

This feedback, along with analysis of iwi management plans and statutory requirements, have informed some of our early thinking and direction on policy, which we've outlined in this document.

Tangata whenua

Tangata whenua of our region's coasts affiliate to iwi and hapū from Hauraki, Maniapoto, Raukawa and Waikato, and each have perspectives, obligations and values that approach environmental management in a different way. For our council, we recognise these perspectives need to be considered and incorporated as part of resource management policy development and decision making.

New national planning standards also require councils to include a chapter in their plans for tangata whenua related content. The chapter will provide a location for provisions that detail processes and context relating to tangata whenua.

As part of the review, we're keen to continue to prepare the coastal plan in consultation with tangata whenua.

Ngā herenga ā-ture

Statutory documents and other legislation

Key legislation and statutory considerations which will guide the way we engage and impact decision making for the coastal plan are listed below.

- Resource Management Act 1991
- Local Government Act 2002
- Marine and Coastal Area (Takutai Moana) Act 2011
- Hauraki Gulf and Marine Park Act 2000
- New Zealand Coastal Policy Statement 2010
- Waikato Regional Policy Statement 2016
- Te Ture Whaimana o te Awa o Waikato.

Our council also has joint management agreements – known as JMAs – with five iwi entities across the region. The JMA partners that represent those that hold mana moana over the coastal marine area, as well as Pare Hauraki, will be sought to provide input into the coastal plan. They will also be given the opportunity to review the full draft plan ahead of notification in August 2022.

Ngā mahere taiao a ngā iwi

Iwi management plans

Iwi management plans provide a robust view of the aspirations and interests of individual iwi. They contain information relating to specific cultural values, historical accounts, natural resources as well as descriptions of areas of interest such as iwi/hapū boundaries and wāhi tapu (sacred site).

For the coastal plan, iwi management plans have been used to build our understanding of the coastal issues and priorities for iwi in the coastal marine area.

The iwi management plans we have drawn information from include:

- Whaia te Mahere Taiao o Hauraki
- Ko tā Maniapoto Mahere Taiao: Environmental Management Plan
- Motakotako Marae Hapu Management Plan
- Ngāti Hikairo Heritage Management Plan
- Ngāti Porou ki Hauraki Plan
- Raukawa Fisheries Plan
- Tai Tumu Tai Pari Tai Ao: Waikato-Tainui Environmental Plan.

Ngā pānga takutai moana

Customary rights and interests

The Marine and Coastal Area (Takutai Moana) Act 2011 recognises and protects the exercise of customary rights and interests of Māori in the common marine and coastal area – that’s any part of the coastal marine area that is not in private ownership or is conservation land, a reserve or national park.

Under this legislation, iwi, hapū or whānau groups may exercise specified rights in relation to a Customary Marine Title (CMT) or Protected Customary Rights (PCR) area. For the coastal plan, this means activities requiring a resource consent or permit, including controlled activities, cannot be undertaken unless permission is granted by the CMT. This is also similar for PCR groups if the effect of the consent activity is more than a minor adverse effect.

At present, there are approximately 30 applications being processed by the High Court for CMT in the Waikato region.

We recognise that the coastal plan will need to have appropriate mechanisms in place to give effect to both CMT and PCR rights and interests.



Ngā uara me mōhiotia

Recognising cultural and social values

The coastal environment of the Waikato region has become an integral part of our identity. It's our playground but it's also a source of cultural sustenance and wellbeing.

Based on existing studies and community plans, we know that mātauranga Māori perspectives, public access and recreational activities are valued by our communities.

Updates to the coastal plan will need to consider these cultural and social values in relation to all the coastal topics covered by the review process.

Mātauranga Māori

We want to incorporate mātauranga Māori provisions in a way that is meaningful and can easily be applied across topic areas in the coastal plan.

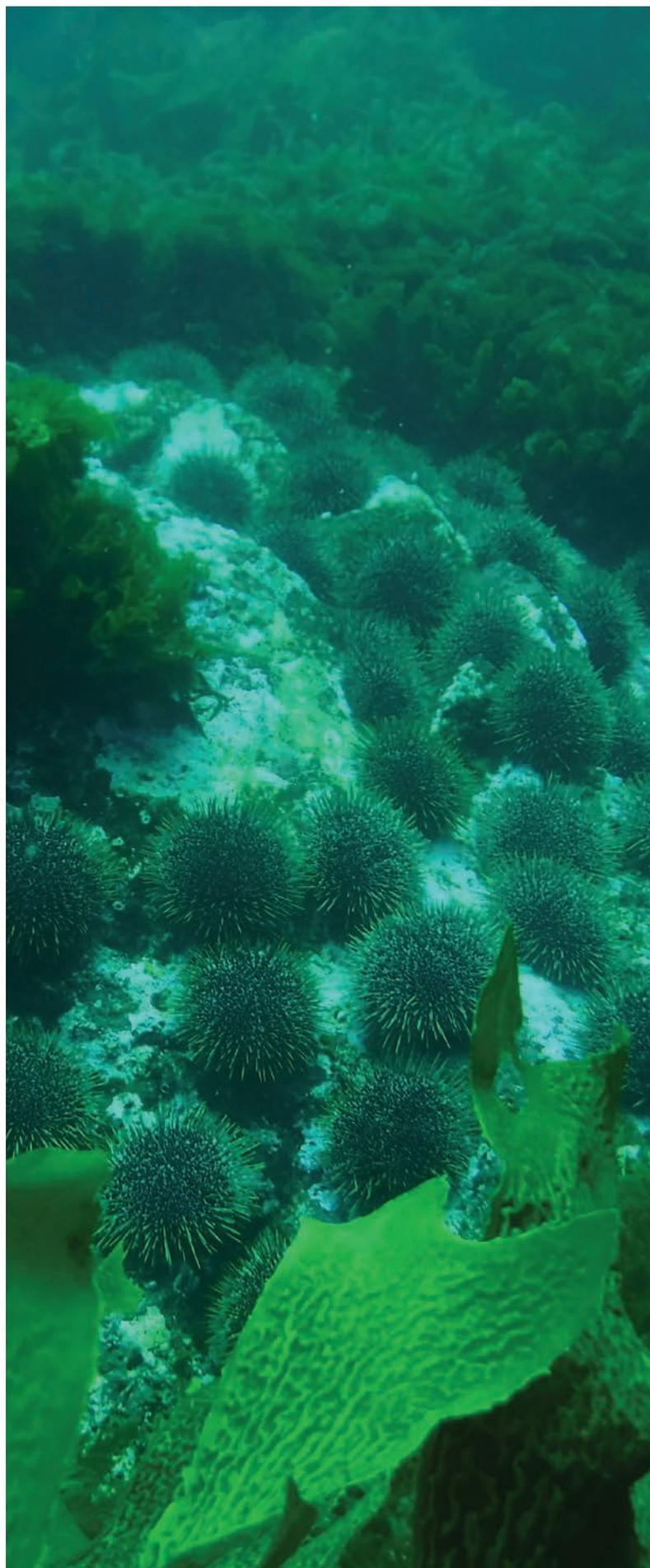
Since the coastal plan was first notified in 1995 there has been limited involvement by tangata whenua in coastal management decision making and in the practical expression of kaitiakitanga.

