

**Proposed Natural Resources Plan for the Wellington Region**

**Summary**

**Right of Reply**

**For Hearing Stream 3**

**Report date: 21 November 2017**

**Topic: Natural Form and Function**

**Report prepared by: Yvonne Legarth**

## 1. Introduction and scope

- 1.1 My name is Yvonne Legarth. I prepared the RMA section 42A Officer's Report: Natural Form and Function that was released in advance of Hearing Stream 3. My qualification and experience are set out in the RMA section 42A report.
- 1.2 This is a summary of the Right of Reply that responds to matters raised by submitters and the Panel since the section 42A Officer's Report: Natural Form and Function was prepared.

## 2. Overview of the plan provisions

- 2.1 The Right of Reply deals with the 'Natural Form and Function' topic: Proposed Objectives O17 Natural Character; O19 Natural processes; O32 Outstanding natural features and landscapes; O36 Significant geological features; O37 Significant surf breaks; and O38 Special amenity landscapes, and the policies and Method M24 in the proposed plan that implement the objectives.
- 2.2 There are also policies in the RPS that are relevant when resource consents are applied for; and which provide decision support when identifying and managing natural character and outstanding natural features and landscapes.
- 2.3 The two schedules and technical reports that are relevant to the provisions in the plan and the submissions dealt with in the Natural Form and Function topic are:
- “Assessment of sites of Regional Geological Significance” prepared by Dr Dawe (dated June 2014); that applies the criteria in the RPS to identify those geological features that are “Outstanding”.
- “Regionally Significant Surf breaks in the Greater Wellington Region” prepared by eCoast Marine Consulting and Research (dated May 2015) is relevant to Schedule K Significant Surf Breaks.
- 2.4 My RMA section 42A report identifies the relevant higher order planning instruments in detail. The Table attached as Appendix E to that report deals with the higher order planning instruments.
- 2.5 A summary of provisions and the most directly relevant higher order planning instruments:
- a. **Natural character**
- dealt with in Objective O17 and Policies P24 and P25, and Method M24 of the proposed plan
  - is an RMA section 6(a) matter of national importance
  - Relevant higher order planning instruments include NZCPS Objectives 1, 2 and 3; and NZCPS Policies 3, 13, and 14; NPS-FM AA and D; and RPS Objective 4 and 5 and RPS Policies 3, 35, and 36; RPS Method 2

**b. Natural processes**

- dealt with in Objective O19 and Policy P26 in the proposed plan
- is part of natural character, and therefore a RMA s6(a) matter of national importance
- Relevant higher order planning instruments include NZCPS Objective 1, 2 and 3; NZCPS Policies 3,7, 13, 14 and 20; NPS-FM-AA; RPS Objectives 4 and 5, RPS Policies 3,18, 35 and 36 (addressed in RPS as part of natural character)

**c. Outstanding natural features and landscapes**

- dealt with in Objective O32; Policy P48 and Policy P49, and Method M24 of the proposed plan
- is an RMA section 6(b) matter of national importance
- Relevant higher order planning instruments include NZCPS Objectives 1, 2 and 3; NZCPS Policies 2 and 15; NPS-FM AA and D; RPS Objectives 3 and 17, and RPS Policies 25, 26 and 50, RPS Method 2.

**d. Significant geological features**

- dealt with in Objective O36; Policy P50 and Schedule J of the proposed plan
- are amongst the RMA section 6(b) matters<sup>1</sup>
- Relevant higher order planning instruments include NZCPS Objectives 1, 2 and 3; NZCPS Policy 2, 13, 15 and 20; RPS Objective 3, 4, 5 and 17, and RPS Policies 25, 26 and 50, RPS Method 2.

**e. Significant surf breaks**

- dealt with in Objective O37, Policy P51 and Schedule K of the proposed plan
- are part of the natural character of the CMA
- are of regional significance
- Relevant higher order planning instruments include NZCPS Objective 1, 2 and 4; NZCPS Policies 3, 6(2), 13(2) and 18; RPS Objective 3; RPS Policy 35© and (d), and 36

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<sup>1</sup> The criteria in RPS Policy 25 for outstanding natural features and landscapes were applied when the technical report was prepared

f. **Special amenity landscapes**

- dealt with in Objective O38 and Policy P49 of the proposed plan
- are RMA section 7(c) and (g) matters
- Relevant higher order planning instruments include NZCPS Objectives 2, 4 and 6; and NZCPS Policies 3, 6 and 18; RPS Objective 18 and RPS Policies 27 and 28.

