

Chair Cabinet Policy Committee

**OWNERSHIP OF FORESHORE AND SEABED AND LAND ADJOINING FORESHORE
OF NEW ZEALAND**

Proposal

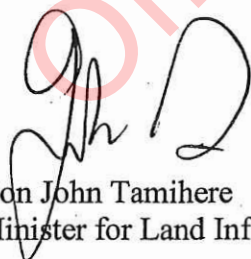
- 1 This paper provides the results of the investigation by Land Information New Zealand into the ownership of the seabed and foreshore, and the ownership of land adjoining the foreshore of New Zealand, and seeks agreement to the publication of the information.

Background

- 2 On 8 August 2003 Land Information New Zealand (LINZ) were requested to investigate the ownership of the seabed and foreshore and the ownership of land adjoining the foreshore of New Zealand. Since that time a team of experts within LINZ has been working on the project and has now provided its final report (Appendix 1).
- 3 The Information contained in the report is the subject of Official Information Act requests from Hon Nick Smith, Federated Farmers and Federation of Maori Authorities. It is, therefore, proposed that the Minister for Land Information coordinate the release the information to the media with the response to the Official Information Act requests.

Recommendations

- 3 It is recommended that the Cabinet Policy Committee:
 - 1 **note** the attached report from Land Information New Zealand providing the results of its investigation into the ownership of the seabed and foreshore, and the ownership of land adjoining the foreshore of New Zealand; and
 - 2 **agree** that the Minister for Land Information coordinate the release to the media of the results of the investigation referred to in paragraph "1" with the response to Official Information Act requests on the subject.



Hon John Tamihere
Minister for Land Information

14 November 2003

Minister for Land Information

FORESHORE PROJECT FINAL REPORT

Introduction

- 1 In August 2003 you asked LINZ to provide you with the distance of:
 - New Zealand's coastline;
 - the portion of the foreshore that is bounded by privately owned land; and
 - the portion of foreshore that was in private ownership.

- 2 This memorandum provides final results for:
 - the distance of New Zealand's coastline;
 - the number of parcels that adjoin the coastline classified by the owners of those parcels;
 - the distance of coastline for each classification (sets of maps showing how each classification is spread throughout the country are attached); and
 - the numbers of parcels and distance of the coastline for the portion of the foreshore that is privately owned.

- 3 A glossary of foreshore related terms is **attached** for your reference.

Comment

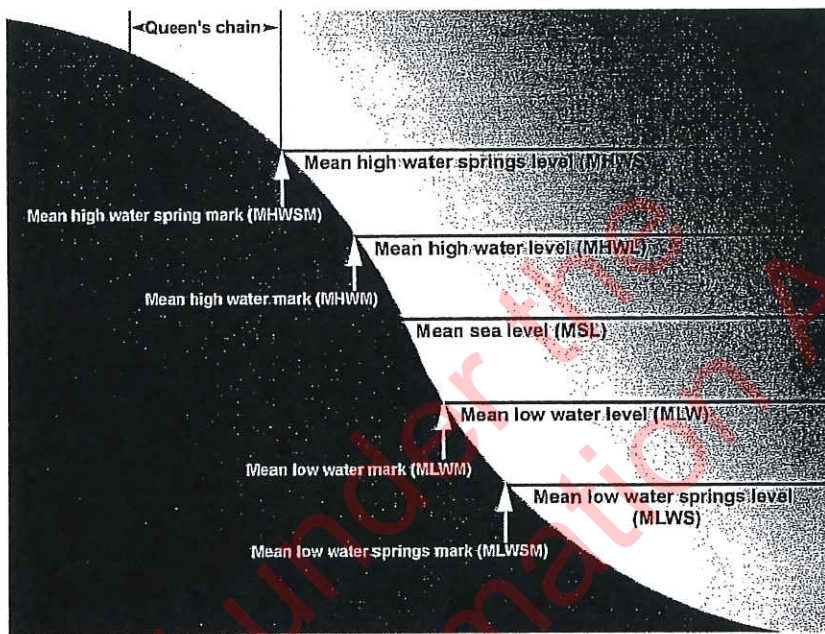
What defines the limits of the coastline?

- 4 The Resource Management Act 1991 (RMA) defines the coastal limits as:
 - the seaward boundary is the outer limits of the 12 mile limit; and
 - the landward boundary is the line of mean high water springs.

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- When rivers are encountered the boundary is the lesser of—
 - i) one kilometre upstream from the mouth of the river; or
 - ii) the point upstream that is calculated by multiplying the width of the river mouth by 5.

5 The diagram below shows the relationship between commonly used boundaries on the foreshore



6 Based on the RMA definition the upper limit of the foreshore is at mean high water springs, which is higher up the beach than the mean high water mark. Technically speaking 12,243 privately owned parcels (of 5,839km distance) that have been surveyed to the mean high water level are inside the boundary of the foreshore. In some cases, however, the difference between mean high springs and the mean high water mark will be negligible due the gradient of the beach.

The distance of New Zealand's coastline

7 New Zealand's coastline is 19,883¹ kilometres. This measurement includes the Chatham Islands, Pitt Islands, and is consistent with the definition for the coastal limits set out in the RMA.

¹ Earlier reports stating the distance of the foreshore as being 18.700 kilometres did not include the Chatham or Pitcairn Islands, or the coastal marine area boundaries taken into account in this latest measurement.

