

# Users' Guide

## How the Plan works

The plan is divided into seven sections. Section 1 sets the boundaries of the plan's jurisdiction. Section 2 contains definitions of terms that are used in the plan.

Sections 3 and 4 are the critical sections of the plan. Section 3 contains:

- issues addressed by the plan;
- objectives of the plan;
- policies to achieve the objectives; and
- general methods to implement the policies.

The plan's policies are critical. The policies serve a number of purposes:

- they contain 'criteria' to guide Council's decision making on coastal permit applications by identifying the environmental effects of particular concern to the Council; and
- they state the Council's position on the acceptability or otherwise of those environmental effects; and
- they state general courses of action the Council will adopt to address particular effects or the effects of particular activities.

Section 4 contains regional rules. The regional rules are divided into five sets. There is a set of general rules which apply throughout the coastal marine area. Those rules cover the following activities:

- occupation of space;
- discharges from ships and offshore installations;
- taking and use of water;
- introduction of exotic plants;
- temporary military training; and
- deposits from ships.

There are then sets of rules applying to four types of area:

- areas of outstanding coastal value;
- estuaries (other than those in areas of outstanding coastal value);
- the open coast; and
- Port Taranaki<sup>1</sup>.

These areas can be identified from planning maps in Section 4.2 (note also the extent of "estuaries" in method 1 of Issue one, Section 3.0 of this Plan).

Within the four identified areas, rules cover the following activities:

- construction, maintenance and removal of structures;
- discharges of contaminants (excluding those from ships and offshore installations);
- disturbance of, and deposits to, foreshore and seabed; and
- reclamations.

The rules are intimately linked to the policies, which provide guidance on coastal permit decisions.

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<sup>1</sup> Note: the area defined as "Port Taranaki" in this plan is larger than the area commonly called Port Taranaki. See planning map 7 for detail.

Section 5 of the plan sets out information that must be supplied with coastal permit applications.

Sections 6 and 7 set out administrative procedures required by law, on financial contributions, cross-boundary issues, monitoring and plan reviews.

## Guide to consent applicants

This section of the users' guide explains, in brief, how to find out whether or not an activity is regulated by the plan, and if so, the steps to be taken in applying for a coastal permit.

**Step One:** Find out where the activity is located. Section 4.2 of the plan contains planning maps which divide the coastal marine area into four types of management areas. Use the maps to find out which type of area the activity falls in.

**Step Two:** Break the activity down into parts. Does the activity involve:

- (a)
  - (i) a discharge from a ship or offshore installation; or
  - (ii) occupation of public space; or
  - (iii) introduction of exotic plants; or
  - (iv) taking, use, damming or diversion of water; or
  - (v) temporary military training; or
  - (v(i) deposition from ships.

If so, see the **general rules** in Section 4.2 of the plan.

In addition, does the activity involve:

- (b)
  - (i) construction, maintenance or removal of a structure; or
  - (ii) discharge of contaminants (other than from a ship or offshore installation); or
  - (iii) disturbance of, or deposit onto, the foreshore or seabed; or
  - (iv) reclamation of foreshore or seabed?

If so, go to the appropriate rule table in the coastal management area where the activity is to be carried out.

*Note: the explanation in Section 4.2 about using the rule tables will assist you to understand how the tables may be interpreted.*

**Step Three** Are there rules that apply to each part of the activity? (*Note: look carefully - most rule tables have one "catchall" rule to cover activities if there is no specific rule.*)

If there are no relevant rules, check sections 12, 14 or 15 of the Act. If those sections do not restrict a part of the activity, then that part may be lawfully carried out without a coastal permit. If those sections restrict that part of the activity, then that part is **non-complying** and a coastal permit is needed.

**Step Four** If the activity is covered by rules in the plan, how is each part of the activity classified? (*Note: if the "activity" is made up of several parts, there may be several rules and classifications that apply.*)

- (a) If it is **permitted** the activity can be carried out provided the conditions are met.
- (b) If it is **controlled** a coastal permit is needed and the Taranaki Regional Council must grant the permit if the standards and terms are met.

- (c) If it is **discretionary** a coastal permit is needed, and the Council will decide whether or not to grant the permit. This will usually depend on how well the proposed activity fits in with the policies in the plan.
- (e) If it is **non-complying** a coastal permit is needed - the Council can only grant consent if the effects of the activity are minor or are not contrary to the objectives and policies of the plan.
- (f) If it is **prohibited** the activity cannot proceed, and no coastal permit can be applied for.