2.6 There are specific rules linked to Schedule J (significant geological sites) and Schedule K (significant surf breaks). Apart from **Method M24** in the proposed plan, the rules that implement the objectives and policies are not dealt with in this RMA section 42A report and which are to be covered in RMA section s42A 'Coast' in Hearing Stream 6.

**3. Supplementary evidence sought by the Panel relevant to Natural Form and Function**

3.1 The following documents relevant to this topic have been prepared for the Hearing Panel since the hearings occurred:

- a. Response from Mr Kyle for WIAL seeking amendments to Objective O17 (natural character), deleting Objective O19 (natural processes), retaining Policy P24 (outstanding natural character), amending Policy P25 (natural character) and retaining Policy P26 (natural processes), and that included an RMA section 32AA assessment on his proposed changes to Objective O17 and Policy P25;
- b. Response from Mr Daysh for Centreport Ltd and Centreport Properties Ltd seeking amendments to Objective O19 (natural processes) and supporting the amendment to my alternative Policy P25(e) and (f) which dealt with operational requirements and functional need;
- c. Response from the Surf Protection Society to the Hearing Panel's request for comments on the red line version of Objective O19 (natural processes), and included an amended Objective O19;
- d. Response from Rangitāne o Wairarapa Inc Soc and Rangitāne Tū Mai Rā Trust (legal submissions that are not dealt with in this report).

3.2 I have read and considered the supplementary evidence.

**4. Summary of recommendations**

4.1 An RMA section 32AA table was included as Appendix A at page 31 of my Right of Reply. The changes that I am recommending to the proposed plan are:

- a. A minor change to Objective O17 (natural character) to align with RMA section 6(a)<sup>2</sup>;
- b. An alternative Objective O19 (natural processes) that is set out in my RMA section 42 report;
- c. A revised alternative Policy P25 (natural character) to include the natural character of natural wetlands, lakes, and rivers; and revised Policy P25(d) and (e) to address the consistency with the NZCPS. I have also reconsidered the recommendation in my RMA section 42A report to add new P25 (d), (e) and (f) to address potential duplication with other provisions in the plan that address functional need and operational requirements;
- d. An additional Policy P24A (outstanding natural character) and P25A (natural character), each with a Note, to cross reference to relevant RPS policies<sup>3</sup> dealing with natural character assessments;
- e. Amending Policy P26 (natural processes) to include the sub-clauses from Policy P4 (minimise policy) into Policy P26 if the Panel are of a mind to remove the sub clauses from Policy P4;
- f. The addition of a note in Policy P48 (outstanding natural features and landscapes) to cross reference to the assessment matters in the RPS<sup>4</sup> dealing with outstanding natural features and landscape assessments;
- g. A revised alternative Policy P49 (Use and development in the CMA adjacent to outstanding natural features, landscapes and special amenity areas) to refer to both 'values' and 'characteristics and qualities' of natural features and landscapes and to better express the policy intent; and adding a Note to cross reference to the assessment matters in the RPS<sup>5</sup> dealing with natural character assessments.

## Key issues

### 5. Natural Character: amendments sought to Objective O17

5.1 Mr Kyle for WIAL proposed an alternative Objective O17 (natural character) and deletion of Objective O19 (natural processes), and alternative Policy P25 (natural character) which I do not agree with because the approach duplicates the policies (P24 and P25 in the proposed plan). I have considered whether Mr Kyle's suite of objectives are consistent with the approach in RMA section 6(a); give effect to the NZCPS and RPS provisions dealing with natural character; are within the functions and powers of the council, and the efficiency of his three objectives given the degree of duplication with Policy P24 (outstanding natural character) and P25 (natural character).

5.2 In my opinion Mr Kyle's Objectives "cascade" provides no higher degree of certainty about the identification of areas in the Wellington Region which contain high and outstanding natural character. The

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<sup>2</sup> Dealt with in my RMA section 42A report.

<sup>3</sup> RPS Policies 6, 35 and 36

<sup>4</sup> RPS Policy 50

<sup>5</sup> RPS Policy 50

linkage between Objective O17 and the NZCPS, while clear, simply repeats the approach that sits at the policy level in both the NZCPS and the proposed plan.

