

Section 32AA Evaluation Report

Proposed Coastal
Plan for Taranaki

Section 32AA evaluation report

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COASTAL PLAN FOR TARANAKI



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COASTAL PLAN FOR TARANAKI



1 Introduction

This section outlines the scope and structure of the report.

1.1 Purpose

The purpose of this report is to provide a summary of the evaluation undertaken in accordance with Section 32AA of the *Resource Management Act 1991* (RMA) for the review of the *Regional Coastal Plan for Taranaki*.

The Section 32AA evaluation builds on the Section 32 evaluation provided at the initial notification of the *Proposed Coastal Plan for Taranaki* (Proposed Plan). In particular, the evaluation addresses those key changes that have occurred through the submission and hearing processes that were not considered by the Taranaki Regional Council (the Council) under the initial Section 32 evaluation by:

- identifying reasonably practicable options for achieving the objectives, and
- assessing the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions in the Proposed Plan.

1.2 Scope and background

The *Proposed Coastal Plan for Taranaki* was publicly notified for submissions on 24 February 2018, with submissions closing on 27 April 2018.

Public notice calling for further submissions supporting or opposing the initial submissions was made on 21 July 2018 and closed on 4 August 2018.

Sixty-one initial submissions were received, with 25 further submissions also received.

In October 2018, a draft officers' report with preliminary recommendations in response to submissions (and a revised track change version of the Proposed Plan) was released and made available to all submitters for their consideration. Subsequently, the Council extended an offer to submitters to ascertain their interest in meeting with officers to discuss their issues and officers' preliminary response as part of a pre-hearing engagement process. Council officers met with 28 submitters to discuss changes

recommended to the Proposed Plan. These meetings allowed submitters to further clarify their concerns, discuss proposed relief and explore any alternative relief options where appropriate. The opportunity to reconsider officers' preliminary recommendations in light of these engagements was useful and resulted in a number of changes in officer recommendations.

The Section 42A Report and Track changes version of the *Proposed Coastal Plan for Taranaki* identifying changes resulting from the submission and pre-hearing engagement process were released for submitters on 29 June 2019. The Section 42A Report identified submitters' requests by submission point and the officers' recommendations to the Hearing Panel.

The Hearing for the *Proposed Coastal Plan for Taranaki* was held on July 24th and August 1st 2019 at the Taranaki Regional Council chambers. Fifteen submitters presented oral submissions and six submitters provided written hearing statements instead of presenting an oral submission. This report addresses the Hearing Panel's recommendations to Council that were presented to the Policy and Planning Committee on September 3rd 2019.

1.3 Section 32AA requirements

Section 32AA of the RMA sets out the requirements for preparing and publishing evaluation reports for changes to proposed regional plans and reads as follows:

- 1) *A further evaluation required under this Act—*
 - (a) *is required only for any changes that have been made to, or are proposed for, the proposal since the evaluation report for the proposal was completed (the changes); and*
 - (b) *must be undertaken in accordance with section 32(1) to (4); and*
 - (c) *must, despite paragraph (b) and section 32(1)(c), be undertaken at a level of detail that corresponds to the scale and significance of the changes; and*

- (d) *must—*
- (i) *be published in an evaluation report that is made available for public inspection at the same time as the approved proposal (in the case of a national policy statement or a New Zealand coastal policy statement or a national planning standard), or the decision on the proposal, is notified; or*
- (ii) *be referred to in the decision-making record in sufficient detail to demonstrate that the further evaluation was undertaken in accordance with this section.*
- (2) *To avoid doubt, an evaluation report does not have to be prepared if a further evaluation is undertaken in accordance with subsection (1)(d)(ii).*
- (3) *In this section, proposal means a proposed statement, national planning standard, plan, or change for which a further evaluation must be undertaken under this Act.*

For a full reading of section 32, please refer to Appendix I.

1.4 Key changes

Inevitably changes to the notified version of a proposed plan occur as a result of the submission and hearing processes. In response to submissions and further submissions received on the Proposed Plan, several major changes are recommended by the Hearing Panel to be added to the Proposed Plan. Only these new provisions are the subject of this Section 32AA further evaluation as they are the key changes being proposed, and have implications for plan making and resource consent processing.

Key changes analysed in this report are grouped around the following themes:

- **Tangata whenua principles:** Inclusion of agreed tangata whenua principles in the Plan that are aligned and/or given effect to through relevant Plan objectives, policies, rules and schedules.
- **Subdivision:** Amendments to Objectives 1, 3, 6, 7 and 11; and Policies 2, 5, 8 and 15 of the Proposed Plan to reference and require explicit consideration of the effects of subdivision within the coastal environment.
- **Coastal environment line mapped:** Amendments to Policy 4 (and associated Planning maps) to identify the extent of the coastal environment on planning maps based on their equivalent in relevant district plans (i.e. the Coastal Protection Area identified in the *Proposed District Plan for South Taranaki* and the Coastal Hazard Area identified in the *Draft District Plan for New Plymouth*).
- **The balance of protective policies against the use and development policies:** The *New Zealand Coastal Policy Statement* (NZCPS) is particularly directive towards protection of the coastal environment and some submitters were concerned with how the needs of the national grid (and other regionally important infrastructure) would be balanced against the need to protect specific values. Amendments to the Plan include new Policy 6A [Management of adverse effects of the National Grid], to better align with the *National Policy Statement on Electricity Transmission* (which provides direction specific to managing the effects of the National Grid).
- **Indigenous biodiversity:** Amendments to Policy 14 [Significant indigenous biodiversity] to explicitly identify significant marine animal and seabird areas, amendments to the Plan to include a new Policy 14A to address other indigenous biodiversity, and amendments to the planning maps (and other consequential changes to the Plan) to identify known significant indigenous biodiversity areas.
- **Cultural and historic heritage:** Greater consideration of cultural and heritage values within the Plan. This includes the addition of a new Policy (14B [Taonga species]), schedule (4C [Taonga species]) and appropriate standards, terms and conditions for permitted and controlled activities; as well as amendments to Schedule 5B [Historic heritage] to identify additional sites of significance and new Methods for protecting cultural and historic heritage.
- **Sewage discharge rules:** Amendments to the Plan to prohibit any future new discharges of treated human sewage to the CMA to address tangata whenua concerns, promote improvements in coastal water quality, and to align the rules with requirements of Plan objectives and policies. The change continues to provide for existing wastewater discharges (subject to a consenting process).
- **Discharges of water containing minor contaminants:** Inclusion of additional Rule (1A) for the discharge of water and minor contaminants for small and temporary discharges of water.
- **Schedule of Hazardous substance thresholds:** Inclusion of an additional schedule that lists the type and quantity of hazardous substances that will be excluded from

Rule 1 [Stormwater discharges] permitted activity to ensure that routine, detergents and household cleaners do not get captured in the requirement for industrial or trade premises discharging stormwater to not use or store hazardous substances.