To address this, we're recommending that the coastal plan reflect iwi views and mātauranga Māori in its approach to sustainably manage the coastal marine area. This will see the inclusion of a tangata whenua chapter which will provide a location for provisions that detail processes and context relating to tangata whenua and iwi perspectives.

More specific policies, objectives and rules will also consider historical, spiritual, cultural and traditional values of tangata whenua in relation to activities in the coastal marine area.

What we've heard

Understanding and accepting the relationship tangata whenua have with natural and physical resources, as well as historic significance, is necessary to give effect to Te Tiriti o Waitangi.





Ngā uara hapori

Social values of coastal and marine areas

We want to integrate social and economic values with environmental requirements, so we are able to protect and enhance what's important to communities.

The coast is cherished by all New Zealanders. It's a place where we gather with whānau and friends. It's where we go to maintain our physical, spiritual and mental health. And it's also where we can go to gather food.

Given this diversity of use, it's important that we know what our communities value about the coast so we can reflect those values in how we manage it.

We'll be taking into account these values as we develop provisions for the activities outlined in the coastal plan. Economic values will also be considered where appropriate.

What we've heard

Social values, loss of biodiversity and public access are frequently connected with a large number of responses raising concern over degradation of coastal areas due to intensification of use. Concerns focus on restricted access due to competition for space and resources between commercial operators and recreational users.

Ngā mahi a te rēhia

Public access and recreation, surf breaks

We want to include provisions that recognise the need for coastal recreational activities and guard against the loss of public space in the coastal marine area.

As Kiwis we love open spaces and to be able to access our coasts to do things like boating, walking, fishing and gathering kaimoana.

Activities that involve the occupation of space, such as aquaculture, coastal structures and disturbances, biosecurity as well as hazards in the coastal marine area can result in the reduction or loss of public access and the space to do the things we love.

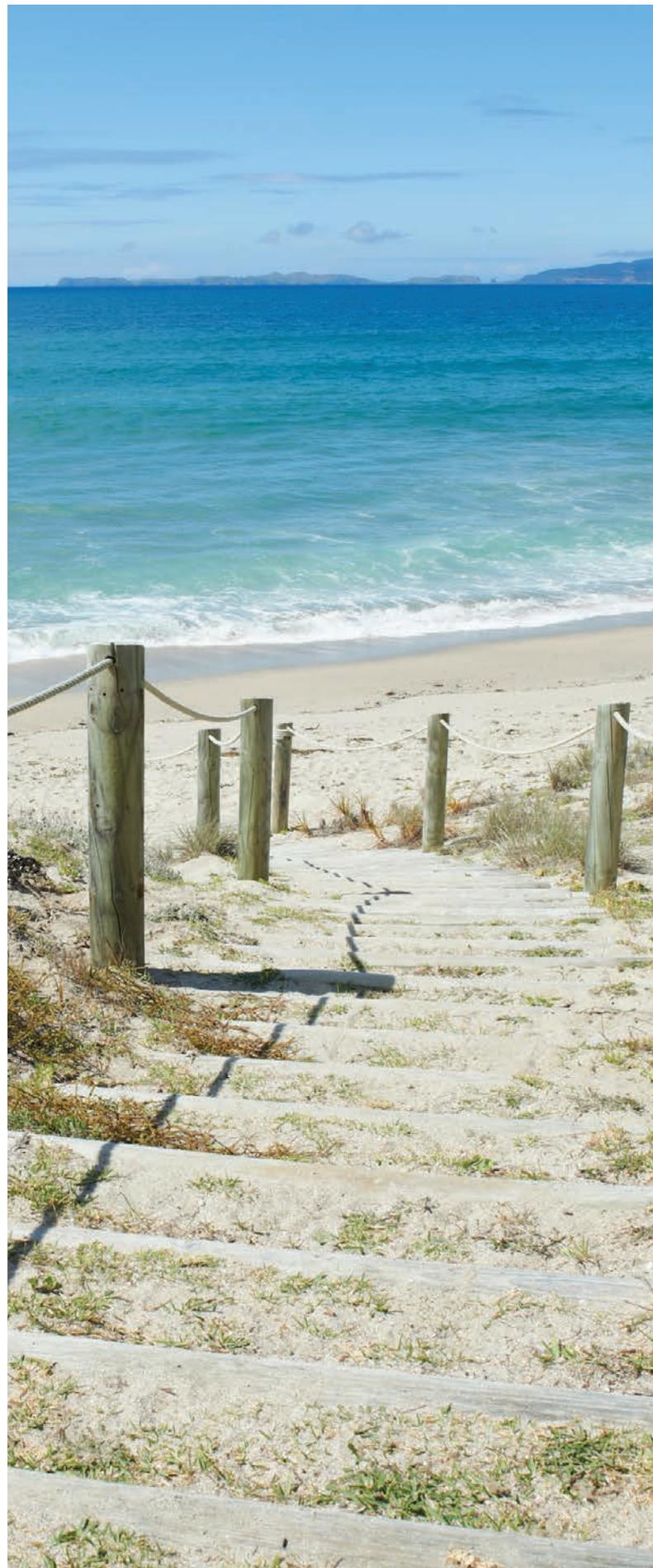
But there are some limits to what the coastal plan can do to guard against this. It can only control activities in the coastal marine area, so close integration with land based access and activities is needed.

We also recognise that vehicle access to and on the foreshore and seabed below the high tide mark is not clearly addressed by the operative coastal plan. These provisions must be amended by identifying situations and areas where vehicle use is appropriate and in what circumstances it should be restricted.

We're also recommending establishing new provisions that seek to maintain and enhance public access and also provide for public recreation activities.

What we've heard

Increased use of the coastal marine area is creating conflict between users competing for space. Several responses indicated concerns for safety over the use of vehicles and jet skis and want restrictions placed on vehicle access to the foreshore and usage in the water.



Tiaki taiao

Managing environmental effects

The coastal marine area of the Waikato region is almost all public space, but it supports a wide range of public and private uses that can result in conflict.

Water quality, for example, can be adversely affected by sediment and/or contaminant discharges. Coastal development and competing recreational and commercial interests can also put pressure on coastal environments.