5.3 In particular, I consider that Mr Kyle's Objective O17 cascade is ineffective because, as drafted, the three objectives do not describe an end point or outcome and are entirely focused on how effects are to be managed, and are more in the nature of policies or methods of implementation, rather than objectives<sup>6</sup>. In particular I question whether Mr Kyle's Objective O17C (are shown on maps) could assist decision makers assessing resource consent applications, or users of the plan, because the objective refers to maps that do not currently exist in the proposed plan. The inclusion of maps showing the extent of the coastal environment and areas with high or outstanding natural character would need to be included using the RMA Schedule 1 process.

## 6. Natural processes: amendments sought to Objective O19

6.1 My RMA section 42A report deals with submissions that are seeking that Objective O19 be deleted, and I recommended an amendment to Objective O19 (natural processes) in that report. I consider that Objective O19 should be amended (as recommended in my RMA section 42A report), to focus on the outcomes to be achieved from the management of natural processes.

### Recommendation on revised alternative Objective O19

6.2 My RMA section 42A report recommends the following alternative Objective O19 (deleting: proposed Objective O19 ~~The interference from use and development on natural processes is minimised~~) and replacing with:

Alternative Objective O19: Natural processes, including natural elements, patterns and ecological processes continue to occur, and the integrity and functioning of natural processes and forms are retained<sup>7</sup>.

## 7. Alternative Policy P25(e) (addressing operational requirements in Policy P25)

7.1 Having considered the other parts of the proposed plan that deal with regionally significant infrastructure and operational requirements, I have revised the recommendation that I made in my RMA section 42A report. I have revised my recommendation because I am now of the view that my recommended alternative Policy P25(e) (and Mr Kyle's Policy P25(e), (f) and (g)) is unnecessary, because the matter is dealt with comprehensively and specifically in Policy P132 of the proposed plan. Submissions on Policy P132 will be considered in the RMA section 42A report 'Coast' to be prepared by Mr Paul Denton.

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<sup>6</sup> There is an error in the Right of Reply at paragraph 24 – which should have referred to all three objectives not describing an outcome, and being entirely on how effects are to be managed, and as such are policies or methods of implementation; rather than objectives.

<sup>7</sup> RMA section 42A report 'Natural form and Function' dated 7 August 2017 at paragraph 303

## Recommendation on revised alternative Policy P25 (d) and (e)

Revised recommendation on Policy P25: Natural character:

Policy P25: Use and development shall avoid significant adverse effects on natural character in the coastal marine area (including high natural character in the coastal marine area) and ~~in the beds of~~ natural wetlands, lakes and rivers, and avoid, remedy or mitigate other adverse effects of activities, taking into account:

(a) the extent of human-made changes to landforms, vegetation, biophysical elements, natural processes and patterns, and the movement of water, and

(b) the presence or absence of structures and buildings, and

(c) the particular elements, features and experiential values that contribute significantly to the natural character value of the area, and the extent to which they are affected, and

~~(d) whether it is practicable to protect natural character from inappropriate use and development through:~~

~~(i) using an alternative location, or form of development that would be more appropriate to that location, and~~

~~(ii) considering the extent to which functional need or existing use limits location and development options.~~

~~(d) alternative locations, design or form of development that have less adverse effects<sup>8</sup>, and~~

~~(e) the extent to which the activity has a functional need to be located in the coastal marine area that limits location and development options, and~~

~~(e)(f) the ecosystems, natural flow characteristics and hydrodynamic processes, and the natural pattern and range of water level fluctuations in natural wetlands, rivers and lakes and their margins<sup>9</sup>.~~

## 8. Is the proposed plan effective without including specific schedules that identify 'outstanding natural features and landscapes' and 'high/outstanding natural character'

8.1 The proposed plan has objectives and policies that deal with natural character and outstanding natural features and landscapes; and which give effect to provisions in the NZCPS and RPS and are consistent with RMA sections 6(a) and (b)<sup>10</sup>.

