



**Local Government New Zealand**  
te pūtahi matakokiri

**Submission to the Board of Inquiry on  
the Proposed New Zealand Coastal Policy Statement 2008  
From *Local Government New Zealand***

**May 2008**

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## **INTRODUCTION**

1. *Local Government New Zealand* thanks the Board of Inquiry for the opportunity to comment on the Proposed New Zealand Coastal Policy Statement, hereafter referred to as the 'Proposed NZCPS'. This submission outlines a general local government view on the Proposed NZCPS.
2. *Local Government New Zealand* makes this submission on behalf of the National Council representing the interests of 12 regional councils and 73 territorial authorities of New Zealand. Regional councils have statutory responsibilities under the Resource Management Act 1991 (RMA) in administering the Coastal Marine Area (CMA). Territorial authorities have responsibilities under the RMA for the management of land and natural hazards.
3. This submission has been prepared in two parts. The first part outlines the main points of submission and key comments from *Local Government New Zealand* on the Proposed NZCPS. The second part outlines specific comments on individual objectives and policies of the Proposed NZCPS.

## **PROCESS TO PREPARE THIS LOCAL GOVERNMENT SUBMISSION**

4. *Local Government New Zealand's* submission was prepared in consultation with the Local Government NZCPS Advisory Group, which comprises senior coastal planning staff from Environment Bay of Plenty, Tauranga City Council, Environment Canterbury, Tasman District Council, Northland Regional Council, Waitakere City Council, Environment Waikato, Gisborne District Council, Auckland Regional Council, Rodney District Council, and Greater Wellington Regional Council.
5. A small working group of Mayors, Regional Chairs and Chief Executives from Northland Regional Council, Marlborough District Council, Auckland Regional Council, Environment Canterbury, Environment Bay of Plenty, Thames-Coromandel District Council and Tasman District Council have also provided input into this *Local Government New Zealand* submission.

6. *Local Government New Zealand* also sought comments from all councils, which has informed the preparation of this submission. Some of these councils will be making individual submissions on the Proposed NZCPS. *Local Government New Zealand* encourages the Board to carefully consider all council submissions.
7. The final submission was endorsed under delegated authority by:
  - Basil Morrison, as the President of the National Council
  - Kerry Prendergast, as Vice-President of the National Council
  - Stephen Cairns, as the local government National Council member overseeing the environmental wellbeing activity portfolio and chair of the Regional Affairs Committee.

## **PART 1 - KEY POINTS IN *LOCAL GOVERNMENT NEW ZEALAND* SUBMISSION**

8. *Local Government New Zealand* supports the review of the NZCPS and would like to thank the DoC for the opportunity to be part of the development of the Proposed NZCPS with the Local Government NZCPS Advisory Group, who provided extensive comments on two draft versions of the reviewed NZCPS.
9. While a number of concerns and issues for local government were addressed through this early engagement with the DoC, there are still outstanding concerns and issues which will be outlined in this submission.
10. Generally, concerns and issues for local government fall into two broad categories:
  - a) implementation issues and ability of councils to give effect to policies
  - b) scope, appropriateness and justification for some of the policies.

## **IMPLEMENTATION ISSUES**

### **Financial Costs**

11. While we acknowledge that there are costs associated with the general functions associated with local government responsibilities under the RMA, the large costs to councils of giving effect to the Proposed NZCPS should not be under-estimated. The

costs are significant, ranging from the tens of thousands for some councils to over three million for others to implement the NZCPS.

12. The majority of these costs are associated with the need for councils to amend plans and policy statements as a result of the NZCPS. There are a number of policies in the Proposed NZCPS that will require a significant amount of new information to be gathered by councils for inclusion into policies and plans. We have been advised that the information requirements to give effect to the proposed NZCPS are beyond the resourcing capability of many councils.
13. In particular, costs associated with implementation of policies in relation to coastal hazards have been mentioned as a specific funding and resourcing problem for councils, both regional and territorial. While a number of councils have started work on identifying hazard risk areas on their coastlines, most will still need to undertake background research, assessments and analysis - all of which is very costly.
14. Financial planning in councils is undertaken through the Long Term Council Community Plan and Annual Planning processes where activities are prioritised and weighed up against the wishes of the community. The cumulative impact of regulation needs to be considered as it often forces council officer and politician time away from addressing local needs and preferences and focuses instead on compliance.
15. The cost of implementation of the Proposed NZCPS, particularly for smaller councils with small rating bases and large areas of coastline must be considered. The Board of Inquiry must be satisfied that policies in the NZCPS are an appropriate and cost effective means to achieve a particular national outcome. In relation to many of the proposed policies we do not believe that the benefit justifies the cost. We comment on this further below.

### **Process**

16. Along with financial cost and resourcing issues mentioned above. For a number of proposed policies it is not clear how the policy is to be given effect to. For example, Policy 2 and Policy 4 relate to “processes” and cannot be delivered through a plan provision or consent decision. We think that the policies need to be clearer on what

is expected of councils to give effect to them. An implementation plan needs to be prepared to provide more guidance to councils on what is expected of them in terms of giving effect to policies.

17. We would like to see a policy by policy consideration of the process expected of councils and the support to be provided by central government in the implementation of each policy. This includes consideration of Section 55 (2A)(b) of the RMA where a National Policy Statement may direct specific provisions to be included in a document, without notification or hearing, under clause 16 of Schedule 1. The NZCPS should clearly identify where a Schedule 1 process is not required to amend RMA plans and policies.
18. *Local Government New Zealand* strongly advocates the use of Section 55(2A)(b) where appropriate. Councils should not be required to undertake First Schedule processes which can often lead to costly litigation over giving effect to a policy in the NZCPS, especially as the direction has been set by the NZCPS and is essentially out of the councils control. There is real conflict between the obligation of councils to “give effect to” a National Policy Statement, and the “no-predetermination” assumption inherent in the public processes of the First Schedule process of the RMA.

### **Timing**

19. Policy 13 of the Proposed NZCPS requires local authorities to amend documents to give effect to the Proposed NZCPS no later than five years after the date of Gazettal of the NZCPS. *Local Government New Zealand* do not believe that this is an adequate and realistic timeframe for councils. As mentioned a number of changes to policy statements and plans can end up in time consuming Environment Court proceedings which are beyond the control of councils. Also mentioned are the expansive information requirements on councils as a result of the NZCPS, in particular smaller councils will not possibly be able to complete all this work within a five year timeframe unless a review is already programmed.
20. Furthermore, it is unrealistic for territorial authorities to make changes to their district plans until the relevant regional council has completed their own plan changes. Giving effect to the NZCPS would generally occur in a cascade of amendments in the

planning framework, starting first with the Regional Policy Statement and filtering down through the relevant Regional and District Plans. With some of the more complex processes required is it not desirable to amend district plans under the broader policy direction has been set through the RPS process.

