

Strategic Direction for the Review of the Regional Coastal Plan for Southland

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Introduction

1. Southland's vast coastline is valued for a range of ecological, cultural, social, historical, and economic reasons. In the 21 years since the Regional Coastal Plan for Southland 2013 was notified, coastal resource use, the coastal environment, and the legislative framework applying to the coast has changed. The Coastal Plan has not kept up, and it is no longer protecting all of our coastal values. The Plan needs to be reviewed and updated, and this Strategic Direction sets out the proposed pathway for the review.
2. This Strategic Direction is the result of analysis and discussion about significant issues facing the Southland coast. It is designed to address significant coastal issues and changing expectations around coastal resource management. It sets a baseline for change, while recognising that Southlanders have aspirations for the coast to achieve more than 'the minimum' required by law.
3. Feedback received on [discussion papers](#) that informed this Strategic Direction, emphasised the need for greater protection of natural resources in the coastal marine area. This will require changes to how the coast is managed. To achieve a healthy and well-functioning coastal environment, commitment to change is required from all users of the coast. Preservation of Southlander's values for the coast cannot be achieved by regulation alone, but can be attained through a shared common view of where we want to go and communities embracing the changes critical to achieving success.
4. This Strategic Direction has been developed with the four 'wellbeings' of the Resource Management Act 1991 (RMA) in mind; environmental, social, economic, and cultural. These are the cornerstones in developing a new Coastal Plan that provides diverse opportunities for people to make a living while preserving a healthy coastal environment. In line with the RMA, where coastal values have been compromised or are at risk, this Strategic Direction prioritises the environmental needs of the coast in order to protect the resource. This approach recognises that 'tipping points' exist in the overuse of resources, and once these thresholds are met, coastal landscapes, natural character, and ecosystems may be permanently damaged, compromising their ability to provide for other wellbeings.
5. This Strategic Direction seeks to guide the development of a new Coastal Plan in a way that encompasses the Ngāi Tahu philosophy of 'ki uta ki tai'. This recognises that the water and land, from the mountains to the sea, is interconnected and must be managed holistically across all natural resources, including indigenous biodiversity, air, water (fresh and sea water), land, natural habitats, and ecosystems. The need for an integrated approach is particularly important in the coastal environment for issues such as natural hazards, where the risks extend beyond the coastal marine area, and water quality, where sensitive estuarine environments receive nutrients and sediment from the land.
6. This Strategic Direction embeds the concept of kaitiakitanga, to ensure the current review of the Coastal Plan provides for the protection, restoration, and enhancement of our coastal areas and values now and into the future. The review of the Coastal Plan will be undertaken in partnership between Environment Southland and Ngāi Tahu ki Murihiku to support the development of provisions that reflect the spiritual, cultural, and mahinga kai values of tangata whenua.

Background

Southland's Coastal Marine Area

7. Southland's coastline is 3,400 km long, the longest of any region in New Zealand. It extends from Fiordland in the west (Awarua Point) round the south coast to the Catlins in the east (Waiparau Head) and includes the coast of Stewart Island/Rakiura and other nearby islands. Southland's coastal waters total 23,110 sq km.¹ These lie in the Tasman Sea, Foveaux Strait/Te Ara a Kiwa, and the Southern and Pacific Oceans. The outer boundary of Southland's coastal marine area is the edge of New Zealand's territorial sea, at 12 nautical miles from shore (22.2km); generally on land the line is the average spring tide high water mark – known as mean high water springs.
8. Most of Southland's coastal waters are no more than 200m deep, except for the area directly west of Fiordland where the continental shelf is close to the land edge, and depths drop quickly to more than 4000m. The strait between Stewart Island/Rakiura and the South Island is 10 nautical miles at its narrowest point, although small islands narrow this further to six nautical miles. Foveaux Strait/Te Ara a Kiwa is never deeper than 60m. Approximately 78% of the coastline is adjacent to land administered by the Department of Conservation.
9. The coastal marine area is an important habitat for numerous species of plants and animals, some of which are nationally and internationally significant. Significant biological communities in coastal areas include those supported by sand dune systems and marine reefs, as well as those in lagoons and estuaries, the rocky shore, and open water.² There are currently 11 marine reserves, seven mātaihai reserves, two marine mammal sanctuaries and 23 'china shops'³ within Southland's coastal marine area.
10. Historically, the coast has been very important to Southland, providing food for early Māori and European settlers, creating trade opportunities (sealing, whaling, and fishing), and enabling transport of Southland produce (including meat, wool, and dairy products) overseas.
11. Today, Southlanders' connection to the coast remains significant, with 54 percent of the population (approximately 50,000 people) living within five kilometres of the sea.⁴ The Southland coastal marine area is valued for a variety of reasons including recreation (such as swimming, surfing, and boating), commercial purposes (for example, fishing and aquaculture), and to house critical infrastructure (such as port facilities). The coast has immense spiritual, historical, cultural, and traditional importance for Ngāi Tahu as tangata whenua.