<sup>8</sup> RMA section 42A report 'Natural Form and Function' at Paragraph 257

<sup>9</sup> RMA section 42A report 'Natural Form and Function' at Paragraph 259

- 8.2 In accordance with RPS Method 2, the process of preparing a regional list to implement the natural character and outstanding natural landscape provisions in the RPS has commenced, and this is summarised by Ms Caroline Watson and is included as Appendix A to my Right of Reply.
- 8.3 In the absence of a schedule being included in the plan when it was notified, or a specific schedule being identified in a submission, any list specifying areas with high or outstanding values would need to go through the RMA Schedule 1 process and be the subject of submissions before being included in the plan.
- 8.4 In my opinion, the approach in the proposed plan is not ineffective. An assessment of effects on natural character that is not 'outstanding' is still required by RMA section 6(a), RMA section 104 and the RPS Policies 35 and 36. Similar requirements for outstanding natural features and landscapes apply through RMA section 6(b) and RPS Policy 50. I consider that the RPS criteria can be used to assess and identify areas with high or outstanding values, and the relevant RPS policies can be used to identify inappropriate activities on a case by case basis where a comprehensive study has not yet been completed. Cross referencing to the relevant policies in the RPS would assist with linking the proposed plan to the RPS.
- 9. Can the proposed plan include objectives, policies, rules and a schedule of regionally significant surf breaks?**
- 9.1 The approach in the proposed plan is that significant surf breaks are protected from inappropriate use and development<sup>11</sup>; and to manage use and development in and adjacent to the significant surf breaks by minimising adverse effects.<sup>12</sup> It is giving effect to Policy 13 of the NZCPS (Preservation of natural character), not NZCPS Policy 16 (Surf breaks of national importance).
- 9.2 Having considered the NZCPS<sup>13</sup> and the RPS<sup>14</sup>, I have concluded that the management of effects on regionally significant surf breaks is efficient and effective, is different from the requirement in NZCPS Policy 16; and manages effects of use and development at a different level than the protection afforded to nationally significant surf breaks. The recognition of nationally significant surf breaks in the NZCPS does not remove the requirement to adequately address potential and cumulative adverse effects on regionally significant natural processes, features and values.
- 10. Defining natural character using the criteria in the RPS**
- 10.1 The Panel asked about including the natural character criteria from the RPS in the proposed plan.

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<sup>10</sup> These include: Natural Character: Objectives O17 and O19 also give effect to NZCPS Objectives 1 and 2 and RPS Objectives 4 and 5; and Outstanding natural features and landscapes: Objective O32 also gives effect to NZCPS Objective 2 and RPS Objective 17.

<sup>11</sup> Objective O37 in the proposed plan.

<sup>12</sup> Policy P51 of the proposed plan.

<sup>13</sup> NZCPS Policy 6(2)(b) and Policy 13

<sup>14</sup> RPS section 3.2 Introduction to 3.2 page 21.



- 10.2 In my opinion, a definition of natural character is not necessary, however it may assist if the plan refers to the relevant criteria in RPS Policy 3 (protecting high natural character in the coastal environment). It may also assist the council in its decision making to also refer to the other policies in the RPS that must be considered when making decisions on resource consent applications<sup>15</sup>. There is scope in the submissions to refer to the relevant natural character provisions in the RPS.

**Recommendation on a definition or policy to identify natural character**

- 10.3 Policy P24 (outstanding natural character) and P25(Natural character) in the proposed plan could include a reference to the clauses in the RPS Policy 3; and a Note referring to RPS Policies 35 Preserving natural character – consideration) and 36 (managing effects on natural character – consideration), as follows:

**Policy P24A Outstanding natural character:**

To assess if an area has outstanding natural character the matters in RPS Policy 3(a), 3(b) and 3(c) will be taken into account; and an area will be determined as having outstanding natural character when the natural character of the area is exceptional or out of the ordinary; and its natural components dominate over the influence of human activity<sup>16</sup>.

Note: Natural character assessments: RPS Policies 35 and 36 also apply.

**Policy P25A Natural character:**

To assess if an area has high natural character the matters in RPS Policy 3(a), 3(b) and 3(c) will be taken into account; and an area will be determined as having high natural character when the natural character is slightly modified or unmodified, and there are no apparent buildings, structures or infrastructure<sup>17</sup>.

Note: Natural character assessments: RPS Policies 35 and 36 also apply.

**11. Policy P26 (natural processes) and P4 (minimise)**

- 11.1 Policy P26 (natural processes) in the proposed plan relies on Policy P4 to provide some certainty about how effects will be addressed when ‘minimising’ effects is required in a policy. If the Panel decide to amend proposed Policy P4, as set out in the joint caucusing statement, then the following sub clauses should be added to Policy P26:

Policy P26: Use and development will be managed to minimise effects on the integrity and functioning of natural processes **by:**

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<sup>15</sup> Under Policies P24 and P25 in the proposed plan to refer to Natural character: RPS Policies 35 and 36 and under Policies P48 and P49 in the proposed plan to refer to Outstanding natural features and landscapes: RPS Policy 50.

