

## Our coast and sea who do I contact?

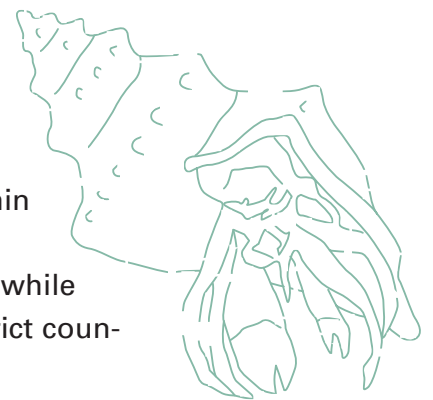
A number of different agencies are responsible for managing the coastal environment, which includes the beach, the sea and the land next to the coast.

This coastal fact sheet explains how the Auckland Regional Council (ARC), the Department of Conservation (DOC), Maritime Safety Authority (MSA), Ministry of Fisheries (MoF) and city or district councils have responsibility for different parts of this environment. Their responsibilities are divided geographically and functionally.

### The geographical split

Mean High Water Springs (MHWS) is an administrative boundary which divides management responsibility within the coastal environment. Land below MHWS is the responsibility of the ARC, while land above it is that of the city and district councils.

The foreshore and seabed below mean high water springs (MHWS) extending out to the 12 mile nautical limit – in other words the "wet" part of the coast - is called the coastal marine area.



### So how do I tell where MHWS is?

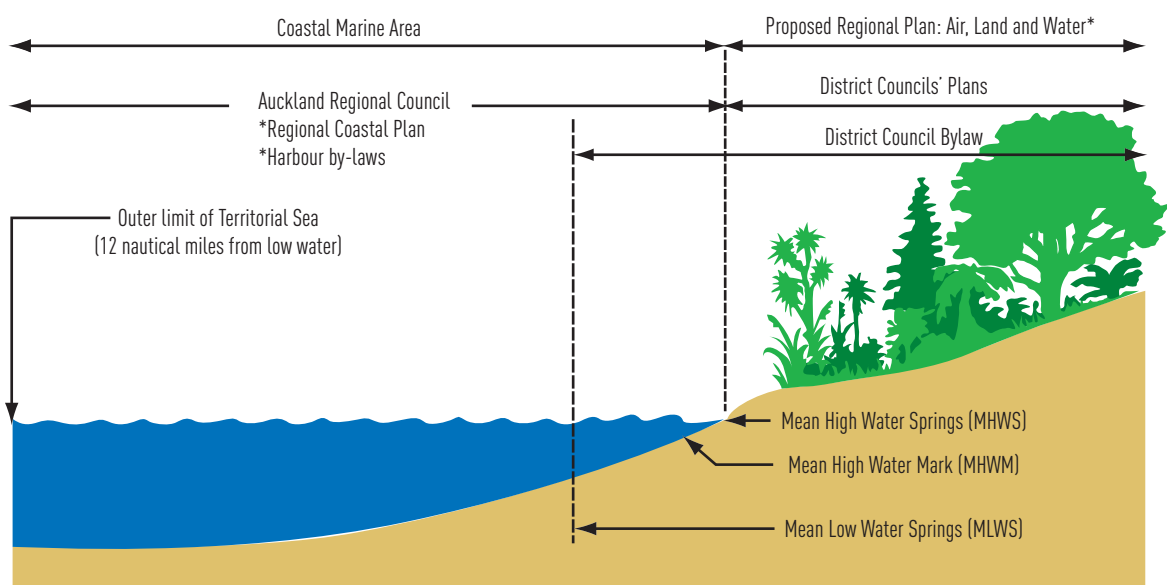
MHWS is a dynamic boundary which is the average height of successive high tides when the tidal range is the greatest (i.e. average height of spring tides). It is easily distinguished on site by observing the highest debris line on the beach. MHWS has not been surveyed for the Auckland Region as it has a dynamic and varying location, but it is roughly 3.14m above Chart Datum (lowest predicted tide) on the Waitemata Harbour, and 4.25m above Chart Datum on the Manukau Harbour.