- **Discharges of petroleum dispersants:** Removal of Rule 4 permitting discharges of petroleum dispersants to the Open Coast and Port coastal management areas in order to ensure that inappropriate discharges are not encouraged and to promote alignment with the *Marine Protection Rules*.
- **Cleaning of biofouling:** Amendments to the standards, terms and conditions of Rule 9 [Cleaning of biofouling] (permitted activity in the Port coastal management area) to better align with national expectations and approaches elsewhere. Guidance and direction on amendments was provided by the Ministry for Primary Industries and the Department of Conservation.
- **Seismic surveying rule:** Amendments to Rule 12 [Seismic surveying and bathymetric testing] to address effects of seismic surveying on indigenous biodiversity through the inclusion of a new Rule (12A) that makes seismic surveying a controlled activity in all coastal management areas (rather than permitted). Standards, terms and conditions of the rule ensure that the activity complies with the Department of *Conservation's Code of Conduct for minimising acoustic disturbance to marine mammals for seismic survey operations*. Other adverse effects on indigenous biodiversity (e.g. effects on seabirds such as the little blue penguin) not addressed through the code of conduct are addressed through additional standards, terms and conditions.
- **Storage and transfer of cargo materials within the Port Air Zone:** Amendments to align with current permitted rule to allow discharges of contaminants to air and water during the storage and transfer of cargo materials within the Port Air Zone. During transport or storage of cargo materials (e.g. palm kernel), some materials will inevitably become entrained in the air and may settle on the water surface.
- **Rules for structure maintenance, alteration and extensions:** Amendments to the suite of Rules addressing maintenance, alteration and extension of structures following general feedback from some submitters that the framework was complicated and, in some instances/scenarios, submitters were not sure which rule might apply to specific activities with the potential for more than one rule to apply to a single activity. Submitters were also concerned about the relevant definitions of these activities. Amendments focus on simplifying the rules cascade by deleting inappropriate rules (already addressed through other rules), merging rules that

address similar activities and inclusion of new rules where the activity has not been appropriately provided for as well as clarifying definitions.

- **New rules pathway for sampling and monitoring:** Amendments to Rule 52 [Collection of benthic grab samples] (permitted) and inclusion of two additional rules, 52A and 52B (controlled and discretionary) to provide for disturbances arising from the collection of scientific samples and/or arising from monitoring activities.
- **Revised noise provisions for temporary military training activities:** Amendments to Section 8.6.3 (c) [Noise limits] to better reflect requirements set by the New Zealand Defence Force for temporary military training activities and adopted around the country.
- **Māori surf break names:** Amendments to Schedule 7A [Nationally, regionally and locally significant surf breaks] (and on the planning maps) to include alternative traditional names (where appropriate) next to the commonly known surf break names to address concerns of cultural inappropriateness of some surf break names and increase cultural recognition throughout the Plan.
- **'Breakwater' surf break:** Amend Schedule 7A to remove the breakwater surfbreak from the regionally significant category and inclusion in locally significant category to ensure that regular maintenance activities at the Port are not inhibited.
- **On-line maps:** amendments to on-line maps (and associated schedules) to better identify 'high natural character areas' and areas of 'significant indigenous biodiversity'.

Of note, numerous other minor or inconsequential changes to the Proposed Plan are not considered to require a further evaluation as they are relatively minor or do not change the policy intent of provisions in the Proposed Plan (e.g. changes are to improve certainty or clarity in relation to policy intent and/or to improve the readability of Plan provisions). Other consequential changes include new (non-regulatory) methods and alignment with the *National Planning Standards*.

This Report should be read in conjunction with the Hearing Panel's report and recommendations presented to the Taranaki Regional Council for its consideration.

2 Section 32AA evaluation

This section identifies options for change, considers the costs and benefits of the change and explains the preferred options.

Issue/theme	Options	Section 32AA evaluation	Conclusion
Tangata whenua principles	<p>Option 1: <i>Status quo</i> – no change.</p> <p>The Proposed Plan does not include any tangata whenua principles.</p>	<ul style="list-style-type: none"> Lesser consideration and integration of agreed tangata whenua principles throughout Plan provisions. 	<p>Option 2 is the preferred option. The benefits outweigh the costs and the proposed change promotes better integration and alignment of agreed tangata whenua values in Plan provisions.</p>
	<p>Option 2: Inclusion of agreed tangata whenua principles in the Plan.</p>	<ul style="list-style-type: none"> Option better supports the integration of Māori principles and values in the Plan with the principles also being aligned where relevant to Objective 10 [Treaty of Waitangi], Policy 2(aa), Policy 16 and Schedule 5B [Sites of significance]. Promotes greater consideration (and the protection) of tangata whenua principles and values when implementing the Plan. Broad tangata whenua support for the inclusion of the principles. No increase in costs to any parties. Is consistent with section 6 (e) of the RMA which requires that “<i>the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga</i>” be recognised and provided for as a matter of national importance. 	
Subdivision	<p>Option 1: <i>Status quo</i> – no change.</p> <p>The Proposed Plan does not explicitly recognise the effects of subdivision within the coastal environment.</p>	<ul style="list-style-type: none"> Less certainty and clarity to Plan readers that the effects of subdivision within the coastal environment are a consideration in the implementation of the Plan. No additional costs or benefits to any parties. 	<p>Option 2 is the preferred option. The benefits outweigh the costs and the proposed change improves integrated management within the coastal environment.</p>
	<p>Option 2: Reference to subdivision within relevant Plan provisions.</p> <p>Amend Objectives 1, 3, 6, 7 and 11; and Policies 2, 5, 8 and 15 of the Proposed Plan to reference and require explicit consideration of the effects of subdivision within the coastal environment.</p>	<ul style="list-style-type: none"> Minor benefits as it promotes alignment of Coastal Plan provisions with the RMA and the <i>Regional Policy Statement for Taranaki</i>, as well as district council plans. Minor benefits by promoting and supporting integrated management provisions in the Proposed Plan. More certainty and clarity to Plan readers that the effects of subdivision within the coastal environment need to be considered as part of use and development in the implementation of the Plan. 	