<sup>16</sup> This approach imports the same tests for ‘outstanding’ that is used for natural features and landscapes in RPS Policy 25(a) and (b).

<sup>17</sup> This approach imports the tests in RPS Policy 3 for ‘high natural character’.

(a) considering alternative locations and methods for undertaking the activity that would have less adverse effects, and

(b) locating away from areas identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule E (historic heritage), Schedule F (indigenous biodiversity), and

(c) timing the activity, or the adverse effects of the activity, to avoid times when adverse effects may be more severe, or times when receiving environments are more sensitive to adverse effects, and

(d) using good management practices, and

(e) designing the activity so that the effects of the scale or footprint of the activity is as small as practicable<sup>18</sup>.

## 12. Policy P49 'Special amenity landscapes'

12.1 The evidence of Ms Christine Foster for Meridian Energy Limited is that Objective O38 (special amenity values), which is to maintain and enhance identified special amenity areas, is not necessary, that there are no relevant policies or methods of implementation, and that Objective O38 in the proposed plan is not the most appropriate way to achieve the purpose of the RMA or to implement the higher order RPS.

12.2 Policy P49 (use and development adjacent to outstanding ..) (as notified) combines a number of different concepts, and this makes it difficult to follow. I recommend the following revised alternative Policy P49 to better state the policy intent. The recommendation made in my RMA section 42A report is shown underlined and in red, or ~~red strike out~~, and the revised recommendation is shown underlined in blue or ~~blue~~ ~~strikeout~~.

**Recommendation on Policy P49** (Use and development adjacent to outstanding natural features and landscapes and special amenity landscapes)

Policy P49: Use and development in the coastal marine area on sites adjacent to an outstanding natural feature or landscape or special amenity landscape identified in a district plan shall be managed by:

(a) protecting visual and biophysical linkages between the site and the ~~outstanding~~ natural feature or landscape, and

(b) avoiding adverse cumulative effects on the values, characteristics and qualities<sup>19</sup> of ~~an outstanding~~ the natural feature or landscape.

Note: Natural features and landscape assessments: RPS Policy 50 also applies<sup>20</sup>

<sup>18</sup> RMA section 42A report Natural Form and Function paragraphs 317 and 318 pages 72 and 73.

<sup>19</sup> RMA section 42A report Natural Form and Function paragraph 415, and amended in Hearing Stream 3 Natural Form and Function Summary paragraphs 40 page 10 and paragraph 47 and 48 pages 11 and 12.

13. **Date in Method M24** (identify and produce a list of outstanding natural features and landscapes and high natural character)
- 13.1 Method M24 in the proposed plan is to work with city and district councils and the community to produce a regional list by 2017 for inclusion in the plan by a variation or plan change. As background to Method M24, an update on progress is included as Appendix 2 to my Right of Reply. While work on the regional list has commenced, I am advised that it is unlikely that the project to work with the territorial authorities and the community to develop a regional list will be completed by 2017.

#### **Recommendation on Method M24**

- 13.2 The legal advice is that amending the date in Method M24 is not considered to be a minor change, and there are no submissions seeking that the date in Method M24 be amended, therefore there is no scope to make changes.

#### **14. Conclusion**

- 14.1 The RMA section 32AA evaluation is set out in my RMA section 42A report as Appendix A (narrative) and Appendix B (Table). An updated section 32AA Table is attached to my Right of Reply: Natural Form and Function as Appendix A.
- 14.2 I have concluded that the alternative Objective O17 (natural character) is a minor change, that better reflects RMA section 6(a), that the alternative Objective O19 (natural processes) is necessary, assists the council with its functions and better achieves the purpose of the RMA; that no changes are needed to Objective O32 (outstanding natural character and landscapes), O36 (significant geological features); O37(significant surf breaks); or O38 (Special amenity landscapes).
- 14.3 I have concluded that my alternative Policy P25 (natural character) and alternative Policy P49 activities adjacent to an outstanding natural feature or landscape or special amenity landscape) are the most appropriate for implementing the relevant objectives, and are efficient and effective, without adding unnecessary costs as compared with the benefits.
- 14.4 I consider that including new Policies P24A (outstanding natural character) and P25A (natural character) are useful cross references that make a clear linkage back to the RPS assessment criteria for 'natural character' and 'outstanding natural features and landscapes'. This recommended alternative responds to submissions seeking to include a definition of natural character in the proposed Plan. As the RPS criteria already apply when consent applications are being considered, I have concluded that my alternative Policy P24A and 25A will not add unnecessary costs as compared to the benefits of increased clarity and certainty.

