

ISSUE EIGHT: ADVERSE EFFECTS ON EXISTING STRUCTURES

The Act requires the sustainable management of existing structures, as physical resources. Structures in the coastal marine area in Taranaki serve the following specific purposes: petroleum exploration, mining and transport; network utility operations; aiding navigation; access to or across the coastal marine area (jetties, bridges, wharves and boatramps); discharges or intakes; or natural hazards protection (seawalls, groynes and breakwaters). The location of a structure and the condition of adjacent foreshore and seabed are critical to the efficient use of the structure for its intended purpose.

The coastal marine area includes river estuaries. Many of these estuaries have network utilities crossing them, notably state highways and gas transmission pipelines. Those structures require protection from exposure or undermining as a result of other activities.

Objective

- OBJ 8 To maintain people's ability to efficiently use any lawfully-established structure for that structure's intended purpose, subject to achievement of objectives relating to adverse effects on land, natural hazards, access and navigation and safety.

Policies

- POL 8.1 *New use, development and protection of the coastal marine area should:*
- (a) *allow safe and adequate access to existing structures for their use and maintenance;*
 - (b) *not promote erosion or accretion which results in exposure, burial, blockage, instability or stranding of an existing structure and so impede reasonable use of that structure for its intended purpose; where this is consistent with the purpose of the Act.*
- POL 8.2 *The Taranaki Regional Council will promote redevelopment and use of existing structures ahead of the construction of new structures, where it is consistent with the efficient use of resources and has less impact on the natural character of the coastal marine area than alternative options.*

Explanation

Structures are a physical resource. The sustainable management of structures must be promoted in order for this plan to achieve the purpose of the Act. An issue with any use, development or protection of the coastal marine area is that it may affect existing structures or use of those structures. Objective 8.1 is necessary to achieve the Act's purpose as the potential of structures to meet the reasonably foreseeable needs of future generations must be maintained (Section 5(2)(a)) and adverse effects of activities on the environment (which includes all natural and physical resources, including structures) must be avoided, remedied or mitigated (Section 5(2)(c)). Objective 8.1 makes clear to those proposing new use, development and protection of the coastal marine area that they must take account of the effects of their proposal on use of existing structures.

Policy 8.1 states the circumstances in which the effects of new use, development and protection of the coastal marine area on structures are acceptable, that is, are not significant adverse effects.

The policy has been adopted because structures in the coastal marine area are highly location-specific. Hence, artificially-induced changes in the surrounding environment can easily render use of a structure difficult, unsafe or impossible.

Policy 8.2 has been adopted to promote the efficient use and development of structures in the coastal marine area and to avoid sporadic development and adverse effects on natural character within the coastal marine area.

Methods of implementation

The Taranaki Regional Council will use the following methods to implement the policies above:

METH **Application of Policies 8.1 and 8.2** when considering a coastal permit
1 application to carry out a controlled, discretionary or non-complying activity.

METH **Attachment of conditions** to rules providing for **permitted activities** and to
2 coastal permits for **controlled activities** when:

- (a) an activity could interfere with reasonable use or maintenance of an existing structure; or
- (b) an activity could cause changes to the foreshore or seabed and adversely affect the structure itself.

Reasons

Policy 8.1 provides a performance measure for activities. The Taranaki Regional Council's decision is that activities that are likely to have an adverse effect on existing structures, or their use, will be activities presently restricted by Sections 12 or 15 of the Act. Those activities may only be authorised by a coastal permit or by a rule in this plan providing for a permitted activity.

Policy 8.1 can therefore be given effect in an efficient and effective manner through a decision on a coastal permit application or conditions within a regional rule.

Environmental results anticipated

ER 1 Continued reasonable use of existing structures in the coastal marine area.