¹ Southland's land area covers 34,000 sq km, although more than half (53%) is conservation land.

² Further information about ecosystems in the Southland coast is available on Environment Southland's website: <https://www.es.govt.nz/document-library/plans-policies-and-strategies/regional-plans/Pages/Coastal-plan.aspx>

³ 'China shops' are identified and defined in the Fiordland Marine Conservation Strategy. They include small discrete areas that are outstanding for the abundance and/or diversity of animal communities, mixed animal and plant communities or particular animal species.

⁴ 2006 Census data. http://archive.stats.govt.nz/browse_for_stats/population/Migration/internal-migration/are-nzs-living-closer-to-coast.aspx

Statutory Responsibility

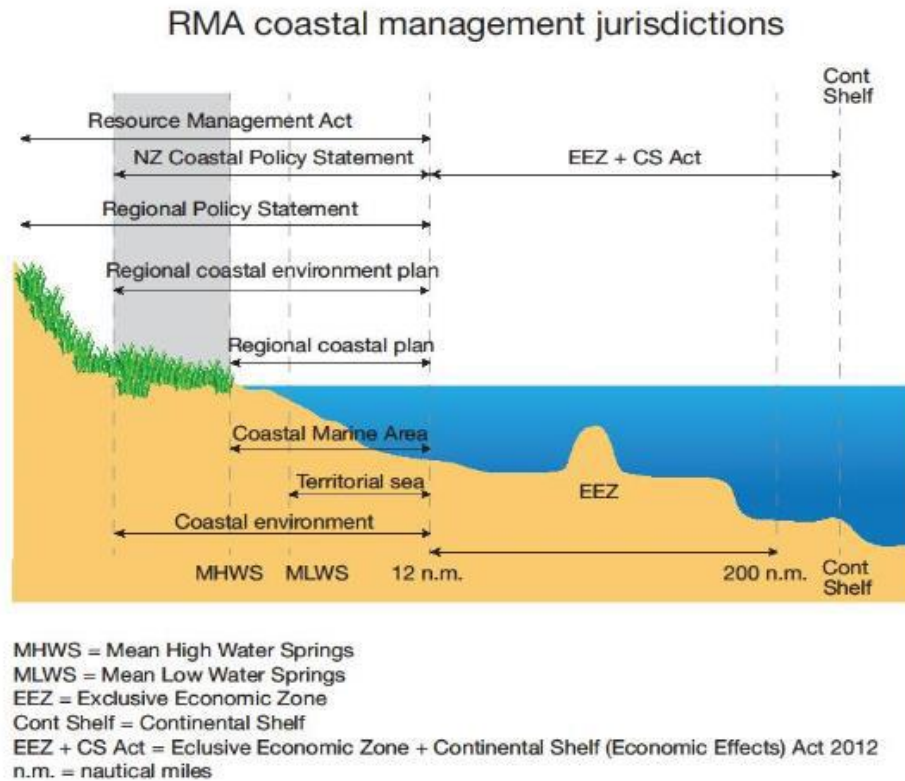
12. Environment Southland has a statutory obligation, under the RMA, to sustainably manage the coastal marine area and, among other matters, must:
 - preserve the natural character of the coastal environment and protect it from inappropriate use and development;
 - protect outstanding natural features and landscapes from inappropriate use and development;
 - protect areas of significant indigenous vegetation and significant habitats of indigenous fauna;
 - maintain and enhance public access to the coastal marine area; and
 - manage significant risks from natural hazards.
13. To achieve sustainable management of the coast, Environment Southland is required to prepare and implement a regional coastal plan that applies to the coastal marine area. The Regional Coastal Plan for Southland was notified in 1997 and the provisions (except Chapter 15: Marine Farming) became operative in 2006. The Marine Farming Chapter became operative in 2013, and four plan changes have been made since 2012.⁵
14. Under section 79 of the RMA, Environment Southland must commence a review of provisions in the Coastal Plan, if the provisions have not been reviewed or changed in the previous 10 years. Environment Southland is reviewing the whole Coastal Plan, including the provisions that are less than 10 years old, as it is more cost-effective and efficient to review the whole Plan at once. A complete review will also ensure internal consistency within the Plan.