The coastal plan provides a framework to manage activities in the coastal marine area, enabling us to be responsive to current and future pressures.

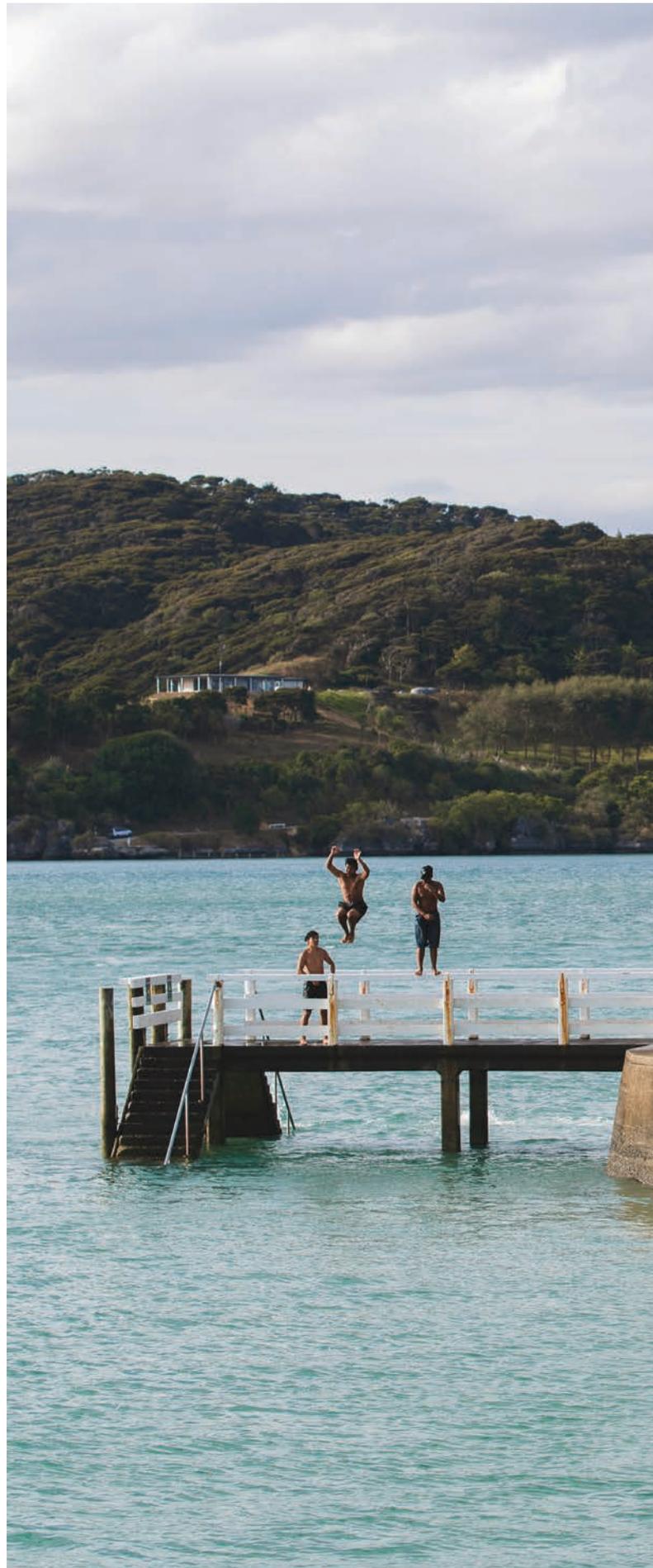
Ngā mahi i te kārewa o te wai

Surface water activities

We want to enable areas in the coastal marine area to be used efficiently and in a way that avoids conflicting uses and ensures navigation and safety requirements are met.

In the operative coastal plan, there are no rules for surface water activities like jet skiing, swimming, boating or kayaking as these activities are controlled by the Navigation Safety Bylaw and the Maritime Transport Act. However, it defines different spaces for different uses such as jet ski lanes, protecting shorelines, habitat and wildlife values.

We're recommending retaining these existing provisions with minor amendments in line with statutory requirements, avoiding duplication and confusion with the Navigation Safety Bylaw.



Ngā hangahanga i te takutai

Structures and occupation of space

We want to find appropriate solutions to manage structures while maintaining public values and minimising adverse or cumulative effects on the environment.

The coastal plan deems structures as human made constructions that occupy space in the coastal marine area. This includes, but is not limited to: jetties, wharves, marinas and moorings, as well as boat ramps, seawalls infrastructure pipes, culverts, and maimai and whitebait stands.

Currently, the coastal plan does not include provisions that require these structures to be managed in a way that makes the most efficient use of occupied space or provide for public access and amenity values.

What we've heard

Responses indicate the need for appropriate policy recognition of how structures can both restrict public access and contribute to recreational access such as moorings, marinas, slipways (boat ramps), jetties and wharves.

Maimai and whitebait stands

There are no specific provisions limiting the spread of maimai and whitebait stands or requiring maintenance or the removal of abandoned structures. All of these are potentially causing adverse effects on cultural or natural heritage values as well as restricting public access to and along the coastal marine area.

We recognise amendments are required in the coastal plan to bring the provisions for maimai and whitebait stands in line with other management frameworks like the regional plan.

Marinas

Marinas provide an efficient way to moor vessels and require appropriate land-based servicing. The coastal plan does not currently include an appropriate planning framework for authorising marinas, including the expansion of existing marinas or future marina development.

To address this, we're proposing to zone existing marinas and provide for the ongoing use of the area for marina activities with a focus on permitted and controlled activities.

This recognises that existing marinas have been through a process to become established. But any extension to their existing footprint would be considered a discretionary activity to ensure cumulative effects on other public values are considered.

Similarly, the development of new marinas would be considered as a discretionary activity with clear policy on appropriate locations. This approach acknowledges future demand for marina activities and ensures any new development is considered in accordance with all other provisions in the coastal plan and other statutory requirements.

Moorings

Some of the current zoned mooring areas are over capacity, undersized or in an inappropriate location. There are also issues with the increase of moorings outside of zoned areas, causing cumulative effects on the coastal marine area.

Moorings utilise public space and often to the exclusion of other activities, so they need to be managed carefully. But also to protect other public values like the landscape and natural character of our coasts.

To do this, moorings in zoned areas will become permitted activities subject to a licence under the Navigation Safety Bylaw and subject to biosecurity requirements.

Moorings outside zoned areas would require a resource consent with a new policy proposed to define criteria for appropriate locations.

Both activities will have clear policy, enabling our council's maritime officers to manage compliance in and outside mooring zones more effectively.

Te kounga wai me ngā momo ruke

Coastal water quality and discharges to water and air

We want to address the impacts of discharges and guide the management of activities to maintain and enhance coastal water quality.