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The number of parcels that adjoin the coastline

8 33,712 parcels adjoin the foreshore. Of these:

- 30,449 are land parcels;
- 2,726 seabed parcels; and
- 501 are parcels that have completely eroded.

(Note that while 501 parcels are fully eroded, 4,881 of the land parcels are partially eroded).

Who owns the parcels on the foreshore and what distance of the coastline does each category of owners own?

Table One - Summary of the parcels that adjoin the foreshore

<i>Parcel classifications</i>	<i>Land parcels</i>	<i>Seabed parcels</i>	<i>Eroded parcels</i>	<i>Distance of coastline</i>	<i>% of coastline distance</i>
owned by the Crown	5,935	2,511	0	7,455km	37.64%
owned by territorial authorities	11,632	204	95	6,239km	31.42%
General land	9,693	27	199	3,979km	20.05%
Maori land	2,916	5	9	2,053km	10.35%
Unresolved	273	15	0	107km	0.54%
<i>Total results</i>	<i>30,449</i>	<i>2,762</i>	<i>501</i>	<i>19,833km</i>	<i>100.0%</i>

Parcels owned by the Crown

9 The Crown owns 5,935 parcels (7,455km) that adjoin the foreshore (37.64%). This land is mainly made up of:

- National parks that run to the coast;
- Strips of Crown land reserved from sale;
- Reserves for wild life heritage; and
- Railway.

Parcels owned by territorial authorities

- 10 Territorial authorities own 11,632 parcels (6,239 km) that adjoin the foreshore (31.42%). This land is mainly made up of:
- Esplanade reserves;
 - Public recreation reserves; and
 - Road parcels.

The portion of the foreshore that is bounded by privately owned land

- 11 6,032 kilometres (30.4%) of the coastline is bounded by 12,609 privately owned land parcels, 32 privately owned seabed parcels, and 208 eroded parcels:
- 2,053 kilometres is made up of 2,916 Maori land parcels; and
 - 3,979 kilometres is made up of 9,693 general land parcels.

Land parcels

- 9,403 parcels are general land parcels surveyed to the *mean high water mark* (3,843km)
- 2,840 parcels are Maori land parcels surveyed to the *mean high water mark* (1,996km)
- 279 parcels are general land parcels surveyed to *mean high water springs* with a Queen's chain (134.6km)
- 71 parcels are Maori land parcels surveyed to *mean high water springs* with a Queen's chain (52km)
- 11 parcels are general land parcels surveyed below *the mean high water mark* (1.4km)
- 5 parcels are Maori land parcels surveyed below the *mean high water mark* (5km)

Seabed parcels

- 27 parcels are general land seabed parcels that adjoin the foreshore (16.7km and area of 1.5km²)
- 5 parcels are Maori owned seabed parcels that adjoin the foreshore (4.2km and area of 1.1km²)

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Eroded parcels

- 199 parcels are general land parcels that are totally under water (area of 43.8km²); and
- 9 parcels are Maori land parcels that are totally under water (area of 0.4km²);
- 800 general land parcels are estimated to be partially eroded (450km); and
- 200 Maori land parcels are estimated to be partially eroded (220km).

Summary of the foreshore that is privately owned

12 27.3km of the foreshore and 50.8km² of seabed is privately owned because certificates of title have been issued for this land. A further 670km is estimated to be privately owned as a result of erosion. The portion of the foreshore that is privately owned includes:

- Land parcels that are surveyed to below the *mean high water mark* (total distance is 6.4km)
- Seabed parcels that are privately owned (total distance is 20.9km, total area is 6.6km²); and
- Land parcels that are totally eroded (total area is 44.2km²); and
- Land parcels that are partially eroded (total distance is estimated to be 670km)

Recommendations

13 I recommend that you:

- a) **note** the contents of this memorandum; and
- b) **agree** that LINZ refer a copy of this briefing to the Department of the Prime Minister and Cabinet and the Department of Conservation.



Kevin Kelly
Acting General Manager Policy

Noted & Agreed

Hon John Tamihere
Minister for Land Information
/ / 2003

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GLOSSARY OF TERMS FOR THE FORESHORE

Foreshore boundary definitions

Foreshore – parts of the bed, shore, or banks of a tidal water as are covered and uncovered by the flow and ebb of the tide at mean springs tide.

Mean high water springs – The average of the levels of each pair of successive high waters, and of each pair of successive low waters, during that period of about 24 hours in each semi-lunation (lunar cycle) when the range of tides is greatest.

Seabed – Land that is permanently wet or covered by the sea

Queens chain – is a 20metre strip memorialised on certificates of title in the form of marginal strips and esplanade strips that provide public access over the 20 metre strip on private land.

Property definitions

Parcel – a plot of land, whether dry or under water, that is identified as a separate entity in cadastral records held by the Chief Executive of Land Information New Zealand.

Seabed parcel – a parcel of land that is permanently wet or covered by the sea.

Land parcel – a parcel situated above mean high water springs that is never permanently wet

Eroded parcel – a parcel that was once situated above mean high water springs but is now permanently wet or covered by the sea

Partially eroded parcels – a parcel that was once situated above mean high water springs but is partly permanently wet or covered by the sea

General land – is land registered under the Land Transfer Act 1952

Maori Land – for the purposes of this exercise Maori land was considered to be land identified from Maori land plans for which there were no further records in the land transfer system.

Unresolved parcels – are instances where a parcel has not been classified because an owner could not be easily identified.