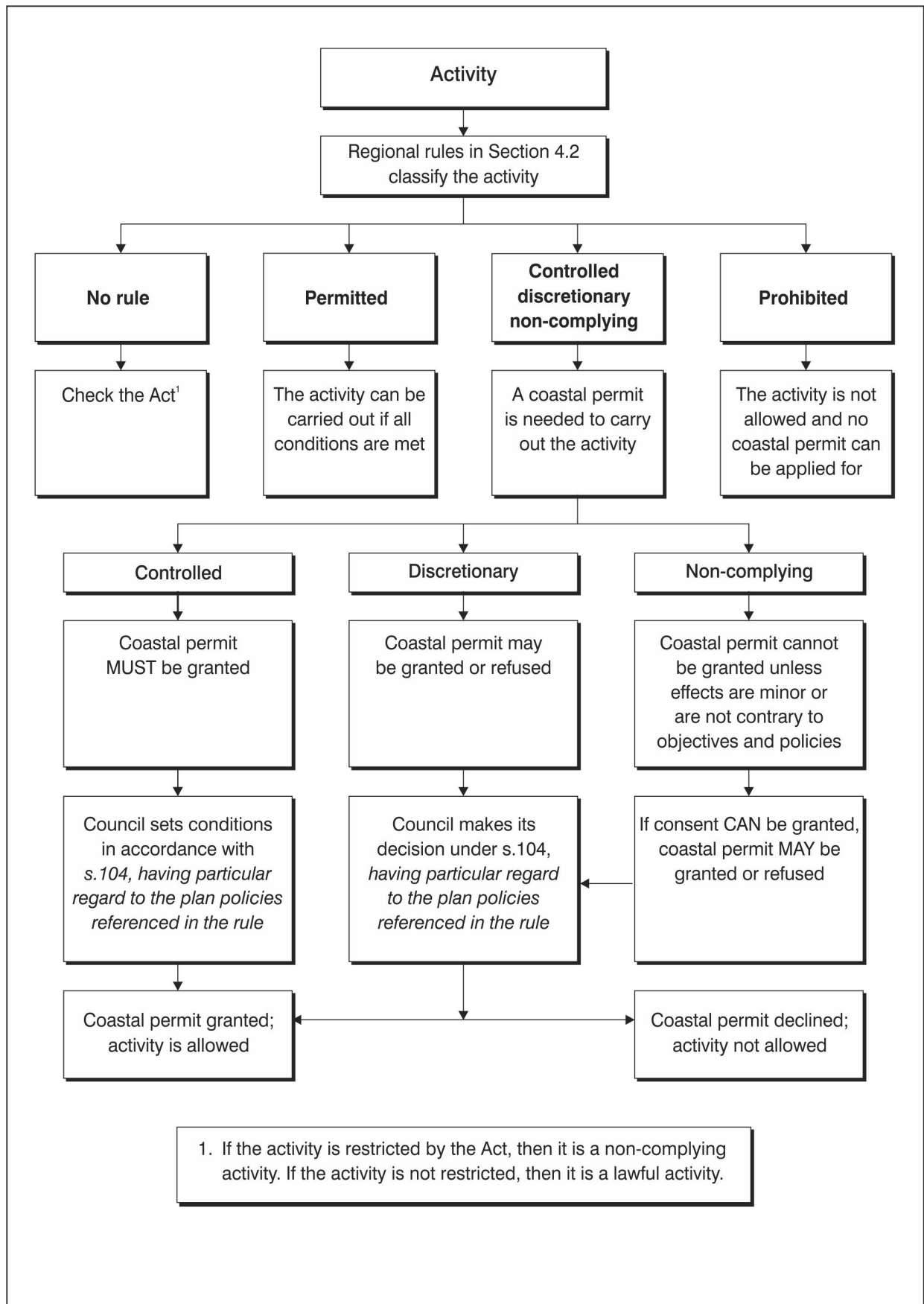
Figure 1 shows a simplified version of how the activity classifications work. Neither it nor this discussion can be treated as an exact substitute for the provisions of the Act.

Step Five If any parts of the activity require a coastal permit:

- (a) check the policies referenced in the rule to find out which effects are of concern; and
- (b) check the policies in Section 3.0 Issue Five regarding Maori values; then
- (c) prepare a document which describes the assessment of effects on the environment under Section 5.5 of the plan; and
- (d) make your coastal permit applications to the Taranaki Regional Council, and include the assessment of effects on the environment and any other information required under Section 5.

You may wish to consult with any people likely to be affected by your activity.

Step Six If in doubt, particularly regarding the information requirements of (5) above, or the classification of your activity, telephone the Consents Department of the Taranaki Regional Council on (06) 765 7127.



**Figure 1: Activity Classifications**