21. *Local Government New Zealand* believes that the current timeframe is unrealistic and that further work needs to be done to consider potential staggering of policy statements and plan changes between regional and district councils. We recommend that the timeframe for councils to give effect to the NZCPS (in particular for less resourced smaller councils) be extended to 10 years. We also recommend timing to give effect to the NZCPS be linked to actions which councils are able to control. For example, when a plan change is notified rather than when a plan change is completed/operative.
22. More guidance and explanation is required in relation to Policy 13 and what “giving effect to” means in terms of process, is it an “amendment to plans”? A “notification of a variation or plan change”? Or a “proof of process followed”? Surely this information is required for the DoCs own monitoring purposes. How can ‘effectiveness’ be monitored without knowing what constitutes ‘giving effect’?

### **Need for an implementation package**

23. *Local Government New Zealand* strongly advocates the need for the NZCPS to be accompanied by a statement of the Government’s intent to formulate an implementation package, specifying among a number of things the priorities for implementation.
24. The implementation package could also provide further guidance on interpretation of policies and responsibilities. The Proposed NZCPS is not clear on responsibilities of some policies between regional councils, territorial authorities, central government and other parties. Though this needs to be rectified in the NZCPS wording itself, this is also an area where further guidance should be provided through an implementation plan.
25. As well as outlining priorities and responsibilities, the implementation plan should also outline how the Government intends to support implementation. For example,

by providing further guidance or information. There are at least four policies that will require major information and research expenditure including:

- Policy 21- Cumulative effects
- Policy 31- Indigenous biological diversity
- Policy 36- Assessment and protection of natural character
- Policy 51- Identification of hazard risks

26. Specifically in relation to Policy 51, a number of councils have raised the need for national standards or guidance on climate change and sea levels for councils to plan from (and to limit scope for ongoing litigation), and the need for a nationally consistent methodology on identification of hazard risks. Generally, local government as a whole supports the intent of policy 51 to identify hazard risks, however implementing this policy will require considerable technical information, analysis and projections, which comes at a considerable cost. There are completely different capability and resourcing issues for councils in undertaking this work. Government funding will be necessary for councils to implement this policy.

27. Guidance, resourcing and funding for councils to undertake this work must be addressed. Unless there is evidence of further support for councils in terms of implementation of the NZCPS, giving effect to some of the policies in the NZCPS is realistically impossible for a number of councils.

28. *Local Government New Zealand* welcomes further discussion with the DoC to develop an appropriate and timely plan.

#### **Need for greater context and linkages**

29. We note that there is no preamble or context section in the Proposed NZCPS outlining the NZCPS within the RMA framework while acknowledging other National Policy Statements and strategies and other legislation. In particular linkages need to be acknowledged with the Local Government Act 2002 and there needs to be recognition of other legislation and programmes relating to the coastal environment including: the Aquaculture Amendment Act, climate change policy, Foreshore and Seabed Act, treaty obligations and settlement policies, the New Zealand Energy Strategy, the New Zealand Energy Efficiency and Conservation Strategy,

Conservation Act, Reserves Act, Marine Protected Areas programme, oceans policy and other relevant National Policy Statement and National Environmental Standards and how they link with the NZCPS.

30. Affected councils have raised the Hauraki Gulf Marine Park Act 2000 (HGMPA) and note that the NZCPS should include a section repeating or referring to sections 7 and 8 of the HGMPA. Under section 10(1) of the HGMPA, sections 7 and 8 must be treated as a NZCPS. Including sections 7 and 8 in the NZCPS will raise awareness of the HGMPA and contribute to more effective implementation of that Act.
31. There appears to be a lack of national oversight in the Proposed NZCPS. A number of policies identify the crown's interest in the coastal marine area (policies 17, 18 and 24) yet provide no clear articulation of what the crown's interest is. We suggest that a short statement at the beginning of each section is needed to provide context as to the issue and the expected outcome.
32. Some of the provisions on the Proposed NZCPS simply restate the RMA and provide no further guidance or direction. This is not consistent with the purpose of the document which is described as "to state policies to achieve the purpose of the RMA in relation to the coastal environment". While we acknowledge that restating aspects of the RMA provides the context, we suggest that this context should be stated as part of background information or a preamble, not as policies.
33. We have concerns with a number of terms used and the lack of definitions in the Proposed NZCPS. It is unclear how councils are expected to interpret a number of terms, for example the term "special". Comments on this will be provided in the next section. We also have concerns with the interpretation section and the application of "and" when the list is cumulative and the use of "or" if clauses are alternatives. The application of this is inconsistent and does not reflect how we would expect some of the policies to be interpreted. For example, Policy 34, we would have thought all of the values mentioned would have value in their own right not as part of a cumulative list.

## SCOPE AND JUSTIFICATION ISSUES

### **Legality and appropriateness of some policies**

34. As a national policy statement the NZCPS should focus on matters of national priority rather than delving to the local level. *Local Government New Zealand* is concerned with the scope of some of the objectives and policies, in particular the subdivision, use and development section and the public access section. We believe that a number of these policies go beyond the scope of what can be included in the NZCPS including: Policy 14 (location of subdivision and development), Policy 15 (form of subdivision and development), Policy 39 (walking access), Policy 41 (access enhancement) and Policy 42 (vehicle access).
35. We consider that the NZCPS is an inappropriate location for these types of policies/direction. Policy development and direction on subdivision, use and development needs to be decided at the local level with the consideration of local needs and preferences. Decision making at the local level is a fundamental aspect of the Resource Management Act 1991.
36. The policies in the subdivision, use and development section, prescribe in detail how land use is to develop in specific ways, i.e. “encourage a mixture of land-uses along the coast”. There is very minimal justification in the Section 32 analysis as to why encouraging a mixture of land-uses is preferred. It is our opinion that in many sensitive coastal areas a mixture of land-uses is certainly not ideal. Policies 14 and 15 fail to focus on environmental effects and instead focus on urban planning principles of which the NZCPS is a completely inappropriate mechanism to offer guidance on.
37. We also have concern with the scope of policies in the public access section. Identifying walking access points and where access is to be enhanced, is not a matter for the NZCPS and council’s regional policy statements and plans. These aspects fit elsewhere within council planning frameworks through the Local Government Act and the Reserves Act (for example, recreation strategies, walking strategies). We believe that the NZCPS should be directing councils to “recognise and provide for” walking access rather than “identifying”.