Connections

15. The legislative framework for the coastal marine environment is complex and intersecting – it is managed by at least 25 pieces of legislation and 14 government agencies. Organisations with a statutory role in the management of the coastal environment include the Department of Conservation, Southland District Council, Invercargill City Council, Te Ao Marama Inc, Southland Conservation Board, the Fiordland Marine Guardians, and the Ministry for Primary Industries.
16. Work programmes within Environment Southland, such as the review of the Cruise Ship Deed of Agreement and the Fiordland Marine Pathway Plan implementation, and those that sit outside Environment Southland, such as the review of the Fiordland National Park Management Plan, the Milford Opportunities Project, and the Cruise Ship Strategy, have linkages with the review of the Coastal Plan. Some of the projects, such as the review of the Fiordland National Park Management Plan, will benefit from synchronicity with the new Coastal Plan, while others like the Fiordland Marine Pathway Plan can be aligned (if required) once the Plan is made operative.
17. Important management issues for the coastal marine area such as coastal hazards, public access, and water quality, cannot be effectively managed in isolation from the land above mean high water springs (the edge of the coastal marine area). The New Zealand Coastal

⁵ Plan Change 1: Oreti Beach speed limit for temporary exclusive occupation events; Plan Change 2: Vessel use in Fiordland and Stewart Island for agency, research and environmental clean-up purposes; Plan Change 3: Deep Cove mooring areas and berthage space; Plan Change 4: Lower Oreti River recreational activity provisions.

Policy Statement 2010 (NZCPS) applies to the whole coastal environment⁶ and it requires that the natural and physical resources in the coastal environment are managed in an integrated way, particularly in regards to activities that cross administrative boundaries. The new Coastal Plan will need to be integrated with Environment Southland's other regional plans regardless of whether the Plan applies only to the coastal marine area, or to the wider coastal environment.



Why a Strategic Direction?

18. This Strategic Direction has been developed to highlight key management considerations for the review, expedite the process by addressing significant issues upfront, and ensure transparency around Environment Southland's proposed management approach for the coast.
19. This Strategic Direction is non-regulatory and it does not restrict Environment Southland responding to additional management issues as the scientific, technical, and consultative aspects of the review progress. However, it presents Environment Southland's intent and commitment to implement the NZCPS and the Southland Regional Policy Statement 2017 (SRPS) which have clear direction on coastal management issues.
20. In addition, by setting out the challenges and the expectations for the Southland coast early in the review process, conversations can start immediately with stakeholders and the wider public about management of the Southland coastal environment.

⁶ The inland limit of the coastal environment varies from location to location, but includes areas where coastal processes, influences, or qualities are significant.

Goal

21. The goal of this Strategic Direction is to highlight significant issues facing the Southland coastal marine area and signal Environment Southland's preferred management approach to the issues. At this early stage of the review, a minimum approach is outlined, with opportunities to do more than the minimum suggested for further consideration.
22. Ultimately this Strategic Direction will contribute to a comprehensive review of the operative Coastal Plan, and the subsequent development of a new, effective and efficient Coastal Plan that meets Environment Southland's statutory responsibilities. In particular, the new Coastal Plan will be clear, coherent, directive, in-line with higher order legislative and planning documents, with clear environmental outcomes.

Issues

23. This Strategic Direction highlights ten significant issues facing the Southland coastal marine area. Issues were identified through the development of four discussion papers on marine aquaculture, coastal hazards, coastal ecosystems and water quality, and use and development in the coastal marine area. Key stakeholders⁷ provided feedback on the papers which also helped to identify significant issues. The list is not exhaustive, and it is anticipated that additional issues of significance will be identified during the course of the review.
- a. **Misalignment with national policy and planning documents** – the Coastal Plan became operative before the NZCPS and the SRPS were developed. As such, a primary issue with the Coastal Plan is that it does not give full effect to these planning documents, as well as some national policy statements and national environmental standards. There have also been changes to legislation, such as the RMA, that are relevant to the Coastal Plan review. This misalignment drives activity-specific issues (as noted below) as well as influencing the available options to address the issues.
 - b. **Descriptive rather than directive** – the Coastal Plan contains chapters on various matters including values, principles, and general matters that provide information and guidance but have no direct relationship to the rules in the Plan. As a result the Coastal Plan is an unwieldy 646 pages in length, but is mostly descriptive rather than directive. For example, even though cumulative effects is a fundamental principle, the provisions around cumulative effects are not directive, which places at risk the intrinsic values of the coastal marine area.
 - c. **Permissive rather than precautionary** – the NZCPS requires a precautionary approach for activities whose effects on the coastal environment are uncertain, unknown, or little understood, but potentially significantly adverse. There are many gaps in our understanding of how activities may impact coastal ecosystems, natural character, or natural features and landscapes. The operative Coastal Plan lacks strength in provisions that manage activities with potentially significant effects on the coast.
 - d. **Location of marine aquaculture** – under the Coastal Plan, marine farming is a prohibited activity in Fiordland, parts of Bluff Harbour, and parts of Stewart Island. Marine farming in areas other than those specifically prohibited is a discretionary activity. The NZCPS requires activities, including proposed marine aquaculture activities, to avoid adverse effects on outstanding natural features and landscapes, and outstanding natural character. All of Fiordland and Stewart Island/Rakiura (except Oban/Halfmoon Bay, Big Glory Bay, and Horseshoe Bay) have been identified as outstanding natural features and landscapes and outstanding natural character.⁸
 - e. **Coastal hazard risk** – Chapter 12 of the Coastal Plan addresses coastal processes and protection works, but the provisions are not fit-for-purpose as they were developed before a lot of information on the impacts of climate change was available. The Southland coast is vulnerable to sea level rise, storm surges, erosion, and tsunami. The