Water quality in the coastal marine area can be affected by direct discharges like stormwater, wastewater, sewage, sediment and hazardous substances. This then impacts on marine ecology as well as social, cultural and economic values.

We recognise there is a need to identify types of coastal waters and establish water quality standards that reflect the associated characteristics that are valued by our communities. We will update the rules in the coastal plan to address the impacts of discharges to the coastal marine area.

To ensure water quality is maintained, we'll be prohibiting discharges within and around 500m of identified or mapped areas of cultural significance and locations of aquaculture, as well as within harbours and significant embayments.

Other objectives, policies and rules to manage discharges will also be updated to meet legislative and statutory requirements.

What we've heard

The majority of feedback drew attention to the impact of sewage on coastal water quality and biodiversity. This issue was of particular concern to tangata whenua who identify this practice as culturally offensive. Many responses suggest banning sewage and stormwater.



Manaaki ahurea

Protecting significant sites and taonga resources

Both coasts of the Waikato have wild, natural and scenic qualities that provide an important sense of place and identity to both locals and visitors. It's also home to a unique mix of native plants and animals that can only be found in our region.

However, development and natural events can detract from these qualities as well as have an adverse effect on indigenous habitats and ecosystems.

That's where the coastal plan comes in. It can include provisions that preserve and protect the things we care about by how it manages activities in the coastal marine area.

Taonga tuku iho

Historic heritage

We want to include provisions to protect our unique historic heritage from inappropriate use and development. We also recognise the need for better integration between regulatory agencies and iwi.

Our region contains a number of recorded archaeological sites; however, much of our historic heritage in the coastal marine area is unrecorded or unidentified. This includes structures like lighthouses and shipwrecks as well as places of significance to Māori such as wāhi tapu (sacred site), urupā (burial ground), waka landing places and middens.

We know that activities in the coastal marine area, like the use of vehicles, alteration or moving of structures and other physical disturbances, can result in damage to or loss of historic heritage.

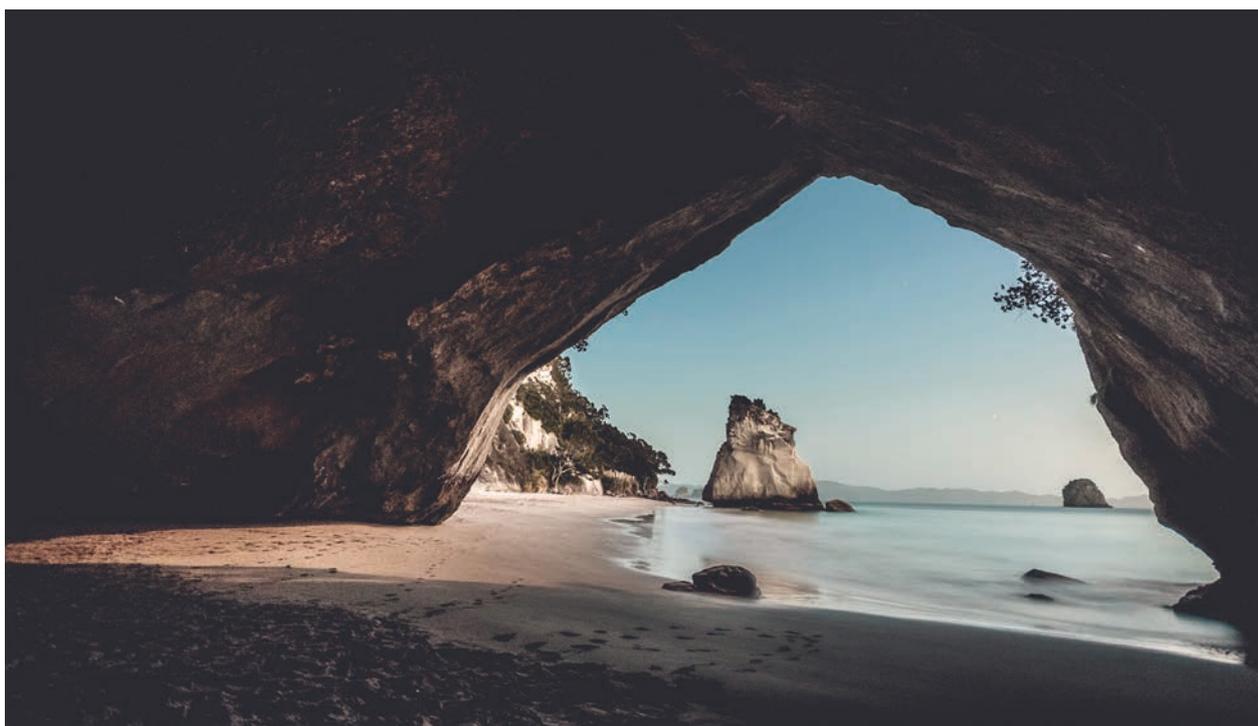
Historic heritage sites are not identified in the operative coastal plan and there are no rules to ensure they are protected from inappropriate use or development.

To address this, we're seeking to identify and map sites of historical and cultural significance (with buffer areas) and to develop policies and specific rules that will protect our unique historic heritage.

What's more, we'll also look to develop a 'discovery protocol' standard that will apply across the region's coastal marine area if an unknown site or artefact is discovered while a consented activity is taking place.

What we've heard

Concern for information being made public about particular Māori historical sites as well as sites being disrespected and/or misused.





Tiakitanga taiao

Biosecurity, ecosystems and indigenous biodiversity

We want to recognise and provide for the restoration and enhancement of our indigenous habitats and ecosystems while enabling appropriate control of pest species and minimising the spread of harmful marine organisms.

Some ecosystems and habitats can only be found in coastal environments such as estuaries, lagoons, coastal wetlands, rocky reef systems, intertidal zones, eelgrass and saltmarshes – all home to some of our region’s indigenous plants and animals.

However, recreational and commercial activities can adversely impact these unique habitats and indigenous species.

While there are no rules in the operative coastal plan directly relating to biodiversity or biosecurity, there are provisions that seek to protect areas of indigenous vegetation and habitat of indigenous fauna. These are implemented through the maps of areas of significant conservation value (ASCV).

We recognise that the ASCV maps are not enough. There is still potential for loss of indigenous fauna and habitats as well as the introduction and spread of harmful marine organisms.

We’re proposing to update the coastal plan to recognise and provide a framework for restoration activities and the protection of threatened species. This could include having policies and rules that restrict or guide activities to suitable locations and/or manage activities to protect significant species, habitats and ecosystems. It could also provide clear standards for clean vessels that will need to align to the council’s pest management plans, a requirement of the Biosecurity Act.

