



Auckland  
Regional Council  
TE RAUHĪTANGA TAIAO

## **Auckland Regional Plan: Coastal**

### **Proposed Plan Change 4**

#### **Mangrove Management**

**(Chapter 16: Disturbance of Foreshore and Seabed III:  
Other than Dredging or Extraction)**

# **SECTION 32 REPORT**

October 2007

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## Abbreviations used in this report:

ARC:	Auckland Regional Council
ARP:C:	Auckland Regional Plan: Coastal 2004
ARPS:	Auckland Regional Policy Statement 1999
CMA:	Coastal Marine Area
CPA1:	Coastal Protection Area 1
CPA2:	Coastal Protection Area 2
HGMPA:	Hauraki Gulf Marine Park Act 2000
NZCPS:	New Zealand Coastal Policy Statement 1994
RMA:	Resource Management Act 1991
RSP	Regional Strategy & Planning Committee (ARC)

# 1 INTRODUCTION

The Auckland Regional Council (ARC) has prepared Proposed Plan Change 4 to the Auckland Regional Plan: Coastal 2004 (ARP:C) relating to mangrove management. The provisions apply to the whole of the coastal marine area (CMA) of the Auckland Region. The purpose of this report is to provide background to the proposed plan change as required by section 32 of the Resource Management Act 1991 (RMA).

The principal purpose of Proposed Plan Change 4 is to review the ARP:C provisions relating to mangroves, and mangrove removal activities. This review is considered necessary to address the issues that have arisen in response to increasing rates of mangrove colonisation, particularly over the last 50 years. In particular the review addresses the need for objectives, policies and rules that will provide guidance on the circumstances where mangroves should be protected, and the circumstances where mangrove removal may be appropriate.

Plan Change 4 amends the ARP:C to:

- Include a discussion of the values of mangroves and the issues associated with their rapid colonisation of some areas
- Recognise the causes of increased mangrove colonisation
- Provide policy guidance on the circumstances where mangroves should be protected, and where removal may be appropriate
- Recognise the benefit of management that is in accordance with an integrated management plan, that recognises the connection between land and sea
- Enable limited mangrove removal outside of highest value Coastal Protection 1 Areas to enable reasonable use and operation of existing structures, drainage systems and infrastructure
- Enable the control of mangrove expansion into areas by permitting the hand-removal of mangrove seedlings, outside of highest value Coastal Protection 1 Areas, subject to conditions
- Limit the plan direction on the non-notification of resource consent applications (restricted discretionary activities) and enable communities and affected parties to become involved with resource consent applications where appropriate
- Address the anomalies with some of the operative provisions in Chapter 16
- Change the prohibited activity status for mangrove removal in all Coastal Protection Area 1 areas to enable an application to be made and to be assessed on its merits.

## 2 STATUTORY FRAMEWORK

### 2.1 Part II of the RMA

The purpose of the Resource Management Act 1991 (RMA) is to promote the sustainable management of natural and physical resources. This means:

- 5(2) *...managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural wellbeing and for their health and safety while –*
- (a) *Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations: and*
  - (b) *Safeguarding the life-supporting capacity of air, water, soil, and ecosystems: and*

- (c) *Avoiding, remedying or mitigating any adverse effects of activities on the environment.*

Environment is defined in section 2 of the RMA as including:

- (a) *Ecosystems and their constituent parts, including people and communities: and*
- (b) *All natural and physical resources: and*
- (c) *Amenity values: and*
- (d) *The social, economic, aesthetic, and cultural conditions which affect the matters stated in paragraphs (a) to (c) of this definition or which are affected by those matters:*

In achieving sustainable management, the ARC is required in the exercise of its functions and powers to recognise and provide for the matters of national importance listed in section 6 of the RMA. Although the implementation of section 6 must occur with reference to the promotion of sustainable management, the ARC must identify and provide for the matters of national importance within the context of the Auckland region. The section 6 matters of particular relevance to Proposed Plan Change 4 are:

- (a) *The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:*
- (c) *The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:*
- (e) *The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:*

The ARC is also required to have particular regard to various matters listed in section 7 of the RMA. Matters of relevance to the proposed plan change are:

- (aa) *The ethic of stewardship:*
- (c) *The maintenance and enhancement of amenity values:*
- (d) *Intrinsic values of ecosystems:*
- (f) *Maintenance and enhancement of the quality of the environment:*

Section 8 of the RMA provides that in achieving the purpose of the Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

## **2.2 Purpose of Regional Coastal Plans**

Section 63 of the RMA states the purpose of regional plans (including regional coastal plans), while sections 64 to 70 set out the processes and general content of regional plans. Section 63 states:

- (1) *The purpose of the preparation, implementation, and administration of regional plans is to assist a regional council to carry out any of its functions in order to achieve the purpose of this Act.*

- (2) *Without limiting subsection (1), the purpose of the preparation, implementation, and administration of regional coastal plans is to assist a regional council, in conjunction with the Minister of Conservation, to achieve the purpose of this Act in relation to the coastal marine area of that region.*

Under section 30(1) of the Act, the functions of regional councils include:

- (b) *The preparation of objectives and policies in relation to any actual or potential effects of the use, development or protection of land which are of regional significance:*
- (c) *The control of the use of land for the purpose of –*
- (iii) *The maintenance and enhancement of ecosystems in water bodies and coastal water:*
  - (iv) *The avoidance or mitigation of natural hazards:*
- (d) *In respect of any coastal marine area in the region, the control (in conjunction with the Minister of Conservation) of –*
- (i) *Land and associated natural and physical resources:*
  - (ii) *The occupation of space on land of the Crown or land vested in the regional council, that is foreshore or seabed, and the extraction of sand, shingle, shell, or other natural material from that land:*
  - (iii) *The taking, use, damming, and diversion of water:*
  - (iv) *Discharges of contaminants into or onto land, air, or water and discharges of water into water:*
  - (iva) *The dumping and incineration of waste or other matter and the dumping of ships, aircraft, and offshore installations:*
  - (v) *Any actual or potential effects of the use, development, or protection of land, including the avoidance or mitigation of natural hazards and the prevention or mitigation of any adverse effects of the storage, use, disposal, or transportation of hazardous substances:*
  - (vi) *The emission of noise and the mitigation of the effects of noise:*
  - (vii) *Activities in relation to the surface of water:*

### **2.3 New Zealand Coastal Policy Statement, Hauraki Gulf Marine Park Act and Auckland Regional Policy Statement**

In achieving the purpose of the Act, the Regional Plan: Coastal must give effect to the New Zealand Coastal Policy Statement 1994 (NZCPS), sections 7 and 8 of the Hauraki Gulf Marine Park Act 2000 (HGMPA) and the Auckland Regional Policy Statement 1999 (ARPS) (section 67 RMA).

Some NZCPS policies that are particularly relevant to Plan Change 4 include:

- Policy 1.1.2 It is a national priority for the preservation of the natural character of the coastal environment to protect areas of significant indigenous vegetation and significant habitats of indigenous fauna in that environment by:*

- (c) *protecting ecosystems which are unique to the coastal environment and vulnerable to modification including estuaries, coastal wetlands, mangroves and dunes and their margins: and*
- (d) *recognising that any other areas of predominantly indigenous vegetation or habitats of significant indigenous fauna should be disturbed only to the extent reasonably necessary to carry out approved activities*

*Policy 3.4.3 The ability of natural features such as beaches, sand dunes, mangroves, wetlands and barrier islands, to protect subdivision, use, or development should be recognised and maintained, and where appropriate, steps should be required to enhance that ability.*

In preparing a change to the Regional Plan: Coastal, the following sections of the HGMPA must also be treated as a New Zealand Coastal Policy Statement.

#### *7. Recognition of national significance of Hauraki Gulf—*

- (1) *The interrelationship between the Hauraki Gulf, its islands, and catchments and the ability of that interrelationship to sustain the life-supporting capacity of the environment of the Hauraki Gulf and its islands are matters of national significance.*
- (2) *The life-supporting capacity of the environment of the Gulf and its islands includes the capacity —*
  - (a) *to provide for —*
    - (i) *the historic, traditional, cultural, and spiritual relationship of the tangata whenua of the Gulf with the Gulf and its islands: and*
    - (ii) *the social, economic, recreational, and cultural well-being of people and communities:*
  - (b) *to use the resources of the Gulf by the people and communities of the Gulf and New Zealand for economic activities and recreation:*
  - (c) *to maintain the soil, air, water, and ecosystems of the Gulf.*

#### *8. Management of Hauraki Gulf—*

*To recognise the national significance of the Hauraki Gulf, its islands, and catchments, the objectives of the management of the Hauraki Gulf, its islands, and catchments are—*

- (a) *the protection and, where appropriate, the enhancement of the life-supporting capacity of the environment of the Hauraki Gulf, its islands, and catchments:*
- (b) *the protection and, where appropriate, the enhancement of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments:*
- (c) *the protection and, where appropriate, the enhancement of those natural, historic, and physical resources (including kaimoana) of the Hauraki Gulf, its islands, and catchments with which tangata whenua have an historic, traditional, cultural, and spiritual relationship:*

- (d) *the protection of the cultural and historic associations of people and communities in and around the Hauraki Gulf with its natural, historic, and physical resources:*
- (e) *the maintenance and, where appropriate, the enhancement of the contribution of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments to the social and economic well-being of the people and communities of the Hauraki Gulf and New Zealand:*
- (f) *the maintenance and, where appropriate, the enhancement of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments, which contribute to the recreation and enjoyment of the Hauraki Gulf for the people and communities of the Hauraki Gulf and New Zealand.*

The ARPS contains complementary objectives and policies that support the enhancement of public access and amenity values in developed areas of the coast. Key policies include:

