

1. Introduction

1.1 Title

This regional coastal plan is known as the Regional Coastal Plan for Taranaki.

1.2 Purpose

The purpose of the regional coastal plan is to promote the sustainable management of natural and physical resources in relation to the coastal marine area of Taranaki.

1.3 Effect of document

This document is a statutory regional coastal plan prepared by the Taranaki Regional Council in accordance with the requirements of the Resource Management Act 1991 ('the Act').

The provisions in this plan have legal force under the Act. In particular, the plan contains regional rules which have the force and effect of a regulation under the Act. Section 84 of the Act states:

'(1) While a policy statement or plan is operative, the regional council or territorial authority concerned, and every consent authority, shall observe and, to the extent of its authority, enforce the observance of the policy statement or plan.

(2) No purported grant of a resource consent, and no waiver or sufferance or departure from a policy statement or plan, whether written or otherwise, shall, unless authorised by this Act, have effect in so far as it is contrary to subsection (1).'

1.4 Commencement

The Regional Coastal Plan for Taranaki was approved by the Minister of Conservation on August 6, 1997, and became operative on 1 October 1997.

1.5 Area of jurisdiction

This regional coastal plan has effect over the coastal marine area of the Taranaki Region.

The Taranaki Region is shown on SO Plan No. 13043 deposited with the Chief Surveyor of the Taranaki Land District. The coastal marine area is that part of the Taranaki Region which is bounded:

- seaward, by the outer limit of the Territorial Sea of New Zealand; and
- landward, by the line of Mean High Water Springs, except where that line crosses a river, in which case the boundary is as described in Section 1.5.1;
- in the north, by a line extending from the Mokau River mouth at 273° true compass bearing;

- in the south, by a line extending from east of Waiinu Beach at 195° true compass bearing.

1.5.1 Coastal marine area boundary at rivers

The boundary of the coastal marine area at rivers (as agreed pursuant to Section 2 of the Act) is as described below.

- (a) In the case of any river not referred to in (b) below, the river mouth is at the continuation of the line of mean high water springs of the coast across the river. The boundary of the coastal marine area is then a distance upstream equal to the lesser of one kilometre or five times the width of the mouth; or
- (b) In the case of any river referred to below, the boundary of the coastal marine area is as described in Appendix II. The rivers to which this applies are:

- | | |
|---------------------|---------------------|
| • Mohakatino River | • Te Henui Stream |
| • Tongaporutu River | • Huatoki Stream |
| • Mimi River | • Oakura River |
| • Urenui River | • Kaipokonui Stream |
| • Onaero River | • Tangahoe River |
| • Waitara River | • Manawapou River |
| • Waiongana River | • Patea River |
| • Waiwhakaiho River | • Whenuakura River |
| | • Waitotara River |

These rivers are shown in Map 1. These rivers are also shown on the planning maps in Section 4.0, with the exceptions of Te Henui and Huatoki Streams.

1.6 Statutory restrictions on activities

The Resource Management Act 1991 restricts certain activities under sections 12 (Restrictions on use of coastal marine area), 14 (Restrictions relating to water) and 15 (Discharge of contaminants into environment). Those restrictions are outlined here for the benefit of plan users.

Section 12 Restrictions on use of coastal marine area

- (1) *No person may, in the coastal marine area,-*
- (a) *Reclaim or drain any foreshore or seabed; or*
- (b) *Erect, reconstruct, place, alter, extend, remove, or demolish any structure or any part of a structure that is fixed in, on, under, or over any foreshore or seabed; or*
- (c) *Disturb any foreshore or seabed (including by excavating, drilling, or tunnelling) in a manner that has or is likely to have an adverse effect on the foreshore or seabed (other than for the purpose of lawfully harvesting any plant or animal); or*
- (d) *Deposit in, on, or under any foreshore or seabed any substance in a manner that has or is likely to have an adverse effect on the foreshore or seabed; or*

- (e) *Destroy, damage, or disturb any foreshore or seabed (other than for the purpose of lawfully harvesting any plant or animal) in a manner that has or is likely to have an adverse effect on plants or animals or their habitat; or*
 - (f) *Introduce or plant any exotic or introduced plant in, on, or under the foreshore or seabed -*
unless expressly allowed by a rule in a regional coastal plan and in any relevant proposed regional coastal plan or a resource consent.
- (2) *No person may, in relation to land of the Crown in the coastal marine area, or land in the coastal marine area vested in the regional council,-*
 - (a) *Occupy the land and any related part of the coastal marine area; or*
 - (b) *Remove any sand, shingle, shell, or other natural material from the land -*
unless expressly allowed by a rule in a regional coastal plan and in any relevant proposed regional coastal plan or by a resource consent.

Section 14 Restrictions relating to water

- (1) *No person may, take, use, dam or divert any -*
 - (a) *Water (other than open coastal water); or*
 - (b) *Heat or energy from water (other than open coastal water) ...*
unless the taking, use, damming or diversion is allowed by subsection (3).
- (3) *A person is not prohibited by subsection (1) from taking, using, damming or diverting any water, heat or energy if -*
 - (a) *The taking, use, damming or diversion is expressly allowed by a rule in a regional plan and in any relevant proposed regional plan or a resource consent; or*
 - (d) *In the case of coastal water (other than open coastal water), the water, heat or energy is required for an individual's reasonable domestic or recreational needs and the taking, use or diversion does not, or is not likely to, have an adverse effect on the environment; or*
 - (e) *The water is required to be taken or used for fire-fighting purposes.*

Section 15 Discharge of contaminants into environment

- (1) *No person may discharge any -*
 - (a) *Contaminant or water into water; or*
 - (b) *Contaminant onto or into land in circumstances which may result in that contaminant (or any other contaminant emanating as a result of natural processes from that contaminant) entering water; or*
 - (c) *Contaminant from any industrial or trade premises into air; or*

(d) Contaminant from any industrial or trade premises onto or into land -

unless the discharge is expressly allowed by a rule in a regional plan and in any relevant proposed regional plan, a resource consent, or regulations.

These restrictions apply in the absence of a relevant rule in this plan. Certain rules in this plan make reference to Sections 12(1), 12(2), 14 and 15 above.

1.7 Structure

The structure of this plan is based upon the requirements for a regional plan that are set out in Section 67(1) of the Resource Management Act.

Section 2.0 contains the definitions of terms used in this plan.

Section 3.0 states the **issues** that are addressed by this plan. It further explains the **objectives** to be achieved by this plan in order to address those issues, and explains the **policies** in respect of those issues and objectives. It states the **methods** to be used to implement the policies, along with the principal reasons for adopting those methods. Finally, it states the anticipated environmental results.

Section 4.0 contains the detail of **regional rules** which are used to give effect to the policies in Section 3.0.

Section 5.0 sets out the information to be submitted with an application for coastal permits for land (foreshore and seabed) use, discharges to air or water, and abstractions of water. Section 5.0 also explains the requirements for an assessment of environmental effects and the circumstances in which the Taranaki Regional Council may require further information on a proposed activity in the coastal marine area.

Section 6.0 sets out the circumstances in which a financial contribution may be required, the method for determining the amount of that contribution and the general purposes for which the contribution may be used.

Section 7.0 of this plan sets out administrative procedures for dealing with cross-boundary issues, for monitoring the effectiveness of the plan, and for reviewing the plan.

1.8 Agency jurisdiction

The Taranaki Regional Council is the agency responsible for implementing the policies and methods of this plan at all times.