## Who owns the coastal marine area?

The coastal marine area is generally land owned by the Crown, and it is managed by the ARC. Some coastal properties have their boundaries at mean high water mark (MHWM). The rules of the Coastal Plan still apply to the parts of private property titles that are in the coastal marine area, and it is likely that a coastal permit will be required to undertake any works in this area.

MHWS is only an administrative boundary between ARC and territorial authorities and it is not related to property boundaries. This administrative boundary has been stipulated in the Resource Management Act 1991. While MHWS can and will move (e.g. by erosion or accretion) this does not affect, in most cases, the boundaries of individual properties.

The diagram below shows who has jurisdiction and where.



## Different agencies for different jobs

### Structures

ARC is responsible for approving structures and activities in the coastal marine area. If you want to know whether your structure or activity is permitted or requires a resource consent you should contact the ARC by calling Enviroline 09 366 2000. Structures can include boat sheds, boat ramps, moorings, club houses, sea walls, reclamations or aquaculture racks that are located in the coastal marine area.

Where structures cross MHWS a resource consent may be required from both the ARC and your local city or district council. The ARC seeks to ensure that joint applications are assessed on an integrated basis with the relevant city or district council. This saves on both time and costs for the applicant. A building permit may also be necessary and can be obtained from your city or district council.

Other waterfront buildings, above MHWS and associated activities of housing development - such as excavation, drainage, issues to do with trees - are the main responsibility of the city or district council who should be contacted for any information relating to these. The rules regulating landuse activities above MHWS are contained within district plans.

\*The ARC also manages some land use activities, stream works and discharges on land through; the Regional Plan: Air, land and water, the Regional Plan: Sediment Control, and the Regional Plan: Farm Dairy Discharges.

## **Fish**

The Ministry of Fisheries (MoF) sets commercial and recreational catch limits and size limits for certain species of fish (including shellfish). The ARC is responsible for ensuring that the habitats in which fish spawn and live are able to function appropriately. Generally this means controlling construction in, or controlling the discharging of contaminants into these habitats. Some of the ARC's park rangers are also honorary fisheries officers.

## **Shell, sand and shingle**

To remove shingle, stone, sand or gravel from the beach a resource consent is required from the ARC, who will inform you of consents required from other agencies.

## **Reserves next to the beach**

Many of our beaches are backed by reserves owned by either the Department of Conservation (DoC), or the city or district council. In each case the agency that owns the reserve is responsible for managing it, but must abide by the city or district plan regulations.

## **Bylaws to control litter / fires / dogs / horses**

The city or district councils are also responsible for bylaws which are made under the Local Government Act 2002. These bylaws are focused on issues such as litter, dogs, horses, fires, and vehicle usage. Most of the city or district councils in the Auckland region have extended their boundaries for bylaw control to Mean Low Water Springs (MLWS) which means they can control these activities on the "wet" part of the beach.

The ARC also has responsibilities for air quality, and generally does not permit open burning of fires on beaches and intertidal flats. Rubbish and waste management are the responsibility of city and district councils. The ARC supports community initiatives for beach clean ups along with city and district council.

## **Marine parks & marine reserves**

These are administered by the Department of Conservation (DoC). Generally they include an area of beach and extend out to sea. In these areas taking fish or any other material is restricted. This ban is enforced by DoC. DoC is also responsible for protecting marine mammals.

## **Leisure and boating activities**

The ARC is responsible for navigation and safety from MHWS to the 12 nautical mile harbour limit. The ARC Harbourmaster and maritime officers regularly patrol Auckland's coastline to ensure the safety of all harbour users by educating the public and enforcing harbour bylaws. The Maritime Safety Authority (MSA) has responsibility for enforcing the safety of commercial craft and it investigates accidents which cause loss of life in recreational craft. If you have concerns over boating behaviour, call ARC's maritime officers on (09) 361 2404.

## **Oil spills and water pollution**

Please report this to the ARC immediately – the community are our eyes and nose.