#### *7.4.4 Policies: Natural character of the coastal environment.*

- 1. *The natural character of the coastal environment shall be preserved, and protected from inappropriate subdivision, use and development by:*
  - (i) *In areas of high natural character, avoiding adverse effects on:*
    - (a) *the natural functioning and natural processes of sediment transport, substrate composition and movement of biota;*
    - (b) *areas of indigenous vegetation and habitats of indigenous fauna and associated processes;*
    - (c) *the physical integrity of coastal landforms and geological features and associated natural processes;*
    - (d) *features, elements and patterns which contribute to landscape value and scenic and visual value;*
    - (e) *natural features, sites and natural areas of historic, aesthetic, cultural or spiritual value;*
    - (f) *water or air quality;*
    - (g) *habitat important for preserving the range, abundance and diversity of indigenous and migratory coastal species;*
    - (h) *habitat important for breeding and feeding of coastal species;*
    - (i) *the healthy functioning of estuaries, coastal wetlands, mangroves, dunes, sand spits and their margins.*
  - (ii) *In all other areas, avoiding any adverse effects which result in the significant reduction in habitat important for preserving the range and diversity of indigenous and migratory coastal species within the Auckland Region.*

#### *7.4.10 Policies: Subdivision, use and development.*

- 1 *The diverse range of values of the coastal environment shall be recognised and the need to enable people and communities to provide for their social,*

*economic and cultural wellbeing shall be provided for in appropriate areas of the coastal environment.*

Proposed Plan Change 4 is considered to give effect to the relevant provisions of the NZCPS, HGMPA and ARPS. It recognises the importance of mangroves as an indigenous ecosystem but also that increasing mangrove colonisation is a symptom of sedimentation and changes to water flows, and that an integrated land and water management approach is needed to address this issue in the long term. At the same time it recognises the issues that are presently arising for ecosystems and communities. It provides a management framework for dealing with proposals for mangrove removal by including a discussion of the issues and including policies and rules to ensure the protection of areas with significant ecological and geological values (Coastal Protection 1 or Coastal Protection 2 areas).

As a change is being made to Chapter 16, the opportunity to address the issues of the prohibition of vehicles in a CPA1 area have also been addressed, and other minor amendments made.

## **2.4 Section 32 Requirements**

Section 32 of the RMA sets out the matters that need to be covered in this report:

- (1) *In achieving the purpose of this Act, before a proposed plan, proposed policy statement, change, or variation is publicly notified, a national policy statement or New Zealand coastal policy statement is notified under section 48, or a regulation is made, an evaluation must be carried out by –...*
  - (c) *The local authority, for a policy statement or a plan (except for plan changes that have been requested and the request accepted under clause 25(2)(b) of Part 2 of Schedule 1): or...*
- (2) *A further evaluation must also be made by –*
  - (a) *A local authority before making a decision under clause 10 or clause 29(4) of the Schedule 1: and...*
- (3) *An evaluation must examine –*
  - (a) *The extent to which each objective is the most appropriate way to achieve the purpose of this Act: and*
  - (b) *Whether, having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives.*
- (4) *For the purposes of this examination, an evaluation must take into account –*
  - (a) *The benefits and costs of policies, rules, or other methods: and*
  - (b) *The risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods.*
- (5) *The person required to carry out an evaluation under subsection (1) must prepare a report summarising the evaluation and giving reasons for that evaluation.*

- (6) *The report must be available for public inspection at the same time as the document to which the report relates is publicly notified or the regulation is made.*

This report follows the structure of section 32(3) and (4) and addresses whether, having regard to their efficiency and effectiveness, the proposed policies, rules and other methods are the most appropriate for achieving Objective 16.3.1. The evaluation considers the benefits and costs of policies and methods, and the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies or other methods. This information is presented in table form.

## **2.5 Initial Evaluation of Management Alternatives**

A number of management alternatives are available to the ARC to carry out its responsibilities under the RMA, or other legislation, and include:

- Do nothing
- Retain the status quo
- Use of statutory regional policy
- Use of regional rules
- Advocacy and liaison
- Education and provision of information
- Economic instruments (grants, rates, charges including financial contributions and administrative charges, land purchase)
- Codes of practice
- Monitoring and research

Several of these management approaches are being used by the ARC with regard to the wider issues of mangrove management, however the use of regional policy and regional rules are the principal management approach for the following reasons:

1. A regional coastal plan is a mandatory document that the ARC must prepare, implement and update.
2. The operative ARP:C contains objectives, policies and rules that relate to the removal of indigenous vegetation and disturbance of the foreshore and seabed. It is efficient and effective to update and build upon these provisions to address the issues that have arisen since the time the plan was prepared.

For these reasons the focus of this section 32 report is upon the changes to the policies and rules in Chapter 16 rather than upon whether regional policy and rules are an appropriate management mechanism.

## **3 Assessment of Proposed Plan Change 4 – Mangrove Management**

### **3.1 Purpose of Plan Change**

The purpose of Proposed Plan Change 4 is to:

- Recognise the values of mangroves and the issues associated with their rapid colonisation of some areas
- Recognise the causes of increased mangrove colonisation
- Provide policy guidance on the circumstances where mangroves should be protected, and where mangrove removal may be appropriate
- Recognise the benefit of integrated management of both land and sea
- Enable limited mangrove removal to enable reasonable use and operation of existing structures, drainage systems and infrastructure

- Enable control of mangroves expanding further into areas, by allowing the hand-removal of mangrove seedlings, subject to conditions to ensure any effects are minor
- Limit the plan direction on the non-notification of resource consent applications (restricted discretionary activities) and enable communities and affected parties to become involved with resource consent applications where appropriate
- Address the anomalies with some of the operative provisions in Chapter 16
- Change the prohibited activity status for mangrove removal in all Coastal Protection Area 1 areas to enable an application to be made and to be assessed on its merits.

This purpose is achieved by the following changes:

Introduction:

Amending the introduction of Chapter 16 to include a discussion on mangroves, including their values, and the issues associated with increased mangrove colonisation.

Policies:

- Including a new policy ensuring the protection of the viability and significance of CPA1 areas in any proposed mangrove removal activities
- Including a new policy providing guidance as to the circumstances where mangrove removal within a Coastal Protection 1 Area may be considered appropriate
- Including a new policy on the circumstances where, outside of Coastal Protection 1 Areas, mangrove removal may be considered appropriate
- Including a new policy recognising the interconnectedness of land and sea and seeking the preparation of integrated management plans to support significant disturbance or vegetation removal activities
- Including a new policy requiring an assessment of ecological values to be provided with resource consent applications for mangrove removal.

Rules:

- Extending the permitted activity rule (30 m<sup>2</sup> clearance) to allow for the functioning of drainage systems, or to ensure public health and safety in the use or operation of infrastructure enabling the operation, as well as the maintenance and use of lawful structures.
- Permitting the removal of mangrove seedlings by hand, outside of Coastal Protection 1 Areas, and subject to conditions to ensure the adverse effects are minor.
- Providing for permitted activities that cannot meet the 30m<sup>2</sup> clearance limitation as controlled activities.
- Limiting the circumstances where an application (restricted discretionary activity) may not be publicly notified, or notice served on affected persons.
- Providing for vegetation removal in CPA2 areas, other than as provided for as a permitted or controlled activity, as a discretionary activity.

- Amending the wording of the restricted coastal activity rules to make them more consistent with the New Zealand Coastal Policy Statement.
- Changing the prohibited activity status for mangrove removal in a Coastal Protection 1 Area (other than for the purposes specified as Discretionary Activities) to a non-complying activity, to provide a process where applications can be made and assessed on their merits.
- Changing the prohibited activity status of vehicles in Coastal Protection 1 Areas (which does not allow for circumstances such as vehicles on bridges crossing these areas) to a non-complying activity, to provide a process where applications can be made and assessed on their merits.

### 3.2 Summary of Key Changes

The following table summarises the changes to the Regional Plan: Coastal made by Proposed Plan Change 4.

Note: The numbering in this table refers to the new provision numbers proposed in Plan Change 4.

**Table 3.1: Summary of Proposed Changes**

ARP:C SECTION	FORM OF PROPOSED CHANGES
	<b>Chapter 16: Disturbance of Foreshore &amp; Seabed III Other Disturbances</b>
Definitions	New definitions have been included to clarify the intent of terms/words used in Chapter 16. The new definitions are: “Drainage Systems”, “Mangrove Colonisation”, “Mangrove Removal”, and “Mangrove Seedlings”. The definition of “Comprehensive Coastal Management Plan” has been amended to remove the word “potential”.
16.1 Introduction	The Introduction has been amended to include: <ul style="list-style-type: none"> <li>• a discussion on the values of mangrove habitats</li> <li>• the reasons why mangrove colonisation has increased rapidly over the last 50 years</li> <li>• the issue of mangroves spreading into other habitats and affecting the ecological or geological values of these areas</li> <li>• the issue of mangrove colonisation compromising access, navigation, recreation and amenity values</li> <li>• the issue of mangroves impacting on the ability to use structures, the functioning of drainage systems, and public health and safety in using infrastructure</li> </ul>
16.2 Issues	Two new issues have been included: <ul style="list-style-type: none"> <li>• The issue that the rapid colonisation being experienced in some estuaries and harbours is a response to increased sediments and nutrients entering the coastal marine area, or from changes in coastal processes, and that the expansion of mangroves can affect social, cultural, economic and environmental values. (Issue 16.2.2)</li> <li>• The issue that the long term management of mangroves requires the integration of land, riparian and coastal management and planning. (Issue 16.2.3)</li> </ul>
16.4 – Policies	<b>Policy 16.4.1</b> has been amended to include in the criteria of determining appropriateness the “... <i>provision and use of public infrastructure where there is no practicable alternative location... that would achieve a better</i>

