

DISTRICT-WIDE MATTERS

ER – Esplanade Reserves

Introduction

Access to lakes, rivers and the sea is highly-valued by New Zealanders. The “esplanade” areas along the edge of these water bodies are very important, both for their natural values and for recreation. This is reflected in Section 6 of *the Act* which requires the District Plan to recognise and provide for:

- 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, and
- b. The maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers.”

Management of the land near the water’s edge is sometimes called “riparian management.” The “coastal *environment*” of the Manawātū District can be thought of as the land within 4km of the ocean, and the “coastal marine area” referred to above is the area below mean high water springs. (CE – Coastal *Environment*).

The reasons for esplanade management (and in particular for having *esplanade reserves* and strips) are set out in Section 229 of *the Act*, namely:

- a. To contribute to the protection of conservation values, by:
 - i. Maintaining or enhancing the natural functioning of the adjacent sea, river or lake, or
 - ii. Maintaining or enhancing water quality, or
 - iii. Maintaining or enhancing aquatic habitats, or
 - iv. Protecting the natural values associated with the *esplanade reserve* or esplanade strip,
 - v. Mitigating natural hazards, or
- b. To enable public access to or along any sea, river or lake, or

- c. To enable public recreational use of the *esplanade reserve* or esplanade strip and adjacent sea, river or lake, where the use is compatible with conservation values.”

Objectives

ER-O1	To maintain and enhance public access to and along the District’s coastline and rivers (Refer also HH-O5, CE-O2).
ER-O2	To maintain and enhance opportunities for public recreational use of the coastline and rivers (Refer also HH-O5, ASW-O1, CE-O2).
ER-O3	To preserve the natural character of the coast, <i>wetlands</i> , lakes and rivers and their margins (Refer also HH-O1, HH-O5, and CE-O1).[PC65]
ER-O4	To protect areas of significant <i>indigenous vegetation</i> , <i>wetlands</i> and aquatic habitats (Refer also HH-O1, HH-O5, SUB-O11). [PC65]
ER-O5	To promote riparian management practices which improve the quality and natural functions of adjacent water bodies. (Refer also GEN-O1, SUB-O11, and EI-O7)
ER-O6	To maintain the efficiency of river control and drainage schemes (Refer also INF-O1, INF-O2).

Policies

ER-P1	To be pro-active in establishing new public access, rather than only taking the opportunities which arise when properties are developed or subdivided.
ER-P2	To use esplanade management to protect the significant conservation values and to enhance the water quality of Lake Kaikokopu, Lake Omanuka, Karere Lagoon and Hamilton’s Bend Lagoon. Public access to these places will not be sought.

ER-P3	To protect the conservation values of those riparian margins which have a high value due to areas of <i>indigenous vegetation</i> adjoining the water's edge, including the Mangaone West Stream between Te Rakehou Rd and Awahuri Rd.	
ER-P4	To seek better public access to the coast and the District's major rivers, namely the Rangitikei, Manawatū, and Oroua Rivers.	
ER-P5	To work toward the establishment of walkways along the following stretches of river:	
	ER-P5.1	Mangaone Stream between Bunnythorpe and Palmerston North.
	ER-P5.2	Makino Stream - between Reids Line West and Port Street, between Beattie Street and Denbigh Street and between Rata Street and Kitchener Park.
	ER-P5.3	Kiwitea Stream between Reids Line West and the Oroua River.
	ER-P5.4	Oroua River (right bank) between the Kiwitea Stream confluence and the Feilding Sewage Treatment Plant.
ER-P6	To improve public access for recreation to those parts of the following streams which are relatively close to formed <i>road</i> access or reserves:	
	ER-P6.1	Pohangina River
	ER-P6.2	Mangoira, Makiekie and Mangahuia Streams
	ER-P6.3	Waituna Stream - Rangitikei confluence to Waituna West.
	ER-P6.4	Mangawharariki River.
	ER-P6.5	Kiwitea Stream between Mangamako <i>Road</i> and Reids Line West
ER-P7	To preserve future opportunities for <i>esplanade reserves</i> or strips to be established along the edge of rivers and lakes.	

ER-P8	To maintain the level of access provided by existing public roads along the water's edge.
ER-P9	To take public safety, the presence of other legal access, land topography, accessibility, and proximity of <i>residential units</i> into account when deciding whether to require a particular <i>esplanade reserve</i> or strip for public access.
ER-P10	To require esplanade management measures (including the creation of esplanade strips) as a condition of land use consent if needed to mitigate a potential adverse <i>effect</i> upon the waterway.
ER-P11	To compensate subdividers for the loss of land vested as <i>esplanade reserves</i> and for the loss of use of land subject to esplanade strips, irrespective of the size of the allotment concerned.
ER-P12	To maintain access along the edge of rivers and Drainage Scheme drains for stopbank or drain maintenance.

Circumstances

ESPLANADE RESERVES

Circumstances (CR)

ER-CR1

Council will not require an *esplanade reserve* to be set aside from land being subdivided or roads being stopped, unless:

ER-CR1.1

The land is located within Feilding township and adjoins the bank of the Oroua River or Kiwitea Stream.

ER-CR1.2

The land adjoins the Makino Stream between Beattie and Denbigh Streets, and lies within the land comprised in Land ID 7032, or

ER-CR1.3

The land adjoins the coast.

