

Some provisions within this chapter are subject to appeal to the Environment Court. Provisions that are under appeal are identified by a red box around the provision and a footnote identifying the appellant. The appeal documentation, including the scope of the appeal and relief sought, is available on the Council's Appeals webpage on the Wairarapa Plan website.

CE - Coastal Environment

The Wairarapa coastline extends for over 220 kilometres from south of Ocean Beach to north of Mataikona. The *coastal environment* is highly valued by iwi, and has natural character, landscape, historic heritage, and biodiversity values. In addition, the *coastal environment* is important as a recreation area, as well as for areas of pastoral farming and scattered residential occupation.

The District Councils are responsible for managing activities on land (the landward side of Mean High-Water Springs (MHWS)), and the Greater Wellington Regional Council is responsible for activities in the Coastal Marine Area (seaward of MHWS) through the Natural Resources Plan. Integrated management is necessary to manage activities that cross the jurisdictional boundary between regional and district councils.

The Combined District Plan must give effect to the New Zealand Coastal Policy Statement 2010 (NZCPS), which requires a strategic approach to managing development on the coast. The identification and mapping of the *coastal environment* overlay, that has been undertaken in accordance with Policy 1 of the NZCPS and Policy 4 of the Wellington Regional Policy Statement, recognises the extent and characteristics of land with natural character, where coastal processes (including coastal erosion), influences or qualities are significant. It also recognises values that are important from a landscape, visual quality, amenity, historic, cultural, and ecological point of view. The *coastal environment* includes natural and modified landscapes. The *coastal environment* is made up of 12 distinctive zones or areas, each containing similar characteristics and qualities. These areas are:

- Mataikona;
- Whakataki;
- Whareama;
- Kaiwhata;
- Waimoana;
- Pahaoa;
- Awhea;
- Cape Palliser;
- Ngawi;
- Whatarangi;
- Onoke; and
- Mukamuka.

The preservation of natural character in the *coastal environment* and its protection from inappropriate subdivision, use, and development is a matter of national importance (section 6(a) of the Resource Management Act 1991 (RMA)). Policy 13 of the NZCPS provides guidance on the preservation of natural character in the *coastal environment*, and its protection from inappropriate subdivision, use, and development. Policy 14 of the NZCPS promotes the restoration or rehabilitation of natural character of the *coastal environment* including identifying areas for restoration and providing policies and methods in the District Plan. In addition to the general natural character values and attributes that exist in the *coastal environment*, the spatial extent of areas that are of *outstanding natural character and very high and high natural character* in the *coastal environment* have been identified that require special protection under Policy 13 of the NZCPS and Policy 24 of the Wellington Regional Policy Statement. These areas are identified at a localised or component scale, as opposed to the area scale of the 12 sections of the *coastal environment* outlined above.

The *coastal environment* also includes *Significant Natural Areas, Outstanding Natural Features and Landscapes and Special Amenity Landscapes*, which are addressed through the Ecosystems and Indigenous Biodiversity and Natural Features and Landscape chapters in accordance with Policies 11 and 15 of the NZCPS. Outside those specific overlay areas, activities can be undertaken in accordance with the underlying zone provisions, subject to any other relevant overlays and district-wide rules.

Public access is to be encouraged and managing activities within the *coastal environment* allows for the consideration of the effects of proposals on existing or future public access. Any specific public access provisions relating to the *coastal environment* are contained in the Public Access chapter.