ARP:C SECTION	FORM OF PROPOSED CHANGES
	<p><i>environment outcome” and “the activity will not be likely to result in significant adverse effects on natural values or natural character”.</i></p> <p><b>Policy 16.4.4</b> is a new policy which seeks to avoid mangrove removal activities that will threaten the viability or degree of significance of a CPA1 area.</p> <p><b>Policy 16.4.5</b> is a new policy which provides that mangrove removal in Coastal Protection 1 Areas, that are in accordance with policy 16.4.4 will be considered inappropriate unless it is for the specific reasons of:</p> <ul style="list-style-type: none"> <li>• Maintaining or enhancing the geological or ecological values (where mangrove spread may be affecting other habitat values)</li> <li>• Maintaining or enhancing public access consistent with protecting the identified values (e.g boardwalks etc)</li> <li>• Enabling the reasonable use of existing lawful structures and for infrastructure where there is no practicable alternative location that would achieve a better environmental outcome</li> </ul> <p><b>Policy 16.4.6</b> is a new policy which identifies, outside of Coastal Protection 1 Areas, the circumstances where mangrove removal may be considered appropriate, namely where mangroves are:</p> <ul style="list-style-type: none"> <li>• Adversely impacting on the values of significant cultural heritage sites, or areas of significant geological or other ecological values</li> <li>• Obstructing or interfering with areas of high public amenity or use, including recreation, access and navigation</li> <li>• The removal is in the overall public benefit, as opposed to individual or private benefit.</li> </ul> <p><b>Policy 16.4.7</b> is a new policy which supports the development of integrated management plans that address both the land and sea, and which propose a comprehensive long term management approach to issues, including mangrove management. This approach is supported by recognising that consent applications that are consistent with the findings of such a plan may be considered appropriate. Appendix H has added to provide guidance on the preparation of integrated management plans.</p> <p><b>Policy 16.4.8</b> is a new policy which requires that any application for mangrove removal include an assessment of the effects on ecological values, in recognition that mangrove ecosystem values will vary between areas, and need to be assessed on a case by case basis.</p>
16.5 – Rules	<p><b>Permitted Activities</b></p> <p><b>Rule 16.5.2</b> has been expanded from permitting limited 30 m<sup>2</sup> removal, outside of CPA1 areas, for the purpose of maintaining or gaining access to a structure to also permit this level of removal for the <i>“operation, maintenance and use of a lawful structures: allow the functioning of drainage systems, or to ensure public health and safety in the use of infrastructure”</i>. This change allows for a minor level of vegetation removal,</p>

ARP:C SECTION	FORM OF PROPOSED CHANGES
	<p>subject to conditions, in order to allow for the practicable use and functioning of existing “facilities” in the coastal marine area. Examples include clearance to enable a stormwater outfall structure to function effectively, or pruning to enable visibility on the corners of roads.</p> <p><b>Rule 16.5.3</b> is a new rule which allows for the removal of mangrove seedlings by hand, outside of CPA1 areas, subject to conditions to ensure that the effects of the disturbance are minor. This rule will mean that adult plants are left intact, but will enable communities to “hold the line” in terms of further mangrove expansion into areas.</p> <p><b>Rule 16.5.8</b> has been amended so that the wording is consistent with a similar rule (Rule 11.5.1) in the ARP:C.</p> <p><b>Controlled Activities</b></p> <p><b>Rules 16.5.12 to 16.5.12.1</b> are new rules which provide for the activities permitted in Rule 16.5.2 that cannot meet the 30 m<sup>2</sup> limit of removal. This rule recognises that the 30m<sup>2</sup> will not always be enough clearance to allow for these activities, and that in this case the area of removal should be able to be applied for. All the other conditions of Rule 16.5.2 have to be met and a requirement is that the area of removal can be demonstrated as the minimum necessary. In addition the ARC has retained the ability to apply conditions relating to the method, timing and extent of removal.</p> <p><b>Rule 16.5.12.2</b> provides that controlled activities shall be considered without public notification or the need to serve notice of the application on affected persons, unless in the opinion of the ARC there are special circumstances justifying notification.</p> <p><b>Restricted Discretionary Activities</b></p> <p><b>Rule 16.5.14</b> has been rewritten to clarify that this is the “default rule” for activities that have not specifically been provided for under another rule in this chapter.</p> <p><b>Rule 16.5.14.1</b> has been amended to clarify that these provisions apply to both disturbance and vegetation removal.</p> <p><b>Rule 16.5.14.1.d</b> has been amended to include the effects of disturbance or vegetation removal activities on geological values and natural character, as matters over which the ARC may exercise discretion.</p> <p><b>Rule 16.5.14.1.e</b> is a new matter over which the ARC proposes to exercise discretion. This allows for a consideration of the alternatives to undertaking the proposed activity in the CMA, and is an appropriate matter to consider, particularly if the proposed activity will have adverse effects that may be avoided by another alternative method or location.</p> <p><b>Rule 16.5.14.1.h</b> is a new matter over which the ARC will exercise its discretion, and allows for an assessment to be made in terms of the matters in the new policies 16.4.6 and 16.4.7. It is appropriate that removal that is applied for as a restricted discretionary activity is assessed in terms of these new policies as they provide guidance on the circumstances where</p>

ARP:C SECTION	FORM OF PROPOSED CHANGES
	<p>removal may be appropriate.</p> <p><b>Rule 16.5.14.1.j</b> is a new matter over which the ARC will exercise its discretion, and will enable a consideration of measures that may assist in avoiding, remedying or mitigating any adverse effects or disturbance or vegetation removal activities.</p> <p><b>Rule 16.5.14.2</b> has been amended to limit the disturbance and vegetation removal activities that will be considered without public notification or service on affected persons, to pacific oyster shell removal, or mangrove removal where a comprehensive integrated management plan in accordance with Appendix H has been prepared. The references to the relevant RMA sections have also been updated.</p> <p><b>Discretionary Activities</b></p> <p><b>Rule 16.5.15</b> has been amended to specifically refer to the permitted activity rules that default to discretionary activity status if conditions are not met. It does not change the status of these activities from the operative plan, but clarifies which rules still apply, given the other rule changes that have been made.</p> <p><b>Rule 16.5.16</b> is a new rule which makes mangrove removal in CPA2 areas, other than removal provided for as a permitted or controlled activity, a discretionary activity. This rule addresses one of the anomalies of the operative plan rules where the removal for habitat or site maintenance or enhancement was a discretionary activity (deleted rule 16.5.17) but removal for other purposes would default to a restricted discretionary activity (rule 16.5.12).</p> <p><b>Rule 16.5.17 a to d</b> is a new rule which replaces the operative rule 16.5.15 and 16.5.17, and provides for specific circumstances where the removal of vegetation in a CPA1 area will be a discretionary, rather than non-complying, activity.</p> <p>The first two circumstances provided for relate to maintaining or enhancing the CPA1 natural values, where for example mangrove colonisation is replacing other valued habitat (e.g wading bird feeding areas), or to enable public access consistent with protecting these values (e.g boardwalks). These activities are presently provided for as discretionary activities under rule 16.5.17, which is proposed be deleted.</p> <p>The third exception where removal is provided for, is for those activities that are provided for as permitted or controlled activities (Rule 16.5.2 and 16.5.3), but are located in CPA1 areas.</p> <p>The fourth exception is to enable the provision of public infrastructure where it can be demonstrated there is no practicable alternative outside of a CPA1 area. This recognises there are situations, for example for state highways or bridges where there may be no practicable alternative to locating partly in or over CPA1 areas, and that this may necessitate removing some vegetation to enable these structures to be built.</p> <p><b>Operative Rule 16.5.17</b> has been deleted and replaced by rule 16.5.16 and 16.5.17. New rule 16.5.16 makes removal of vegetation, other than as provided for as a permitted or controlled activity, a discretionary activity in CPA2 areas. New rule 16.5.17 incorporates vegetation removal for the</p>

ARP:C SECTION	FORM OF PROPOSED CHANGES
	<p>purpose of habitat or site enhancement, or for appropriate access, as well as the additional matters discussed above.</p> <p><b>Restricted Coastal Activities</b></p> <p><b>Rules 16.5.19 and 16.5.20</b> have been amended to be more consistent with Schedule 1.6 (a) and (b) of the NZCPS.</p> <p><b>Non Complying Activities</b></p> <p><b>Rule 16.5.21</b> is a new rule that provides for disturbance, or vegetation removal other than that provided for as a discretionary activity, or that is prohibited, as a non-complying activity in CPA1 areas. This replaces the operative rule 16.5.20 which prohibited the removal of indigenous vegetation from CPA1 areas. A total prohibition has proved problematic, particularly for major infrastructure which may not be able to avoid a location in a CPA1, or that can totally avoid any mangrove removal. The new rule will allow applications for such activities to be made and assessed on their merits.</p> <p><b>Rule 16.5.22</b> is a new rule which allows for vehicles, other than the vehicles specifically allowed for in CPA1 areas, to be able to apply for consent as non-complying activities. This replaces the operative rule 16.5.22 which prohibited vehicle use in CPA1 areas, other than in limited situations. A prohibition on vehicles has proved problematic, particularly as it applies to airspace above the foreshore, as well as the foreshore itself. Technically this means that vehicles could not use bridges that cross CPA1 areas. The proposed new rule allows for such use to be considered, ideally at the same time as resource consents for the bridge are being obtained, and to be assessed on its merits.</p>
16.6 Other Methods	<p><b>Other Method 16.6.6, 16.6.7 &amp; 16.6.8</b> recognise that the long term management of mangrove colonisation requires a reduction in sediment entering the CMA and that to achieve this a range of methods are needed to influence land use activities, and to achieve integrated management of land and sea.</p>

### 3.3 Background to Development of Plan Change

A review of mangrove management in the Auckland region began in February 2005.

#### Meetings and Reports on the Need for a Plan Change

- ARC Environmental Management Committee Meeting (14 February 2005)

A report to this Committee discussed the issues associated with mangroves, including community polarisation over issues of protection and mangrove spread. It also summarised the current provisions of the ARP:C that apply to mangrove management activities, and the possible alternative approaches. The Committee endorsed the recommendation that a scoping report on possible changes to the ARP:C, including costs, be prepared.