⁷ The Department of Conservation, Invercargill City Council, Southland District Council, Te Ao Marama Inc, Southland Conservation Board, and the Fiordland Marine Guardians. Otago Regional Council and Venture Southland were also included on the key stakeholder list to provide a broader perspective on regional coastal issues. Milford Sound Tourism Ltd, RealJourneys, and Meridian Energy provided feedback on the use and development discussion paper.

⁸ Environment Southland commissioned two studies that have identified and mapped natural features and landscapes and natural character in the coastal environment. Further work is required to ground-truth the findings.

ability to understand the probability and impact of the risks and the impact of climate change is hindered by a lack of understanding of coastal processes and inadequate fine-scale mapping of the Southland coastal environment. This makes planning for the future of our coastal areas, including preparedness for coastal hazards, very difficult.

- f. The destruction of juvenile toheroa** – the Coastal Plan notes that toheroa beds on Oreti Beach are of national significance, and damage caused to the beds by vehicles on the beach is a key issue. The Plan requires vehicles do not exceed 30 kilometres per hour or be heavier than 3.5 tonne in gross weight on Oreti Beach as a permitted activity. However, this does not prevent juvenile toheroa being crushed as a result of vehicles on Oreti Beach. Young toheroa settle at the top of the high tide mark, just beneath the beach surface, which makes them vulnerable to all vehicle traffic. Research from 2016/17 found a minimum mortality rate of 72 percent for juvenile toheroa as a result of racing on Oreti Beach for the Burt Munro Challenge beach race.⁹ The race track has since been shifted to a part of the beach with less toheroa;
- g. Decline of coastal ecosystems and water quality** – the Coastal Plan has a chapter on Estuaries and one on Coastal Water. The Estuaries chapter does not have any rules, although the Objective is “to maintain and enhance the natural values of estuarine areas”. The rules in the Coastal Water chapter are lenient and out-of-date, for example the discharge of human sewage to the coastal marine area is a discretionary activity, and the discharge of contaminants to water within the Bluff Port Zone as a result of from port activities is a permitted activity, subject to written agreement from Environment Southland. Non-point source discharges are not regulated in the Coastal Water chapter, instead Policy 7.3.9.2 calls for a strategy to be developed. Excess nutrients and fine sediments are causing degradation in Southland estuaries, and adversely affecting mahinga kai species. Significant marine biodiversity can also be sensitive to water quality and ecosystem changes. The following table provides an overview of estuary condition scores for the estuaries that Environment Southland monitors.¹⁰ The two most compromised estuaries in Southland are Jacob’s River and New River.

	soft mud	nutrients in sediment	RPD layer	macroalgae cover	sea grass loss	GEZ
Waiau	poor	poor	fair	fair	NA	NA
New River Estuary	poor	poor	poor	poor	poor	poor
Jacobs River Estuary	poor	fair	poor	poor	poor	poor
Waikawa	poor	fair	poor	good	very good	good
Haldane	poor	very good	very good	very good	very good	very good
Freshwater Estuary	very good	very good	good	good	very good	very good
Toetoes (Fortrose)	good	?	good	fair	very good	good
Waimatuku	good	fair	fair	fair	NA	NA

■ very good ■ good ■ fair ■ poor
 GEZ (gross eutrophic conditions) = combination of shallow RPD layer + >50% macroalgae cover + high mud content
 ? = no rating available

