

# Vision

## *Taranaki tangata tūtahi ki te uru* Taranaki people standing as one on the west

### Broader understanding of the statement:

In this vision statement, 'Taranaki' refers to the people, the mountain, the land and the region. The word 'tūtahi' refers to standing together, as one people, cohesively for a specific purpose, to achieve a united goal for the benefit of our region.

The concepts of sustainability and protection of the region's resources are central to community aspirations and remain integral to the well-being and vibrancy of the region. It is pivotal to the entire region of Taranaki, from Parininihi to Waitōtara, that all physical and natural resources are maintained and protected.

Working together, the eight Taranaki iwi, the Taranaki Regional Council, and the wider community seek a unified approach toward maintaining, promoting, developing and protecting the natural and physical resources of the region for future generations. This vision recognises the roles and responsibilities shared by all people in Taranaki to ensure the sustainable and focused protection of [fresh water air](#), land (soil), [water](#) <sup>(61)</sup> and coastal environments for economic, social, cultural and recreational purposes.

## Guiding principles for the management of the coast

The sustainable management of coastal resources has always been central to the relationship between iwi o Taranaki and the Taranaki coastline. The following five principles summarise key elements of this relationship.

(a) **Mai te maunga Taranaki ki te Tai a Kupe:** *(interconnectiveness) (another way of expressing this is *Ki uta ki tai*)*

The domain of Tangaroa extends from the source of the rivers on Mount Taranaki to the moana (sea). Each awa (river) is linked and together form an entity that includes its source, and the moana.

Managing natural and physical resources in a holistic manner, recognising they are interconnected and reliant upon one another.

(b) **Whakapapa:** *(identity) is the foundation of the approach to Maori environmental management. This is determined by the shared descent from Papatuanuku and Ranginui (through Tane Mahuta) and the genealogical connection between people, plants, birds and insects.*

It involves the recognition and respect for mouri and the intrinsic values of natural and physical features, and including the connections between natural processes and human cultures.

(c) **Kaitiakitanga:** (*guardianship*) is an inherited responsibility of those who hold mana moana to ensure that the mauri of the natural resources of their takiwa is healthy and strong, and the life-supporting capacity of these ecosystems is preserved.

Recognition that we all have a part to play as guardians to maintain and enhance our natural and physical resources for current and future generations.

(d) **Manaakitanga:** (*good management*) protection and preservation to ensure good health and well-being.

Recognition that our actions will be considered and justified by using the best available information and good judgement to ensure good environmental outcomes.

(e) **Whanaungatanga:** (*partnership*) maintaining and growing relationships with all stakeholders.

Partnership between the Taranaki Regional Council and iwi (mana whenua) and the community, based on a commitment to active engagement, good faith and a commonality of purpose. <sup>(40) (41)</sup>

# How the Plan works

## Coastal management matters (section 3)

- The matters of interest or concern requiring action, to promote the purpose of the RMA relating to the sustainable management of the coastal environment in the Taranaki region.
- The matters generally relate to potential conflicts between different values or uses of resources, the allocation of resources, or effects on the environment.

## Objectives (section 4)

- The objectives in the Plan identify the resource management outcomes or goals desired by the community for the coastal marine area and the wider coastal environment in the Taranaki region. The objectives seek to achieve the purpose of the RMA, by addressing the issues identified in the Plan and promoting positive outcomes.

## Policies (section 5)

- The policies are the course of action to be followed to achieve or implement the Plan's objectives.
- The Plan contains two forms of policy:
  - > section 5.1 lists **general (overarching) policies** that apply to all activities addressed within the Plan. These key policies provide an overall direction for achieving integrated (i.e. coordinated and consistent) management of the coastal marine area and the outcomes sought for some significant values and matters; and
  - > section 5.2 lists more **specific policies** which apply to activities involving the coastal marine area. These policies provide direction for the use, development or protection of resources, and how particular activities should be managed.

## Methods

- The methods are the way the policies are implemented.
- The methods in the Plan are either regulatory (**rules**) or non-regulatory (**other methods**).