- Report: Mangrove Management (A Review of the Provisions of the ARP:C and Assessment of Plan Options for Mangrove Management) by Hill Young Cooper (November 2005)

This report reviewed the provisions of the ARP:C, and the equivalent Regional Coastal Plans for regions in which mangroves are present, and scoped possible options for changes.

The report concluded that the provisions of the ARP:C are generally less restrictive than those of the other Regional Coastal Plans, with a restricted discretionary activity status for mangrove removal over much of the CMA. Other regions generally have a discretionary activity status for mangrove removal.

Minor changes to the existing plan provisions were recommended with the objective of improving the guidance and workability of the plan. It was suggested that consideration be given to further expanding the range of circumstances in which mangrove removal may be facilitated through permitted or controlled activities. Two alternative methods, namely "holding the line" and identifying a point in time at which subsequent mangrove colonisation can be managed, or developing a strategy which identifies areas of value for protection, and areas where removal may be appropriate, were also suggested.

- ARC Environmental Management Committee Meeting (14 November 2005)

This report discussed the findings of the Hill Young Cooper report. The Committee resolved that staff include a programme for consideration in the 2006/07 annual plan process for a change to the ARP:C to:

- i) Provide specific objectives and policies in relation to mangrove removal.
- ii) Address the inconsistencies in the current rules for restricted discretionary and discretionary activities.
- iii) Address the problems caused by having a prohibited activity for mangrove removal in all CPA1 areas.
- iv) Allow minor expansion of the situations in which it is appropriate to remove mangroves as a permitted or controlled activity.

The Committee also endorsed for inclusion in the 2006/07 annual plan process, a regional review of mangrove expansion and development of a mangrove strategy.

- Regional Strategy and Planning Committee Meeting (RSP) (11 December 2006)

The background discussion in this report referred to:

- the findings of the Hill Young Cooper report
- the areas in the Auckland region where mangroves have been raised as a particular issue
- the areas where coastal compartment management plans had been prepared
- the resource consent applications that had been granted for mangrove removal
- Northland Regional Council's Plan Change 3 relating to mangrove management

This report anticipated that the plan change to the ARP:C would not propose a significant change in direction from the existing plan provisions, as there is no detailed research on mangroves in the Auckland region to support a significant policy change. A significant change would also be inconsistent with other regional coastal plans, and with the policies of the New Zealand Coastal Policy Statement (NZCPS).

The Committee resolved that a draft plan change be considered at a councillor workshop in early 2007 to discuss the content of the draft plan change, the consultation process, and the timing of the plan change notification. It was also resolved that the outcome from the workshop be reported to the next available RSP Committee for formal resolution.

### **Meetings and Workshops to Review and Approve Draft Plan Change**

- Councillor Workshop (14 February 2007)

A workshop was held with councillors to discuss a draft plan change, showing proposed changes to Chapter 16. A draft Issues and Options paper, and summary of rule changes were also considered. Further changes were made to the draft plan change in response to the matters raised at the workshop.

- Regional Strategy & Planning Committee Meeting (19 February 2007)

The Committee resolved that the approval of the final form of documents for pre-notification consultation be delegated to the Chair and Deputy Chair.

These documents were approved and sent to the parties required to be consulted under Schedule 1 RMA (government ministers, iwi and local councils), and to representative interest groups for comment.

The plan change was reviewed in light of the comments received, and a meeting held with councillors on 13<sup>th</sup> June 2007 to discuss the feedback received and issues raised.

- Regional Strategy and Planning Committee Meeting (16 July 2007)

A report to this meeting discussed the progress made and recommended that a sub-committee comprising Councillors Walbran, Burrill, Rose and Glenn be delegated authority to approve the final form of the proposed plan change for public notification. The councillors met to discuss the plan change on 16 July, 14 August and 20 August 2007.

### **Report on the Current State of Knowledge on the New Zealand Mangrove**

- The New Zealand mangrove: review of the current state of knowledge (May 2007 ARC Technical Publication 325) and summary booklet: "New Zealand's Mangroves"

A review of the current state of knowledge regarding mangroves was commissioned by the ARC. The council recognised that in order to manage mangroves appropriately there was a need to understand how they grow, what other species they support and the role they play in the environment. A detailed Technical Publication and a summary booklet were produced.

One of the main conclusions reached by this review is that mangrove management needs to be considered on a case-by-case basis because of the remaining gaps in our knowledge, and because mangrove characteristics and their ecological roles differ from location to location.

### 3.4 Consultation Summary

In April and May 2007 a letter advising that the ARC was preparing a plan change regarding mangrove management was sent to the parties required by RMA Schedule 1, including twenty iwi and hapu in the Auckland region. Letters were also sent to eight representative interest groups in the region. Attached to this letter was an Issues Paper, draft Chapter 16 showing proposed changes, a table summarising the proposed rule changes and a questionnaire/feedback form.

Written comments were received from five territorial authorities, the Department of Conservation Auckland, Waikato Regional Council, Ngati Whatua Nga Rima o Kaipara Trust, the Mangere Bridge Residents and Ratepayers Association and the Royal Forest and Bird Protection Society.

A meeting was held on 26<sup>th</sup> April at Manukau City Council offices where the community groups that were known to have a particular interest in mangrove management issues were invited. A meeting was also held with officers of the Department of Conservation (Auckland), and with officers from Transit New Zealand. The plan change was also discussed at meetings with interested parties, including: the Tamaki Estuary Protection Society (28 February 2007), the Royal Forest & Bird Protection Society Warkworth Branch (17<sup>th</sup> May 2007), the Stormwater Consent and Compliance Industry Liaison Group Meeting (19<sup>th</sup> June 2007), and several historical societies.

#### Key Matters Raised Through Pre-Notification Consultation

1. Concern that the proposed plan provisions were too restrictive:
  - Concern and opposition to the change continuing to require a resource consent application for mangrove removal, other than very limited removal for permitted activities, as this approach imposes a substantial cost for communities who often have limited resources.
  - Seeking an “enabling” planning approach for communities dealing with issues of mangrove expansion.
  - Seeking that the ARC undertake research and identify where mangroves can be removed without a resource consent process, in order to allow communities to remove mangroves without going through a costly and time-consuming resource consent process.
  - Seeking the addition of a controlled activity rule for permitted activities that do not meet the 30m<sup>2</sup> of clearance limitation, as this will not always be a sufficient area of clearance to enable the use/functioning of facilities.
  - Support for changing the prohibition rule for mangrove removal in Coastal Protection Areas 1.
2. Concern that the proposed plan provisions were too permissive:
  - That existing ARP:C provisions are adequate, and that there are not outstanding resource management issues relating to mangroves that warrant a change to the plan.
  - That further research is needed before any changes should be made.
  - That CPA2 values are not being adequately recognised and protected.

- Debate over whether there should be a date, or time, from which “mangrove colonisation” or spread should be measured.
- That there need to be controls over removal for proposed permitted activities to ensure monitoring and understanding of cumulative effects.
- That the change needs to give greater recognition of the erosion mitigation effect of mangroves.
- Concerns with the draft policy referring to “Comprehensive Coastal Management Plan” as this relies on a non-statutory plan and approval process, and that this policy should refer to the “criteria” of such a plan.
- Support for a Coastal Compartment Management Plan, or integrated management plan approach, for managing mangrove removal activities.
- Concern that a matter that the ARC should retain discretion over, in respect of restricted discretionary activities, should include the appropriateness of mangrove removal in terms of the new policies that provide guidance on this matter.
- Concern over the non-notification rule for restricted discretionary applications and that the blanket approach of non-notification, or need to obtain approval from affected persons, is inconsistent with intent of RMA.
- Concern at inadequate controls on farm stock in CMA and that stock should be prohibited throughout the CMA.

Both the written and verbal comments that have been received were analysed, both by council officers and by councillors at a workshop held on 16<sup>th</sup> July 2007, and changes were made to the draft plan change.

The key changes made to the draft revision of Chapter 16 as a result of pre-notification consultation include:

1. Reviewing and changing the definitions, for “Mangrove Colonisation” and “Drainage Systems”, and including a new definition for “Mangrove Seedlings”.
2. Including a discussion of mangrove values, the issues associated with increased colonisation, and the reasons for increased colonisation in the Introduction and Issues.
3. Adding a new policy: that mangrove removal in CPA1 areas shall be avoided where it will threaten the viability or significance of the ecological or geological values identified for the CPA.
4. Deleting the reference to a “Comprehensive Coastal Management Plan” and replacing it with a new policy 16.4.7 and an Appendix H, outlining the matters to be addressed in an integrated management plan.
5. Adding a new permitted activity rule (Rule 16.5.3 a to i) to allow for the hand-pulled removal of mangrove seedlings, subject to a number of conditions.
6. Adding a new controlled activity rule (Rule 16.5.12 to 16.5.12.2) for permitted activities that cannot meet the condition of 30m<sup>2</sup> clearance (Rule 16.5.2 b).
7. Amending the non-notification rule (Rule 16.5.14.2) for restricted discretionary activities to limit non-notification, or the need to serve notice on affected persons, to resource consent applications for oyster shell removal, or

disturbance and vegetation removal activities that are supported by an integrated management plan.

8. Including three additional “Other Methods” which identify the actions the ARC will undertake, and promote, to achieve a reduction in sediments and nutrients entering the coastal marine area, which is the major cause of increasing mangrove colonisation.

### **3.5 Does the Objective Achieve the Purpose of RMA**

Section 32 (3)(a) requires the ARC to examine the extent to which each objective is the most appropriate way to achieve the purpose of the RMA. No change has been made to the Objective in Chapter 16, namely Objective 16.3.1:

*“To provide for appropriate activities which involve the disturbance of the foreshore or seabed, while avoiding, remedying or mitigating the adverse effects on the coastal environment.”*

The changes made to Chapter 16 are considered the most efficient and effective way of achieving Objective 16.3.1 in respect of the disturbance associated with vegetation removal, particularly mangroves.