Coastal hazards, including coastal erosion, coastal inundation, and sea level rise, pose a significant threat to land use, people, and *infrastructure* in the Wairarapa. Sea level rise predictions indicate the Wairarapa coastline is particularly vulnerable as it is exacerbated through land subsidence caused by tectonic processes. The NZCPS directs councils to identify and map coastal hazards that pose a high risk with a forecast of 100 years. Where coastal hazards are not well understood, or there is insufficient information to understand the risk but adverse effects are potentially significant, the NZCPS directs that a precautionary approach must be adopted. A comprehensive coastal hazard assessment is yet to be undertaken for the Wairarapa. In the absence of this assessment, the *coastal environment* chapter adopts a precautionary approach through the identification of the *Foreshore Protection Area* where particular land use and development is restricted. The *Foreshore Protection Area* is identified as being the area 50 metres inland of MHWS in all areas, with the exception of Riversdale where this *Foreshore Protection Area* has been specifically mapped based on a local hazard assessment. The *Foreshore Protection Area* is of a width to generally provide adequate distance to avoid potential hazards associated with the natural processes of the ocean such as storm surges and coastal erosion, and to avoid the adverse effects of development on the natural character and ecology of the foreshore.

The Coastal Environment chapter sits alongside the underlying zone chapters. Objectives, policies, and rules of both this chapter and the associated zone chapter are applicable to any

activities within the *coastal environment*. Generally, this chapter manages the effects of activities through effects-based provisions which differs from the activity-based provisions of the zone chapters.

Objectives

CE-O1	<i>Coastal environment</i>
The qualities that contribute to the <i>coastal environment</i> including natural character, landscape, historic, cultural, and ecological values are maintained and, where appropriate, restored or enhanced.	
CE-O2	<i>Coastal Natural Character</i>
The natural character of the <i>coastal environment</i> is preserved and protected from inappropriate subdivision, use, and development, including by: <ul style="list-style-type: none"> a. protecting the qualities, characteristics, and values of areas of <i>Outstanding Natural Character</i> and <i>Very High and High Natural Character</i> in the landward extent of the <i>coastal environment</i>; and b. maintaining, and where appropriate enhancing natural character in all other areas of the <i>coastal environment</i> and restoring natural character within the <i>coastal environment</i> where it has been degraded. 	
CE-O3	Risk from coastal hazards
The risk and consequences from coastal hazards including the impacts of sea level rise on people, property, <i>infrastructure</i> , and the environment are reduced or not increased.	
CE-O4	Tangata Whenua values
Tangata whenua values, mātauranga, and tikanga are recognised and provided for in resource management processes for the <i>coastal environment</i> .	
CE-O5	Activities in the <i>coastal environment</i>
People and communities are able to provide for their social, economic, and cultural well-being, recognising that the protection of natural character and indigenous biodiversity, public access, or cultural values does not preclude subdivision, use, or development, where this does not compromise these values.	

Policies

CE-P1	<i>Coastal environment</i>
<p>Identify the extent of the <i>coastal environment</i> based on characteristics of the environment, including:</p> <ul style="list-style-type: none"> a. any area or landform dominated by coastal vegetation or habitat; b. any landform affected by active coastal processes; c. any landscapes or features, including coastal escarpments, that contribute to the natural character, visual quality, or amenity value of the coast; and d. any site, structure, place, or area of historic heritage value adjacent to, or connected with, the coastal marine area, which derives its heritage value from a coastal location. 	
CE-P2	<i>Outstanding Natural Character</i>
<p>Avoid adverse effects from inappropriate subdivision, use, and development on the identified qualities, characteristics, and values of <i>Outstanding Natural Character</i> by:</p> <ul style="list-style-type: none"> e. only providing for <i>conservation activities</i> and <i>customary activities</i> while encouraging the minimisation of the adverse effects of these activities; and a. avoid adverse effects on those qualities, characteristics, and values of any other activities. 	
CE-P3	<i>Very High and High Natural Character</i>
<p>Protect areas of Very High and High Natural Character by managing subdivision, use, and development by only allowing activities that:</p> <ul style="list-style-type: none"> a. avoid significant adverse effects and avoid, remedy, or mitigate any other adverse effects on the identified values described in <i>Very High and High Natural Character</i>; and b. are demonstrated to be appropriate by: <ul style="list-style-type: none"> i. having an <i>operational need</i> or <i>functional need</i> to be located in this area; ii. minimising <i>earthworks</i> and changes to the landform; iii. reducing the scale and prominence of any <i>buildings or structures</i>, including any proposed <i>building</i> platforms, and integrating landform and context into the design through the use of naturally occurring <i>building</i> platforms and sympathetic materials; iv. retaining and/or restoring and rehabilitating <i>indigenous biodiversity</i>, where practicable using coastal plant species sourced from the local ecological district; v. enabling the repair, maintenance, and removal of existing <i>infrastructure</i> and roads; and 	

