



Summary of results of Plan Effectiveness Report: Regional Coastal Plan

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FOR FURTHER INFORMATION

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1. Background

Section 35 of the Resource Management Act 1991 (the RMA) requires every local authority to monitor the efficiency and effectiveness of the policies, rules and other methods in its policy statement and plans, and compile and make available the results of this monitoring. Councils must take appropriate action when their monitoring indicates that is necessary.

The Plan Effectiveness Report: Regional Coastal Plan (GW/EP-G-08/156) (the Report) gives the results of monitoring the effectiveness of the policies, rules and methods in the Regional Coastal Plan for the Wellington region (the Plan).

This brief summary provides an overview of the Report. The Plan Effectiveness Report: Regional Coastal Plan is a substantial and complex document. It is available on Greater Wellington's website in the Document Library and was published September 2008.

2. Information used and limitations of the Report

The information sources used in the Report included:

1. State of the environment monitoring for water quality.
2. State of the environment reporting, with particular reference to *Measuring Up 2005*.
3. Feedback on the Regional Policy Statement discussion document *Our region, their future 2006*.
4. Monitoring the implementation of seven permitted activity rules.
5. Intertidal survey reports of the coast commissioned as part of the Coastal and Marine Biodiversity Action Plan.
6. Greater Wellington's regional rule feedback forum which records staff feedback and comments.
7. The feedback from a staff focus group.
8. The plan methods implementation database.
9. The consents and compliance database (COCO).
10. The pollution complaints 'Incidents Database'.
11. Greater Wellington's council committee reports on coastal matters.

The effectiveness of policies, rules and other methods was assessed by looking at and comparing the information from the sources above. Provisions were deemed to be effective if implementation of the provisions has contributed to achieving the Plan's objectives, as measured by the information from the various sources.

The Report highlighted the limitations in our ability to monitor the efficiency and effectiveness of our regional plan provisions.

One of the findings from the previous effectiveness reports of the other regional plans was that the consents and compliance database (COCO) does not contain sufficient information or data manipulation capability to allow efficiency or effectiveness of regional rules to be assessed. Pollution complaints are recorded on the Incidents Database which is not easily linked to the consent and compliance database and was not set-up to assess regional plan provisions.

Information about compliance with permitted activity rules is difficult to obtain. In the Report, information on the implementation of only seven of the 30 permitted rules was able to be gathered.

3. Results of the plan effectiveness assessment

The Regional Coastal Plan is the largest of the five regional plans. It has 130 policies, 86 rules and 28 methods to achieve 68 objectives. The provisions are structured into a chapter on 'general' objectives and policies, and nine chapters covering the following topics:

- reclamation and draining of the foreshore and seabed
- structures
- destruction, damage or disturbance of foreshore or seabed
- deposition of substances on foreshore or seabed
- exotic or introduced plants
- discharges to land and water
- discharges to air
- taking, use, damming or diversion of water
- surface water and foreshore activities.

The Report used two methodologies to determine effectiveness of the Plan. The first methodology was an empirical way of determining effectiveness, attempting to show environmental changes that were attributable to the Plan. Generally, the Report was not able to achieve this (except for coastal water quality monitoring), and there was no clear message that the Plan had or had not been effective. Mostly, this was because monitoring techniques were not designed or used to monitor changes in specified aspects of the environment.

The second methodology was a theoretical analysis of effectiveness of the provisions, where the connections between the objectives, policies and rules and methods were examined, and the extent to which they had been implemented. The results were that the policies in the Plan do give effect to the objectives, but it was difficult to detect whether or not changes in the environment are attributable to any particular policy.

Responses to the question "have the issues been addressed by the plan provisions?", asked as part of the review of the Regional Policy Statement, showed that the regional community recognised the improvements in coastal water quality that have occurred over time, particularly in relation to sewage discharges. However, the focus had now shifted to the need to clean up stormwater discharges. Concerns about coastal

development were also highlighted, but this concern generally related to subdivision and development within the coastal environment. The Regional Coastal Plan only deals with management of the coastal marine area (the area from the line of mean high water springs out to 12 nautical miles).

Most of the rules in the Plan invoked few consents, compared to the number of consents issued under rules for structures and discharges to water. These activities are placing a steady pressure on parts of the coastal marine area. Monitoring of coastal water quality showed that water quality is good in most places, except for localised hot spots near discharges of sewage, stormwater, and inflow from streams and rivers. This localised lower quality water, and results from shellfish flesh and sediment monitoring suggested that the discharges to water provisions are not stringent enough. In particular, the stormwater provisions need to be improved, and contaminant flow via rivers needs to be addressed by better co-ordination with other regional plans.

Some permitted activities are monitored through state of the environment monitoring and responses to complaints. In addition to this, limited monitoring of seven permitted activity rules (out of a total of 30 permitted rules) was carried out as part of the evaluation. It established that, of the seven monitored, six rules were effective and one was not. The permitted activity rules for discharges of stormwater were not effective because they did not provide enough clarity and were difficult to enforce. These provisions need to be improved.

The effectiveness of methods, other than rules, in the Plan were largely determined by the level to which they have been implemented and whether or not they were targeted at relevant policies. Most of the methods in the Plan for discharges to land and water have been implemented. There has been mixed implementation of the methods for exotic plants, structures and surface water and foreshore activities. Most methods in other chapters of the Plan have not been implemented.

4. Recommendations

The results of the Report showed that the implementation of the regional rules and the non-regulatory methods has only been partially effective in achieving the objectives of the Plan.

Many of the policies and rules would benefit from at least minor changes and some would benefit from a complete re-write. The connections between the objectives, policies, rules and other methods also need to be looked at. These changes need to be considered when the Plan is formally reviewed. Some areas where it may be appropriate to take action are:

1. The chapters of the Plan on structures and the discharges to land and water require the greatest focus in the forthcoming review of the Plan. The greatest number of consents granted are for these activities, and they have potentially significant adverse environmental effects: for structures the effects on coastal processes, historic heritage and natural character; for discharges, cumulative ecological, recreation and amenity effects.
2. Two cross boundary matters require attention:

- a) Integration of this Plan with the provisions of the other regional plans in order to effectively deal with the adverse effects of discharges of sediment and contaminants to the coast.
 - b) Integration with district plans, management plans, bylaws and other mechanisms to address foreshore and surface water activities that span the MHWS jurisdictional boundary, notably driving vehicles on beaches.
3. Construction of provisions can be improved. The links between the provisions could be clearer, and the provisions easier to interpret and apply.
 4. Special attention to conditions on permitted activity rules in general is needed, and they need to be capable of being monitored.
 5. The permitted rule for the discharge of stormwater needs to be more stringent, with clear thresholds and conditions for contaminants and acceptable loading rates.
 6. The regulatory/non-regulatory balance of methods and rules to implement the policies should be looked at to see if it is still appropriate.

In addition to the recommendations for changes to the Plan, the Report also highlighted that:

1. Targeted monitoring to address information needs for plan effectiveness reporting needs to be considered. Monitoring to detect changes in the environment to determine whether the objectives for each chapter are being achieved is needed.
2. Databases capable of accepting, manipulating and analysing monitoring data are necessary.

Greater Wellington is required to begin the full review of the Regional Coastal Plan before June 2010, ten years after it became operative. The review fits well with implementing the direction set in the Regional Policy Statement, which will have made significant progress through the public process by then.