



NZCPS 2010 Guidance note

Policy 16: Surf breaks of national significance

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Policy 16

Protect the surf breaks of national significance for surfing listed in Schedule 1¹, by:

- a. ensuring that activities in the coastal environment do not adversely affect the surf breaks; and
- b. avoiding adverse effects of other activities on access to, and use and enjoyment of the surf breaks.

Surf break is defined in the New Zealand Coastal Policy Statement 2010 (NZCPS 2010) glossary and the full definition is included in the glossary at the end of this guidance note.

¹ <http://www.doc.govt.nz/publications/conservation/marine-and-coastal/new-zealand-coastal-policy-statement/new-zealand-coastal-policy-statement-2010/schedule-1-surf-breaks-of-national-significance/>

Overview of the policy

Policy 16 seeks to protect nationally significant surf breaks, access to them, and their use and enjoyment. Seventeen nationally significant surf breaks are identified and listed in Schedule 1² of the NZCPS 2010. A map of these sites is provided in an appendix to this guidance note.

All readers of this policy guidance note should also refer to the NZCPS 2010 Implementation Guidance Introductory note³. The Introductory note contains general information and guidance that is important for implementing all of the objectives and policies in the NZCPS 2010.

Rationale

Surf breaks are an important recreational resource for New Zealanders and international visitors, and contribute significant economic and social benefits to both local communities and New Zealand. The integrity of surf breaks, access to them, and their use and enjoyment are vulnerable to adverse effects from development on land and in the coastal marine area. Nationally significant surf breaks therefore receive national policy direction in Policy 16 of the NZCPS 2010.

² <http://www.doc.govt.nz/publications/conservation/marine-and-coastal/new-zealand-coastal-policy-statement/new-zealand-coastal-policy-statement-2010/schedule-1-surf-breaks-of-national-significance/>

³ <http://www.doc.govt.nz/nzcps-introductory-note>

Related objectives, policies and provisions

This section covers the links (in terms of surf breaks of national significance) between the various provisions of the NZCPS 2010, the Resource Management Act 1991 (RMA), and other legislation.

NZCPS 2010

Implementing Policy 16 of the NZCPS 2010 requires careful consideration of all NZCPS 2010 objectives and policies. Objective 4 and policies 4, 7, 13 and 15 of the NZCPS 2010 are particularly relevant to surf breaks of national significance. These links are considered below:

Key related objectives and policies	Other related objectives	Other related policies
Objective 4 Policies 4, 7, 13 and 15	1, 2 and 6	3, 6, 14, 20, 21 and 22

Objective 4

Objective 4 is about maintaining and enhancing public open space and recreational opportunities of the coastal environment with an emphasis on maintaining public access. Nationally significant surf breaks are a particular example of the public use and enjoyment of the coastal environment, and a recreational opportunity that can be maintained and enhanced through a strategic and integrated approach to coastal management under the NZCPS 2010. Policy 16 is one of the ways to achieve this objective.

Policy 4: Integration

Policy 4 requires integrated management of both the natural and physical resources in the coastal environment, and any activities that affect that environment. It emphasises the need for coordinated management of activities that cross administrative boundaries and a collaborative approach to management. This is relevant to Policy 16 because an integrated response will be required in order to protect the surf breaks of national significance, including access to them.

Policy 7: Strategic planning

Policy 7 is about planning strategically, which can include catchment and spatial coastal planning. Policy 7 requires local authorities to identify inappropriate activities, as well as coastal processes, resources or values that are under threat or at a significant risk from adverse cumulative effects. Policy 16 is relevant because protecting surf breaks of national significance and access to them requires integrated and strategic coastal planning. A strategic approach to coastal management, as required by Policy 7, is likely to assist implementation of Policy 16.

Policy 13: Preservation of natural character

Policy 13 includes 13(2)(c) ‘natural landforms such as headlands, peninsulas, cliffs, dunes, wetlands, reefs, freshwater springs and surf breaks’. Surf breaks, where they exist in a region, district or city, are identified as one of the attributes of an area’s natural character. Other aspects of natural character, such as 13(2)(a) ‘natural elements, processes and patterns’ and 13(2)(h) ‘experiential attributes, including the sounds and smell of the sea; and their context or setting’ are also relevant to surf breaks.

Policy 15: Natural features and natural landscapes

Policy 15 seeks to protect natural features, which include the headlands, sea bottom topography, and swell climate. These features can combine in a complex way to create surf breaks.