### **Section 32 analysis**

38. We have noted, along with a number of councils in their comments to us the limited justification and reasoning behind many of the objectives and policies in the Section 32 analysis. The analysis is weak, does not actually reflect or identify costs and benefits, and does not mention other possible policy approaches or alternatives as required by the RMA.
39. Many councils have noted they do not believe that the benefits of the policy exceeds the costs as stated in the Section 32. There is very little evidence used in some of the justifications. For example, the limited analysis of Policy 38 (Maui Dolphin) on the real costs to local authorities.
40. We refer to the Department of Internal Affairs 'Policy development guidelines for regulatory functions involving local government' which set out a range of policy considerations to take into account when central government is developing policy where a regulatory solution is among the preferred options, where local authorities will or may be involved in the administration, and where existing local authority functions may be changed. These guidelines have been put in place through the Central Government/Local Government Forum for use by all central government agencies. We do not believe that these guidelines have been followed in the Proposed NZCPS.

### **Restricted Coastal Activities**

41. *Local Government New Zealand* continue to strongly oppose Restricted Coastal Activities (RCAs). Regional councils have made a strong case that RCAs are unnecessary, costly and add little to coastal management in New Zealand, particularly given that there is already a plethora of case law and a range of proven call in or other intervention powers enhanced in the RMA Amendment Act 2005. Throughout the review of the NZCPS we have been repeating these messages. We have not seen any evidence that RCAs are effective or any monitoring information from the DoC that supports their adding value to coastal management.
42. Current criteria/thresholds are set unreasonably low and we are of the view that proposed changes in the NZCPS to the RCA criteria will result in more small scale activities becoming RCAs. We consider it more appropriate for the NZCPS to raise

several of their criteria/thresholds than to classify so many small scale and incremental activities as RCAs. Many councils have commented that if the proposed process remains this will simply result in increased compliance costs and delays in process for those involved with no added benefit in relation to consideration of effects or the likely outcome.

43. *Local Government New Zealand* would like to see a full review of RCAs.

### **Coastal Occupation Charging**

44. *Local Government New Zealand* supports the principle behind Coastal Occupation Charging (COCs). In our view they should be seen as a rental for the private use of public space and should be defined as such.

45. Policy 24 - Coastal Occupation Charging does not offer any further guidance to councils over what is stated in the RMA. We think that this policy could provide much clearer guidance on COCs. There is still not enough guidance on when COCs can be applied, and whether they are a compensation charge or a rental.

46. *Local Government New Zealand* note that there are fundamental problems with the current legislation in relation to COCs. COCs have not been implemented by any regional council (with the exception of Environment Southland) because of the costs and delays that would be involved. COCs are contentious and controversial and any plan change to implement them will attract Environment Court appeals. Councils are not willing to defend a plan change in court due to acknowledged flaws in the RMA, of which the NZCPS cannot address.

47. We are of the view that Section 64A of the RMA in relation to COCs needs urgent reviewing and stress to the Board of Inquiry this point. We note that Recommendation 2 of the Local Government Rates Inquiry states: "That the relevant provisions of the Resource Management Act 1991 be reviewed to streamline the power to charge a resource rental for occupation of coastal space". Until these legislative issues are addressed Coastal Occupation Charges cannot be efficiently implemented.

48. Regardless, the proposed Policy 24 and Schedule II could have provided more guidance on COCs. Unfortunately, as the policy stands it will only exacerbate the difficulties faced by councils. The requirement to give effect to the policy on COCs in the NZCPS within 12 months is inconsistent with the June 2007 deadline in Section 401A of the RMA.

49. *Local Government New Zealand* is very concerned with the 12 months timeframe stated in Policy 24 and the difficulty of which this places regional councils in terms of their requirements under Section 401A of the RMA. We suggest a two year timeframe should be required for coastal occupation charging plan changes rather than a 1 year limit.

50. We support individual councils submissions on this topic.

#### **Better monitoring directives**

51. We note that there is lack of a national framework available to monitor the effectiveness of the NZCPS and suggest that a monitoring strategy be developed. In general monitoring of the NZCPS has been poor to date, in particular any monitoring of Restricted Coastal Activities.

52. We query how the DoC is going to monitor some of the policies as currently worded. A statement as to how to monitor each objective and each policy within the NZCPS document could provide some guidance here, or this information could be included in the implementation plan.

53. In Policy 11 we note the absence of the requirement for “reporting” on the monitoring and effectiveness of the NZCPS. It is not acceptable for the DoC to not report on the effectiveness of the NZCPS when councils have a statutory requirement to report on the efficiency and effectiveness of their policies, rules, or other methods in policy statements and plans every five years.

54. We are wary of the direction in the policies on monitoring and the possible resourcing implications for councils. Monitoring requirements of councils are clearly identified in section 35 of the RMA. We suggest that the issue of data collation and comparison

is more appropriately considered through non-statutory guidelines and a central government programme of funding.

## PART 2 - SPECIFIC POINTS IN *LOCAL GOVERNMENT NEW ZEALAND'S* SUBMISSION

### Objectives

	Comment/Issue	Reason/Explanation
Objective 3	<p>Use of the term “indigenous” biological diversity in relation to natural character of the coastal environment</p> <p>We note that Objective 3 does not contain reference to “inappropriate” development as per Section 6 of the RMA.</p>	<p>Natural character is not reliant on “indigenous” biodiversity specifically. A natural feature does not have to be “indigenous” to have an impact on natural character for example Norfolk Pines in the coastal environment. Norfolk Pines are not an indigenous species of New Zealand but are very important to the natural character of some areas. Other examples include pine forests, grasslands and gum trees (as habitat for native bats).</p> <p>We suggest that national character policies be split from policies on biodiversity (as per Matters of National Importance in Section 6 of the RMA).</p> <p>Objective 3 could potentially imply bias towards preservation of the coast's natural landscapes, features, processes and indigenous biological diversity in totality - not a more correct preservation from “inappropriate” development.</p> <p><b>Split natural character policies from policies on biodiversity.</b></p>
Objective 5	<p>Use of the term “public utility”, also in Policy 16 (a)</p>	<p>Though we generally support Objective 5 in relation to the coastal marine area as public space being recognized, the use of the term “public utility” is confusing. We are unsure of the intention or meaning of this wording. Suggest the wording “use and benefit” may be more suited to what we interpret as the intent of this Objective.</p> <p><b>Remove the term “public utility”.</b></p>