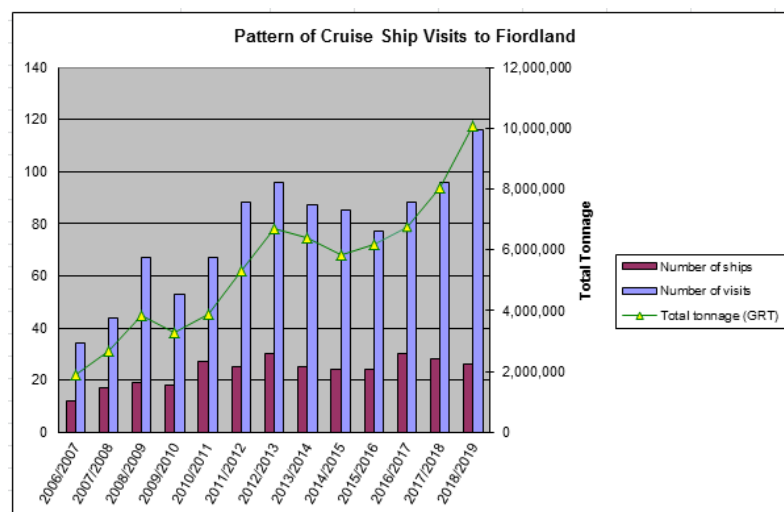
⁹ Berkenbusch, K., & Neubauer, P. (2018). Distribution and abundance of toheroa at Oreti Beach, Murihiku/Southland, 2016–17. *New Zealand Fisheries Assessment Report, 2018/26*.

¹⁰ The background colours indicate how sensitive the estuary systems are to eutrophication, with Waiau being the most sensitive.

Bacterial contamination of freshwater also has a significant impact on coastal water quality. In 2016, seven of the eight recreational shellfish gathering area sites monitored for faecal bacteria had between 16% and 57% of all samples breaching the Ministry for the Environment guidelines (increased health risk for consumption). Bluff Harbour is classified as ‘restricted’ for commercially harvested shellfish by the Ministry for Primary Industries because of unpredictable pollution events and potential vessel discharges. This means that shellfish can no longer be sold direct for human consumption from the harbour.

- h. **Valuable anchorages are compromised** – the establishment of moorings is permitted in most anchorages under the Coastal Plan, subject to certain conditions such as labelling the mooring and informing Environment Southland about the placement. Important anchorages, particularly in Fiordland, are becoming over-crowded and dangerous due to non-compliant or poorly planned moorings. An associated issue is floating storage, accommodation and barges which use valuable mooring space on a permanent or semi-permanent basis.

- i. **The impact of tourism on Milford Sound** – The impact of tourism, particularly on natural character, was identified as a key issue for Fiordland in the Coastal Plan. The provisions in the Plan attempted to balance the use of Fiordland with the preservation of its natural character and outstanding natural features and landscapes by ensuring that “commercial and non-commercial use, of any given area of Fiordland...is compatible with its carrying capacity”. However, the Plan explicitly placed no limit on the amount of commercial surface water activities that could take place in Milford Sound. Since 2005, Milford Sound total visitor numbers have increased from around 450,000, to an estimated 850,000-900,000 in 2018/19.¹¹ Boat cruises are the most popular tourist activity, and over the last 10 years cruising passenger numbers have increased by 135 percent.¹² Milford Sound Tourism is expecting approximately 850,000 cruise passengers in 2018/19. Milford Sound’s Freshwater Basin Harbour is one of the busiest in New Zealand in summer, with around 150 vessel movements per day. In addition, the number of international cruise ships scheduled to visit Fiordland waters may increase by over 240 percent in 12 years, as shown in the following table.¹³



¹¹ Data from the Department of Conservation and Milford Sound Tourism.

¹² Data from Milford Sound Tourism.

¹³ Data sourced from the Harbourmaster.

Continued intensification of surface water activities in Milford Sound is likely to have an adverse effect on the environment (for example, diminishing the outstanding natural character and outstanding natural features and landscapes, increasing congestion/pollution and loss of remoteness/wilderness values).

- j. **Carrying capacity/limits of acceptable change** – areas of the coastal marine area, particularly in Fiordland, have a limit to the number of vessels and people they can accommodate without having adverse effects on the environment. However, the Coastal Plan only places restrictions on commercial surface water activity in Doubtful, Bradshaw, and Thompson Sounds.

Objectives

24. For most of the issues identified, there are a range of management approaches available. The following sections identify a minimum management approach that would meet the requirements of the RMA and higher order planning documents.
25. The table also outlines some opportunities for Environment Southland and the public to go beyond a 'minimum' approach, for Southland's coastal environment. These opportunities generally focus on the protection of natural character and ecosystem values, and could result in additional restrictions on activities that affect the coastal marine environment.
26. As the review of the Coastal Plan develops, Environment Southland and Te Ao Marama Inc will further consider opportunities for additional protection and preservation measures for the Southland coast. Ultimately, the type of management approach preferred, will vary depending on the issue, the effect on the coastal marine area, and the environmental, social, cultural, and economic impacts.

a. Misalignment with national policy and planning documents

Minimum approach

27. Coastal Plan provisions that do not give effect to national policy and planning documents will be deleted or amended, for example, the coastal processes and protection works provisions will need significant amendment. New or additional provisions will be drafted to ensure consistency with higher order planning documents, national policy statements and national environmental standards, as well as all relevant legislation.