Resource Management Act 1991⁴

Policy 16 of the NZCPS 2010 relates to the Resource Management Act 1991 (RMA) in that surf breaks are natural and recreational amenity resources, and they contribute to the natural character of the coastal environment. Nationally significant surf breaks, access to them and their use and enjoyment are important to the social and economic well-being of people and communities, and they are vulnerable to adverse effects from activities in the coastal environment.

Other legislation

Local Government Act 1974⁵

Councils can prepare bylaws under the Local government Act 1974 to address conflicting recreational uses in the vicinity of surf breaks and matters such as public health and safety and navigational safety. The effect of local government bylaws needs to be seen in context of maritime rule part 91 prepared under the Maritime Transport Act 1994 (see below).

Maritime Transport Act 1994 and Maritime Rule part 91⁶

Maritime Rule part 91⁷ is provided under the Maritime Transport Act 1994 and provides basic navigational safety requirements in New Zealand waters. The relationship between Maritime Rule part 91 and local government bylaws is described in Rule 91.3.

⁴http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM230265.html?search=ts_act_resource+management_rese&p=1&sr=1

⁵ <http://www.legislation.govt.nz/act/public/1974/0066/latest/DLM415532.html>

⁶ <http://www.legislation.govt.nz/act/public/1994/0104/latest/DLM334660.html>

⁷ <http://www.maritimenz.govt.nz/Rules/List-of-all-rules/Part91-maritime-rule.asp>

Origins of the policy

Policy 16 is a new policy direction in the NZCPS 2010. The NZCPS 1994 did not include specific policy for surf breaks.

Recognising the value of surf breaks is a worldwide trend, with examples including the establishment of World Surfing Reserves⁸ and the 11 National Surfing Reserves⁹ established in New South Wales, Australia.

New Zealand has many excellent surf breaks. These provide a variety of surfing experiences and attract visitors from around the world.

Policy 16 focuses specifically on the nationally significant surf breaks listed in Schedule 1 of the NZCPS 2010. This focus on surf breaks of national significance is because the NZCPS 2010 is a national policy instrument under the RMA and deals with matters considered to be nationally important in the context of New Zealand's coastal environment. There may be other regionally or locally important surf breaks (including artificial breaks), that local authorities will want to consider in their planning. However, these other surf breaks are not the focus of Policy 16 or this guidance note.

The Board of Inquiry¹⁰ gave careful consideration to the nominated surf breaks in determining which surf breaks would be included in Schedule 1 of the NZCPS 2010. The Board of Inquiry's report provides useful information about why the listed surf breaks were included. In the absence of defined criteria for assessing surf breaks, the Board used a system known by surfers as the 'stoke meter' or 'Wavetrack method'¹¹. The Wavetrack method rates New Zealand surf breaks on a scale from 1 to 10 for surf quality. A score of 10 is regarded as optimum surf. This approach identified 16 out of 470 listed breaks as having a 10 stoke or surf quality rating.

The Wavetrack method is a descriptive rating developed and used by surfers in New Zealand and elsewhere as an indication of the quality of a wave. It is a subjective assessment, with results perhaps favouring more difficult breaks.

For the purposes of Policy 16, a surf break that rates 10 on the stoke meter has been included in the NZCPS 2010 surf break schedule with one exception: at Papatowai, which rated 8 on the stoke meter. Papatowai was included because of its growing international profile as a high performance big wave break.

⁸ <http://www.worldsurfingreserves.org/>

⁹ <http://www.surfingreserves.org/maroubra.php>

¹⁰ <http://www.doc.govt.nz/getting-involved/consultations/results/new-zealand-coastal-policy-statement/>

¹¹ From the 'Wavetrack New Zealand Surfing Guide' (2004).

The surf breaks identified in Schedule 1 of the NZCPS 2010 are listed in Table 1 below. For further information on the origins of Policy 16 refer to the Board of Inquiry Report¹², Volume 2, pp 132-133.