### **3.6 Evaluation of Policies, Rules and Other Methods – Efficiency and Effectiveness**

Section 32(3)(b) requires that an evaluation of any plan change must examine whether, having regard to their efficiency and effectiveness, the policies, rules or other methods are the most appropriate for achieving the objective/s.

It should be noted that both the policies and methods work together to achieve the objective.

Note: The numbering in this table refers to the new provision numbers proposed in Plan Change 4.

**Table 3.2: Evaluation of Policies, Rules and Other Methods – Efficiency, Effectiveness and Appropriateness**

Policy/Rule	Efficiency & Effectiveness	Most appropriate for Achieving Objectives?	Extent it is the most appropriate way to achieve the purpose of RMA & other possible approaches
<b>Policy 16.4.1 a v</b>	The addition to this policy recognises, in the public interest, and in the interests of efficiency, that public infrastructure, such as bridges or power pylons, are sometimes located, or need to locate, in the CMA, and that this may be appropriate where it achieves the best environmental outcome.	Yes. It is in the public interest to recognise that this activity may be appropriate in the CMA.	Recognising the need to provide for infrastructure is consistent with section 5 RMA, as infrastructure is necessary to enable communities' social and economic wellbeing and health and safety.  The alternative approach would be to continue to provide no policy guidance on this issue. This is not in the interests of efficiency or effectiveness and will not necessarily achieve the best environmental outcome.
<b>Policy 16.4.1.f</b>	It is appropriate and effective to include the issue of the significance of any effects on natural character, natural features and ecosystems. These are matters that are referred to in sections 6 and 7 RMA, and could be adversely affected by disturbance or vegetation removal activities.	Yes. This addition ensures that the significance of effects on these matters is considered.	Requiring an assessment of the effects on these matters gives effect to sections 6 & 7 RMA.  An alternative approach is to rely on the general reference in Chapter 16 (Policy 16.4.9) of the need to consider the matters in Values Part III of the ARP:C. Clarifying the need to consider these particular matters in an assessment of effects is an appropriate approach.
<b>Policy 16.4.4 &amp; 16.4.5</b>	These policies are efficient and effective as they provide guidance on where disturbance or removal should be avoided, and the circumstances where mangrove removal may be appropriate in the most vulnerable or significant CPA 1 areas.	Yes. These policies recognise the need to protect the integrity of CPA1 values but also recognise the issues that have arisen in respect of mangroves in CPA1 areas, and that there are some circumstances where removal may be appropriate.	It is appropriate to have a policy that protects the significant values of CPA1 areas, which is consistent with sections 5 & 6 RMA.  At the same time, it is appropriate to recognise, that while the integrity of CPA1 areas need to be protected, there are certain social, economic or environmental reasons where mangrove removal may be appropriate in CPA1 areas is consistent with sections 5 and 6 RMA.  The alternative approach is to rely on the existing ARP:C provisions which only support removal to maintain access to a lawful structure and removal for habitat or geopreservation purposes (Rule 16.5.17). Relying on these

<b>Policy/Rule</b>	<b>Efficiency &amp; Effectiveness</b>	<b>Most appropriate for Achieving Objectives?</b>	<b>Extent it is the most appropriate way to achieve the purpose of RMA &amp; other possible approaches</b>
			existing provisions would fail to recognise the issues that have arisen in respect of infrastructure needs, or concerns over mangroves spreading into other important habitats and reducing biodiversity and habitat values in some CPA1 areas.
<b>Policy 16.4.6</b>	This policy is efficient and effective as it provides guidance on the circumstances where mangrove removal may be considered an appropriate activity, outside of CPA1 areas.	Yes. It provides guidance on the circumstances where mangrove removal activities may be appropriate.	This gives effect to section 5 RMA, by enabling people to provide for their social, economic and cultural wellbeing, and section 7 (c), to maintain and enhance amenity values.  The alternative approach is the existing ARP:C, which has no policies relating to mangrove removal activities. This approach fails to recognise the issues that have arisen in parts of the region, and fails to provide any policy guidance when assessing applications for removal.
<b>Policy 16.4.7</b>	This policy identifies the need to address the wider integrated management issues, particularly for significant disturbance or vegetation removal activities. Appendix H assists in “efficiency and effectiveness” by providing guidance on the matters to be addressed in the preparation of a plan.	Yes. This policy gives a direction on the need for an integrated holistic long term approach that is needed to achieve the Objective.	This is an important means of achieving long term sustainable management, consistent with Section 5 RMA.  The alternative approach is to not have such a policy. This would fail to support comprehensive integrated management, which is the most desired approach for dealing with significant activities, and a range of issues for an area.
<b>Policy 16.4.8</b>	Research has concluded that the ecological value and effects of mangrove removal are variable and need to be assessed on a case by case basis. This policy identifies the need for this issue to be assessed with regard both the immediate area and wider context to determine the appropriateness of the proposal and to ensure effective management of mangroves.	Yes. It is an assessment that is necessary to determine appropriateness.	The ecological value of mangroves is specifically recognised in the NZCPS (Policy 1.1.2 (b), (c)), and the requirement to assess the effect on ecological values is appropriate in order to achieve the purpose of sections 6 (a) and (c) and 7 (d) RMA, as well as the direction of the NZCPS.  An alternative approach would be for the ARC to undertake a region wide assessment of mangroves and ecological values and identify areas where removal could be undertaken without the need for further assessment. Such an approach would be costly and time consuming, and the potential benefits of such an approach do not appear to be justified at this stage.
<b>Rule 16.5.2 a) to</b>	To address the issue of “efficient and effective” management for those	Yes. These are existing activities and uses of the CMA	Enabling minor clearance to allow the reasonable use and operation of existing facilities/structures in the CMA is consistent with Section 5 RMA as

Policy/Rule	Efficiency & Effectiveness	Most appropriate for Achieving Objectives?	Extent it is the most appropriate way to achieve the purpose of RMA & other possible approaches
e)	activities that are likely to need to undertake a minor level of removal to continue to operate and function, Rule 16.5.2 has been extended to permit minor (30m <sup>2</sup> ) clearance.	and these rules provide for their continued use while applying standards and conditions to ensure that any adverse effects are avoided, remedied or mitigated, consistent with Objective 16.3.1.	<p>it enables people and communities to use these facilities or structures to provide their social, economic and cultural well being and health and safety while avoiding, remedying or mitigating any adverse effects on the environment.</p> <p>An alternative approach would be to rely on the existing provisions which limit removal to 30m<sup>2</sup> for access to a lawful structure. Any other clearance would need to apply for a resource consent, or in the case of being located in a CPA1 area, under the existing provisions would be a prohibited activity and an application could not be made.</p> <p>This approach does not recognise the on-going need by territorial authorities, people and communities to be able to use structures, ensure that drainage systems remain clear and able to function effectively, or to ensure that visibility can be maintained on roads or bridges for safety reasons. An efficient and cost effective process, that is subject to conditions to ensure that any adverse effects are minor, is the most appropriate way of enabling the use and operation of existing facilities.</p>
Rule 16.5.3 a) to i)	Rule 16.5.3 addresses community concerns to be able to have some control over mangrove spread into areas in order to maintain access, navigation and amenity values. The hand-removal of seedlings is subject to the definition of “mangrove seedlings”, and is subject to a number of conditions to ensure that any adverse effects are minor. It is an efficient and effective way to enable communities to “hold the line” on mangrove spread, with minimal cost and with minor environmental effects.	Yes. Enables communities to undertake seedling removal activities subject to conditions that will ensure that this activity will have minor adverse effects.	<p>Seedling removal by hand-pulling enables people and communities to control mangrove spread and to provide for their social, economic and cultural wellbeing (section 5 RMA) and to maintain amenity values (section 7 (c)), without significant adverse environmental effects, or the cost of obtaining a resource consent. The definition of “mangrove seedlings” and the conditions that apply will ensure that the effects are minor and that section 6 (a) and (c) RMA and Policy 1.1.2 and 3.4.3 NZCPS are also met.</p> <p>An alternative approach would be to retain the existing ARP:C provisions, which require a resource consent application to be obtained for mangrove seedling removal, outside of the 30m<sup>2</sup> for permitted activities, and which do not allow any removal in CPA1 areas. This is a precautionary approach that can impose significant costs for people and communities in obtaining resource consents for seedling removal that, subject to appropriate conditions, will have minor adverse effects. A more appropriate approach is to permit hand removal of seedlings subject to appropriate conditions.</p>

Policy/Rule	Efficiency & Effectiveness	Most appropriate for Achieving Objectives?	Extent it is the most appropriate way to achieve the purpose of RMA & other possible approaches
			<p>Another alternative approach is for the plan change to limit seedling removal as a permitted activity to the General Management Area, and to require a resource consent as a discretionary activity in CPA2 areas. This limitation would affect large intertidal areas, including some areas where mangrove spread has been raised as an issue, and/or where they are important habitats for wading birds which may be affected by mangrove spread. Limiting seedling removal as a permitted activity to not include CPA2 areas is not considered necessary, as seedling removal subject to the proposed conditions will have minor environmental effects, and may benefit some CPA2 areas in maintaining a range of habitat values.</p> <p>Another alternative approach would be to provide for seedling removal as a controlled activity. However this would still require a resource consent application to be made and would impose a cost on people and communities for an activity that, subject to appropriate conditions, is unlikely to have significant adverse environmental effects.</p>
<b>Rule 16.5.8 a)</b>	This rule has been amended to be consistent with rule 11.5.1.c), which also provides for disturbance activities. It also ensures more appropriate protection of the values of CPA1 areas.	Yes. Ensures that the effects of activities on CPA1 areas are minor.	The limitation of disturbance on the most valuable and vulnerable areas (CPA1) is appropriate to achieve the purpose of sections 6 (a), (b) and (c).
<b>Rule 16.5.12, 16.5.12.1 and 16.5.12.2</b>	Rule 16.5.12 and 16.5.12.1 address the issue that some of these activities will need to clear more than 30m <sup>2</sup> to effectively operate or function. Rather than trying to determine an arbitrary upper figure, which may still not achieve the purpose, clearance for a area larger than 30m <sup>2</sup> , outside of CPA1 areas, has been provided for as a controlled activity. This is an efficient and effective way of managing removal for these	Yes. These are existing activities and uses of the CMA and these rules provide for their continued use while applying standards and conditions to ensure that any adverse effects are avoided, remedied or mitigated, consistent with Objective 16.3.1.	<p>Enabling clearance that can be demonstrated as the minimum necessary to allow for the reasonable use and operation of existing facilities/structures in the CMA is consistent with Section 5 RMA, as it enables people and communities to use these facilities/structures to provide their social, economic and cultural well being and health and safety while avoiding, remedying or mitigating any adverse effects on the environment.</p> <p>An alternative approach would be to rely on the existing provisions which limit removal to 30m<sup>2</sup> for access to a lawful structure. Any other clearance would need to apply for a resource consent, or in the case of being located in a CPA1 area, under the existing provisions would be a prohibited activity</p>