Issue/theme	Options	Section 32AA evaluation	Conclusion
		<ul style="list-style-type: none"> • More effective as it gives clearer direction for district councils addressing subdivision matters in the coastal environment and promotes consistency with the <i>Regional Policy Statement for Taranaki</i>. • No additional costs associated with this change. 	
Map extent and characteristics of the coastal environment	<p>Option 1: Status quo – no change.</p> <p>The Proposed Plan does not map the extent of the coastal environment but instead relies on the descriptive matters set out in Policy 4.</p> <p>The Proposed Plan relies on identification of the coastal environment on a case-by-case basis having regard to areas where coastal processes, influences or qualities are significant, including coastal lakes, lagoons, tidal estuaries, saltmarshes, coastal wetlands and the margins of these areas as determined through Policy 4 and the definition for coastal environment.</p>	<ul style="list-style-type: none"> • Less certainty and clarity during the consenting process and possibility of disputes over whether an activity is within the coastal environment or not resulting in increased costs to Council, resource users and affected parties. • Less effective as identifying coastal environment extent may be subject to differing interpretations by Council consenting officers. 	<p>Option 2 is the preferred option. The benefits outweigh the costs and the mapping provides more certainty for plan users. It also improves integrated management within the coastal environment.</p>
	<p>Option 2: Identify the extent of the coastal environment on Planning maps based on the Coastal Protection Area identified in the <i>Proposed District Plan for South Taranaki</i> and the Coastal Hazard Area identified in the <i>Draft District Plan for New Plymouth</i>.</p> <p>Changes proposed align the extent of the coastal environment with the equivalent coastal environment line (or similar) identified in a District Plan. Policy 4 is also amended to refer to the coastal environment line but also includes descriptive matters in the Policy that may allow other areas landward of the coastal environment line to be considered or assessed as part of the coastal environment at a finer spatial scale, e.g. the extent of estuaries.</p>	<ul style="list-style-type: none"> • Appropriate in that the amendment supports Objective 1 [Integrated management] by aligning with district council plans and the outcome of their planning processes. • Appropriate as the provision is consistent with the characteristics identified in Policy 1 [Extent and characteristics of the coastal environment] of the NZCPS. • More efficient in that there is increased certainty on the extent of the coastal environment (and therefore the application of relevant Plan provisions) during the consenting process. • Efficient and effective in that mapping provides increased certainty during the consenting process and will minimise disputes and reduce costs for the applicant and the Council. • More effective as Plan users will have greater certainty around whether their activity falls inside/outside the coastal environment and the appropriate Policies to consider. • More effective as each consent application will be addressed consistently and reduces variation between consents. • There are no additional costs associated with this change. 	

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		<ul style="list-style-type: none"> Efficient as the coastal environment extent is consistent with other similar extents identified in proposed district plans and will be amended for consistency if any changes occur through the plan review process. 	
<p>Explicitly provide for the needs of the National Grid</p>	<p>Option 1: <i>Status quo</i> – no change.</p> <p>No provision currently made for the National Grid outside of provisions made generally for all regionally important infrastructure within Policy 6 [Benefits of regionally important infrastructure]. Policy 6 is limited to considering benefits of regionally important infrastructure and does not provide any additional weight for the National Grid when considering the environmental effects of an activity.</p> <p>Option 2: To include:</p> <ul style="list-style-type: none"> A new Policy 6A to address the requirements of the <i>National Policy Statement on Electricity Transmission</i> (NPSET) and to better address/balance the needs of the National Grid when considering those values identified for protection under Policies 8, 14 and 19. A new Rule 37A which provides for the maintenance, alteration or extension of network utilities in Outstanding Value, Estuaries Unmodified, Estuaries Modified and the Open Coast coastal management areas as a restricted discretionary. 	<ul style="list-style-type: none"> Less efficient and effective as the Proposed Plan does not explicitly address the requirements of the <i>National Policy Statement for Electrical Transmission</i> (NPSET). Less efficient as this may lead to lengthy debates with resource users over whether an activity is appropriate after having regard to the 'protective' policies (relating to outstanding value, significant indigenous biodiversity, outstanding value and nationally or regionally important surf breaks etc) within the Plan. Less effective due to uncertainty over the outcome of consenting processes. Has implications for the community (and wider New Zealand) due to the importance of the national grid as nationally important infrastructure that provides electricity throughout the country. Less certainty during the consenting process likely to result in additional costs for consent applicants during this process. Efficient and effective as the change explicitly gives effect to the NPSET. Changes expand upon amendments to the notified Proposed Plan to increase the efficiency and effectiveness of the Plan by increasing certainty for resource users. More efficient as the change will reduce unnecessary disputes during the consenting process when weighing the economic and social values of the national grid against environmental and cultural values. More effective as the change will better recognise and provide for social and economic benefits by providing an appropriate pathway for the national grid beyond what is already provided for in Policy 6. The change addresses requirements for the National Grid under the NPSET as well as the requirements of the NZCPS. There are no additional costs associated with this change. 	<p>Option 2 is the preferred option. This option better provides for the requirements of the NPSET.</p>
<p>All indigenous biodiversity to be covered by Plan provisions</p>	<p>Option 1: <i>Status quo</i> – no change.</p> <p>The Proposed Plan is silent on maintaining and enhancing indigenous biodiversity generally (i.e. outside of that provided under Policy 14 which pertains to 'significant indigenous</p>	<ul style="list-style-type: none"> Current policy meets requirements of Policy 11 of the NZCPS. Less effective as the Plan contains no specific policy direction for implementing the first part of Objective 8 [Indigenous biodiversity] in which indigenous biodiversity in the coastal environment is maintained and enhanced. 	<p>Option 2 is the preferred option. The change provides for greater clarity and a wider consideration of indigenous biodiversity values which will lessen the</p>

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	<p>biodiversity" and is listed specifically in Schedule 4A and B).</p> <p>Option 2: Include a new Policy 14A to provide policy direction for all indigenous biodiversity not already addressed under Policy 14 plus amend standards, terms and conditions of permitted activity and controlled activity rules to refer to all significant indigenous biodiversity identified in Schedule 4 (and not limit it to that identified in Schedule 4A and B only).</p>	<ul style="list-style-type: none"> • Less effective as the Plan only addresses effects on 'significant indigenous biodiversity' and provides no guidance or direction on managing other, unspecified indigenous biodiversity. • Less efficient due to no consideration for managing indigenous biodiversity generally during the consenting process. • Option produces no additional costs initially. • Option supports Objective 4 [Life-supporting capacity and mauri] and Objective 8 [Indigenous biodiversity]. • Is consistent with sections 6 (a) and (c) of the RMA which requires councils, as a matter of national importance, to recognise and provide for the natural character of the coast and for significant indigenous biodiversity plus section 30(1) (ga) RMA functions relating to maintaining indigenous biodiversity generally. • More effective as the Plan contains policy direction for implementing the first part of Objective 8 in which indigenous biodiversity in the coastal environment is maintained and enhanced. • More effective as it ensures other biodiversity considerations in addition to those set out in Policy 14 as required under Objective 8. • More efficient as it reduces the likelihood that remedial steps may be required at a later stage to offset negative environmental outcomes to indigenous biodiversity not addressed under Policy 14. • Costs accrue to resource consent applicants on a case-by-case basis for assessments of indigenous biodiversity affected by activity and consideration of appropriate protective measures to be taken. • Benefits include greater consideration of indigenous biodiversity values generally through the consenting process resulting in better environmental outcomes. 	<p>likelihood of inadvertent damage occurring.</p>
<p>Strengthened provisions addressing cultural and historic heritage protection</p>	<p>Option 1: <i>Status quo</i> – no change.</p> <p>The Proposed Plan only identifies those scheduled sites of historic significance identified at the time of publicly notifying the Plan and does not include any specific policy direction for taonga species outside of that provided under Policy 14 which focuses on significant indigenous biodiversity that is listed specifically in Schedule 4A.</p>	<ul style="list-style-type: none"> • Less effective in that any new discharges unlikely to achieve Objective 4 [Life-supporting capacity and mauri] and Objective 5 [Indigenous biodiversity]. • Currently no recognition of taonga species as identified in Treaty of Waitangi settlements. 	<p>Option 2 is the preferred option. The change gives better effect to Plan objectives relating to the Treaty of Waitangi and cultural and historic heritage while also enhancing cultural considerations during the consenting process.</p>