	vi. enabling the continuation, or enhancing, of tangata whenua cultural and spiritual values and <i>customary activities</i> .
CE-P4	Activities and subdivision within the <i>coastal environment</i>
<p>Provide for subdivision, use, and development within the <i>coastal environment</i> only where there is a functional or operational need for the activity to be located in the coastal environment and ensure that:</p> <ol style="list-style-type: none"> a. the form, scale, and nature of the activity will not detract from the natural character of the <i>coastal environment</i> by: <ol style="list-style-type: none"> i. considering the landscape context and landform in the planning and design process, so that development responds to natural landforms, minimises <i>earthworks</i>, and incorporates the use of sympathetic materials; ii. minimising the landscape and visual effects of built form by careful siting of <i>buildings</i> and <i>structures</i>; iii. rehabilitating <i>earthworks</i> to ensure that they are well integrated with the surrounding landform; iv. minimising <i>modification of indigenous vegetation</i> and incorporating revegetation and planting of disturbed areas; v. maintaining and where appropriate restoring the abiotic, biotic, and experiential characteristics of natural character within the <i>coastal environment</i>; vi. maintaining and enhancing public access, customary access, and recreational use; vii. avoid adverse effects on threatened, at-risk, naturally rare, or significant communities of indigenous vegetation, habitats of indigenous fauna, or ecosystems; viii. avoid significant adverse effects, and avoid, remedy, or mitigate other adverse effects on habitats of indigenous or migratory fauna, coastal ecosystems, and areas that predominantly comprise indigenous vegetation; ix. retaining and/or restoring and rehabilitating <i>indigenous</i> biodiversity, where practicable using coastal plant species sourced from the local ecological district; x. taking into account the outcomes of any consultation with and/or cultural advice provided by tangata whenua, including the extent to which the activity may compromise tangata whenua's relationship with their ancestral lands, water, sites, wāhi tapu, and other taonga, and/or tangata whenua's responsibilities as kaitiaki and mana whenua in the <i>coastal environment</i>; xi. ensuring that the location, design and scale of <i>structures, buildings</i>, and activities avoid or mitigate risks to people and property from coastal hazards and that the risk to other people, properties, and activities is reduced or not increased; and xii. ensuring that open coastal vistas are protected by discouraging built development between roads and the <i>Foreshore Protection Area</i> where such roads are in close proximity to the foreshore. 	

CE-P5	Residential activities within the <i>coastal environment</i>
<p>Manage <i>residential activities</i> within the <i>coastal environment</i> by:</p> <ul style="list-style-type: none"> a. providing for <i>residential units</i> within existing coastal settlements to ensure the special qualities of each settlement are maintained; b. providing for <i>residential units</i> that are located, designed, and of a scale necessary to support <i>primary production</i>; c. take a precautionary approach to the risks from coastal hazards by avoiding new <i>residential units</i> within the <i>Foreshore Protection Area</i> due to the risks from coastal hazards; and d. avoiding rural lifestyle development to ensure there is no proliferation of <i>residential units</i> and fragmentation of productive land throughout the <i>coastal environment</i> to protect its special values and characteristics. 	
CE-P6	Infrastructure
<ul style="list-style-type: none"> e. Provide for the maintenance, repair, minor upgrading, and removal of existing <i>infrastructure</i> in areas identified as <i>Very High and High Natural Character</i>; and a. Provide for new <i>infrastructure</i> and the substantial <i>upgrade</i> of existing <i>infrastructure</i> within areas identified as <i>Very High and High Natural Character</i> where: <ul style="list-style-type: none"> i. it has an operational need or functional need for the location; ii. it is designed to maintain the natural character values; and iii. any significant adverse effects on natural character values will be avoided and all other effects will be avoided, and where this is not practicable, will be appropriately mitigated. 	
CE-P7	Coastal archaeology
<p>Recognise and manage any adverse effects on archaeological sites within the <i>coastal environment</i> in any subdivision, use, and development; and rely upon the Heritage New Zealand Pouhere Taonga Act 2014 to promote the identification, preservation, and conservation of archaeological sites of historic and cultural significance.</p>	
CE-P8	Precautionary approach to coastal hazards
<p>Adopt a precautionary approach to new subdivision, use, and development where knowledge is lacking about coastal processes and where the risks from coastal hazards are likely to be high, by identifying the <i>Foreshore Protection Area</i> and:</p> <ul style="list-style-type: none"> a. only providing for activities that have an <i>operational need</i> or <i>functional need</i> within the <i>Foreshore Protection Area</i>; b. avoid new <i>residential activities</i> and other <i>hazard sensitive activities</i> within the <i>Foreshore Protection Area</i>; and 	