Policy/Rule	Efficiency & Effectiveness	Most appropriate for Achieving Objectives?	Extent it is the most appropriate way to achieve the purpose of RMA & other possible approaches
	<p>purposes, which still allows for the ARC to retain control over a number of matters, including the extent of removal that can occur.</p> <p>It is efficient and effective that applications for removal for these limited activities be generally processed on a non-notified, or need to serve notice on affected persons, basis.</p>		<p>and an application could not be made.</p> <p>The approach of the operative plan does not recognise the on-going need to be able to use structures, ensure that drainage systems remain clear and able to function effectively, or to ensure that visibility can be maintained on roads/bridges for safety reasons. The proposed new rule provides for an efficient and cost and time effective process that still allows the ARC to apply conditions to ensure that any adverse effects are minor.</p>
<b>Rule 16.5.14</b>	This is essentially a reworking of the operative rule, which makes any activity not specifically provided for in another rule, default to a restricted discretionary activity.	Yes. This is the same as the present situation under the operative plan.	A default rule is appropriate to ensure that the effects of any unanticipated activities on the environment can be assessed and controlled. The revised wording is appropriate as it give greater clarity and certainty.
<b>Rule 16.5.14.1 a) to e)</b>	The additions to this rule clarify that these provisions relate to the removal of vegetation. Additional criteria have been included in d) and e) as these are matters which also need to be considered in determining the appropriateness of the activity.	Yes. These are matters over which the ARC will wish to have discretion in determining whether an activity is consistent with Objective 16.3.1.	<p>16.5.14.1 d)</p> <p>Natural character, which includes natural substrate and features (geological values) is a matter of national importance that the ARC needs to recognise and provide for under Section 6 RMA, and for this reason it is appropriate that the ARC retain discretion over these matters.</p> <p>The alternative approach is to retain this rule without reference to geological values and natural character. This would not be appropriate as it does not give the ARC discretion to consider these relevant matters in assessing restricted discretionary activities.</p> <p>16.5.14.1.e)</p> <p>The Fourth Schedule 1 (b) RMA includes the consideration of possible alternative locations or methods where an activity is likely to result in a significant adverse effect on the environment. It is appropriate for the ARC to retain discretion over this issue when considering disturbance and/or</p>

Policy/Rule	Efficiency & Effectiveness	Most appropriate for Achieving Objectives?	Extent it is the most appropriate way to achieve the purpose of RMA & other possible approaches
			<p>vegetation removal proposals.</p> <p>The alternative approach is to retain the existing ARP:C provisions that do not include a reference to a consideration of alternatives. This would not be appropriate as this is a valid matter for the ARC to retain discretion over, as the adverse effects or a proposal may be able to be avoided, remedied or mitigated by an alternative method, approach or location.</p>
<b>Rule 16.5.14.1 h)</b>	<p>The addition to this rule ensures that the new policies that have been added to provide guidance on the circumstances where removal may be appropriate are used in the assessment of a proposal. This assists to provide more certainty of outcomes and provide a more “efficient and effective” assessment process.</p>	<p>Yes. These new policies were added for the purpose of providing guidance on whether a proposal was appropriate in terms of Objective 16.3.1.</p>	<p>This rule gives effect to Policy 16.4.6 which provides guidance on the circumstances where removal may be appropriate, and gives effect to section 5, by enabling people to provide for their social, economic and cultural wellbeing, and section 7 (c).</p> <p>This rule also gives effect to Policy 16.4.7, and supports the preparation of wider integrated management plans in assessing mangrove management. This is a key means of achieving long-term sustainable management.</p> <p>The alternative approach is to retain the existing provisions of the ARP:C that do not include any policy guidance on the appropriateness of mangrove removal activities. This approach fails to recognise the issues that have arisen in parts of the region, and fails to provide any policy guidance when assessing restricted discretionary applications.</p>
<b>Rule 16.5.14.1 j)</b>	<p>It is in the interests of effective management of the CMA that the ARC retain discretion to consider the measures proposed to avoid, remedy or mitigate any adverse effects, as these measures may play a large part in determining whether a proposal is appropriate.</p>	<p>Yes. The measures proposed to avoid, remedy or mitigate any adverse effects are an integral component of assessing whether an activity is appropriate.</p>	<p>This rule gives effect to Section 5 and enables the ARC to be able to exercise discretion over the measures proposed, which an important component of determining the appropriateness of an activity, and managing the effects on the environment.</p> <p>The alternative approach is to retain the existing provisions of the ARP:C that do not include the measures to avoid, remedy or mitigate adverse effects as a matter over which the ARC can exercise discretion. This fails to recognise that exercising discretion over these measures is important in determining whether an activity is appropriate.</p>
<b>16.5.14.2</b>	<p>This rule has been amended to refer to the instances where notification will</p>	<p>Yes. This provides for the circumstances where</p>	<p>The limitation of non-notification and the service of notice to apply only to Pacific Oyster shell removal, and where a proposal is consistent with an</p>

Policy/Rule	Efficiency & Effectiveness	Most appropriate for Achieving Objectives?	Extent it is the most appropriate way to achieve the purpose of RMA & other possible approaches
	not be required. In other cases the need for public notification and/or notification of affected persons will be determined in terms of S 94 RMA. Non-notification for the activities listed is appropriate and will provide an efficient resource consent process.	notification will not be required, but otherwise leaves this as a issue to be addressed in terms of Section 93 of the RMA.	integrated management plan, achieves the intention of Section 93 and 94 RMA, which support the wide rights of public participation and a participatory process, particularly for proposals affecting the CMA, which is "public estate." An integrated management plan, prepared in accordance with Appendix H, involves inclusive consultation and involvement of the affected parties and local community. The need for notification of an application that is consistent with an integrated management plan, or for the removal of pacific oyster shell in the community and environmental interest, is not considered efficient, and would involve an unnecessary time and money cost.  The alternative approach is to retain the existing plan provisions, however this blanket non-notification approach is considered contrary to the intention of Section 93 RMA.
<b>Rule 16.5.15</b>	This rule has been rewritten to reflect changes made to the rules, but retains the same status for these activities as the operative plan.	Yes. This is the same as the present situation under the operative plan.	A default rule for permitted activities that do not meet the conditions is appropriate to ensure that the effects of these activities on the environment can be assessed and controlled.
<b>Rule 16.5.16</b>	This rule replaces the operative plan rule 16.5.17, and makes mangrove removal, other than as provided for as a permitted or controlled activity, in CPA2 areas, a discretionary activity. This addresses the anomaly that under the operative plan removal for habitat or geo-preservation enhancement is a discretionary activity, and removal for other purposes is a restricted discretionary activity.	Yes. This rule reflects the fact that CPA2 areas often contain mangrove habitat areas that are recognised and valued.	CPA2 areas have been identified in the ARP:C pursuant to achieving Section 5 RMA, and providing for the matters in Section 6. It is appropriate that mangrove removal proposals in these areas are assessed against the objectives and policies of the ARP:C to ensure the maintenance of the values of these areas.  The alternative approach is to retain the existing plan provisions, which contain the rule anomaly of requiring a discretionary activity consent for habitat enhancement, and a restricted discretionary for any other purpose. This approach is inconsistent and provides a confusing message for mangrove removal proposals in CPA2 areas.
<b>Rule 16.5.17 a) to d)</b>	This is a new rule which replaces the operative rule 16.5.15 and gives effect to new policy 16.4.5. This rule is efficient as it provides for the limited circumstances where mangrove removal in a CPA1 may be	Yes. This gives recognition to the fact that some removal in CPA1 areas may be necessary or appropriate.	Recognising that there are certain social, economic or environmental reasons where mangrove removal may be appropriate in CPA1 areas is consistent with Section 5 and 6 RMA.  The alternative is to rely on the existing ARP:C Rule 16.5.15 which only