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	<p>Option 2: To include:</p> <ul style="list-style-type: none"> A new Policy 14B to provide policy direction to protect taonga species identified through iwi deeds of settlement and scheduled in the Plan (Schedule 4C). New permitted and controlled activity standards, terms and conditions in Rules 1, 18, 19, 51, 52 and 65 to avoid adverse effects on scheduled taonga species. A new Schedule 4C identifying coastal taonga species as identified through iwi deeds of settlement. Amend Schedule 5B to identify additional sites of significance based upon new information supplied by iwi and hapū and schedule any additional sites of significant with special cultural, spiritual, historical and traditional associations to tangata whenua. New methods in section 6 [Methods of Implementation] and 10 [Monitoring and review] addressing non regulatory methods for protecting cultural and historic heritage values. 	<ul style="list-style-type: none"> No additional costs. Reduced costs on consent applicants as there are less sites of significance identified and there is no policy requirement to protect species specifically of value to Māori. Option better supports the integration of Māori values in the Plan, including Objective 4 [Life-supporting capacity and mauri], Objective 8 [Indigenous biodiversity], Objective 9 [Relationship of tangata whenua with the coastal environment], Objective 10 [Treaty of Waitangi] and Objective 11 [Cultural and historic heritage]. Broad tangata whenua support for stronger provisions addressing cultural and historic heritage protection. Increased costs may accrue to resource consent applicants on a case-by-case basis to undertake assessments of impacts on taonga species affected by the activity and consideration of appropriate protective measures to be taken. More effective as change promotes greater consideration (and the protection) of taonga species of value to tangata whenua. More effective as change provides greater consideration and protection to sites of significance to Māori. More efficient as Plan users can easily see areas that hold significance to Māori, rather than waiting for the consenting process. 	
<p>Prohibition on new discharges of wastewater containing human sewage to the CMA</p>	<p>Option 1: <i>Status quo</i> – no change.</p> <p>The Proposed Plan provides for the discharge of new wastewater discharges in the Open Coast under Policy 25 and Rule 7.</p> <p>Option 2: To include the following changes:</p> <ul style="list-style-type: none"> Amend Policy 25 to prohibit any new discharges of wastewater containing human sewage to all coastal management areas in the CMA. 	<ul style="list-style-type: none"> Less effective in that any new discharges are unlikely to achieve Objective 5 [Coastal water quality] or Policy 11 [Coastal water quality] to maintain Taranaki's, generally high, coastal water quality. Less recognition of tangata whenua principles and values and, in particular, their abhorrence of wastewater discharges to water. Potentially lengthy consenting processes and uncertain outcomes. Provides for the discharge of treated community wastewater into the Open Coast coastal management area. This option gives better effect to Māori principles and values in the Plan, including Objective 9 [Relationship of tangata whenua with the coastal environment], Objective 10 [Treaty of Waitangi] and Objective 11 [Cultural and historic heritage]. 	<p>Option 2 is the preferred option. The environmental benefits outweigh the costs and the change gives better effect to Plan objectives relating to coastal water quality.</p>

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	<ul style="list-style-type: none"> Amend Rule 7 and delete Rule 8 so that no new wastewater treatment plant discharges are allowed to the CMA. 	<ul style="list-style-type: none"> The prohibition on new treated wastewater discharges better contributes to Objective 4 [Life-supporting capacity and mauri] and Objective 5 [Coastal water quality] and, in particular, will avoid any degradation in Taranaki's coastal water quality. More effective in that the change recognises Council's experience with existing municipal wastewater discharges where localised degradation in coastal water quality has occurred resulting in restrictions to shellfish gathering and recreational bathing. It effectively recognises existing best practice which is to avoid direct discharges to water. Broad tangata whenua support for stronger provisions prohibiting direct wastewater discharges to the CMA. Potentially significant constraints and costs on district councils addressing future population growth requirements (of note, this option would continue to provide for existing wastewater discharges subject to a consenting process). 	
<p>Amend regulatory framework to allow for the temporary discharge of water containing minor contaminants into the CMA</p>	<p>Option 1: <i>Status quo</i> – no change. No provision currently for the temporary discharges of water to the CMA). This activity would be addressed under catch all Rules 13 or 14 as Discretionary or Non-complying activities.</p> <p>Option 2: To include a new Rule 1A that addresses temporary water and minor contaminant discharges to the Coastal Marine Area. Also the addition of a new definition for 'temporary'.</p>	<ul style="list-style-type: none"> The temporary discharge of water is not currently provided for in the current or Proposed Coastal Plan. Unnecessarily restricts discharges of water into the CMA that are having less than minor adverse effects, e.g. desalination discharges associated with temporary military training exercises and discharge from water blasting. Unnecessary costs and constraints on resource users whereby discharges of water into the CMA that are having less than minor adverse effects (e.g. desalination discharges associated with temporary military training exercises and discharge from water blasting) are required to get a resource consent. Option permits small incidental discharges of water to the CMA (e.g. desalination discharges associated with temporary military training exercises and discharge from water blasting) without a resource consent subject to standards, terms and conditions. Option is appropriate in that Rule 1A is consistent with similar provisions in the Freshwater Plan. More effective in that any adverse environmental effects allowed by the rule will be less than minor. More efficient in that it allows activities such as the use of desalination equipment as part of any military training require a consent. 	<p>Option 2 is the preferred option. The change allows for temporary and minor incidental discharges of water in the CMA as a permitted activity. This is an efficient and appropriate status for these activities.</p>

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		<ul style="list-style-type: none"> Provision of new definition provides greater clarity and therefore efficiency to resource users as to what is meant by term 'temporary' in relation to this activity. No additional costs. Reduced costs on resource users by avoiding requirements to obtain consent for water discharges having no or less than minor adverse effects. 	
Amend regulatory framework for stormwater discharges to include a schedule setting out hazardous substances threshold values of concern	<p>Option 1: <i>Status quo</i> – no change.</p> <p>The Proposed Plan does not currently differentiate or specify hazardous substances of a type, toxicity or amount that are of interest.</p>	<ul style="list-style-type: none"> Large number of industrial and trade premises inadvertently being captured by the term "hazardous substances" and their stormwater discharge to the CMA would require a resource consent. Unnecessary costs and constraints on resource users industrial and trade premises inadvertently being captured by storing "hazardous substances". 	<p>Option 2 is the preferred option. The benefits outweigh the costs and suggested improvements provide more certainty for plan users.</p>
	<p>Option 2: To include the following:</p> <ul style="list-style-type: none"> Amend Rule 1 to better recognise hazardous substances threshold values of concern. A new Schedule 8AA identifying hazardous substances and threshold values for stormwater discharges from industrial and trade premises. 	<ul style="list-style-type: none"> Option permits stormwater discharges from industrial and trade premises subject to those premises not using or storing hazardous substances in quantities or of a type that exceeds the threshold values identified in Schedule 8AA. Aligns with hazardous substances threshold criteria under the <i>Hazardous Substances and New Organisms Act 1996</i>. More effective in that any adverse environmental effects allowed by Rule 1 will be less than minor. More efficient in that it permits industrial and trade premises that use or store day-to-day items and products not of concern such as detergents and household cleaners (but which are still classified as "hazardous substances") to discharge stormwater without the requirement to obtain a consent. Reduced compliance costs by excluding premises (and the requirement to obtain a consent) that may have hazardous substances but not of a type or quantity to exceed hazardous substances threshold values of concern. 	
Remove Rule 4 addressing petroleum dispersant use in the Port coastal management area	<p>Option 1: <i>Status quo</i> – no change.</p> <p>Discharges of a petroleum dispersant in the Port coastal management area are a permitted activity under Rule 4 of the Plan.</p>	<ul style="list-style-type: none"> Inappropriate as Rule 4 duplicates the requirements of the <i>Marine Protection Rules, Part 132: New Zealand Oil Spill Control Agents</i>. Less appropriate as Rule 4 duplicates powers available under the emergency provisions of the RMA. Less efficient as avoidance, mitigation and remediation measures addressing the event of a natural marine oil seep resulting from capital dredging in the Port can be adequately addressed under the consent for the dredging activity and the Ports Oil Spill Management Plan. 	<p>Option 2 is the preferred option as it ensures that the Plan is not inconsistent with the requirements of the <i>Marine Protection Rules</i> which ensures appropriate application of a petroleum dispersant.</p>