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<sup>20</sup> There is no submission seeking this Note. The addition of the Note aligns with the cross referencing to the RPS which is the recommended approach for the natural character provisions.

- 14.5 I consider that the alternative Policy P26 (natural processes) that adds in the sub-clauses from Policy P4 in the proposed plan is the most appropriate for implementing alternative Objective O19 (natural processes), however the alternative policy is only necessary in the event that the Panel amend Policy P4 (minimise).
- 14.6 I consider that it would be helpful for consistency to cross reference Policies P48 (Protection of outstanding natural features and landscapes) and P49 (Use and development adjacent to outstanding natural features and landscapes and special amenity landscapes) in the proposed Plan to the relevant provisions in the RPS, using a Note, referring to the criteria that will be applied to the assessment of outstanding natural features and landscapes. There are no submissions seeking this change.

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## **Clean copy of recommended amendments**

### **Alternative Objective O17 Natural character:**

The natural character of the coastal marine area, natural wetlands, and rivers, lakes, and their margins is preserved and protected from inappropriate use and development.

### **Alternative Objective O19 Natural processes:**

Natural processes, including natural elements, patterns and ecological processes continue to occur, and the integrity and functioning of natural processes and forms are retained.

### **Policy P24A Outstanding natural character:**

To assess if an area has outstanding natural character the matters in RPS Policy 3(a), 3(b) and 3(c) will be taken into account; and an area will be determined as having outstanding natural character when the natural character of the area is exceptional or out of the ordinary; and its natural components dominate over the influence of human activity.

Note: Natural character assessments: RPS Policies 35 and 36 also apply.

### **Alternative Policy P25: Natural character**

Use and development shall avoid significant adverse effects on natural character in the coastal marine area (including high natural character in the coastal marine area) and of natural wetlands, lakes and rivers, and avoid, remedy or mitigate other adverse effects of activities, taking into account:

- (a) the extent of human-made changes to landforms, vegetation, biophysical elements, natural processes and patterns, and the movement of water, and
- (b) the presence or absence of structures and buildings, and
- (c) the particular elements, features and experiential values that contribute significantly to the natural character value of the area, and the extent to which they are affected, and
- (d) alternative locations, design or form of development that have less adverse effects, and
- (e) the ecosystems, natural flow characteristics and hydrodynamic processes, and the natural pattern and range of water level fluctuations in natural wetlands, rivers and lakes and their margins.

### **Policy P25A Natural character:**

To assess if an area has high natural character the matters in RPS Policy 3(a), 3(b) and 3(c) will be taken into account; and an area will be determined as having high natural character when the natural character is slightly modified or unmodified, and there are no apparent buildings, structures or infrastructure.

Note: Natural character assessments: RPS Policies 35 and 36 also apply.

### **Alternative Policy P26: Natural processes (subject to decision on Policy P4)**

Use and development will be managed to minimise effects on the integrity and functioning of natural processes by:

- (a) considering alternative locations and methods for undertaking the activity that would have less adverse effects, and
- (b) locating away from areas identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule E (historic heritage), Schedule F (indigenous biodiversity), and
- (c) timing the activity, or the adverse effects of the activity, to avoid times when adverse effects may be more severe, or times when receiving environments are more sensitive to adverse effects, and
- (d) using good management practices, and
- (e) designing the activity so that the effects of the scale or footprint of the activity is as small as practicable.

**Policy P48: Protection of outstanding natural features and landscapes** (added cross reference)

The natural features and landscapes (including seascapes) of the coastal marine area, rivers, lakes and their margins and natural wetlands shall be protected from inappropriate use and development by: (a) avoiding adverse effects of activities on outstanding natural features and landscapes, and (b) avoiding significant adverse effects and avoiding, remedying or mitigating other adverse effects of activities on natural features and landscapes.

Note: Natural features and landscape assessments: RPS Policy 50 also applies

**Alternative Policy P49: Use and development adjacent to outstanding natural features and landscapes and special amenity landscapes**

Use and development in the coastal marine area on sites adjacent to an outstanding natural feature or landscape or special amenity landscape identified in a district plan shall be managed by:

- (a) protecting visual and biophysical linkages between the site and the natural feature or landscape, and
- (b) avoiding adverse cumulative effects on the values, characteristics and qualities of the natural feature or landscape.

Note: Natural features and landscape assessments: RPS Policy 50 also applies.