Policy/Rule	Efficiency & Effectiveness	Most appropriate for Achieving Objectives?	Extent it is the most appropriate way to achieve the purpose of RMA & other possible approaches
	considered appropriate.		allows removal for the purpose of maintaining or gaining access to a lawful structure in CPA1 areas. Any other removal is prohibited by Rule 16.5.20. Relying on the existing provisions would fail to recognise the issues that have arisen in respect of infrastructure needs, or concerns over mangroves spreading into other important habitats and reducing biodiversity in some CPA1 areas.
<b>Rule 16.5.19 and 16.5.20</b>	The wording of this rule has been amended to more closely reflect the wording in Schedule 1.6 (a) and (b) of the NZCPS.	Yes. This amendment makes restricted coastal activities more consistent with the NZCPS.	<p>The change of wording is appropriate, and achieves the purpose of the RMA as it will ensure that significant disturbance activities will be restricted coastal activities, consistent with the criteria in Schedule 1.6 (a) and (b) of the NZCPS.</p> <p>The alternative is to retain the existing wording that has the word “and” after each criteria, so that all criteria need to be met for an activity to be a restricted coastal activity. This means that “more significant” activities than those contemplated in the NZCPS would not necessarily be restricted coastal activities. This is inconsistent with the intention of the NZCPS.</p>
<b>Rule 16.5.21</b>	This rule replaces operative rule 16.5.20, which has been deleted. Operative rule 16.5.20, which prohibits any removal in a CPA1 area, has proved problematic in the past. Removal in a CPA1 that is not provided for under Rule 16.5.17 will now be a non-complying activity. This allows for an application to be made and considered against the objectives and policies of the plan. This is considered more efficient and effective than the blanket prohibition that presently applies, and will allow for consideration of a proposal on its merits.	Yes. It allows for consideration of whether a proposal is appropriate.	<p>This change is appropriate and recognises that the present prohibition on removal in CPA1 areas does not achieve the purpose of Section 5 RMA, as it does not enable people and communities to provide for their social, economic and cultural wellbeing, or for the environmental effects to be assessed.</p> <p>The alternative is to retain the existing ARP:C Rule 16.5.20 which prohibits removal in CPA1 areas. This has proved problematic in the past, as it does not allow for proposals to be considered, which may be appropriate.</p> <p>Another alternative would be for all mangrove removal in CPA1 areas to be discretionary activities. This approach would place CPA1 areas on the same basis as CPA2 areas, and would not reflect the higher values and vulnerability of CPA1 areas. Rule 16.5.17 provides for those removal activities that may be considered appropriate in CPA1 areas as discretionary activities, and it is appropriate to retain a rule distinction between these activities, and removal in CPA1 areas for other reasons.</p>

<b>Policy/Rule</b>	<b>Efficiency &amp; Effectiveness</b>	<b>Most appropriate for Achieving Objectives?</b>	<b>Extent it is the most appropriate way to achieve the purpose of RMA &amp; other possible approaches</b>
<b>Rule 16.5.22</b>	This rule replaces operative rule 16.5.22, which has been deleted. Operative rule 16.5.22 prohibited the use of motor vehicles, except for limited circumstances in CPA1 areas and has proved problematic, for example bridges may cross CPA1 areas. This change will be “efficient and effective” in recognising there may be circumstances where vehicle use may be acceptable.	Yes. It recognises that there may be instances where vehicle use in CPA1 area may be appropriate and allows for this to be applied for an assessed.	<p>This change is appropriate and recognises that the present prohibition on vehicles in CPA1 areas, except for the exceptions provided for, does not achieve the purpose of Section 5 RMA, as it does not enable people and communities to provide for their social, economic and cultural wellbeing, and may not have significant environmental effects.</p> <p>The alternative is to retain the existing ARP:C Rule 16.5.22 which generally prohibits vehicles in CPA1 areas. This has proved problematic in the past, as it does not allow for situations such as vehicles on bridges that cross a CPA1 area, to be considered. This approach fails to provide a process whereby the appropriateness of vehicle use can be assessed.</p>
<b>Other Method 16.6.6, 16.6.7 &amp; 16.6.8</b>	The long term management of mangrove colonisation requires a reduction in the level of sediment and nutrients entering the coastal marine environment. This can only be achieved by a range of methods to manage land use activities..	Yes. It recognises that a range of methods are needed to address the cause of mangrove spread and changes in the CMA.	<p>This is one of the means by which the sustainable management objectives of the RMA can be met.</p> <p>The wider management issues needed to reduce sediment and nutrient inputs, require a range of statutory and non-statutory methods to be achieved, cross jurisdictional boundaries. and to be successful need to be supported by land owners and community groups.</p>
<b>Appendix H</b>	This appendix assists in achieving an “efficient and effective” preparation of Integrated Management Plans, as it clarifies what is required, both in terms of information and the consultation process.	Yes. It supports the comprehensive assessment that will determine the appropriate actions for an area.	This supports policy 16.4.7, which recognises the interconnectedness of land and sea and seeks to achieve integrated management, consistent with achieving sustainable management (Section 5 RMA).

### 3.7 Evaluation of Policies, Rules and Other Methods – Costs, Benefits and Risks

Section 32(4)(a) of the RMA states that the council’s evaluation of the proposed plan change must take into account “the benefits and costs of policies, rules or other methods”.

Section 32(4)(b) of the Act requires that the evaluation must also take into account “the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules or other methods”.

Note: The numbering in the following table refers to the new provision numbers proposed in Plan Change 4.

**Table 3.4: Evaluation of Policies, Rules and Other Methods – Costs, Benefits and Risks**

<b>Policy, Rule or Other Method</b>	<b>Costs of Policy, Rule or Other Method</b>	<b>Benefits of Policy, Rule or Other Method,</b>	<b>Risks of Not Having Policy, Rule, or Other Method</b>	<b>Risks of Having Policy, Rule or Other Method</b>
16.4.1 a v and f	These criteria will require an assessment of the effects on natural character and ecosystems. This will involve a time and money cost.	16.4.1 a v provides more certainty to infrastructure providers as to the assessment that needs to be made, and the circumstances where it may be appropriate for infrastructure to locate within the CMA.  16.4.1 f will help ensure that natural features or ecosystems are protected.	Without this policy there is no guidance on the circumstances where infrastructure proposals may be appropriate. In the absence of any policy guidance there is less certainty for infrastructure providers, and a higher risk of inconsistent approach in assessing proposals.  Without a policy on these matters there is a greater risk that due regard is not had to the effects on natural features, ecosystems or natural character.	The potential risk that more infrastructure is proposed to be located in CMA, as more certainty of outcome is provided in terms of this policy.
Policy 16.4.4 & 16.4.5	These policies will reduce “costs” as they provide clear guidance for applicants on the circumstances where removal may be appropriate in CPA1 areas.	The benefit of these policies is that they provide greater certainty for potential applicants as to the circumstances where mangrove removal may be considered appropriate.	Mangrove removal in the operative ARP:C is prohibited in CPA1 Areas, apart from removal for the purpose of maintaining or gaining access to a lawful structure. This has proved problematic and does not recognise that there are circumstances where some removal may be appropriate. It is proposed to change the rules relating to mangrove removal in CPA1	In listing specific activities there is a risk that there may be some others, that have not been referred to, where removal may also be appropriate.

Policy, Rule or Other Method	Costs of Policy, Rule or Other Method	Benefits of Policy, Rule or Other Method,	Risks of Not Having Policy, Rule, or Other Method	Risks of Having Policy, Rule or Other Method
		<p>The policy aims to benefit the maintenance and enhancement of CPA1 areas.</p>	<p>areas to allow removal for these specific purposes. Without policy guidance to support the rule changes, people or communities are generally dissuaded from making an application because of the risks of making an application, which involves time and costs, in the absence of any guidance on how a proposal is likely to be assessed. Some removal proposals may be intended to protect and enhance CPA1 values, and there is a risk that these will not be pursued in the absence of any supporting policy.</p> <p>Without a policy to provide guidance there is a greater risk for inconsistent assessment of applications.</p>	
<p>Policy 16.4.6</p>	<p>This policy will reduce “costs” in that it provides applicants with greater certainty as to when a proposal is likely to be considered appropriate.</p> <p>It will be a harder test/cost for applications that are essentially for private, rather than public, benefit.</p>	<p>This policy will benefit people and communities as they will have guidance on the circumstances where removal may be considered appropriate.</p>	<p>The operative ARP:C does not provide guidance on that appropriateness of mangrove removal proposals.</p> <p>Without specific policy direction there is greater uncertainty and “risk” for applicants in assessing the appropriateness of their proposal, and whether to proceed with a resource consent application.</p> <p>Without policy guidance there is a greater risk for inconsistent assessment of applications and decision making.</p>	<p>Having a policy on the circumstances where removal may be appropriate may result in more applications for mangrove removal, as people/communities feel supported by this policy.</p> <p>There may be an increased risk of cumulative adverse effects if effective monitoring and assessment of effects is not undertaken.</p>
<p>Policy 16.4.7</p>	<p>The preparation of an integrated management plan may involve a significant time and money cost.</p>	<p>The benefit will be an integrated plan which deals with both the land and sea matters, provides an comprehensive assessment, and identifies the agreed visions and goals for the area.</p> <p>The benefit of greater certainty</p>	<p>The risk of not undertaking a comprehensive assessment of a harbour or estuary for significant disturbance or removal activities is that these activities may affect areas that have particular environmental, social, cultural, economic or amenity value, and that the proposal has not been assessed in a wider context that addresses these matters.</p>	<p>There is potential time and cost risk for consent applicants in the preparation of integrated management plans.</p> <p>There is a risk, that the time and cost involved in preparing integrated management plans will discourage</p>