	Comment/Issue	Reason/Explanation
Objective 6	Restates what is in RMA	<b>Not necessary.</b>
Objective 7	Use of the term "natural state".	<p>In most cases it is not possible to know what the natural state is, especially in the case of inner waters where natural processes are changing all the time, natural state at which point in time?  A "natural state" is unachievable in some locations and situations in New Zealand, in particular urban areas. In addition, the water quality in the "coastal environment" may be affected by influences far upstream. The "natural state" of some water bodies is highly turbid.</p> <p><b>Further clarification required on what constitutes "natural state".</b></p>
Objective 8	<p>Though this Objective is supported in principle we have concerns with the practicalities of achieving this Objective.</p> <p>"relocating development away from risk areas"</p> <p>"protecting or restoring natural defences"</p> <p>"discouraging recourse to hard protection structures"</p>	<p>The relocation of infrastructure away from some affected areas in New Zealand would impose huge unrealistic financial costs onto councils. The significant costs have not been acknowledged or quantified.</p> <p>Protecting and restoring natural defences that have already been compromised and protecting areas already committed to built development without hard protection measures is unlikely and unrealistic.</p> <p>Discouragement of hard protection structures is ideologically desirable but not realistic in many locations. Minimal cost-efficient "soft" engineering options are not available and key infrastructure such as roads and pipes need to be protected by hard protection structures in some instances as the only cost effective and practical solution.</p>

		<b>Reword the objective so it is more practical and realistic.</b>
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## Policies

	<b>Comment/Issue</b>	<b>Reason/Explanation</b>
Policy 1- the coastal environment	<p>We generally support this policy but have concerns with (f) “landscapes and features that contribute to the natural character, visual qualities or amenity values of that environment”.</p> <p>We suggest that it be made clear that this policy does not require a change to policy statements and plans, or suggest the use of Section 55(2A) (b) for direct insertion into plans.</p> <p>We note that neither the Objectives, or this Policy, refer to “air” in the coastal environment, yet Policy 30(c) introduces “air”.</p>	<p>Could be subject to a wide variety of interpretation. What people consider to be natural character of the coastal environment is very subjective and difficult to define. “Landscapes” in particular pose a problem.</p> <p><b>Use of 55(2A) (b) for direct insertion into plans. Further clarification/guidance on what constitutes “(f)”.</b></p>
Policy 2- the Treaty of Waitangi and tangata whenua	<p>A number of these policies restate what must be considered under the RMA<sup>1</sup>.</p>	<p>We do not believe that restating sections and aspects of the RMA in the NZCPS is useful, especially if policies will already have been given effect to in policy statements and plans. Also, see comments made in Part 1, <u>need for greater context and linkages</u>.</p> <p><b>This is a “process policy”. Further guidance required in an implementation plan that councils do not need to amend policy statements and plans to give effect to this policy.</b></p>

<sup>1</sup> including (a) principles of the Treaty of Waitangi, (b) consultation with iwi authorities, (d) relevant iwi resource management plans, (e) management plans for foreshore and seabed reserve.

	<b>Comment/Issue</b>	<b>Reason/Explanation</b>
Policy 3- Characteristics of special value to tangata whenua	Practical considerations of this policy need to be considered.	<p>“Identifying” sites with maori is a high cost to councils and is only possible where tangata whenua are willing to engage.</p> <p><b>Redraft this policy to reflect this work is only required when there is a willingness to engage.</b></p>
Policy 4- Transfer, delegation or sharing of local authority functions, powers and duties regarding characteristics of special value to tangata whenua	Restates what is in the RMA	<p>There are fundamental problems with Section 33 transfers that need legislative change and better resourcing for iwi. These fundamental problems need to be addressed before transfers are likely to occur.</p> <p><b>Request removal of this policy.</b></p>
Policy 5- Precautionary approach	<p>We generally support the inclusion of a policy on the precautionary approach.</p> <p>However, Policy 5 should be amended to remove “significantly”.</p>	<p>Where potential effects are uncertain or little understood, a precautionary approach should be adopted regardless of whether it can be established the effects will be significant.</p> <p><b>Remove the word “significantly”.</b></p>

	Comment/Issue	Reason/Explanation
Policy 6- Integration	<p>We support the inclusion of a policy on integration.</p> <p>The term, “policy statements and plans” requires clarification throughout the NZCPS.</p> <p>Further guidance is required on what is expected in terms of implementing this policy.</p> <p>This policy currently lists points as a cumulative list (and) but should be listed as alternatives (or)</p>	<p>If the policy is referring to a Regional Policy Statement (RPS), then other subordinate plans must ‘give effect to’ the RPS and it is not necessary to say “plans”. If the policy only affects district plans, then it cannot be expected to be given effect to through an RPS. Perhaps the wording should be “policy statements and/or plans” to reflect the intention.</p> <p><b>Further guidance required in an implementation plan on what is expected in order to give effect to. Amend so the list is not cumulative (and).</b></p>
Policy 7- Conservation land	<p>This policy is not useful and does not offer any useful guidance over what already happens during RMA processes.</p>	<p>Do not think this policy is appropriate for the NZCPS and believe that status and purpose of land administered under the Conservation Act is given due regard during plan preparation and resource consent processes.</p> <p><b>Request this policy be removed.</b></p>
Policy 8- Areas proposed for statutory declaration	<p>This policy is unclear.</p>	<p>What type of “statutory protection” is the policy referring to? The relevant Act should be included in the text or there should be a definition on what constitutes “statutory protection”. Again, this would be considered as part of general resource consent determination and consideration, not sure of the usefulness of this policy to help with that process.</p> <p><b>Request this policy be removed.</b></p>

	Comment/Issue	Reason/Explanation
Policy 9- Biosecurity	We are concerned with the scope of this policy and the potential for additional responsibilities and significant financial implications imposed on regional councils.	We consider that the current wording of this policy is too broad in scope and does not recognise other relevant legislation nor the responsibilities of other agencies for the management of biosecurity risk in the CMA. This Policy has huge financial implications for regional councils to perform what is a nationally important task. Regional councils and unitary authorities currently only consider biosecurity risks when assessing coastal permit applications.  <b>This policy needs to be re-written to provide more context, more linkages and more clarification around roles.</b>
Policy 11- Monitoring of the NZCPS	<p>Suggest wording change to incorporate “<u>monitoring and reporting</u> on the effectiveness of the New Zealand Coastal Policy Statement in achieving the purpose of the Act, the Minister of Conservation shall, <u>within a 10 year period...</u>”</p> <p>We suggest swapping of the order of Policy 10 and Policy 11 to make it clear that monitoring precedes review as per general good practice.</p> <p>We are concerned with the possible resourcing implications for councils in (b). If government wants this information collected for the national interest than it should provide non statutory guidance and cover the cost of obtaining this information.</p> <p>Would like an additional requirement for DoC monitoring of the efficiency and effectiveness of each objective and policy in the NZCPS included, especially in related to Restricted Coastal Activities which need to be monitored with regard to their effectiveness in serving the objectives of the NZCPS.</p>	See also comments in Part 1, <u>better monitoring directives</u> .