<p>c. for activities within the <i>Foreshore Protection Area</i> that satisfy the above, manage effects to ensure any significant adverse effects on people and property will be avoided and all other effects will be avoided, and where this is not practicable, will be mitigated.</p>	
CE-P9	Soft engineered solutions
<p>Encourage soft engineering measures and nature-based solutions when undertaking planned coastal hazard mitigation works within the identified <i>Foreshore Protection Area</i> where they will reduce the risk from coastal hazards to people, property, and <i>infrastructure</i>.</p>	

Rules

CE-R1	<i>Earthworks or buildings and structures (including construction, additions, and alterations) within the coastal environment</i>
All zones	<p>1. Activity status: Permitted</p> <p>Where:</p> <ul style="list-style-type: none"> a. Compliance is achieved with: <ul style="list-style-type: none"> i. CE-S1; and ii. CE-S3; or b. <i>Earthworks or buildings and structures</i> are associated with Temporary Military Training Activities, <i>conservation activities</i> or <i>customary activities</i>; <p>and</p> <ul style="list-style-type: none"> c. <i>Earthworks or buildings and structures</i> are not located within an area identified as <i>Outstanding Natural Character</i> or <i>Very High and High Natural Character</i>; and d. <i>Earthworks or buildings and structures</i> are not associated with a new <i>residential activity</i> within the <i>Foreshore Protection Area</i>.
	<p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> a. Compliance is not achieved with CE-R1(1). <p>Matters of discretion:</p> <ul style="list-style-type: none"> 1. The effect of non-compliance with any relevant standard and the matters of discretion of any standard that is not met.

CE-R2	<i>Earthworks, modification of indigenous vegetation, or buildings and structures (including construction, additions, and alterations) within Areas of Very High and High Natural Character</i>
All zones	<p>1. Activity status: Permitted</p> <p>Where:</p> <ul style="list-style-type: none"> a. Compliance is achieved with: <ul style="list-style-type: none"> i. CE-S1; ii. CE-S2; and iii. CE-S3; or b. <i>Earthworks, modification of vegetation, or buildings and structures</i> is associated with <i>conservation activities or customary activities</i>.
All zones	<p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> a. Compliance is not achieved with CE-R2(1); b. The maximum area of <i>earthworks</i> does not exceed 500m² per <i>site</i>; c. The maximum area of any <i>modification of indigenous vegetation</i> does not exceed 500m² per <i>site</i>; and d. Any <i>building</i> or <i>structure</i> does not exceed: <ul style="list-style-type: none"> i. a gross floor area of 200m²; and ii. a maximum height of 5m. <p>Matters of discretion:</p> <ul style="list-style-type: none"> 1. The effect of non-compliance with any relevant standard and the matters of discretion of any standard that is not met.
All zones	<p>3. Activity status: Non-complying</p> <p>Where:</p> <ul style="list-style-type: none"> a. Compliance is not achieved with CE-R2(2).