Issue/theme	Options	Section 32AA evaluation	Conclusion
	<p>Option 2: Delete Rule 4 of the Plan permitting the discharge of petroleum dispersants in the Port coastal management area.</p>	<ul style="list-style-type: none"> Inappropriate as it indicates to Plan users that use of petroleum dispersants may be appropriate when other means of capture and recovery may be more appropriate. Inappropriate as the rule is not consistent with the <i>Marine Protection Rules, Part 132: New Zealand Oil Spill Control Agents</i> which allows only certain persons the authority to discharge oil spill control agents. There are no benefits or additional costs of retaining this rule. More effective as, in the event of a spill, discharges of petroleum dispersants are regulated under the <i>Marine Protection Rules, Part 132: New Zealand Oil Spill Control Agents</i>. More effective as, in the event of a spill, discharges of petroleum dispersants could be authorised using the emergency provisions of the RMA. More efficient as the adoption of appropriate avoidance, mitigation and remediation measures addressing the event of a natural marine oil seep resulting from capital dredging in the Port (including the use of petroleum dispersants) can be addressed as part of a resource consent application for any dredging activity. More effective as it does not encourage (through a dedicated rule) the use of petroleum dispersant discharge, which may have high and unintended adverse environmental effects. More effective as it promotes the use of alternative methods for controlling and recovering oil when the oil spill event is of a small scale (i.e. Tier I). There are no additional costs associated with this option. 	
<p>Rule 9: Cleaning of biofouling in the Port coastal management area</p>	<p>Option 1: <i>Status quo</i> – no change.</p> <p>The current rule is limited to only “in-water cleaning” and would preclude cleaning of objects on wharves (within the Port coastal management area). The rule has standards, terms and conditions that address anti-foul coatings, the capture and disposal of biological material where a vessel has travelled outside of the Taranaki coastal marine area, and the notification of MPI following a suspected encounter with any suspected invasive or non-indigenous aquatic species.</p>	<ul style="list-style-type: none"> Less efficient as there are inconsistencies with similar provisions in other coastal plans around New Zealand. Less effective as cleaning of biofouling above-water is not covered by the Plan yet may also negatively effect on marine values in and near Port Taranaki. Less certainty during the consenting process likely to result in additional costs for consent applicants during this process. 	<p>Option 2 is the preferred option as it promotes better inter-regional alignment between Coastal Plan rules addressing biofouling activities and should minimise biosecurity risks associated with the activity.</p>

Issue/theme	Options	Section 32AA evaluation	Conclusion
	<p>Option 2: To include the following:</p> <ul style="list-style-type: none"> • Activity description broadened to refer to cleaning in general and is not limited to “in-water cleaning”. • New and amended standards, terms and conditions Activity description is broadened to refer to cleaning in general plus alignment with similar rules adopted elsewhere across New Zealand. 	<ul style="list-style-type: none"> • Option better supports Objective 5 [Coastal water quality] and Objective 8 [indigenous biodiversity]. • More efficient in that revised rule and standards aligned with similar rules elsewhere across the country – greater transparency for Plan users. • More effective as the proposed amendments better align industry best practice relating to biofouling. • More effective as the broadening of the scope of the rule to include all cleaning of biofoul, as well as more comprehensive standards, terms and conditions, better addresses biosecurity risks associated with the activity. • There are no additional costs associated with this option. 	
Rule 12A: Seismic surveying	<p>Option 1: <i>Status quo</i> – no change.</p> <p>Seismic surveying is a Permitted Activity under Rule 12. The only requirement being compliance with the <i>2013 Code of Conduct for Minimising Acoustic Disturbance to Marine Mammals from Seismic Survey Operations</i> (Code of Conduct).</p>	<ul style="list-style-type: none"> • Less effective as the Code of Conduct does not address effects on non-marine mammals. Of particular concern are possible significant effects to the little blue penguin (amongst others). • Less effective as this option may result in environmental costs arising from no or little consideration of biodiversity impacts currently not addressed under the Code of Conduct and which relate to marine mammals. • Minimised costs to resource users, with no requirement to obtain a resource consent. • No additional costs or benefits associated with this option. 	<p>Option 2 is the preferred option as it has improved environmental considerations through the consenting process that addresses all biodiversity impacts (and not just those covered by the Code of Conduct and marine mammals) and provides more certainty in the assessment and adoption of appropriate avoidance, remediation and/or mitigation measures.</p>
	<p>Option 2: Seismic activity is addressed through the consenting process as a Controlled Activity, with standards, terms and conditions established which address effects on indigenous biodiversity in addition to required compliance with the Code of Conduct.</p>	<ul style="list-style-type: none"> • More effective as this option better supports Objective 4 [Life-supporting capacity and mauri] and Objective 8 [Indigenous biodiversity]. • More effective as this option provides increased environmental benefits from the consideration of impacts on non-marine mammal species and currently not addressed by the Code of Conduct. • More effective as this option adopts a precautionary approach whereby through the consenting process appropriate ecological assessments can be required to ensure the adoption of appropriate avoidance, remediation and/or mitigation measures (including those not covered by the Code of Conduct). • More effective in that through the consenting process there is increased flexibility to identify and tailor appropriate avoidance, remediation and/or mitigation measures to address environmental impacts on non-marine mammal species. 	