ESPLANADE STRIPS

Circumstances (CR)

ER-CR2

An *esplanade strip* for public access purposes will be required (subject to ER-ST1 to ER-ST6) over land being subdivided or roads being stopped which adjoin:

ER-CR2.1

The Rangitikei or Manawatū Rivers.

ER-CR2.2

The Oroua River downstream of the Ruahine Forest Park.

ER-CR2.3

The Mangaone Stream downstream of the Main Trunk Railway.

ER-CR2.4

The Kiwitea Stream between Reids Line West and the Oroua River.

ER-CR2.5

The Makino Stream, between Reids Line West and Port Street, or between Rata Street and Kitchener Park.

ER-CR3

An *esplanade strip* for public access purposes up to 1km from any existing *road* access point or reserve will be required (subject to ER-ST1 to ER-ST6.4) over land being subdivided or *roads* being stopped which adjoin:

	ER-CR3.1	The Pohangina River.
	ER-CR3.2	The Mangoira, Makiekie or Mangahuia Streams.
	ER-CR3.3	The Waituna Stream downstream of SH 54.
	ER-CR3.4	The Kiwitea Stream between Mangamako <i>Road</i> and Reids Line West.
	ER-CR3.5	The Mangawharariki River.
ER-CR4	<p><i>Council may require an esplanade strip to be created for water quality and/or conservation purposes over land being subdivided or roads being stopped which adjoin:</i></p> <p><i>(The esplanade strip documents for these lakes shall exclude public access).</i></p>	
	ER-CR4.1	Lake Kaikokopu.
	ER-CR4.2	Lake Omanuka.
	ER-CR4.3	Karere Lagoon.
	ER-CR4.4	Hamilton's Bend Lagoon.
ER-CR5	<p><i>Council may require an esplanade strip to be created for conservation purposes over land being subdivided or roads being stopped which:</i></p>	
	ER-CR5.1	Include <i>indigenous vegetation</i> which is regarded as significant in terms of the criteria in HH-APP3.
	ER-CR5.2	Adjoin the Mangaone West Stream between Te Rakehou <i>Road</i> and Awahuri <i>Road</i> , unless that area is protected by a <i>legal covenant</i> .
ER-CR6	The provision of <i>esplanade strips</i> will be subject to the standards and exemptions in ER-ST1 to ER-ST6.	

LAND USE CONSENTS

Circumstances (CR)

ER-CR7	When considering applications for land use consent, <i>Council</i> may require an <i>esplanade strip</i> for water quality and/or conservation purposes to be created, if the proposal is likely to have a significant adverse <i>effect</i> upon:	
	ER-CR7.1	Water quality,
	ER-CR7.2	The natural functioning of an adjacent river or lake, or
	ER-CR7.3	The natural values associated with the riparian margin of any adjacent river or lake, and if an <i>esplanade strip</i> is necessary to mitigate those adverse <i>effects</i> .

Width of Reserves and Strips

STANDARDS AND EXEMPTIONS	
ER-ST1	<i>Esplanade reserves</i> will be 10 metres wide if adjoining the portion of the Makino Stream specified in ER-CR1 above, and 20 metres wide if adjoining other water bodies.
ER-ST2	<i>Esplanade strips</i> for public access purposes will be 10 metres wide, unless a greater width is needed to provide a workable walkway.
ER-ST3	<i>Esplanade strips</i> for water quality and/or conservation purposes are to be 20 metres wide.
ER-ST4	The standard widths in ER-ST1 or ER-ST2 above may be reduced in circumstances where:
	ER-ST4.1 Other parts of the reserve or strip are correspondingly wider,
	ER-ST4.2 A full width reserve or strip would pass too close to an existing <i>residential unit</i> , or
	ER-ST4.3 The objectives of the reserve or strip can still be met by a reduced width.
ER-ST5	Esplanade strips for public access may be dispensed with altogether in cases where <i>Council</i> is satisfied that:
	ER-ST5.1 Adequate legal access to the water body is provided by a legal <i>road</i> (formed or not)
	ER-ST5.2 Access along the other side of the water body is more practical, and access is not needed on both sides
	ER-ST5.3 Topography along the strip makes access unworkable
	ER-ST5.4 The <i>site</i> of the strip is unlikely to ever be accessible from a public <i>road</i> , or
	ER-ST5.5 The strip would lead to an area of <i>indigenous vegetation</i> or <i>wetland</i> , and public access would be incompatible with the effective protection of that area

	ER-ST5.6	The purpose of the strip can be achieved by other methods, e.g. covenants, or
	ER-ST5.7	Public safety would be compromised by providing a strip.
ER-ST6	<i>Esplanade strips</i> for water quality and /or conservation purposes may be dispensed with wholly or partially. Any application to reduce or waive an <i>esplanade strip</i> will be assessed having regard to the following matters:	
	ER-ST6.1	The extent to which the natural functioning of the water body, water quality, and land and water-based habitats will be affected by any reduction in the width, size or non-provision of the strip,
	ER-ST6.2	The degree of protection of the natural values associated with the strip that will remain,
	ER-ST6.3	The degree to which the purpose of the strip can be, or is already, achieved by other mechanisms, (e.g. covenants, conditions of resource consents, voluntary methods) and,
	ER-ST6.4	The extent to which the public benefits gained with respect to the strip justify the cost of acquiring and maintaining the strip, while recognising that important benefits in terms of improved water quality, habitat and access cannot readily be expressed in monetary terms.