### Rules (sections 7 and 8)

- The rules (along with other methods) in the Plan implement the policies.
- The rules have the force and effect of regulations, which means they are legally binding.
- The rules determine whether a person needs to apply for a resource consent or whether the proposed activity can be undertaken without a resource consent (known as permitted activities).
- The rules classify different activities, depending on the effects of those activities and the environmental outcomes sought by the policies and objectives (see the definitions for descriptions of these classifications):
  - > Permitted activities.
  - > Controlled activities.
  - > Restricted discretionary activities.
  - > Discretionary activities.
  - > Non-complying activities.
  - > Prohibited activities.

### Other methods (section 6)

- The methods in the Plan (along with the rules) implement the policies.
- The methods are significant courses of action that the Taranaki Regional Council is committed to and are generally operational programmes (e.g. funding or grant schemes, technical assistance) or economic instruments (e.g. financial contribution policies).



# Table of contents

<b>Vision</b> .....	<b>i</b>	5.1	General policies .....	20
<b>How the Plan works</b> .....	<b>iii</b>	5.2	Activity-based policies.....	28
<b>Table of contents</b> .....	<b>v</b>	<b>6</b>	<b>Methods of implementation</b> .....	<b>35</b>
<b>List of figures</b> .....	<b>vi</b>	6.1	General .....	35
<b>1 Introduction</b> .....	<b>1</b>	6.2	Management of the coastal environment .....	35
1.1 Title.....	1	6.3	Use and development of resources.....	36
1.2 Purpose.....	1	6.4	Natural heritage .....	36
1.3 Operative date and review.....	1	6.5	Historic heritage .....	36
1.4 Application.....	1	6.6	Public use and enjoyment.....	37
1.5 The Taranaki coastline.....	4	6.7	Coastal hazards and public health and safety.....	37
1.6 Mana whenua .....	5	6.8	Coastal water and air quality .....	38
1.7 Coastal management areas .....	6	6.9	Coastal structures and occupation, disturbance, and reclamation .....	38
1.8 Plan structure .....	6	6.10	Noise .....	38
<b>2 Statutory and planning framework</b> .....	<b>9</b>	<b>7</b>	<b>Reader's guide to the rules</b> .....	<b>39</b>
2.1 Resource Management Act .....	9	7.1	Arrangement of rules .....	39
2.2 New Zealand Coastal Policy Statement.....	10	7.2	How the rules table are formatted .....	39
2.3 Marine and Coastal Area (Takutai Moana) Act 2011.....	10	7.3	Guide to the rules table .....	40
2.4 Resource Management (Marine Pollution) Regulations 1998.....	11	7.4	Guide for consent applicants.....	41
2.5 Other legislation .....	11	<b>8</b>	<b>Regional rules</b> .....	<b>43</b>
<b>3 Coastal management</b> .....	<b>13</b>	8.1	Discharges.....	47
3.1 Taranaki coastal environment.....	13	8.2	Structures and occupation.....	58
3.2 Managing the Taranaki coastal environment .....	15	8.3	Disturbance, deposition and extraction.....	91
<b>4 Objectives</b> .....	<b>17</b>	8.4	Reclamation or drainage .....	98
<b>5 Policies</b> .....	<b>19</b>	8.5	Taking or use .....	100

8.6	General standards.....	102
<b>9</b>	<b>Financial contributions.....</b>	<b>105</b>
9.1	Purpose.....	106
9.2	Determining a financial contribution.....	107
<b>10</b>	<b>Monitoring and review of the Plan.....</b>	<b>109</b>
10.1	Monitoring the efficiency and effectiveness of the Plan.....	109
10.2	Review of the Plan .....	109
	<b>Definitions and acronyms.....</b>	<b>111</b>

## List of schedules

Schedule 1 – Coastal management areas .....	119
Schedule 2 – Coastal areas of outstanding value.....	121
Schedule 3 – Coastal water quality .....	144
Schedule 4 – Significant indigenous biodiversity.....	145
Schedule 5 – Historic heritage .....	153
Schedule 6 - Coastal sites with significant amenity values .....	190
Schedule 7 – Significant surf breaks and significant surfing area .....	193
Schedule 8 – Port air zone .....	198
Schedule 9 – Documents incorporated by reference .....	199