Table 1: NZCPS 2010 (Schedule 1) - Surf breaks of national significance

Location		Local authority
Northland	Peaks - Shipwreck Bay	Northland Regional Council
	Peaks - Super tubes - Mukie 2 - Mukie 1	Far North District Council
Waikato	Manu Bay - Raglan	Waikato Regional Council
	Whale Bay - Raglan	Waikato District Council
	Indicators - Raglan	
Taranaki	Waiwhakaiho	Taranaki Regional Council
	Stent Road - Backdoor Stent - Farmhouse Stent	New Plymouth District Council
Gisborne	Makorori Point - Centres	Gisborne District Council
	Wainui - Stock Route - Pines - Whales	
	The Island	
Coromandel	Whangamata Bar	Waikato Regional Council
		Thames-Coromandel District Council
Kaikoura	Mangamaunu	Environment Canterbury
	Meatworks	Kaikoura District council
Otago	The Spit	Otago Regional Council
	Karitane	Dunedin City Council
	Whareakeake	
	Papatowai	Clutha District Council

¹² <http://www.doc.govt.nz/getting-involved/consultations/results/new-zealand-coastal-policy-statement/proposed-new-zealand-coastal-policy-statement-2008-board-of-inquiry-report-and-recommendations/>

Implementing the policy

While guidance is provided here on implementing Policy 16, it is also necessary to consider the NZCPS 2010 as a whole when implementing each policy. Please also refer to the NZCPS 2010 Implementation Guidance Introductory note¹³ which covers the matters that are relevant in giving effect to the NZCPS 2010.

Factors affecting surf break quality

A significant issue for any surf break is that the quality of the surfable wave can be compromised by such things as activities on nearby coastal headlands, up nearby rivers, on the sea bottom and in the swell corridor seaward of the break. The integrity of the natural features and processes that create the wave are critical to maintaining the quality of a surf break. Swell corridors are also dynamic environments and decisions about activities affecting their management can include quite complex considerations.

Examples of activities that can threaten or compromise the quality of any surf break include:

- Discharges causing poor water quality
- Sedimentation caused by some land uses, which can flatten out the seabed and potentially adversely affect wave quality
- Limitations on access to surfable areas
- Changes to natural character and features, which provide the context for the surfing experience
- Structures that impact on surf breaks and wave quality
- Coastal hazard engineering solutions, which may hinder access and adversely affect surf breaks
- Dredging and/or dredge spoil disposal which can potentially adversely affect wave quality.

¹³ <http://www.doc.govt.nz/nzcps-introductory-note>

Implementation responses

Seventeen nationally significant surf break areas (which include individually named surf breaks) are listed in Schedule 1 of the NZCPS 2010. There are a number of possible implementation responses in relation to Policy 16 and the nationally significant breaks listed. These responses include:

- Considering the issues and threats to nationally significant surf breaks through spatial planning processes.
- Mapping surf breaks and swell corridors, for inclusion in resource management plans.
- Including policies for the protection of the listed surf breaks in regional policy statements, regional coastal plans, regional plans and district/city plans.
- Providing guidance to district plans through the regional policy statement and regional plans.
- Including specific methods and rules in district plans and in regional plans (including regional coastal plans) to guide the resource consent process, for example, assessment of the effects of a proposed activity on a swell corridor.
- Other methods such as promoting public awareness and developing strategies to better integrate management of all activities that could affect the listed surf breaks and access to them.
- Using bylaws to address conflicting recreational uses in the vicinity of surf breaks and matters such as public health and safety and navigational safety (such as jet ski usage).

As with all management of natural and physical resources, determination of what is an appropriate or inappropriate effect on a surf break of national significance must be looked at in context. Implementation of Policy 16 should be considered together with the other objectives and policies in the NZCPS 2010 which address activities in the coastal environment, including Objective 6, Policy 6: Coastal activities and Policy 7: Strategic planning.

Integrated management across regions and districts

The focus of Policy 16 is on ensuring that activities in the coastal environment do not adversely affect surf breaks of national significance, and avoiding adverse effects on the access to and the use and enjoyment of them.

Policy 16 makes reference to the coastal environment, rather than the coastal marine area, because many land-based activities and developments have, or could have, an impact on the listed surf breaks. Some of these might extend further back into the catchment than the coastal environment, such as activities impacting on sediment flows to the coast (e.g. dams, river gravel extraction).

Further guidance is provided by 'Policy 4: Integration' and 'Policy 7: Strategic planning', which stress the importance of integrated and strategic planning for the coastal environment. The landward component of the coastal environment is managed by territorial authorities and integrated management responses will be essential to maintain access to surf breaks and to protect them.

Regional councils and unitary authorities can helpfully use regional policy statements and regional plans to provide guidance to district plans. Other factors that

will also assist with implementing Policy 16 are the integrated and strategic management of access to and along the coast, including for surfer's vehicles (Policies 19 and 20); the enhancement of water quality (Policy 21); and better control of sedimentation (Policy 22), which can impact on seabed morphology.