Issue/theme	Options	Section 32AA evaluation	Conclusion
	<p>Option 3: Seismic activity is addressed through the consenting process as a discretionary activity and consent conditions are determined on a case-by-case basis.</p>	<ul style="list-style-type: none"> Increased costs accrue to consent applicants with the need to obtain a resource consent and/or undertake any necessary ecological assessments to ensure appropriate measures are taken to protect indigenous biodiversity affected by activity. Increased certainty for Plan users and consent applicants that the activity will be allowed subject to compliance with appropriate standards, terms and conditions. This option will not affect employment or the economy within Taranaki. Effective as this option better supports Objectives 4 [Life-supporting capacity and mauri] and Objective 8 [Indigenous biodiversity]. Effective as this option adopts a precautionary approach to the environmental effects (and extent of effects) on other biodiversity values which may be unknown but can be addressed (on a case-by-case basis) through the consenting process as more information is available. Increased costs accrue to consent applicants with the need to obtain a resource consent and/or undertake any necessary ecological assessments to ensure appropriate measures are taken to protect indigenous biodiversity affected by activity. Less efficient as the environmental risks are generally well known and Discretionary Activity status may result in unnecessarily lengthy consenting processes. Less certainty for Plan users and consent applicants that the activity will be allowed. This option may affect employment or the economy within Taranaki due to less business certainty in relation to the outcome of consenting processes. 	
<p>Rules 15 and 16: inclusion of discharges to air and water</p>	<p>Option 1: <i>Status quo</i> – no change. Rules 15 and 16 (in the Port) only address discharges of contaminants to “air” but not to water also.</p> <p>Option 2: To amend Rules 15 and 16 to address discharges to ‘water and air’ from the storage and transfer of cargo materials.</p>	<ul style="list-style-type: none"> Less effective in that incidental discharges to water from the storage and cargo of materials in the Port coastal management area is not covered in any rule. Unnecessary compliance costs and uncertainty for resource users in relation to managing incidental discharges to water from the storage and cargo of materials in the Port coastal management area. Option permits discharges to water and air from the storage and transfer of cargo materials subject to certain standards, terms and conditions. Option is consistent with the approach taken in the current <i>Coastal Plan for Taranaki</i>. 	<p>Option 2 is the preferred option. The benefits outweigh the costs and suggested improvements provide more certainty for plan users.</p>

Issue/theme	Options	Section 32AA evaluation	Conclusion
		<ul style="list-style-type: none"> • Effective in that any adverse environmental effects allowed by Rule 15 will be less than minor. • Efficient in that this option permits discharges to water and air from the storage and transfer of cargo materials not of concern without the requirement to obtain a consent. • No additional costs. Reduced costs on consent applicants as there is greater clarity on which discharges to water and air from the storage and transfer of cargo materials are of concern. 	
Rules 35 – 43: Reframing of structure maintenance, alteration and extension rules.	Option 1: <i>Status quo</i> – no change.	<ul style="list-style-type: none"> • Inefficient as less certainty and transparency with current structure and content of Rules 35 – 43. • Greater risk of misinterpretation rules resulting in disputes in the consenting processes. • Increased costs possible through increased and unnecessary consenting requirements associated with structure maintenance, alteration and extension activities. 	Option 2 is the preferred option. The proposed combined changes to Rules 35 – 43 provide greater certainty, clarity and transparency in addressing structure maintenance, alteration and extension activities in the CMA.
	Option 2: reframing of rules relating to the maintenance, alteration, extension and replacement of coastal structures including: <ul style="list-style-type: none"> • Amending maintenance, alteration and extension rules 35, 37, and 40 for the Port or network utilities generally. • Additional Rules 37A and 40A that explicitly provide for network utilities and the port activities as a restricted discretionary activities. • Deleting rules 36, 38, 39 and 41 to simplify rule cascade, particular in relation to structure removal. • Additional policy criteria for allowing a structure, a part of a structure or material associated with a structure to be left in situ or elsewhere in the coastal marine area. • Including new definitions for 'alteration' and 'extension'. • Amending the definition for 'maintenance'. 	<ul style="list-style-type: none"> • Improved certainty and clarity to Plan readers with regard to what is meant by maintenance, alternations and extensions of structures in certain coastal management areas. • Simpler and more transparent in terms of how these rules address the different life-stages of a structure e.g. maintenance, alteration and/or extensions. • Provision of new definitions provide greater clarity and therefore efficiency to resource users as to what is meant by the terms 'maintenance', 'alternation' and 'extension'. • Improved environmental outcomes with cumulative impacts arising from minor extensions authorised by rules 35 and 37of the Plan being capped. • No additional costs. Reduced costs on consent applicants as there is greater clarity on what is required through the consenting process. 	

Issue/theme	Options	Section 32AA evaluation	Conclusion
<p>Rule 52, 52A and 52B: rules cascade for disturbance for the purpose of scientific sampling and monitoring (excluding hydrocarbon explorations)</p>	<p>Option 1: <i>Status quo</i> – no change. The Plan does not address disturbances for the purpose of scientific sampling or monitoring beyond minor disturbances from grab samples. Core samples and geotechnical analyses activities are addressed as discretionary or non-complying depending on the coastal management area involved.</p> <p>Option 2: Amend the Plan to include additional rules to address disturbances for the purpose of scientific sampling and monitoring as permitted, controlled and discretionary pathways depending on the activity and the coastal management area involved.</p>	<ul style="list-style-type: none"> • Inappropriate as drilling for geotechnical bore holes will have less than minor adverse effects subject to compliance with standards, terms and conditions. • Ineffective as no specific rule means that the activity is addressed as Discretionary or Non-complying Activity, depending on the coastal management area (through catch-all rules). • Inefficient as this option will result in a potentially lengthy consenting process for plan users. • Costs accrue to resource consent applicants on a case-by-case basis for assessments of environmental affected by activity and consideration of appropriate protective measures to be taken. <ul style="list-style-type: none"> • Effective as a the Plan provides a suite of rules with appropriate activity classifications depending on the activity and environmental effects associated. • Effective as the consenting process will ensure that the Council can impose the necessary restrictions to ensure negative environmental and community effects are adequately addressed for activities that are not expected to have less than minor effects. • Efficient as permitted and controlled activity classifications identifies what conditions will be imposed and the matters over which control is determined. • Efficient as permitted and controlled activity classifications provide user certainty. • No additional costs associated with this option. 	<p>Option 2 is the preferred option as it provides a regulatory pathway appropriate for the scale and effect of the activity that can consider any environmental or community costs.</p>
<p>General standards - noise provisions: Temporary military training activities</p>	<p>Option 1: <i>Status quo</i> – no change to noise levels.</p>	<ul style="list-style-type: none"> • Current noise provisions specified for temporary military training activities do not adequately provide for the requirements of the New Zealand Defence Force and are different to those limits set by other regional plans across New Zealand. • Current noise provisions for helicopters landing in the coastal marine area (as a temporary military training exercise) need to comply with the <i>NZS6807: 1994 Noise Management and Land Use Planning for Helicopter Landing Areas</i>. • Increased compliance costs for activities that would not currently meet the activity thresholds. 	<p>Option 2 is the preferred option. The proposed changes provide greater consistency with other regional councils and their regional plan noise provisions.</p>