Rationale – Coastal Plans must give effect to the RMA and higher order national policy and planning documents.

Additional opportunities

28. The Coastal Plan review will consider additional restrictions for activities that cause, or may cause, significant adverse effects in line with the direction of higher order planning documents.

b. Descriptive rather than directive

Minimum approach

29. The superfluous content (such as terms and conditions of consents and information to be submitted with a coastal permit application) will be removed, reducing the new Coastal Plan to issues, objectives, policies, rules, and relevant appendices, similar to the proposed Southland Water and Land Plan. The remaining content will be directive, so that the intent of policies can be understood without reference to non-regulatory parts of the Plan. The structure will conform to the National Planning Standards template, which will be finalised in April 2019.

Rationale – Eliminating unnecessary content will make the Plan easier to understand and simpler to navigate.

Additional opportunities

30. If there is merit in retaining some of the deleted content outside of the Plan, for example the values of the coast, a non-regulatory reference document could be developed that contains general information on the Southland coast.

c. Permissive rather than precautionary

Minimum approach

31. The new Coastal Plan will give effect to the NZCPS by adopting a precautionary approach to proposed activities whose effects on the coastal environment are uncertain, unknown, or little understood, but potentially significantly adverse. At this stage of the review, potential activities to be treated with caution, have not yet been identified. As the review progresses, any such activities will be identified, for specific consideration in line with the intent of the NZCPS.

<p>Rationale – The NZCPS requires a precautionary approach (Policy 3) where adverse effects are uncertain/unknown, but may be significant.</p>

Additional opportunities

32. Prohibited activity statuses could be used to manage activities with potentially significant, adverse effects.

d. Location of marine aquaculture

Minimum approach

33. The new Coastal Plan will have strong policy direction and methods to ensure that proposed marine aquaculture activities avoid adverse effects in locations in and adjacent to areas of outstanding natural character and outstanding natural features and landscapes. Environment Southland commissioned two studies that have identified and mapped natural features and landscapes and natural character in the coastal environment, which indicate the extent of Southland's outstanding and other coastal landscapes. Further work is required to ground-truth the findings.
34. In 2017, the Government consulted on a proposed National Environmental Standard for Marine Aquaculture. The Standard covered consenting for existing marine farms as well as best practice biosecurity management. A decision on the proposed Standard is due this year.

<p>Rationale – Policies 13 and 15 of the NZCPS require adverse effects of activities to be avoided on outstanding natural character and outstanding natural features and landscapes. Further, significant adverse effects of activities must be avoided in all other areas, and all other natural features and landscapes. The Supreme Court's decision in King Salmon, and subsequent court decisions, found that these two policies must be given effect to by proposed planning documents, and that a council cannot rely on Part 2 of the RMA (i.e. by applying an overall broad judgement approach) to avoid giving effect to directive provisions in higher order planning documents. The Court also found that the use of 'avoid' in the NZCPS has its ordinary meaning of 'not allow' or 'prevent the occurrence of'.</p>
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Additional opportunities

35. The new Coastal Plan could prohibit aquaculture in locations in and adjacent to areas of outstanding natural character and outstanding natural features and landscapes. This would mean resource consent is not available for such activities.

e. Coastal hazard risk

Minimum approach

36. The new Coastal Plan will identify coastal hazard areas and risk over at least 100 years through mapping. This will be undertaken in conjunction with territorial authorities, as coastal hazard risks extend beyond the coastal marine area. In areas affected by coastal hazards, the new Plan will avoid increasing the risk of social, environmental, cultural and economic harm from coastal hazards. It will also enable new hard protection structures to be considered when there are no practical alternatives.

Rationale – The NZCPS requires the identification of coastal hazards, giving priority to areas at high risk of being affected. Hazards risks over at least 100 years need to be assessed (Policy 24). In areas potentially affected by coastal hazards, the NZCPS requires avoiding increasing the risk of social, environmental, and economic harm from coastal hazards (Policy 25). The NZCPS provides strategies for reducing coastal hazard risk, and sends a clear message that hard protection structures should only be considered where necessary (Policy 27).

Additional opportunities

37. The review could consider strategies for managing coastal hazard risk, such as ‘Dynamic Adaptive Pathways Planning’ which has a range of options from ‘do nothing’ to ‘managed retreat’, depending on the hazard risk threshold that could be established.

f. The destruction of juvenile toheroa

Minimum approach

38. The new Coastal Plan will prohibit vehicles accessing the southern end of Oreti Beach. The area would extend north from the New River Estuary entrance, one to two kilometres along the beach, and range from the toe of the sand dunes down to the low tide mark.