<p>CE-R3</p>	<p><i>Earthworks, modification of vegetation, or buildings and structures (including construction, additions, and alterations) within Areas of Outstanding Natural Character</i></p>
<p>All zones</p>	<p>1. Activity status: Permitted</p> <p>Where:</p> <ul style="list-style-type: none"> a. <i>Earthworks, modification of vegetation, or buildings and structures</i> is associated with <i>conservation activities</i> or <i>customary activities</i>; b. The maximum area of earthworks does not exceed 50m² per site; c. The maximum area of and <i>modification</i> of vegetation does not exceed 50m² per site; and d. Any building or structure does not exceed: <ul style="list-style-type: none"> i. a gross floor area of 50m²; and ii. a maximum height of 5m.
<p>All zones</p>	<p>2. Activity status: Restricted discretionary</p> <p>Where:</p> <ul style="list-style-type: none"> a. Compliance is not achieved with CE-R3(1); b. <i>Earthworks, modification of vegetation, or buildings and structures</i> is not associated with <i>plantation forestry</i>; c. The maximum area of <i>earthworks</i> does not exceed 50m² per <i>site</i>; d. The maximum area of and <i>modification</i> of vegetation does not exceed 50m² per <i>site</i>; and e. Any <i>building</i> or <i>structure</i> does not exceed: <ul style="list-style-type: none"> i. a gross floor area of 50m²; and ii. a maximum height of 5m, except for network utility poles, which have a maximum height of 8m. <p>Matters of discretion:</p> <ul style="list-style-type: none"> 1. The degree of change to the natural landform. 2. The effects of activity on the identified characteristics and values of the Outstanding Natural Character area. 3. Whether the activity has an operational need or functional need for the location.

		4. The effect of the reflectivity and colour of external materials on the identified characteristics and values of the Outstanding Natural Character.
	All zones	3. Activity status: Non-complying Where: a. Compliance is not achieved with CE-R3(2).

CE-R4	<i>Plantation forestry</i>	
	All zones	1. Activity status: Non-complying Where: a. Any <i>plantation forestry</i> is within an area identified as <i>Outstanding Natural Character</i> and <i>Very High and High Natural Character</i> .

CE-R5	<i>New residential activity within the Foreshore Protection Area</i>	
	All zones	1. Activity status: Non-complying Where: a. Any <i>earthworks, modification of indigenous vegetation, or buildings and structures</i> (including construction) associated with a <i>new residential activity</i> within the <i>Foreshore Protection Area</i> .

CE-R6	<i>Earthworks, modification of indigenous vegetation, or buildings and structures</i> (including construction) for the development of the National Grid within Areas of Outstanding, <i>Very High and High Natural Character</i> not otherwise provided for in this chapter.	
	All zones	2. Activity status: Discretionary

Standards

CE-S1 ¹	Earthworks
<p>1. <i>Earthworks</i> within the <i>coastal environment</i> must not exceed:</p> <ul style="list-style-type: none"> a. a maximum cut or fill <i>height</i> greater than 3m above ground level; and b. a maximum area of 500m² per <i>site</i>. <p>2. <i>Earthworks</i> within areas of <i>very high and high natural character</i> must not exceed:</p> <ul style="list-style-type: none"> a. a maximum cut or fill <i>height</i> of 1.5m above ground level; and b. a maximum area of 50m² per <i>site</i>. <p>This standard does not apply to:</p> <ul style="list-style-type: none"> a. <i>Earthworks</i> associated with maintaining existing farm tracks, roads, water supply infrastructure, fence lines and access ways are exempt from the above area standards but must comply with NFL-S1(1)(a) and NFL-S1(2)(a). 	<p>Matters of discretion:</p> <ul style="list-style-type: none"> 1. The degree of change to the natural landform. 2. The effect of the <i>earthworks</i> on the characteristics and values of the <i>coastal environment</i>. 3. The effect of the <i>earthworks</i> on the identified characteristics and values of the <i>very high and high natural character area</i>. 4. The effect of the <i>earthworks</i> on threatened indigenous vegetation, threatened indigenous and migratory species habitat, and threatened coastal ecosystems.
CE-S2 ²	Modification of indigenous vegetation
<p>1. <i>Modification of indigenous vegetation</i> must not exceed, in total area, 50m² in any 12-month period.</p> <p>This standard does not apply to <i>modification of indigenous vegetation</i> that is:</p> <ul style="list-style-type: none"> a. 3m either side of, or within, an existing formed <i>road</i>, track, stock crossing or <i>accessway</i>; b. 3m either side of a fence, or other lawfully established <i>structure</i>; or c. within 10m of an existing lawfully established <i>residential unit</i>. 	<p>Matters of discretion:</p> <ul style="list-style-type: none"> 1. The scale of the <i>modification of vegetation</i>. 2. The effect of the modification of vegetation on the identified values and characteristics within an area identified as <i>Very High and High Natural Character</i>. 3. The effect of the <i>earthworks</i> on threatened indigenous vegetation, threatened indigenous and migratory species habitat, and threatened coastal ecosystems.