	<b>Comment/Issue</b>	<b>Reason/Explanation</b>
Policy 12- Local authority monitoring	We have concerns with the direction and associated resourcing implications on councils of this policy.	<p>Suggest the issue of data collation and comparison is more appropriately considered through non-statutory guidelines and a central government programme of funding.</p> <p><b>Request this policy be removed.</b></p>
Policy 13- Amendment of policy statements and plans	It is not clear what “give effect to” means in terms of process.	<p>See also comments in Part 1, <u>Process</u>.</p> <p><b>Further guidance and explanation is required on what “give effect to means”. Is it an “amendment to plans”? A “notification of a variation or plan change”?</b></p> <p><b>We recommend that the timeframe for councils to give effect to the NZCPS be extended to 10 years.</b></p>

## Subdivision, Use and Development

	Comment/Issue	Reason/Explanation
Policy 14- Location of subdivision and development	<p>We generally consider policies (c) to (h) to be beyond the scope on the NZCPS and query why these policies have been included.</p> <p>We consider that some of these policies are outside the mandate as set under the RMA, in terms of Section 58 of the Act and what can be covered in an NZCPS in reference to subdivision and development.</p> <p>We consider that the NZCPS is an inappropriate location for these types of policies/direction.</p> <p>We also suggest that these policies are in conflict with the effects based approach of the RMA.</p> <p>We believe that the majority of these policies are beyond reasonable monitoring.</p>	<p>It is not clear what is trying to be achieved, why encourage a mixture of land-use along the coast? This may actually have a perverse result in terms of industrial and commercial uses and the effects of this on sensitive coastal areas. Subdivision can sometimes be a positive aspect on the coast.</p> <p>The scope of the previous NZCPS policy 1.1.1 is considered more appropriate.</p> <p>See also comments in Part 1, <u>legality and appropriateness of some policies</u>.</p> <p><b>Request removal of ( c ) through to ( h ).</b></p>
Policy 15- Form of subdivision and development	<p>We consider this policy over and above what can be considered in terms of an NZCPS under the RMA</p>	<p>See also comments in Part 1, <u>legality and appropriateness of some policies</u>.</p> <p><b>Request removal of this policy in entirety.</b></p>
Policy 16- Use and development of the coastal marine area	<p>We are concerned with the focus in this policy on “identifying areas” which implies that the CMA can be zoned, and appropriate activities identified, in the way district plans can.</p>	<p>Activities in the CMA are assessed on the basis of effects. Deciding whether an activity is appropriate or not needs to take into account the nature and scale of the activity, the types of values being affected, how much they are being affected, and whether these effects can be avoided, remedied or mitigated. This is best done through consent processes where an activity can be assessed at a particular site on a case by case basis. The practicalities and realities of this policy have not been thought through.</p> <p><b>Request removal of this policy.</b></p>

	<b>Comment/Issue</b>	<b>Reason/Explanation</b>
Policy 17- Crown interest in particular activities on land of the Crown on the coastal marine area	<p>It is not clear what this policy achieves that is not already provided for in the RMA.</p> <p>If the policy is to remain, further explanation of what constitutes “infrastructure of national importance” is required.</p>	<p>Suggest that this policy does not add any guidance it would be very difficult for council plans to provide for Crowns interest without further detail on what it is.</p> <p><b>Request removal of this policy.</b></p>
Policy 18- Crown interest in aquaculture activities	<p>As above, it is not clear what this policy achieves.</p> <p>We question the justification for providing Crown interest activities over others.</p>	<p>This policy does not add any guidance and is not helpful.</p> <p><b>Request removal of this policy.</b></p>
Policy 19- Amenity values	<p>Use of the term “natural sites”</p>	<p>If the correct interpretation of this policy is that the number of natural sites determine the amenity value this is conflicting with what many consider makes up amenity value. Many modified areas or areas with facilities are important for outdoor recreation.</p> <p><b>Reword policy or remove the term “natural sites”.</b></p>
Policy 20- Surf breaks of national significance	<p>This policy is out of place and not sufficiently justified.</p>	<p>Why identify nationally significant surf breaks but not other nationally significant natural features?</p> <p><b>Request removal of this policy.</b></p> <p>If the surf break policy is retained, it should relate to avoiding adverse effects on significant surf breaks rather than only identifying six sites.</p>

	Comment/Issue	Reason/Explanation
Policy 21- Cumulative effects	<p>General support but policy does not provide enough guidance for councils. Difficult and unsure of how councils are to give effect to this policy.</p> <p>Need clarification on what “coastal processes, resources or values that are under threat” would constitute.</p> <p>Use of targets to set thresholds difficult for councils as targets are not a tool under the RMA framework</p>	<p>We would like to see a commitment from central government to developing tools or standards for cumulative effect assessment. Developing consistent approaches to cumulative effects should be resourced at a national level.</p> <p><b>Central government commitment to working with councils in developing tools or standards for cumulative effect assessment required.</b></p>
Policy 22- Precedent effects	<p>The role of the Court in relation to precedent setting is very important here.</p> <p>The policy on precedent effects should not be limited to “similar” activities.</p>	<p>In general, the NZCPS, and particularly the S32 ignores the role of the Court as a Policy making body.</p> <p>It should also include “related” activities (e.g. land based development associated with a marina). The policy should include consideration of adverse effects on the environment as well as the undermining of policy statements and plans.</p> <p><b>Reword policy.</b></p>
Policy 24- Coastal occupation charging	<p>This policy does not offer any further guidance to councils over what is stated in the RMA.</p>	<p>See comments in Part I, <u>coastal occupation charging</u>. <i>Local Government New Zealand</i> support in particular individual councils submissions on this matter.</p> <p><b>We suggest a two year timeframe should be required for coastal occupation charging plan changes rather than a 1 year limit.</b></p> <p><b>The RMA is a more appropriate location for these timeframes rather than the NZCPS.</b></p>