What we’ve heard

Biodiversity loss in the region’s coastal marine area is reported in responses as loss of birdlife, fish and shellfish and mahinga kai practices.

Te mauri o te takutai

Natural character, features and seascapes

We want to include provisions that decide what activities can take place while preserving and protecting the qualities that reflect our coasts.

In the coastal plan, natural character and natural features are general terms used to describe the natural elements of the coastal environment, including patterns and processes, and the experiential attributes of a geographical area. Seascapes is a term used to describe landscapes seaward of mean high water springs.

Preservation of the qualities and characteristics that depict our unique coastal environment is important.

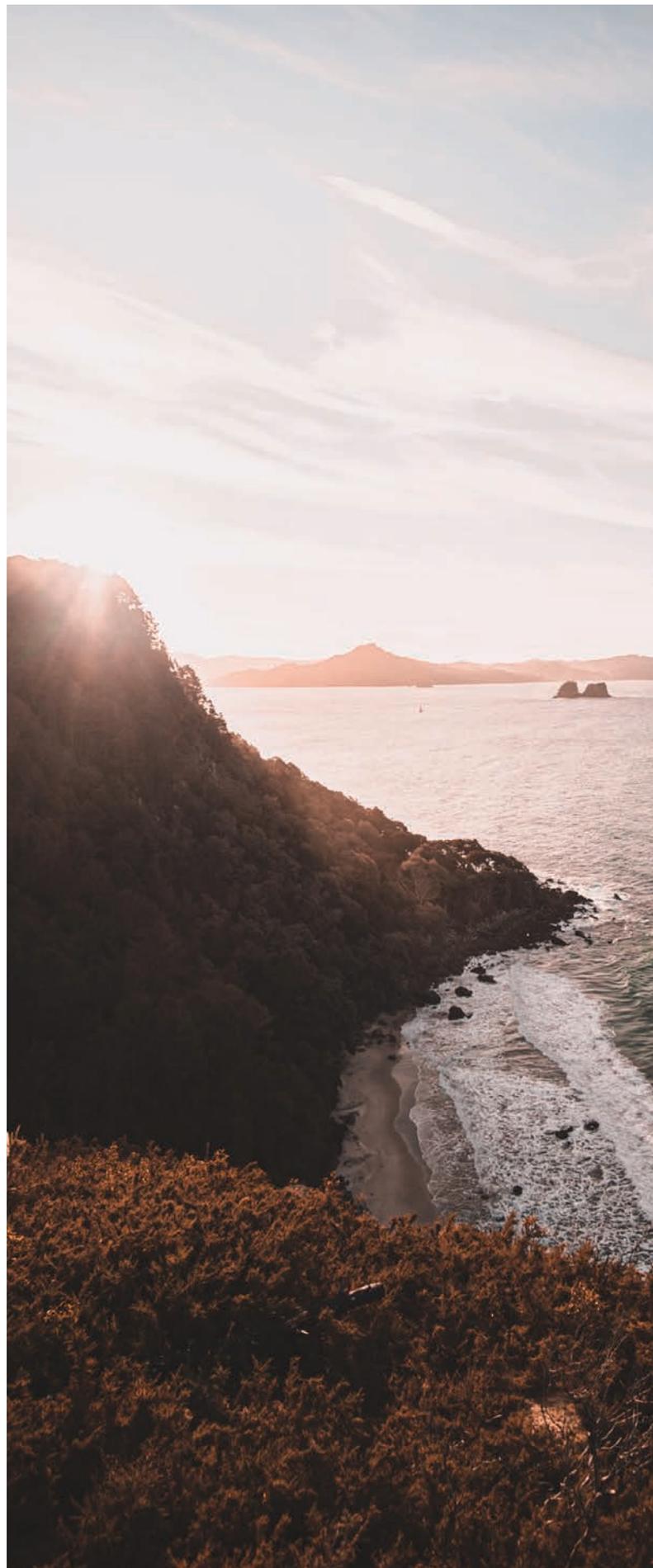
However, at present, the operative coastal plan does not adequately identify natural character, natural features or seascapes in the coastal marine area, potentially impacting on natural heritage and cultural and aesthetic values.

To address this, we're required to map identified areas of outstanding natural character and features and include a schedule of characteristics and qualities of the area too.

We'll also need to ensure the coastal plan clearly directs where activities should be avoided and where they may be appropriate.

What we've heard

Most responses mention their support for preserving and enhancing the natural character of our coastline. Responses highlight the need to have a holistic view of the environment and to focus on enhancing the natural character of all areas of the coastal marine area.





Ngā mōrearea i te takutai

Coastal hazards

We want to find appropriate solutions to protect structures and activities in the coastal marine area that may be at risk from natural events.

Activities and structures in the coastal marine area can be adversely affected by coastal hazards, such as erosion and flooding. This can then also create or worsen coastal hazard risks to adjoining land, property or infrastructure, either directly or by altering natural coastal processes.

We need to ensure structures can adapt to an increased risk of natural events while also requiring new structures to be designed to avoid any further risk of adverse effects to the coastal marine area.

Updated policy will seek to avoid increasing risk by addressing the potential effects of climate change and preferring natural defences over hard structures. It will also look to address adaptation to sea level rise of structures in the coastal marine area and avoid increasing the risk of adverse effects of natural hazards.

Ngā whakararutanga

Disturbances

We want to provide a framework that manages and regulates disturbances to protect natural coastal processes such as surf breaks and sediment movement, and reduce erosion of our beaches.

Disturbances in the coastal marine area can include activities such as dredging, the extraction of minerals, the use of vehicles on the foreshore or stock access, reclamation of the foreshore, the dumping of materials, and seabed drilling.

We recognise that these activities can provide for recreational and commercial use, but it can also impact the coastal environment. Coastal vegetation and habitats and landscape qualities may be damaged or destroyed, surf breaks could be interrupted, and water quality might be temporarily reduced.

Current provisions in the coastal plan are still suitable so can be retained without any major changes, but we're recommending updates to bring them in line with statutory requirements. The updates will include removing any specific provisions for military training activities as these rules are accommodated by other activity rules.

What we've heard

Bottom trawling, dredging and mining, were frequently mentioned and responses indicate a preference that these activities be restricted or banned altogether in order to protect life on the seabed.



Ngā hua a te takutai

Coastal economic opportunities

Balancing economic growth opportunities and our duty to protect and enhance the health and wellbeing of communities and the environment is what the coastal plan sets out to do.

The coastal plan directs where activities should be avoided and where they may be appropriate in the coastal marine area. It also provides objectives, policies and rules to manage these activities.

Ahumoana Aquaculture

We want to enable the aquaculture industry to innovate, adapt and grow while protecting things like biodiversity, water quality and natural and scenic qualities.