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CE-S3 ³	<i>Buildings and structures</i>
<p>1. <i>Buildings and structures</i> within the <i>coastal environment</i> must meet the following standards:</p> <ul style="list-style-type: none"> a. the <i>gross floor area</i> of any individual <i>building or structure</i> on a <i>site</i> must not exceed 200m²; b. the <i>building or structure</i> must not exceed a maximum <i>height</i> of 7m except for network utility poles, which must not exceed a maximum height of 8m; c. maximum of one <i>residential unit</i> per <i>site</i>; d. any roof cladding must be of matt finish in a natural range of browns, greens, and greys to complement the tones found in the natural surroundings, with the colour having a light reflectivity value (LRV) percentage between 5 and 25%; and e. cladding is limited to natural materials and/or recessive colours with light reflectivity value (LRV) of 35% or less. <p>2. <i>Buildings and structures</i> within the <i>Foreshore Protection Area</i> must meet the following standards:</p> <ul style="list-style-type: none"> a. the <i>gross floor area</i> of the building or <i>structure</i> on a <i>site</i> must not exceed 15m²; b. the <i>building or structure</i> must not exceed a maximum <i>height</i> of 3m except for network utility poles, which must not exceed a maximum height of 8m; and 	<p>Matters of discretion:</p> <ul style="list-style-type: none"> 1. Whether the <i>building or structure</i> is integrated into the landform to limit prominence and protect the identified characteristics and values of the <i>coastal environment</i>. 2. Whether the <i>building or structure</i> is integrated into the landform to limit prominence and protect the identified characteristics and values within an area identified as being of <i>Very High and High Natural Character</i> or <i>Outstanding Natural Character</i>. 3. Whether there is a <i>functional need</i> or <i>operational need</i> for the location of the <i>building or structure</i>. 4. The effect of the scale and location on the <i>coastal environment</i> and the identified characteristics and values within an area of <i>Very High and High Natural Character</i>. 5. The effect of the reflectivity and colour of external materials on the <i>coastal environment</i> and any identified characteristics and values within an area of <i>Very High and High Natural Character</i>. 6. The effect to natural hazard and coastal hazard risk including taking into account the likely long-term effects of climate change. 7. The effect of the earthworks on threatened indigenous vegetation, threatened indigenous and migratory species habitat, and threatened coastal ecosystems.

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<p>c. <i>buildings and structures</i> must only be used for non-habitable purposes.</p> <p>3. <i>Buildings and structures</i> within an area identified as <i>Very High and High Natural Character</i> and <i>Landscape</i> must meet the following standards:</p> <p>a. the <i>gross floor area</i> of the <i>building or structure</i> on a <i>site</i> must not exceed 50m²; and</p> <p>b. the <i>building or structure</i> must not exceed one storey and must not exceed a maximum <i>height</i> of 5m.</p> <p>Standard CE-S3(1) does not apply to the Settlement Zone.</p>	
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