	<b>Comment/Issue</b>	<b>Reason/Explanation</b>
Policy 25- Public or multiple use of structures on the coastal marine area	Already provided for in the RMA and established in case law on a firmer basis than this.	This policy will not address proliferation of structures in the CMA.  <b>Request removal of this policy</b>
Policy 26- Abandonment or redundant structures in the coastal marine area	Generally support the concept. Issues more around wording.	Wording consistency “coastal permit” not “resource consent”.  Important to note that councils can only require removal of abandoned or redundant structures where there is a consent, which means this policy will not address historical problems.  <b>Reword policy.</b>
Policy 27- Reclamation	Need to be clear that the activity is one occurring on the surface of the reclamation.  Also needs to be clarified that this policy is not needed in all situations e.g. ports.  Concern with (b) and (g) which appear to say the same thing.	          <b>Further clarification required.</b>
Policy 28- Rights vested in reclaimed land		Suggest that this policy be removed as not a RMA issue.  Some councils support retention of this policy due to cases where Minister of Conservation decisions on leases on reclamations have not been entirely consistent with the purpose for which the reclamation consent was granted.  If the policy is retained it should include a requirement on (b) and (c) to take into account the purpose for which a reclamation was given consent.  <b>Request removal of this policy.</b>

	Comment/Issue	Reason/Explanation
Policy 29- Financial contributions	Aspects of this policy are not well thought through and the direction suggested by the policy is unclear.	In particular, policies relating to financial contributions to offset adverse effects, is this a compensation type charge as opposed to a financial contribution?  Also concern with (d). Surely it is better to avoid the risks of hazards altogether?  <b>Further clarification on intent of policy required.</b>

### Natural Character

As mentioned earlier in comments on the Objectives we suggest that national character policies be split from policies on biodiversity (as per Matters of National Importance in Section 6 of the RMA).

This group of policies should be addressing 'national priorities' for preserving natural character of the coastal environment and should be providing guidance to help with weighing up national priorities and local considerations during planning and decision making under the RMA. These policies do not offer any real guidance to councils and are vague as to how councils are expected to implement or give effect to.

	Comment/Issue	Reason/Explanation
Policy 30- Integrity and functioning	Issues with wording choices in this policy and the ability of councils to give effect to it.	For example, "indigenous ecosystems", and what this actually means? Natural processes? More explanation required.  How do councils maintain, "natural substrate composition"? Are they expected to ban dredging?  <b>Further clarification required or removal of policy.</b>
Policy 31- Indigenous biological diversity	Biological diversity is a value in its own right not just as part of natural character.  We question why focus is on regionally significant indigenous communities when focus should be on matter of national priority  We support no longer singling	

	<p>out mangroves as a species to be protected (as in previous 1994 NZCPS).</p> <p>(iii) through to (v)- information gap, councils may not have the information available to implement these policies</p> <p>Clarification needed re: “indigenous community types” (v).</p> <p>We note that aspects of Policy 31 do not line up with the Governments own Statement of National Priorities for Protecting Rare and Threatened Biodiversity on Private Plan.</p>	<p>See also comments in Part 1, <u>context and linkages</u></p>
<p>Policy 32- Outstanding natural features and landscapes</p>	<p>The criteria reflect current case law and their relevance for every region have not been assessed.</p> <p>The list of identification criteria should be written with more flexibility, for example, “having regard to criteria including, but not limited to” rather than being a definitive list</p> <p>This policy should not make protection of outstanding natural features and landscapes dependant on natural character.</p>	<p><b>We support the comments made by the Auckland Regional Council on this policy in their submission.</b></p>

	<b>Comment/Issue</b>	<b>Reason/Explanation</b>
Policy 33- Appropriate location, density, and design of subdivision use, and development	<p>We query whether this policy is necessary.</p> <p>Suggest that covering this matter under policy 14 is more appropriate.</p> <p>It is not clear why the NZCPS needs to “promote” subdivision, use and development.</p> <p>It is not clear how this policy fits into the RMA framework and does not reflect section 6.</p>	<p><b>Request removal of this policy.</b></p>
Policy 34- Natural areas and features	<p>Already covered in previous policies (i.e. 30 and 32)</p> <p>The matters listed each have value and should be listed in the alternative (or) not cumulative (and).</p>	<p><b>Request that this policy be incorporated into Policy 30.</b></p>
Policy 35- Restoration of natural character	<p>Support the intent of the policy but general concern with how councils are expected to give effect to this policy.</p>	<p>For example, “restoring, creating, encouraging”. How are policy statements and plans vehicles for this type of activity?</p> <p><b>Further guidance required in an implementation plan on what is expected in order to give effect to.</b></p>

	Comment/Issue	Reason/Explanation
Policy 36- Assessment and protection of natural character	<p>There are very significant information requirements associated with this policy.</p> <p>The cost to councils of identifying these areas are likely to outweigh the benefits.</p> <p>Implementation concerns and further clarification required on the extent of “assess”</p>	<p>To implement this policy a vast amount of information would be required and there is very little national level guidance available.</p> <p>The policy uses the terms “all local authorities”, if this work is being done through a regional policy statement then territorial authorities should not need to double up on this work. Clearer guidance through implementation plan required.</p> <p><b>Further guidance required on what is expected of councils to give effect to this policy.</b></p>
Policy 37- Restricted Coastal Activities	<p><i>Local Government New Zealand</i> does not support Restricted Coastal Activities (RCAs). Please see comments made in Part 1 of this submission.</p> <p>We support the wording of policy 37 stating that the RCA criteria do not need to go through the RMA schedule 1 notification process.</p>	<p>However, if RCAs are to remain we seek to ensure that the transitional arrangements need to be entirely clear:</p> <ul style="list-style-type: none"> <li>• At which point in time the new criteria take effect</li> <li>• Applications in process need certainty, <i>Local Government New Zealand</i> would be opposed to changing the status of activities already in process as there could be significant administrative costs and delays associated with re-filing, re-notifying, and potential legality issues for any applications approved after the new RCAs take effect.<sup>2</sup></li> <li>• Need to be clear about what happens to existing rules in coastal plans that deem certain RCAs discretionary, non complying or prohibited</li> <li>• Need to be certain what happens to rules in plans that have raised thresholds.</li> </ul> <p><b>We seek a review of RCAs to ensure they are appropriate in terms of activities and thresholds.</b></p>

<sup>2</sup> When RMA amendments change processes they generally allow activities received under the current law to continue to resolution under the current law.