Rationale – The NZCPS requires that vehicle access to beaches is controlled where damage, harm, or disturbance may result (Policy 20). The NZCPS also requires that adverse effects of activities on “habitats of indigenous species where the species...are naturally rare” are avoided (Policy 11).

Toheroa are culturally significant, and treasured as kai moana. As a result of substantial fishing pressure, toheroa populations declined significantly with little recovery over the last 30 years. Oreti Beach supports one of the largest toheroa populations in New Zealand, and the southern end of the beach is particularly important for juvenile toheroa, with markedly fewer juveniles occurring in other areas. The 2016/17 survey of Oreti Beach showed a large increase in juvenile toheroa numbers which is encouraging. Further improvements in the toheroa population can be made by protecting the habitat.

Additional opportunities

39. The review could consider additional restrictions on vehicles access to Oreti Beach to protect toheroa in other areas, improve amenity, reduce health and safety concerns, provide additional protection for sand dunes, and reduce littering.

g. Decline of coastal ecosystems and water quality

Minimum approach

40. The new Coastal Plan, in conjunction with the proposed Southland Water and Land Plan, will maintain, or improve where degraded, coastal ecosystems and water quality. This will contribute to healthy and abundant mahinga kai species and the protection of indigenous biodiversity in the coastal environment. A range of methods will be required to support healthy coastal ecosystems and good water quality, and the focus in the Coastal Plan will be on:
- Point source discharges to the coastal marine environment, including stormwater and wastewater;
 - Run-off from urban, industrial, commercial, and rural land into the coastal marine environment;
 - Discharges from activities within the coastal marine environment; and
 - Leaching from contaminated land within the coastal marine area.
41. In terms of the proposed Southland Water and Land Plan, the limit-setting process and implementation will aim to maintain water quality by managing nutrient and sediment loads received by sensitive estuarine environments.

Rationale – The NZCPS requires the protection of indigenous biological diversity in the coastal environment and the enhancement of water quality where it has deteriorated. In addition, the NZCPS requires reduced sediment loads and the management of contaminant discharges to avoid significant adverse effects. The preservation of natural character under the NZCPS includes matters such as natural processes, and biophysical and ecological aspects.

Policy 21 of the NZCPS also requires that “priority is given to improving water where the quality of water in the coastal environment has deteriorated so that it is having a significant adverse effect on ecosystems, natural habitats...”

The National Policy Statement on Freshwater Management 2014 (NPS-FM) requires councils to manage the effects of freshwater on the coastal environment. Amendments to the National Policy Statement in 2017 clarified the importance of coastal water quality by requiring regional councils to appropriately consider nutrient sensitive downstream receiving environments, such as estuaries, when setting freshwater nutrient concentrations for periphyton. Environment Southland has included Southland estuaries within the boundaries of the freshwater management units for the purposes of the catchment limit-setting process under the NPS-FM.

Additional opportunities

42. Preliminary research has been undertaken to identify potential sites of significant indigenous biodiversity in the coastal environment. Further work is required to ground-truth the findings and establish a baseline understanding of coastal biodiversity values.

h. Valuable anchorages are compromised

Minimum approach

43. The new Coastal Plan will require resource consent for new moorings in high-value anchorages and strongly discourage the mooring of structures/barges/vessels on a permanent or semi-permanent basis in valuable anchorages.

Rationale – A permissive approach in the operative Coastal Plan has not been successful, resulting in unnamed and unmarked moorings which is creating safety and space issues in valuable anchorage areas.

The use of the coastal marine area for permanent floating storage and accommodation is inappropriate and inconsistent with the NZCPS. As well as safety and space impacts, these structures and vessels can have significant adverse effects on the landscape.

Additional opportunities

44. The review will investigate whether moorings in lower demand anchorages should also require consent. The review could consider spatial plans for anchorages which would establish appropriate capacity for each anchorage, including the number and location of moorings. Non-complying moorings could be prohibited and a requirement to remove these moorings could be included in the Plan.
45. The permanent or semi-permanent mooring of structures/barges/vessels in valuable anchorages or those with limited capacity, could be prohibited.

i. The impact of tourism on Milford Sound

Minimum approach

46. The new Coastal Plan will have strong policy direction and methods to ensure that commercial surface water activities avoid adverse effects on Milford Sound's outstanding natural features and landscape, and outstanding natural character.

Rationale – As noted above, the NZCPS requires adverse effects on areas of the coastal environment with outstanding natural character and outstanding natural features and landscapes to be avoided.

While the effect of incremental increases in tourist numbers and boat trips is difficult to determine with certainty, as noted above the NZCPS requires a precautionary approach be taken in terms of proposed activities whose effects on the coastal environment are uncertain but potentially significant.