Take care to ensure that it is an oil spill (usually the smell will be a pretty clear guide) and call the 24 Hour Pollution Hotline on (09) 377 3107.

The Maritime Safety Authority deals with oil spills outside the 12 nautical mile limit or very large operations, and with marine dumping of dredgings (a discharge consent is also required from the ARC).

## Discharges

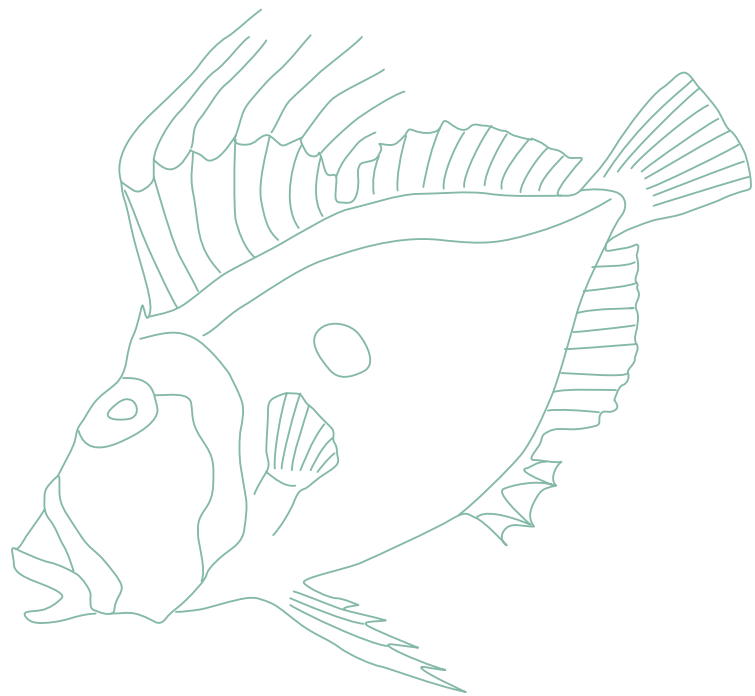
The Resource Management Regulations 1998 apply to the discharge of oil, sewage, garbage and noxious liquid substances into the sea. These regulations say that it is unlawful to discharge untreated sewage from your boat into coastal waters if you are within 500m of shore or a marine farm, and if water depth is less than 5 metres. It is illegal to discharge treated sewage from boats within 100m of a marine farm. ARC is responsible for enforcing these regulations.

## Commercial enterprises and organised sporting activities

Contact your city or district council and the ARC. The city or district council has bylaws governing activities. You may also require a coastal permit from the ARC, and may need to discuss temporary suspension of any harbour bylaws with the ARC harbourmaster.

## Agency contact details:

<b>Auckland Regional Council</b>	<b>(09) 366 2000</b>
<b>ARC pollution hotline</b>	<b>(09) 377 3107</b>
<b>ARC maritime officers</b>	<b>(09) 361 2404</b>
<b>Maritime Safety Authority</b>	<b>(09) 307 1370</b>
<b>Ministry of Fisheries</b>	<b>(09) 379 4700</b>
<b>Department of Conservation</b>	<b>(09) 307 9279</b>
<b>Auckland City Council</b>	<b>(09) 379 2020</b>
<b>Rodney District Council</b>	<b>(09) 426 5169</b>
<b>Franklin District Council</b>	<b>(09) 237 1300</b>
<b>North Shore City Council</b>	<b>(09) 486 8400</b>
<b>Waitakere City Council</b>	<b>(09) 836 8000</b>
<b>Papakura District Council</b>	<b>(09) 299 8870</b>
<b>Manukau City Council</b>	<b>(09) 263 7100</b>



For further information please contact Enviroline on 09 366 2000

**THE BIG CLEAN UP.  
0800 JOIN IN.**



**Auckland  
Regional Council**  
TE RAUHITANGA TAIAO

FOR WAYS TO HELP THE ENVIRONMENT, JOIN THE BIG CLEAN UP, [www.arc.govt.nz](http://www.arc.govt.nz) OR PHONE 0800 JOIN IN (56 46 46)