Aquaculture is the breeding, hatching, cultivating, rearing or on-growing of fish, aquatic life, or seaweed for harvest. It involves the occupation of space, different types of structures, discharges, disturbances to the seabed, and also requires high water quality.

While aquaculture is of economic benefit to our region, it can impact on ecosystems and habitats and also public access, natural character, and the amenity and recreational values of community.

We want to ensure that aquaculture can continue to grow in an efficient and suitable manner which avoids adverse effects on the coastal environment as far as practicable.

To do this, we're seeking to provide for new areas of aquaculture and identifying appropriate locations on planning maps with a suitable allocation mechanism for new coastal space. An update to policies and rules will also enable managed growth to occur and adverse effects to be considered through consenting processes.

We're also aware that some coastal iwi are wishing to undertake commercial aquaculture ventures through the Māori Commercial Aquaculture Settlement Act and as part of their Treaty settlements with the Crown. This may result in new areas being identified and considered.

What we've heard

Responses under the theme of aquaculture reveal tensions, with nearly as many generally supportive of aquaculture as those who are opposed to it and/or call for restrictions.

Responses supportive of aquaculture call for flexibility and openness to grow the industry.

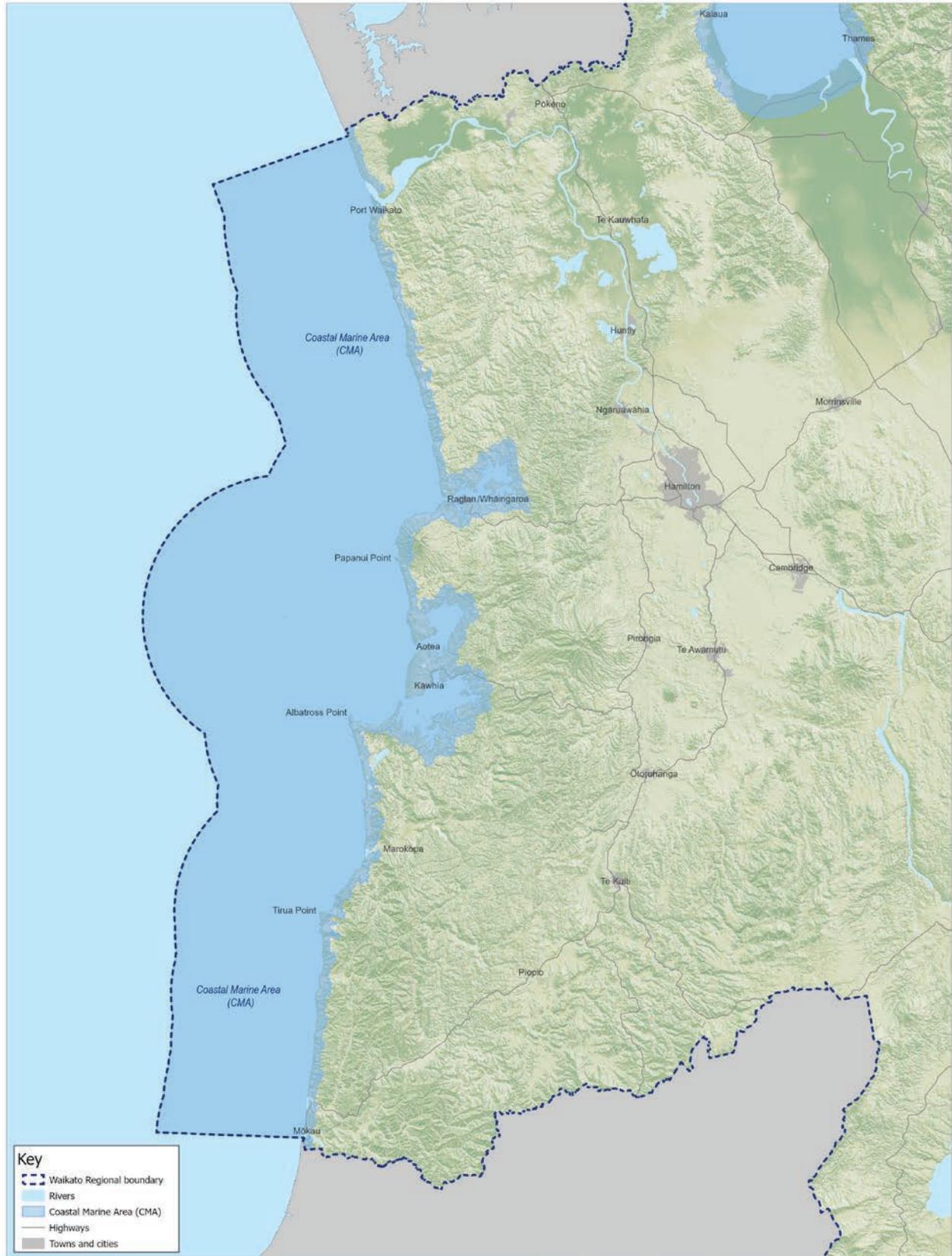
Other responses called for mitigation against damage caused by the industry as well as closer monitoring of both known and potential impacts.