Because Policy 16 is a new national policy, there are limited existing examples available on how to specifically address nationally significant surf breaks through regional and district plans and consent processes. There are examples of providing protection for surf breaks through the regional and unitary planning framework that could potentially be adapted for use in implementing Policy 16 of the NZCPS 2010 (refer to the section below on 'Related and ongoing work').

New Zealand received commendations from National Surfing Reserves Australia¹⁴ and World Surfing Reserves¹⁵ for recognition of surf breaks of national significance in the NZCPS 2010.

¹⁴ <http://www.surfingreserves.org/>

¹⁵ <http://www.worldsurfingreserves.org/>

Related and ongoing work

Councils known to be working on surf break policy (at the regional and unitary level) include Taranaki Regional Council, Bay of Plenty Regional Council, Gisborne District Council and Auckland Council.

Taranaki Regional Council

<http://www.trc.govt.nz/assets/Publications/policies-plans-strategies/regional-policy-statement/rps8.pdf>

In the Taranaki region 83 surf breaks are recognised in the Taranaki Regional Council's operative regional policy statement. This is a proactive approach to the protection of surf breaks in this region and includes the protection of two of the nationally significant surf breaks now listed in Schedule 1 of the NZCPS 2010. The council has mapped key surf breaks in the region and developed a policy framework for protecting significant surf breaks, which is proposed to be further refined in the review of the Taranaki regional coastal plan.

Gisborne District Council

<http://www.gdc.govt.nz/assets/Files/Environmental-Planning/RCEP-Surf-Break-Report.pdf>

The Gisborne District Council commissioned a study of the district's surf breaks in summer 2010–2011. The study investigated what is necessary to identify surf breaks and their values, and provide for sustainable management in the coast environment as a natural resource. The council intends to use this information to inform its implementation of the NZCPS 2010.

Resources

Examples of navigational bylaws

Navigation and safety bylaws can be used to promote and require safe marine use. Examples of existing safety bylaws include:

Greater Wellington

<http://www.gw.govt.nz/Navigation-and-Safety-Bylaws/>

Hawke's Bay

<http://www.hbrc.govt.nz/ReadAboutIt/PlansandStrategies/NavigationSafetyBylaws2012/tabid/1230/Default.aspx>

Reports, websites and additional information

Department of Conservation

NZCPS 2010—Schedule 1: Surf breaks of national significance

<http://www.doc.govt.nz/publications/conservation/marine-and-coastal/new-zealand-coastal-policy-statement/new-zealand-coastal-policy-statement-2010/schedule-1-surf-breaks-of-national-significance/>

Surf Break Protection Society

<http://www.surfbreak.org.nz>

Surf2surf

'Wavetrack New Zealand Surfing Guide' (2004) for the Stoke Meter or "Stoke Rating"

<http://www.surf2surf.com/surf-guide.php>

Other

Peryman, Bailey (September 2011) 'Identification of Surf Breaks of National Significance', in Lincoln Planning Review, Volume 3, Issue 1.

<http://www.lincoln.ac.nz/PageFiles/6708/LPR%20Vol%203%20Issue%201.pdf>

Peryman, Bailey and Skellern, Matt (April 2011) 'Planning tools for surf breaks', in Coastal News, pp. 1-3.

<http://www.coastalsociety.org.nz/images/stories/PDFs/coastalnews/nzcs46.pdf>

Skellern, Matt, and Rennie, Hamish G (March 2009) 'Working towards the protection of surf breaks', in Planning Quarterly, pp. 12-15.

Glossary of terms and definitions

NZCPS 2010 glossary:

Surf break: A natural feature that is comprised of swell, currents, water levels, seabed morphology and wind. The hydrodynamic character of the ocean (swell, currents and water levels) combines with seabed morphology and winds to give rise to a 'surfable wave'. A surf break includes the 'swell corridor' through which the swell travels, and the morphology of the seabed of that wave corridor, through to the point where waves created by the swell dissipate and become non-surfable.

 Swell corridor means the region offshore of a surf break where ocean swell travels and transforms into a 'surfable wave'.

 Surfable wave means a wave that can be caught and ridden by a surfer. Surfable waves have a wave breaking point that peels along the unbroken wave crest so that the surfer is propelled laterally along the wave crest.

Other definitions:

Seabed morphology: The form, structure and features of the bottom of the ocean.

(Definition prepared by DOC for this guidance material.)

Appendix 1: NZCPS 2010 – Surf breaks of National significance