Issue/theme	Options	Section 32AA evaluation	Conclusion
	<p>Option 2: Amend noise limits to better reflect requirements set by the New Zealand Defence Force for temporary military training activities throughout the country.</p>	<ul style="list-style-type: none"> Revised noise limits allow for better alignment and clarity across New Zealand further to the requirements of the New Zealand Defence Force. Better provision and clarity for New Zealand Defence Force temporary training exercises. Options addresses the environmental effects of noise on adjacent residential properties in the coastal environment. Updated reference provided to New Zealand noise standards. Improved alignment across regional council plans with regard to noise levels to permit temporary military training activities. More effective in reducing consenting requirements and therefore unnecessary costs for the New Zealand Defence Force. There are no additional costs associated with this proposed change. 	
<p>Schedule 7: Māori surf break names</p>	<p>Option 1: <i>Status quo</i> – no change. Surf breaks identified in Schedule 7 do not currently identify with their traditional Māori names.</p> <p>Option 2: Identify traditional Māori names for significant surf breaks and surf areas.</p>	<ul style="list-style-type: none"> Current Proposed Plan identifies some surf breaks with culturally offensive names. No additional costs. Improved cultural considerations. Proposed change promotes greater consideration (and the protection of) Māori terms and references (i.e. names) and cultural and historic heritage. There are no additional costs associated with this change. 	<p>Option 2 is the preferred option as it better recognises and provides for cultural considerations in the naming conventions for surf breaks.</p>
<p>Schedule 7A: Breakwater surf break</p>	<p>Option 1: <i>Status quo</i> – no change. Breakwater Surf Break remains a regionally significant surf break under Schedule 7A [Nationally, regionally and locally significant surf breaks], with the effects on the surf break addressed through Policy 19 (b) i.e. with a direction to avoid significant adverse effects.</p>	<ul style="list-style-type: none"> Less appropriate as the values associated with the Breakwater surf break are assessed as relatively low and the area is not utilized regularly for surfing. Less appropriate as this surf break is man-made through the placement of the breakwaters and sediment build up requiring regular removal through dredging. Less effective and inefficient as protection of this surf break compromises the provision of the Port Taranaki and could potentially undermine the regular maintenance activity of capital dredging at the Port. Less efficient and effective as it could potentially cause significant delays (or prevent entirely) the Port Taranaki from acquiring a consent to dredge and therefore causing risks to vessels and personnel leaving and entering the Port. Less effective as the prevention of dredging could affect the Port Taranaki being able to operate safely, as well as cause social and economic harm through 	<p>Option 2 is the preferred option as it better recognises and provides for Port operations.</p>

Issue/theme	Options	Section 32AA evaluation	Conclusion
		<p>partial or full closure of the Port due to being unable to provide vessels with safe passage into/out of the Port.</p> <ul style="list-style-type: none"> • May cause unnecessary costs for the applicant and unnecessary disputes between the Council and applicant where Port activities may have an impact on the man-made surf break. 	
	<p>Option 2: The Breakwater Surf Break is re-classified as 'locally significant', with effects on the surf break addressed through Policy 19 (c) i.e. with a direction to avoid, remedy or mitigate adverse effects.</p>	<ul style="list-style-type: none"> • Appropriate as 'locally significant' surf break status better aligns with the anthropogenic nature of the break, i.e. it has not formed naturally and its formation is a result of the Port's presence. • Appropriate as the change better recognises and provides for regular Port maintenance operations and is consistent with other Plan provisions seeking to recognise and provide for regionally important infrastructure. • More effective as the Plan still includes the Breakwater Surf Break as locally significant, therefore recognising and providing appropriate protection for its amenity values. • Efficient as this would allow less restrictions in place for the processing of consents for dredging in the Port, while still taking into account surf break values. • There are no additional costs. 	
	<p>Option 3: The Breakwater Surf Break is deleted from Schedule 7 and not identified in any of the planning maps.</p>	<ul style="list-style-type: none"> • Efficient as no requirement to avoid, remedy or mitigate adverse effects on the surf break values during consent applications. • There are no additional costs associated with this change. 	
<p>Planning maps: identify 'high natural character' and 'significant indigenous biodiversity'</p>	<p>Option 1: <i>Status quo</i> – no change. Planning maps currently do not identify areas of 'high natural character' and/or 'significant indigenous biodiversity'.</p> <p>Option 2: Amend planning maps (and schedules) to better identify areas of 'high natural character' and 'significant indigenous biodiversity' in the CMA.</p>	<ul style="list-style-type: none"> • Less certainty and clarity during the consenting process and possibility of disputes over whether an activity falls within an area of 'high natural character' and/or 'significant indigenous biodiversity' or not, resulting in increased costs to Council, resource users and affected parties. • Less transparency identifying areas of 'high natural character' and/or 'significant indigenous biodiversity' extent, which may be subject to differing interpretations by resource users and Council staff. • More efficient in that there is increased certainty on the extent of areas of 'high natural character' and 'significant indigenous biodiversity' (and therefore the application of relevant Plan provisions) during the consenting process. 	<p>Option 2 is the preferred option as it provides greater clarity as to where areas of 'high natural character' and 'significant indigenous biodiversity' are located in the CMA.</p>

Issue/theme	Options	Section 32AA evaluation	Conclusion
		<ul style="list-style-type: none"> • More efficient and effective in that mapping provides increased certainty during the consenting process and will minimise disputes and reduce costs for the applicant and the Council. • There are no additional costs associated with this change. 	

3 Assessment of economic impacts and risk of acting or not acting

This section assesses the economic impacts and risk of acting or not acting on the preferred options.

3.1 Impacts on economic growth and employment

Further to this assessment, Section 32(2)(a) of the RMA requires that an evaluation report must assess anticipated “opportunities for economic growth and employment” arising from the implementation of the provisions.

The aforementioned changes to the Proposed Plan are not anticipated to have a significant effect (either positive or negative) on economic growth and employment.

Possible beneficial impacts from the changes to the Proposed Plan which are anticipated to promote economic growth and employment include:

- increased recognition and provisions for the National Grid
- increased business certainty around consenting requirements (and environmental limits to be met)
- protecting and promoting those aspects of the coastal environment that make Taranaki a unique and special place to live and visit, including enhanced recreational and tourism opportunities associated with the protection of Taranaki’s high quality surf breaks.

Some of proposed changes to the Regional Coastal Plan may constrain some economic growth and employment. However, any constraints are likely to be limited given the relatively low level of use and development occurring within the CMA (i.e. 263 active coastal consents), with the number of new coastal consents granted in any given year in the order of three to eight new consents per annum. Potential impacts on economic growth and development arising from the proposed changes include:

- constraining some activities to manage adverse effects on taonga species and additional sites of significance identified through this process

- prohibition on new discharges of human sewage align with community expectations but are likely to have cost implications for the New Plymouth and South Taranaki district councils, which in turn, affects the economic wellbeing of their ratepayers
- requiring the adoption of additional measures (and costs) by use and development activity to avoid, remedy or mitigate any adverse effects on the natural character of the coast, coastal water and air quality, coastal indigenous biodiversity values, cultural and historic heritage values, and sites and places with significant amenity values (including surf breaks)
- stronger provisions requiring consenting processes to recognise and facilitate tangata whenua’s role as kaitiaki in coastal management.