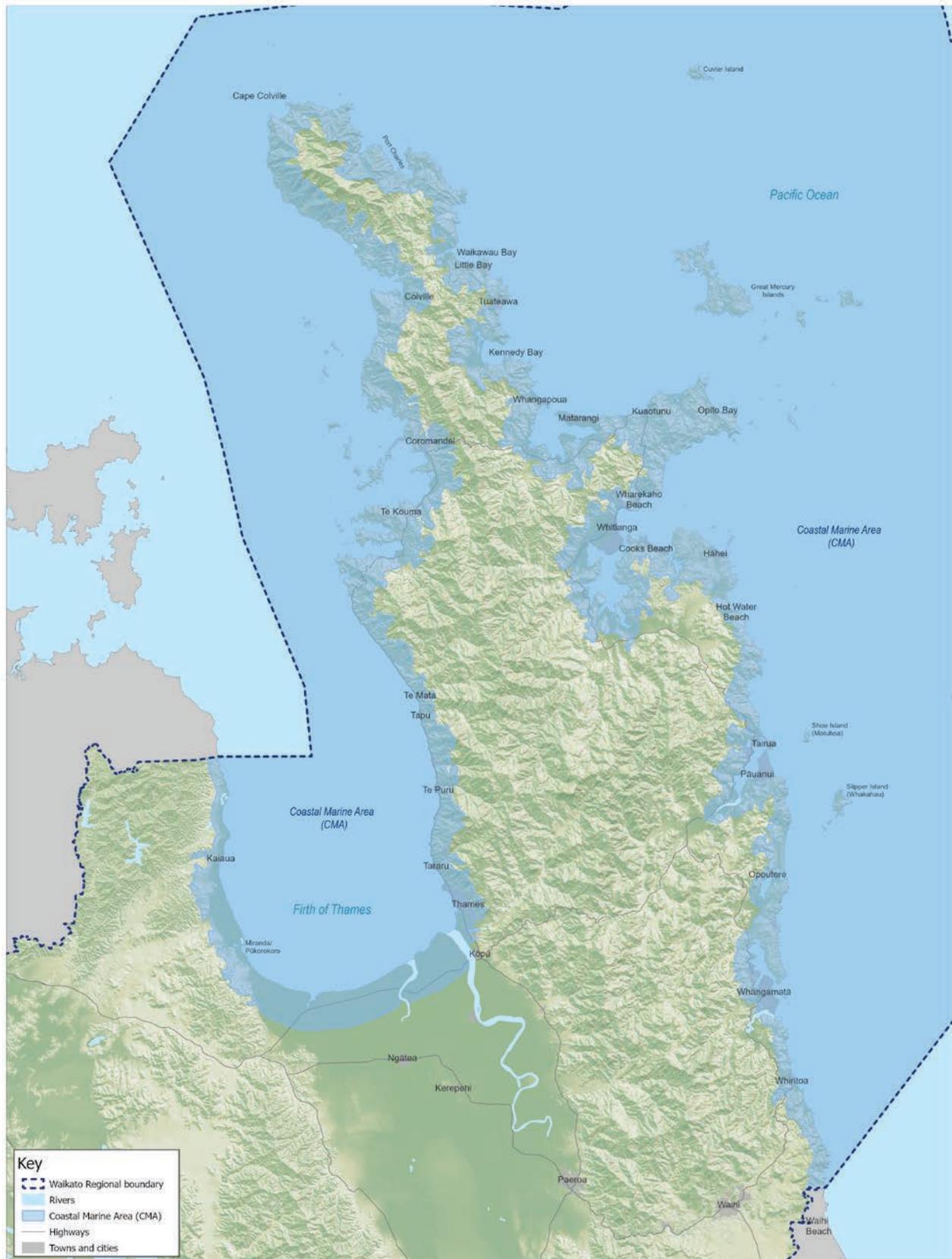
Āpitihanga

Appendix

Map of the coastal environment, including the coastal marine area of the west coast



Map of the coastal environment, including the coastal marine area of the east coast



Glossary of terms and definitions

The table below provides definitions of terms used in this document. Definitions are taken from the Resource Management Act or other legislation.

Term	Definition
Amenity values	<p>Has the same meaning as in section 2 of the RMA—</p> <p><i>means those natural or physical qualities and characteristics of an area that contribute to people’s appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes.</i></p>
Aquaculture activities	<p>Has the same meaning as in section 2 of the RMA—</p> <p>(a) <i>means any activity described in section 12 done for the purpose of the breeding, hatching, cultivating, rearing, or ongrowing of fish, aquatic life, or seaweed for harvest if the breeding, hatching, cultivating, rearing, or ongrowing involves the occupation of a coastal marine area; and</i></p> <p>(b) <i>includes the taking of harvestable spat if the taking involves the occupation of a coastal marine area; but</i></p> <p>(c) <i>does not include an activity specified in paragraph (a) if the fish, aquatic life, or seaweed—</i></p> <p style="padding-left: 20px;">(i) <i>are not in the exclusive and continuous possession or control of the person undertaking the activity; or</i></p> <p style="padding-left: 20px;">(ii) <i>cannot be distinguished or kept separate from naturally occurring fish, aquatic life, or seaweed; and</i></p> <p>(d) <i>does not include an activity specified in paragraph (a) or (b) if the activity is carried out solely for the purpose of monitoring the environment.</i></p>
Bed	<p>Has the same meaning as in section 2 of the RMA—</p> <p>(a) <i>in relation to any river—</i></p> <p style="padding-left: 20px;">(i) <i>for the purposes of esplanade reserves, esplanade strips, and subdivision, the space of land which the waters of the river cover at its annual fullest flow without overtopping its banks;</i></p> <p style="padding-left: 20px;">(ii) <i>in all other cases, the space of land which the waters of the river cover at its fullest flow without overtopping its banks; and</i></p> <p>(b) <i>in relation to any lake, except a lake controlled by artificial means, —</i></p> <p style="padding-left: 20px;">(i) <i>for the purposes of esplanade reserves, esplanade strips, and subdivision, the space of land which the waters of the lake cover at its annual highest level without exceeding its margin;</i></p> <p style="padding-left: 20px;">(ii) <i>in all other cases, the space of land which the waters of the lake cover at its highest level without exceeding its margin; and</i></p> <p>(c) <i>in relation to any lake controlled by artificial means, the space of land which the waters of the lake cover at its maximum permitted operating level; and</i></p> <p>(d) <i>in relation to the sea, the submarine areas covered by the internal waters and the territorial sea.</i></p>
Coastal water	<p>Has the same meaning as in section 2 of the RMA—</p> <p><i>means seawater within the outer limits of the territorial sea and includes –</i></p> <p style="padding-left: 20px;">(a) <i>seawater with a substantial fresh water component; and</i></p> <p style="padding-left: 20px;">(b) <i>seawater in estuaries, fiords, inlets, harbours, or embayments.</i></p>