	Comment/Issue	Reason/Explanation
Policy 38- Maui dolphin	This policy is too species specific and should be removed.	<p>Councils do not have access to the information needed to give effect to this policy.</p> <p>Suggest that the word “relevant” be inserted in regard to regional coastal plans (not all regional coastal plans would be affected by this policy) however, our overall preference is for this policy to be removed.</p> <p>The Maui dolphin policy needs to be amended to state whether the map is to be included in plans with or without notification.</p> <p>The list of activities that may affect Maui dolphin is too vague and broad to be useful. It could cover every activity in a district plan, every stormwater discharge and all boating activities. More relevant activities such as sand mining and power generation structures are not mentioned.</p> <p><b>Request removal of this policy.</b></p>

### Public Access

	Comment/Issue	Reason/Explanation
Policy 39- Walking access as a national priority	We have concerns with the onerous nature of this policy. We do not consider the NZCPS the appropriate mechanism for walking access.	<p>See also comments in Part 1.</p> <p>In particular (d) through to (f). “Identifying” where the public have walking access and where it should be enhanced or restored can be very difficult and a very costly exercise. It is not always safe or practical for the public to have walking access to the coastal marine area. Many councils consider walking access under other types of policy development frameworks, for example through parks and reserve planning, walking strategies etc.</p> <p>It would be impractical and inefficient to give effect to this policy in policy statements and plans.</p> <p><b>We request the removal of (d) through to (f).</b></p>

	<b>Comment/Issue</b>	<b>Reason/Explanation</b>
Policy 40- Esplanade reserves and strips	Suggest that this policy is not appropriate in all situations (i.e. protection of natural values)	May possibly be addressed by adding text such as “unless inappropriate for the protection of other coastal values”.
Policy 41- Access enhancement	Do not consider the NZCPS an appropriate mechanism for these policies. Councils cannot give effect to this policy.	In particular, concerned with (c ), physical access for people with disabilities is not something that councils can provide for under the RMA.  As mentioned most councils undertake planning for access through other mechanisms. We consider these policies inappropriate for the NZCPS.  See also comments on Policy 39 and in Part 1, <u>legality and appropriateness of some policies</u> .  <b>Request removal of this policy.</b>
Policy 42- Vehicle access	<i>Local Government New Zealand</i> considers there are major implementation issues dealing with vehicles on beaches that are unable to be addressed in the NZCPS.	We believe these aspects is more appropriately addressed through bylaws or via other legislation (i.e. government clarifying the status of beaches as roads under the relevant land transport legislation).  <b>Request removal of this policy.</b>
Policy 43- Restrictions on access	Suggestion to add another policy: “(j) for short term events permitted by a coastal plan or resource consent”	

### **Water Quality**

We note that in the water quality section that water quality issues are generally catchment based. We question appropriateness of policies in an NZCPS extending right up into catchments and whether the NZCPS is the right vehicle for these initiatives. We also note the lack of linkages with other legislation and programmes. For example, the Water Programme of Action and the water National Policy Statement and National Environmental Standards.

	<b>Comment/Issue</b>	<b>Reason/Explanation</b>
Policy 44- Maintaining water quality	<p>This policy is generally covered by the RMA and adds confusion not clarity.</p> <p>The terms “high water quality” and “reasonable mixing” are unclear.</p>	<p>It should be stated how “high water quality” is determined. Is this an ecological criteria? What constitutes “reasonable mixing”?</p> <p><b>Request removal of this policy.</b></p>
Policy 45- Enhancement of water quality	<p>Wording too broad to give effect to.</p> <p>In some cases the priority areas identified in the policy would not be the most suitable for rehabilitation.</p>	<p>It could be argued that water quality has deteriorated pretty much everywhere. What is the baseline to bring it back to? How do you define?</p> <p><b>Further work needed to clarify this policy.</b></p>
Policy 46- Mixing zones	<p>The terms “large mixing zones” and “life supporting capacity” are unclear</p> <p>Concern with the wording of 46 (b) and the use of the term “life supporting capacity”.</p>	<p>Potential for this to trigger even the most minor adverse effects which is over and above what is currently provided for under the RMA.</p> <p><b>Further work needed to clarify this policy.</b></p>
Policy 48- Discharge of human sewage	<p>Suggest the removal of wording “without passing through land” which has been the subject of debate.</p> <p>Further clarification as to whether “human sewage” includes treated sewage.</p>	<p>If “without passing through land” is not removed from Policy 48, it should be amended to note that this requirement is to address tangata whenua concerns rather than water quality.</p> <p>The glossary, the policy and the schedule of the NZCPS should clearly state whether treated effluent is included in the term “human sewage”.</p> <p><b>Remove the wording “without passing through land”. Further clarification required on whether human sewage includes treated sewage.</b></p>

	Comment/Issue	Reason/Explanation
Policy 49- Stormwater discharges	Further guidance required	In terms of what “design options” should be promoted, or on how contaminant loading in stormwater should be reduced in terms of this policy.  <b>Further guidance required on how councils should translate this into district plan regulation.</b>
Policy 50- Ports and other marine facilities	Include the words “more than minor” after “avoid” in first sentence.  Policy 50 (b) “seabed” should be replaced with “substrate” to be consistent with other sections.  Policy needs to be directed at owners/operators	

## Coastal Hazards

*Local Government New Zealand* supports the intent of policies 51-54 and the focus on risk. However, we do have concerns about the cost of identifying hazard areas and the limited guidance from central government to do this work.

