

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.

PA – Public Access

The Wairarapa has an extensive coastline and numerous freshwater bodies, including Lake Wairarapa and the Ruamāhanga, Waipoua, Waingawa, Waiohine, and Tauherenikau Rivers, that are important natural features and highly valued for cultural and recreation uses.

Therefore, public access to these *surface waterbodies* contributes to the cultural, social, and economic wellbeing of the Wairarapa.

The maintenance and enhancement of public access to and along the *Coastal Marine Area*, *lakes*, and *rivers* is a matter of national importance under section 6 of the RMA. Public access to and along the *coastal environment* is a key consideration of the New Zealand Coastal Policy Statement.

The District Plan has an important role in providing for public access to and along *surface waterbodies* and the *Coastal Marine Area* throughout the Wairarapa. This role includes the provision of *esplanade reserves* or *esplanade strips* when land is subdivided. *Waterbodies* that are of particular significance for public access within their margins are identified as *Significant Waterbodies*. The associated rules to manage inappropriate use and development within the margins of these *Significant Waterbodies* is located within the Natural Character chapter.

This Public Access chapter contains objectives and policies relating to public access. Rules relating to *esplanade reserves* and *esplanade strips* are contained in the Subdivision Chapter. These provisions align with the Subdivision Chapter and are considered at the time of any subdivision consent or any land use consent within the margins of the *Coastal Marine Area* or *surface waterbody*.

Objectives

PA-O1¹	Public access and enjoyment
<p>Public access to and enjoyment of the coast, <i>rivers, lakes, and natural inland wetlands</i> and their margins is maintained and enhanced in a manner that:</p> <ul style="list-style-type: none"> a. preserves their natural character, natural processes, water quality, indigenous biodiversity, landscape, historic heritage, and cultural values, or mitigates natural hazards; and b. minimises incompatibility of providing public access with adjoining activities. 	

Policies

PA-P1	Esplanade reserves and strips and access strips
<p>Require, where appropriate, any subdivision of land to provide <i>esplanade reserves</i> or <i>esplanade strips</i> to form a connected series of <i>esplanade reserves/strips</i> of minimum width of 10 m along <i>surface waterbodies</i> and the <i>Coastal Marine Area</i> where:</p> <ul style="list-style-type: none"> a. the subdivision of land adjoins a <i>surface waterbody</i> or the <i>Coastal Marine Area</i> and access is necessary to protect natural character, natural processes, water quality, indigenous biodiversity, landscape, historic heritage, recreational, and cultural values, or mitigates natural hazards; and b. the subdivision of land adjoins or can provide improved access to <i>Significant Waterbodies</i>. 	
PA-P2²	Compatible activities
<p>Enable activities within the coast, rivers, lakes, and wetlands and their margins that do not restrict or prevent public access to, or adjacent to the coast and <i>surface waterbodies</i>.</p>	
PA-P3	Public access to the <i>Coastal Marine Area</i>
<p>Ensure use, subdivision, and development of the coastal environment provides for, or enhances, public access to and along the <i>Coastal Marine Area</i>. Access should only be restricted for the following reasons:</p> <ul style="list-style-type: none"> a. to protect threatened indigenous species; b. to protect dunes, estuaries and other sensitive natural areas or habitats; c. to protect sites and activities of cultural value to Māori; 	

¹ Federated Farmers

² Federated Farmers

- d. to protect historic heritage features and areas; or
- e. to protect public health and safety.
- f. to avoid or reduce conflict between public uses of the coastal marine area and its margins;
- g. for temporary activities or special events:
- h. for defence purposes in accordance with the Defence Act 1990; or
- i. in other exceptional circumstances sufficient to justify the restriction.

PA-P4

Public access to, and along lakes, river and wetlands

Ensure use, subdivision, and development enhances public access to and along lakes, river and wetlands. Access should only be restricted for the following reasons:

- a. To protect the indigenous habitats of indigenous species
- b. To protect public health and safety
- c. To protect sensitive cultural and historic heritage values
- d. To protect the integrity and security of regionally significant infrastructure