In summary, for most coastal activities there is sufficient flexibility through the Plan provisions and consenting processes to provide for appropriate use and development. The impacts of the proposed changes on economic growth and employment are generally considered to be relatively minor, with a number of positive outcomes. Any negative outcomes are considered to be reasonable and appropriate.

3.2 Risk of acting or not acting

Section 32(2)(c) of the RMA also states that an evaluation report must “assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions”.

For most matters relating to coastal management the Council has sufficient information arising from its interim reviews, state of the environment monitoring and feedback on the Coastal Plan review which did not raise any fundamental issues with acting in the manner proposed. Therefore, there is considered to be a low level of risk of acting in the manner proposed.

For some matters relating to coastal indigenous biodiversity, taonga species and sites of significance, there is sufficient information for identifying those elements of indigenous

biodiversity that are regionally significant. However, there remains considerable variability and gaps in marine information.

Mapping all coastal and marine sites and places in the CMA would have been prohibitively expensive and unlikely to be a complete and/or be an accurate record. Accordingly, for the purposes of this review, the Council prepared a descriptive schedule to identify those species, habitats and sites of special significance. Known significant indigenous biodiversity areas have also been mapped. Proposed rules apply whereby consents are required for activities in the CMA impacting on these habitat types and species. As part of the consenting process, applicants will be required to clearly identify and adopt measures to protect those values (decisions will be informed through Council biodiversity datasets and GIS systems that will be regularly updated over time by, amongst other things, new information identified as part of consenting assessments of environmental effects).

Of note, permitted activities are not generally of a type, scale and/or location to adversely impact on indigenous biodiversity and or cultural or historical values within the coastal environment. However, standards, terms and conditions underpinned by notification requirements, will enable Council to ensure these values are indeed not being adversely affected by a proposed activity.

Furthermore, through the resource consenting process the Council may seek additional information to ensure adverse environmental effects on coastal uses and values are appropriately identified and can be managed. The Council implements and tailors compliance monitoring programmes to not only ensure compliance with the conditions of any resource consent, but also to ensure adverse environmental effects are as anticipated and to address ongoing information requirements.

4 Summary of changes

The following table provides a summary of the efficiency and effectiveness of the key proposed changes, including the benefits, costs and opportunities

Key changes		Efficiency and effectiveness							Sufficient information	
		Benefits			Costs			Opportunity		
		Environmental	Economic	Social and cultural	Environmental	Economic	Social and cultural	Economic growth		Employment
Tangata whenua principles		Low	Low	High	Low	Low	Low	Low	Low	Yes
Subdivision	Objectives 1, 3, 6, 7 and 11 Policies 2, 5, 8 and 15	Low	Low	Low	Low	Low	Low	Low	Low	Yes
Coastal environment line		Medium	Medium	Low	Low	Low	Low	Low	Low	Yes
Needs of National Grid	Policy 6A	Low	Medium	Medium	Low	Low	Low	Medium	Medium	Yes
	Rule 37A	Low	Medium	Medium	Low	Low	Low	Medium	Low	Yes
Indigenous biodiversity	Policy 14A	High	Low	Medium	Low	Medium	Low	Low	Low	Yes
Cultural and historic heritage protection	Policy 14B	High	Low	Medium	Low	Low	Low	Low	Low	Yes
	New permitted and controlled activity standards	Medium	Low	High	Low	Medium	Low	Low	Low	Yes
	Schedule 4C	High	Low	High	Low	Low	Low	Low	Low	Yes
	Schedule 5B	High	Low	High	Low	Low	Low	Low	Low	Yes
	New methods in Section 6	Medium	Low	Medium	Low	Low	Low	Low	Low	Yes
New discharges of wastewater containing human sewage	Policy 25	High	Low	Medium	Low	Medium	Low	Low	Low	Yes
	Rule 7	High	Low	Medium	Low	Medium	Low	Low	Low	Yes

Key changes		Efficiency and effectiveness								Sufficient information
		Benefits			Costs			Opportunity		
		Environmental	Economic	Social and cultural	Environmental	Economic	Social and cultural	Economic growth	Employment	
Temporary discharges of water	Rule 1A	Low	Medium	Medium	Low	Low	Low	Low	Low	Yes
Hazardous substance thresholds	Rule 1	Medium	Low	Low	Low	Low	Low	Low	Low	Yes
	Schedule 8AA	Medium	Low	Low	Low	Low	Low	Low	Low	Yes
Petroleum dispersants	Removal of Rule 4	High	Low	Medium	Low	Low	Low	Low	Low	Yes
Biofouling	Amendments to Rule 9	High	Low	Medium	Low	Low	Low	Low	Low	Yes
Seismic surveying	New Rule 12A	High	Low	Low	Low	Low	Low	Low	Low	Yes
Port discharges to air and water	Amendments to Rules 15 and 16	Low	Medium	Low	Low	Low	Low	Low	Low	Yes
Structure maintenance, alteration and extensions	Amendments to Rules 35 - 43	Medium	Medium	Medium	Low	Low	Low	Low	Low	Yes
Scientific sampling and monitoring	New Rules 52, 52A and 52B	High	Medium	Medium	Low	Low	Low	Low	Low	Yes
Temporary military training activities – noise levels		Low	Medium	Medium	Low	Low	Low	Low	Low	Yes
Māori surf break names	Schedule 7	Low	Low	Medium	Low	Low	Low	Low	Low	Yes
Breakwater surf break	Policy 9(c)	Low	Medium/high	Low	Low	Low	Low	Low	Low	Yes
Planning map layers for high natural character and significant indigenous biodiversity		Medium	Medium	Medium	Low	Low	Low	Low	Low	Yes

Appendix I – Section 32 of the *Resource Management Act*

- (1) *An evaluation report required under this Act must—*
- (a) *examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and*
 - (b) *examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by—*
 - (i) *identifying other reasonably practicable options for achieving the objectives; and*
 - (ii) *assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*
 - (iii) *summarising the reasons for deciding on the provisions; and*
 - (c) *contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.*
- (2) *An assessment under subsection (1)(b)(ii) must—*
- (a) *identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—*
 - (i) *economic growth that are anticipated to be provided or reduced; and*
 - (ii) *employment that are anticipated to be provided or reduced; and*
 - (b) *if practicable, quantify the benefits and costs referred to in paragraph (a); and*
 - (c) *assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.*
- (3) *If the proposal (an amending proposal) will amend a standard, statement, national planning standard, regulation, plan, or change that is already proposed or that already exists (an existing proposal), the examination under subsection (1)(b) must relate to—*
- (a) *the provisions and objectives of the amending proposal; and*
 - (b) *the objectives of the existing proposal to the extent that those objectives—*
 - (i) *are relevant to the objectives of the amending proposal; and*
 - (ii) *would remain if the amending proposal were to take effect.*
- (4) *If the proposal will impose a greater or lesser prohibition or restriction on an activity to which a national environmental standard applies than the existing prohibitions or restrictions in that standard, the evaluation report must examine whether the prohibition or restriction is justified in the circumstances of each region or district in which the prohibition or restriction would have effect.*