In addition to landscape values, several other matters support the need for limits around surface water activities in Milford Sound:

- Infrastructure – Freshwater Basin and Deepwater Basin cannot accommodate additional boats, and the carpark is at capacity in summer. Milford Sound Tourism has imposed an

- effective moratorium on additional boats in Freshwater Basin due to safety concerns;
- Natural hazards – the risk of natural hazards (for example, earthquake, landslides, floods, tsunami) in Milford Sound is high and the potential impact catastrophic;
 - Wildlife – dolphins, seals, and whales as well as other marine and terrestrial animals visit, live in, and have feeding areas in Milford Sound. Some species may be adversely impacted by a large number of vessel movements.

Additional opportunities

47. The review will investigate the most appropriate way to protect the values of Milford Sound. Given landscape values are at risk of being diminished by unrestricted commercial use, the simplest way to avoid additional adverse effects on Milford Sound is to prohibit new or expanded commercial surface water activities, which would maintain current levels of commercial use. Other management options include limiting vessel numbers, cruise trips, and passenger numbers, or spreading peak demand across seasons and throughout the day.

j. Carrying capacity/ limits of acceptable change

Minimum approach

48. The new Coastal Plan will create a framework for managing commercial surface water activities for all of the fiords (excluding Milford Sound, discussed above) similar to Doubtful, Bradshaw, and Thompson Sounds. The management framework would limit the number of commercial vessel movements to preserve wilderness and remoteness values, and exclude commercial vessels from some areas/arms with particularly important values, such as habitat areas for protected species.
49. The new Coastal Plan will establish appropriate limits on international cruise vessels in Fiordland, in terms of both numbers and location.

Rationale – The NZCPS requires adverse effects on outstanding natural character and outstanding natural features and landscapes to be avoided. Under the operative Coastal Plan, the only restrictions on commercial surface water activity in the coastal marine area are in Doubtful, Bradshaw, and Thompson Sounds. This leaves the remaining fiords vulnerable to over-use, which impacts on natural character and landscape values.

In terms of international cruise ships, maintaining the restrictions in the operative Coastal Plan provides a consistent approach.

Additional opportunities

50. The review of the operative Coastal Plan will investigate whether further controls on international cruise ships are required to protect the outstanding landscape values of Fiordland and to reduce conflicts of use with other commercial surface water activities.

Actions

Stage One

51. This Strategic Direction and the development of an effectiveness and an efficiency review¹⁴ of the operative Coastal Plan comprises Stage One of the review of the Coastal Plan. Stages Two and Three are outlined below, including key actions that will need to occur to complete the review.

Stage Two

52. Stage Two of the review of the Coastal Plan covers the 'pre-notification' stage of the review, where the provisions of the operative Coastal Plan are analysed, Environment Southland and Te Ao Marama Inc discuss options to amend the provisions, and draft provisions are prepared for consideration. The following actions will occur during Stage Two; the timeframes are indicative only due to the gazettal of the National Planning Standards in April next year, and the impact these may have on work priorities and resourcing:

- Early-mid 2019 – National Planning Standard obligations are reviewed to determine the most efficient, effective, and appropriate plan framework for Southland;
- Mid-late 2019 – development of internal options papers on Coastal Plan topics;
- Early-mid 2020 – Environment Southland and Te Ao Marama Inc workshops;
- Mid-late 2020 – development of new Coastal Plan provisions;
- Early-mid 2021 – Environment Southland and Te Ao Marama Inc workshops on a new Coastal Plan;
- Mid-late 2021 – public feedback process on a new Coastal Plan and revision;
- Early-mid 2022 – pre-notification consultation as required by the RMA.

Stage Three

53. Stage Three of the review of the Coastal Plan is the Schedule 1 process under the RMA, as follows:

- Notification;
- Submissions;
- Further submissions;
- Hearing;
- Decisions;
- Appeals.

54. The Schedule 1 process, up to the point of appeals, often takes 18 months to two years to complete, which may mean the appeals process commences around 2024.

¹⁴ An effectiveness and efficiency review under section 35(2)(b) of the RMA will to determine how well policies and methods meet the Plan's objectives. It will also identify outcomes the Plan has achieved, how usable the Plan is, and costs incurred by users and Environment Southland as a result of the Plan. This will contribute to the review of the Coastal Plan by building a picture of what has worked well, as well as identifying those aspects of the Plan that were not effective or efficient.

Outcome

55. The outcome of the review of the Coastal Plan will be:

A healthy coastal environment that enables people to enjoy and use coastal resources whilst protecting community values and the intrinsic values of the coast.

Toi tu te marae a Tane

Toi tu te marae a Tangaroa

Toi tu te iwi

When the land and sea are strong, so are the people.