

PA — Public Access

The purpose of the Public Access chapter is to maintain and enhance public access to, along, and adjacent to the coastal marine area, lakes, and rivers.

Hutt City has approximately 42km of coastline, comprised of the inner Wellington Harbour and open coastline to the Cook Strait. The coastline varies from highly modified areas such as Seaview through to remote and undeveloped areas such as Pencarrow Head, Baring Head, and Turakirae Head.

There are also many rivers and streams, including Te Awa Kairangi/Hutt River, Waiwhetū Stream, Wainuiomata River, Orongorongo River and Korokoro Stream, and two highly valued lakes, Lake Kohangapiripiri, Lake Kohangaterā.

The maintenance and enhancement of public access to and along the lakes, rivers and the coastal marine area is recognised in the Resource Management Act as a matter of national importance. The Act also requires the creation of Esplanade Reserves and Esplanade Strips when land containing rivers, lakes or the coastal marine area is subdivided. The creation of Esplanade Reserves and Esplanade Strips contributes to maintenance and enhancement of public access.

Esplanade Reserves are classified as reserves under the Reserves Act 1977 and land ownership is transferred to a territorial authority. The boundary of an Esplanade Reserve is measured from the bank of a river or stream, the margin of a lake, or the mean high water springs along the coast. In all cases the landward boundary is a fixed line that does not change if the water boundary moves for example through erosion or sea level rise.

Esplanade Strips are registered on the title of a property, and the land within the strip remains in the ownership of the landowner. Any restrictions and requirements relating to the use and management of the Esplanade Strip are noted on the title and bind every party having an interest in the land. Unlike Esplanade Reserves, the width of an Esplanade Strip remains unchanged and the boundary moves in accordance with the relevant bank, margin or mean high water springs, so if a river bank is eroded, the width of the Esplanade Strip will extend beyond its old boundary to offset any lost ground.

This chapter sets out objectives and policies that relate to public access but contains no rules. The relevant rules relating to the provision of Esplanade Reserves and Esplanade Strips are located in the Subdivision chapter.

Objectives

PA-O1	Maintenance and enhancement of public access
Public access to and along rivers, lakes, and the coastal marine area is maintained and enhanced.	
PA-O2	Managing adverse effects of public access
Public access to and along rivers, lakes, and the coastal marine area does not have a negative impact on existing natural environment values, coastal environment values, historical and cultural values, or public health and safety.	

Policies

PA-P1	Appropriate activities within coastal margins and riparian margins
Allow activities within coastal margins and riparian margins where they do not limit or prevent public access to, along, or adjacent to rivers, lakes, and the coastal marine area.	
PA-P2	Maintenance and enhancement of public access
Maintain and enhance public access to, along, and adjacent to rivers, lakes, and the coastal marine area by: <ol style="list-style-type: none"> 1. Ensuring the design and layout of subdivisions in and along coastal margins and riparian margins provide for public access to and along rivers, lakes, and the coastal marine area, and 2. Requiring the creation of Esplanade Reserves or Esplanade Strips as part of the subdivision of land containing or adjacent to rivers, lakes, and the coastal marine area to retain or enhance public access. 	
PA-P3	Restriction of public access
Only allow for the restriction of public access to, along, or adjacent to rivers, lakes and the coastal marine area where: <ol style="list-style-type: none"> 1. The restrictions are necessary to: <ol style="list-style-type: none"> a. Protect threatened indigenous species, or b. Protect dunes, estuaries, and other sensitive natural areas or habitats, or c. Protect sites and activities of cultural value to Māori, or d. Protect historic heritage, or 	

- e. Protect public health or safety, or
 - f. Provide for temporary activities or special events, or
 - g. Provide for the safe and efficient operation of regionally significant infrastructure, or
 - h. Address other exceptional circumstances sufficient to justify the restriction, and
2. Alternative options and routes to maintain access have been considered and are provided where practicable.

Rules

Note:

There are no rules in this chapter. The objectives and policies of this chapter are implemented through the rules in other chapters of this Plan. In particular, the chapters relating to Subdivision, Natural Character, Earthworks, and Temporary Activities chapters. Rules relating to the provision of Esplanade Reserves and Esplanade Strips are in the Subdivision chapter.