Term	Definition
Common marine and coastal area	<p>Has the same meaning as in section 9(1) of the Marine and Coastal Area (Takutai Moana) Act 2011—</p> <p><i>means the marine and coastal area other than—</i></p> <p>(a) <i>specified freehold land located in that area; and</i></p> <p>(b) <i>any area that is owned by the Crown and has the status of any of the following kinds:</i></p> <p style="padding-left: 20px;">(i) <i>a conservation area within the meaning of section 2(1) of the Conservation Act 1987;</i></p> <p style="padding-left: 20px;">(ii) <i>a national park within the meaning of section 2 of the National Parks Act 1980;</i></p> <p style="padding-left: 20px;">(iii) <i>a reserve within the meaning of section 2(1) of the Reserves Act 1977; and</i></p> <p>(c) <i>the bed of Te Whaanga Lagoon in the Chatham Islands</i></p>
Contaminant	<p>Has the same meaning as in section 2 of the RMA—</p> <p><i>includes any substance (including gases, odorous compounds, liquids, solids, and microorganisms) or energy (excluding noise) or heat, that either by itself or in combination with the same, similar, or other substances, energy, or heat—</i></p> <p>(a) <i>when discharged into water, changes or is likely to change the physical, chemical, or biological condition of water; or</i></p> <p>(b) <i>when discharged onto or into land or into air, changes or is likely to change the physical, chemical, or biological condition of the land or air onto or into which it is discharged.</i></p>
Customary Marine Title	<p>Customary marine title recognises customary interests that iwi, hapū and whānau have had in the common marine and coastal area since 1840. Customary marine title can't be sold and public access, fishing and other recreational activities in a customary marine title area are unaffected (except for some lawful restrictions, including for the protection of wāhi tapu and wāhi tapu areas).</p>
Discharge	<p>Has the same meaning as in section 2 of the RMA—</p> <p><i>includes emit, deposit, and allow to escape.</i></p>
Effect	<p>Has the same meaning as in section 3 of the RMA—</p> <p><i>includes</i></p> <p>(a) <i>any positive or adverse effect; and</i></p> <p>(b) <i>any temporary or permanent effect; and</i></p> <p>(c) <i>any past, present, or future effect; and</i></p> <p>(d) <i>any cumulative effect which arises over time or in combination with other effects— regardless of the scale, intensity, duration, or frequency of the effect, and also includes—</i></p> <p>(e) <i>any potential effect of high probability; and</i></p> <p>(f) <i>any potential effect of low probability which has a high potential impact.</i></p>
Environment	<p>has the same meaning as in section 2 of the RMA (as set out in the box below) includes—</p> <p>(a) <i>ecosystems and their constituent parts, including people and communities; and</i></p> <p>(b) <i>all natural and physical resources; and</i></p> <p>(c) <i>amenity values; and</i></p> <p>(d) <i>the social, economic, aesthetic, and cultural conditions which affect the matters stated in paragraphs (a) to (c) or which are affected by those matters.</i></p>
High value areas	<p>Areas identified as having values that identify their characteristics or attributes as significant under section 6 of RMA and the NZCPS.</p>

Term	Definition
Mātauranga Māori	Traditional Māori knowledge – the body of knowledge originating from Māori ancestors, including the Māori world view and perspectives, Māori creativity and cultural practices.
Mooring	Means any structure, screw anchor, weight, device, or other associated equipment, which is placed in or on the foreshore or seabed, to secure a vessel; and includes pole moorings, swing moorings, trot moorings and other similar structures
Natural and physical resources	Has the same meaning as in section 2 of the RMA– <i>Includes land, water, air, soil, minerals, and energy, all forms of plants and animals (whether native to New Zealand or introduced), and all structures.</i>
Natural hazard	Has the same meaning as in section 2 of the RMA– <i>means any atmospheric or earth or water related occurrence (including earthquake, tsunami, erosion, volcanic and geothermal activity, landslip, subsidence, sedimentation, wind, drought, fire, or flooding) the action of which adversely affects or may adversely affect human life, property, or other aspects of the environment.</i>
Noise	Has the same meaning as in section 2 of the RMA– <i>includes vibration.</i>
Occupy	Has the same meaning as in section 2 of the RMA– <i>means the activity of occupying any part of the coastal marine area—</i> <i>(a) where the occupation is reasonably necessary for another activity; and</i> <i>(b) where it is to the exclusion of all or any class of persons who are not expressly allowed to occupy that part of the coastal marine area by a rule in a regional coastal plan and in any relevant proposed regional coastal plan or by a resource consent; and</i> <i>(c) for a period of time and in a way that, but for a rule in the regional coastal plan and in any relevant proposed regional coastal plan or the holding of a resource consent under this Act, a lease or licence to occupy that part of the coastal marine area would be necessary to give effect to the exclusion of other persons, whether in a physical or legal sense.</i>
Seascape	The cumulative expression of natural and cultural features, patterns and processes in a geographical area of the sea and coastline, including human perceptions and associations.
Stormwater	Means runoff that has been intercepted, channelled, diverted, intensified or accelerated by human modification of a land surface, or runoff from the surface of any structure, as a result of precipitation and includes any contaminants contained within.
Structure	Has the same meaning as in section 2 of the RMA– <i>means any building, equipment, device, or other facility, made by people and which is fixed to land; and includes any raft.</i> The Marine and Coastal Area (Takutai Moana) Act 2011 also has the following definition— <i>(a) has the meaning given in section 2(1) of the Resource Management Act 1991; and</i> <i>(b) includes any breakwater, groyne, mole, or other such structure that is made by people and fixed to land.</i>

Term	Definition
Sustainable management	<p>Has the same meaning as in section 5 of the RMA–</p> <p><i>means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—</i></p> <p>(a) <i>sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and</i></p> <p>(b) <i>safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and</i></p> <p>(c) <i>avoiding, remedying, or mitigating any adverse effects of activities on the environment.</i></p>
Surf break	<p>As described in the NZCPS–</p> <p><i>A natural feature that is comprised of swell, currents, water levels, seabed morphology, and wind. The hydrodynamic character of the ocean (swell, currents and water levels) combines with seabed morphology and winds to give rise to a “surfable wave”. A surf break includes the “swell corridor” through which the swell travels, and the morphology of the seabed of that wave corridor, through to the point where waves created by the swell dissipate and become non-surfable.</i></p> <p><i>“Swell corridor” means the region offshore of a surf break where ocean swell travels and transforms to a “surfable wave”.</i></p> <p><i>“Surfable wave” means a wave that can be caught and ridden by a surfer. Surfable waves have a wave breaking point that peels along the unbroken wave crest so that the surfer is propelled laterally along the wave crest.</i></p>
Territorial authority	<p>Has the same meaning as in section 5 of the Local Government Act 2002–</p> <p><i>means a city council or a district council named in Part 2 of Schedule 2.</i></p>
Vessel	<p>Has the same meaning as the Waikato Regional Council Navigation Safety Bylaw–</p> <p>Every description of a boat or a craft used in navigation on the water, whether or not it has any means of propulsion; and includes a:</p> <p>barge, lighter, or other like vessel</p> <p>hovercraft or other thing deriving full or partial support in the atmosphere from the reaction of air against the surface of the water over which it operates</p> <p>submarine or other submersible</p> <p>seaplane while on the surface of the water</p> <p>personal water craft (jetski)</p> <p>raft;</p> <p>or kite board, sailboard or paddle board but does not include a surfboard.</p>
Wastewater	<p>means any combination of two or more the following wastes: sewage, greywater or industrial and trade waste.</p>
Water	<p>Has the same meaning as in section 5 of the RMA–</p> <p>(a) <i>means water in all its physical forms whether flowing or not and whether over or under the ground:</i></p> <p>(b) <i>includes fresh water, coastal water, and geothermal water:</i></p> <p>(c) <i>does not include water in any form while in any pipe, tank, or cistern.</i></p>

He taiao mauriora

Healthy environment

He ōhanga pakari

Strong economy

He hapori hihiri

Vibrant communities

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