	Comment/Issue	Reason/Explanation
Policy 51- Identification of hazard risks	<p>We are concerned by the huge financial and resourcing costs on councils to undertake this work and the limited guidance and funding provided by central government.</p> <p>Concerns with councils “giving effect” to this within the required five year timeframe</p> <p>Potential for significant duplication of costs and litigation regarding assessment methodologies, particularly around climate change and sea level rise.</p> <p>Unclear with references to “high risk”.</p>	<p>See comments made in Part 1, of this submission. There needs to be an implementation package put together to address this work.</p> <p>Many councils will want to prioritise high risk areas and will not be able to fully implement this policy within five years.</p> <p>The NZCPS should address this by specifying central government responsibilities for providing the national level guidance referred to in policy 51(e).</p> <p>Is this high risk due to event probability, consequences or both?</p> <p><b>An implementation package needs to be put together, along with funding and commitment from central government to provide national guidance.</b></p>
Policy 52- Subdivision and development in areas of hazard risk	<p>Should be “policy statement and plans” in first sentence rather than “local authorities”</p> <p>Take out words “residential or commercial” in (a)</p>	<p>Other types of developments should also be avoided in coastal hazard areas. It is not clear why Policy 52 (a) refers to only “residential or commercial development” in risk areas.</p> <p><b>Recommended wording changes suggested</b></p>

	Comment/Issue	Reason/Explanation
Policy 53- Natural defences against hazards	<p>Should be “policy statement and plans” in first sentence rather than “local authorities”</p> <p>This policy is unclear and not thought through</p>	<p>Councils are required to state (in the RPS) which level of local authority is responsible for the control of the use of land in relation to natural hazards (RMAct 62(1)(i)). Therefore this Policy cannot say, “local authorities” in this instance. Should be policy statements and/or plans.</p> <p><u>Natural</u> processes <u>alter</u> natural protecting features. The policy is in essence asking councils to intervene in natural processes. This is not always the best option.</p> <p><b>Wording suggestion and more clarity needed around why and what natural features need protecting.</b></p>
Policy 54- Protection structures	General practical issues	<p>“Soft engineering solutions” advocated under Policy 54 (a) such as relocating roads are not always practical or affordable. Suggest the wording “where practical” or similar be included in (a).</p> <p>Support for the proposed policy but sometimes seawalls are required to protect esplanade reserves for the purpose of alongshore access. In these instances it is appropriate to build on the reserve which is contrary to (d). Rewording required.</p> <p>Policy 54 (c) may be overly onerous in requiring a costs and benefits analysis of a protection structure over a 100 year timeframe. In principle this is a good idea, but will have significant uncertainty and could be very costly to undertake. This point could be amended to: “(c) take into account the effects on the environment, and the overall costs and benefits, of any hazard protection measures over the anticipated life of the proposal”.</p> <p><b>Recommended wording changes suggested</b></p>

## Historic Heritage

	Comment/Issue	Reason/Explanation
Policy 55- Historic heritage identification and protection	<p>“Heritage assets important to region or district”, query this focus when it should be on matters of national priority.</p> <p>This policy is already being implemented as per requirements of RMA.</p>	<p><b>Does not add anything additional and should be removed.</b></p>
Policy 56- Historic heritage of significance to Maori	<p>Practical considerations of this policy need to be considered</p>	<p>“Identifying” sites with maori is a high cost to councils and is only possible where tangata whenua are willing to engage.</p> <p><b>Redraft this policy to reflect this work is only required when there is a willingness to engage.</b></p>
Policy 57- Collaborative management of historic heritage	<p>Should possibly link with Policy 6 on integration</p>	

## Schedule I

56. We oppose the number of small scale activities that will be caught by the criteria in this schedule and the lowering of thresholds.

57. Section 58(e) of the RMA refers to the NZCPS listing types of activities which have or are likely to have a “significant or irreversible adverse effect” on the coastal marine area. Many of the activities listed in this schedule will not create significant or irreversible adverse effects.

58. Many of these activities would currently be non-notified applications and processed within 20 working days. By listing in the schedule, the NZCPS is forcing them to be notified, go to hearings and wait for ministerial approval.

59. There is no cost benefit information available for the last 15 years of RCA processing and no justification in the Section 32 analysis for the NZCPS to include RCAs.

60. *Local Government New Zealand* would like to see a review of RCAs including an adequate cost benefit analysis justifying each activity and threshold.

#### **Schedule II**

61. See comments in Part 1 of this submission on Coastal Occupation Charging and comments on Policy 24 in Part 2. *Local Government New Zealand* supports individual councils submissions on this matter and in particular supports the comments made by the Auckland Regional Council on Schedule II in their submission.

#### **Schedule III**

62. We request that Policy 28 be removed.

#### **Schedule IV**

63. See comments on Policy 38.

#### **CONCLUSION**

64. *Local Government New Zealand* supports the review of the NZCPS and thanks the Board of Inquiry for the opportunity to comment on the Proposed NZCPS.

65. Generally issues and concerns for local government fall into two categories. The first being issues around implementation and the ability of councils to give effect to policies. One of the main concerns in this area is the financial cost to councils of giving effect to the Proposed NZCPS. In particular, the major information requirements and research expenditure for policies: 21- Cumulative effects; 31- Indigenous biological diversity; 36- Assessment and protection of natural character and 51- Identification of hazard risks.

66. The NZCPS needs to be accompanied by a statement of the Governments intent to put together an implementation package. An implementation package should include:

- priorities for implementation of the NZCPS

- further guidance on responsibilities for regional councils, territorial authorities, central government agencies and other parties
- the government's intention to provide further guidance on climate change, sea levels and methodologies for identification of hazard risks
- the government's commitment to resourcing and funding to help councils implement some of the policies, in particular the policies on coastal hazards
- any further clarification or explanation required on the interpretation of policies
- a policy by policy consideration of how councils could "give effect to" each policy

67. Within the NZCPS itself there needs to be greater linkages to other National Policy Statements, strategies and legislation. Also, clarity and use of section 55 (2A)(b) so councils do not have to undertake a first schedule process for plan changes. We also suggest that the timing for giving effect to the NZCPS be extended from 5 years to 10 years.

68. The second category of issues for local government are concerns with the scope, appropriateness and justification for some of the policies. *Local Government New Zealand* is concerned that the Proposed NZCPS is going beyond the scope of what can be included in an NZCPS, in particular policies: Policy 14 (location of subdivision and development), Policy 15 (form of subdivision and development), Policy 39 (walking access), Policy 41 (access enhancement) and Policy 42 (vehicle access). We ask that a number of these policies be removed.

69. We are concerned with the limited justification and reasoning behind many of the objectives and policies in the Section 32 analysis and would like a full review of Restricted Coastal Activities including an adequate cost benefit analysis justifying each activity and threshold.

70. *Local Government New Zealand* is disappointed that the Proposed NZCPS offers no further guidance to councils on Coastal Occupation Charging. We ask the Board of Inquiry to recommend urgent review of legislation in the RMA relating to Coastal Occupation Charging.

71. As a final point, we note the need for a national framework and strategy for monitoring the NZCPS. We have concern that councils will bear the load in terms of monitoring. Central government commitment to monitoring a national policy is critical and must be clearly articulated through the preparation of a national framework for monitoring of the NZCPS.

72. *Local Government New Zealand* wishes to be heard in support of this submission.