Policy, Rule or Other Method	Costs of Policy, Rule or Other Method	Benefits of Policy, Rule or Other Method,	Risks of Not Having Policy, Rule, or Other Method	Risks of Having Policy, Rule or Other Method
		<p>for proposals that are in accordance with an integrated management plan.</p> <p>The benefit of an integrated management approach that looks at long term actions to address matters (e.g land use activities influencing sediment and nutrient inputs) and avoids ad hoc proposals and decisions.</p>	<p>There is a greater risk that the adjoining catchment land use activities that may have a significant influence on sediment input and mangrove spread, or which play a role in determining the appropriate location for activities, will not be adequately assessed.</p>	<p>applicants from taking this approach.</p>
Policy 16.4.8	<p>Complying with this policy will involve the time and money cost of obtaining an ecological assessment.</p>	<p>The benefit of this policy is that it will ensure that mangroves that are performing a significant ecological role are identified and are avoided in mangrove removal proposals.</p>	<p>Without this policy there is a risk that applications for mangrove removal may not include an assessment of the ecological significance of the removal.</p> <p>Without an ecological assessment there is a greater risk that removal activities could have significant adverse effects on the wider ecological values of the harbour/estuary.</p>	<p>There is a risk that the cost of obtaining an ecological assessment will lead to pressure for the ARC and/or TAs to assist community groups both in meeting this requirement, both in terms of money and information.</p>
Rule 16.5.2 a to e	<p>This rule minimises the time and cost for owners of structures or facilities/infrastructure as it permits minor removal without a resource consent application, subject to meeting the conditions.</p>	<p>The benefit of this rule is that it enables a minor level of clearance to allow for the reasonable and ongoing use and operation of structures and infrastructure, and functioning of drainage systems, which will have minor environmental effects.</p> <p>The benefit of avoiding the</p>	<p>The risk of not having this rule is that TAs and owners of structures/infrastructure cannot undertake minor levels of removal to ensure ongoing function without going through a resource consent process. This involves time and cost and may encourage unlawful removal being undertaken for these purposes.</p>	<p>There is a risk that there may be cumulative effects from the removal activities.</p> <p>The risk that there is non-compliance with all the conditions required to meet permitted status, and greater monitoring will be required.</p>

<b>Policy, Rule or Other Method</b>	<b>Costs of Policy, Rule or Other Method</b>	<b>Benefits of Policy, Rule or Other Method,</b>	<b>Risks of Not Having Policy, Rule, or Other Method</b>	<b>Risks of Having Policy, Rule or Other Method</b>
		ongoing cost and time of obtaining a resource consent for these purposes.		
Rule 16.5.3	This rule minimises costs to people and communities as it enables seedling removal subject to conditions, without the time and cost involved in making a resource consent application.	<p>The benefit of enabling people and communities to “hold the line” on mangrove spread subject to conditions to ensure that will have minor effects, without the time and cost of obtaining a resource consent.</p> <p>The benefit of providing a “workable” means where people and communities can control the spread of mangroves into areas valued for other habitat purposes (i.e wading birds).</p>	There is a risk that a greater level of unlawful seedling removal may be undertaken, as people will be more inclined to “take matters into their own hands”, particularly when a small area of removal is involved and the cost and time of a resource consent application outweigh the significance of the activity.	<p>The risk that the conditions of the rule may not be complied with.</p> <p>That risk that the ARC will need to become involved in regular monitoring, and if necessary, enforcement activities to ensure that the conditions applying to seedling removal are complied with.</p>
Rule 16.5.8	This rule will impose a potential “cost” in that it limits the permitted activities that can occur in a CPA1 area to those that involve minimal disturbance.	The benefit of this rule is that it ensures that the values of CPA1 areas are not adversely affected by disturbance activities.	Without this change the disturbance rules in Chapter 16 are inconsistent with a similar rule in Chapter 11 of ARP:C. This inconsistency would potentially mean there is a greater risk that disturbance activities may have an adverse effect on CPA1 area values.	There is a potential risk that some activities that may be appropriate and only have minor adverse effects will not be permitted activities and will need to apply for a resource consent.
Rule 16.5.12 to 16.5.12.2	This rule requires a consent application, but will have less of a time and money cost as a controlled activity, than for an application as a restricted discretionary activity, or discretionary activity, as would be the	The benefit of this rule is that it provides certainty and a simpler and more cost and time effective process for removal that is necessary for operation/use or functioning of existing structures or drainage systems. At the same time	Without this rule there is a greater time and money cost involved for applicants in having to prepare a resource consent application for a restricted discretionary or discretionary activity for removal. There is also less certainty of outcome.	<p>A risk of providing for a controlled activity is that consent to removal for these purposes cannot be declined.</p> <p>The risk of potential cumulative effects from removal associated with a number of structures/drains.</p>

<b>Policy, Rule or Other Method</b>	<b>Costs of Policy, Rule or Other Method</b>	<b>Benefits of Policy, Rule or Other Method,</b>	<b>Risks of Not Having Policy, Rule, or Other Method</b>	<b>Risks of Having Policy, Rule or Other Method</b>
	case under the operative ARP:C.	this rule allows the ARC to have control over the extent of removal and the effects.		However these are all existing structures and facilities and it is reasonable to provide for their on-going operation.
Rule 16.5.14.1 and 16.5.14.2	This change potentially adds to costs by requiring/clarifying the matters to be addressed in making a resource consent application, and if public notification is required pursuant to Rule 16.5.14.2 or Section 93.	<p>The benefit of the addition to Rule 16.5.14.1 is that it allows the ARC to assess all the matters which are relevant to determining the appropriateness of a proposal.</p> <p>The benefit of the change to Rule 16.5.14.2 is that notification, other than the specific exceptions provided for, will be in accordance with the intention of RMA.</p>	<p>There is a risk that the ARC would not have discretion to consider these relevant matters which are important in determining whether a proposal is appropriate.</p> <p>By not requiring public notification and the need to serve affected parties to be assessed in terms of Section 93 RMA, there is a risk that the public and affected parties will not have the ability to have an input into proposed activities which affect public/crown land and the values that they consider important.</p>	The risk that some proposals that may be appropriate do not proceed because of the cost and time involved in addressing all the issues, or because of the cost of the public notification process.
Rule 16.5.16 and 16.5.17	<p>The addition of Rule 16.5.16 potentially adds to costs by requiring a resource consent application for removal of vegetation in CPA2 areas, other than removal provided for as a permitted or controlled activity.</p> <p>Rule 16.5.17 requires a resource consent application for specific activities in CPA1 areas, but recognises they may be appropriate, and to this extent reduces the “cost” of demonstrating “appropriateness”.</p>	<p>The benefit of Rule 16.5.16 is that it recognises the values of CPA2 areas and provides a consistent “rule” for vegetation removal in these areas, other than removal provided for as a permitted or controlled activity.</p> <p>The benefit of Rule 16.5.17 is that it reflects policy 16.4.5 and provides for the circumstances where mangrove removal in a CPA1 area may be appropriate as discretionary, rather than non-complying activities.</p>	<p>Without Rule 16.5.16 there is a greater risk that the values of CPA2 areas are not adequately recognised, as they are not reflected through the “rule status” of the plan.</p> <p>The risk that proposals that may be appropriate in terms of Policy 16.4.5 are possibly deterred if they are not recognised in the rule framework (Rule 16.5.17) and would default to non-complying activities.</p>	<p>The risks that people or communities may be deterred from making an application for removal as a discretionary activity, when the proposal may be appropriate.</p> <p>The “risk” of needing to assess and monitor a greater number of activities in CPA1 areas.</p>

<b>Policy, Rule or Other Method</b>	<b>Costs of Policy, Rule or Other Method</b>	<b>Benefits of Policy, Rule or Other Method,</b>	<b>Risks of Not Having Policy, Rule, or Other Method</b>	<b>Risks of Having Policy, Rule or Other Method</b>
Rules 16.5.19 & 16.5.20	This change potentially adds to costs and there may be more activities that will be restricted coastal activities.	The benefit of this change is that it makes the ARP:C rules more consistent with NZCPS provisions.	The risk from not making the changes is that significant disturbance or removal activities are not treated as restricted coastal activities	The “risk” is that more proposals will be restricted coastal activities.
Rule 16.5.21	This rule will involve a time and money cost of making a resource consent application. However this change reduces the potential cost of not being able to make an application, as is the case under the operative ARP:C.	The benefit of this rule is that it changes the existing prohibited activity status and enables an application to be made and assessed on its merits.	The risk of not having this rule is that proposals that may be necessary, or have merit, can not be applied for.	The “risk” of requiring the ARC or consent applicants to undertake monitoring to ensure that the values of CPA1 areas are protected.
Rule 16.5.22	This rule will involve a time and money cost of making a resource consent application for vehicles in CPA1 areas, other than as provided for.	The benefit of this rule is that it changes the existing prohibited activity status and enables vehicle use in CPA1 areas to be assessed on its merits.	The risk of not having this rule is that valid or necessary use of vehicles in or over a CPA1 area, such as on a bridge, or to undertake required monitoring etc, can not be applied for under the operative plan rules.	The “risk” of monitoring to ensure that the values of CPA1 areas are maintained.
Other Method 16.6.6, 16.6.7 & 16.6.8	Management plans and statutory plans, riparian and coastal management and activities will involve a time and money cost.  Environmental cost of not undertaking integrated catchment and coastal management: including costs associated with managing mangrove spread	Addresses the “cause” of the mangrove spread issue: namely the amount of sediment entering the coastal environment.  A long term integrated management approach.	That the causes of mangrove spread are not addressed.  That the adverse environmental effects of sediment and nutrient entering the coastal environment are not considered.	It could involve a long-term time and money cost for ARC and TAs as well as landowners to achieve the desired outcomes.
Appendix H	An Integrated Management Plan will involve significant money and time to prepare,	Appendix H clarifies what is required by policy 16.4.7, and benefits potential applicants by	The risk of not identifying what is required for an Integrated Management Plan is that incomplete or unsatisfactory plans are	The “risk” of the ARC and TAs needing to provide assistance in the preparation of Integrated

Policy, Rule or Other Method	Costs of Policy, Rule or Other Method	Benefits of Policy, Rule or Other Method,	Risks of Not Having Policy, Rule, or Other Method	Risks of Having Policy, Rule or Other Method
	but will provide a long term vision and guide for future actions for an area. It is also a “voluntary” document that is supported, but is not required to be prepared.	clearly identifying the information and consultation requirements.	proposed to support proposals.	Management Plans.

#### 4 CONCLUSION

This assessment of Proposed Plan Change 4 required by section 32 of the RMA has shown that the new and amended policies, rules and other methods are the most appropriate way for achieving the objective, and of achieving the purpose of the Act. Based on the ARC’s current understanding of mangrove management issues, the plan change is a suitable course of action to fulfil the council’s functions under the Act. Further assessment will continue through the process of submissions, further submissions and the hearings.