## List of appendices

Appendix 1 – Agreed river mouths and landward boundary of the coastal marine area	200
Appendix 2 – Statutory acknowledgements.....	201
Appendix 3 – New Plymouth airport flight path protection surfaces .....	283
Appendix 4 – Port Taranaki and its approaches .....	286
Appendix 5 – Resource Management (Marine Pollution) Regulations 1998 .....	287
Appendix 6 – New Plymouth District Council port noise control boundaries.....	288

## List of figures

Figure 1: The coastal marine area .....	2
Figure 2: Area where the Plan applies.....	3
Figure 3: Agencies that have a role in management of the coast .....	4
Figure 4: Iwi boundary map.....	5
Figure 5: Guide for consent applicants .....	42



# 1 Introduction

*This section outlines the purpose, scope and structure of the Plan.*

## 1.1 Title

This proposed regional plan may be cited as the *Proposed Coastal Plan for Taranaki* (the Plan). It has been prepared by the Taranaki Regional Council.

## 1.2 Purpose

The purpose of the Plan is to assist the Taranaki Regional Council to carry out its functions under the *Resource Management Act 1991* (RMA) to promote the sustainable management of the coastal environment, including the coastal marine area, in the Taranaki region.

## 1.3 Operative date and review

The Plan is a 10-year plan and will become operative on the date that the Taranaki Regional Council's special resolution adopting the Plan is publicly notified.

The Plan was prepared following the review of the *Regional Coastal Plan for Taranaki* (1997) under section 79 of the RMA.

The Plan will remain in force until a future replacement plan is made operative (see section 10.2 of the Plan)

## 1.4 Application

The provisions of the Plan have legal force under the RMA. Regional rules have the force and effect of a regulation under the RMA. [For the purposes of this Plan, the rules only apply to activities in the coastal marine area.](#)<sup>(26)</sup>

### 1.4.1 Geographic extent

The Plan has effect over the coastal marine area of the Taranaki region and the coastal environment. The coastal marine area is defined in section 2 of the RMA and shown on SO Plan 13043 deposited with the Chief Surveyor of the Taranaki Land District.

The landward boundary of the coastal marine area is the line of mean high water springs, except where that line crosses a river.

The boundary of the coastal marine area at rivers pursuant to section 2 of the RMA, (refer to Appendix 1 of this Plan), is as described below:

- (a) In the case of any river referred to below, the boundary of the coastal marine area is as described in Appendix 1:
- |                   |                   |
|-------------------|-------------------|
| Mōhakatino River  | Huatoki Stream    |
| Tongaporutu River | Oākura River      |
| Mimi River        | Kaūpokonui Stream |
| Urenui River      | Tāngāhoe River    |
| Onaero River      | Manawapou River   |
| Waitara River     | Pātea River       |
| Waiongana River   | Whenuakura River  |
| Waiwhakaiho River | Waitōtara River.  |
| Te Hēnui Stream   |                   |
- (b) In the case of any river not referred to in (a), the river mouth is at the continuation of the mean high water springs line of the coast, across the river. The boundary of the coastal marine area is then a distance upstream of that line, equal to the lesser of: one kilometre, or five times the width of the river mouth.

The seaward boundary of the coastal marine area is the outer limit of the territorial sea which is approximately 12 nautical miles or just over 22 kilometres from the low water mark<sup>1</sup>.

<sup>1</sup> Except as otherwise provided in section 6 or section 6A of the *Territorial Sea, Contiguous Zone, and Exclusive Economic Zone Act 1977*.



Figure 1: The coastal marine area

While the rules in this Plan apply only to activities in the coastal marine area, nevertheless they include activities that can have an adverse effect on values and uses outside of the coastal marine area.<sup>(43)</sup> For the purposes of integrated management, Plan objectives, general policies and methods (excluding rules) address not only the coastal marine area but the wider coastal environment. The wider coastal environment comprises the coastal marine area, together with land dominated by the coast where coastal processes, influences or qualities predominate.

## 1.4.2 The coastal environment

The RMA requires the Taranaki Regional Council to prepare a regional plan for the coastal marine area defined above, which is effectively the ‘wet’ part of the coast. However, important values and issues for the coastal marine area such as cultural values, public access and water quality cannot be effectively managed in isolation from the land component of the coastal environment. The landward extent of the coastal environment has been identified and is shown in the maps that accompany this Plan.<sup>(2) (29) (35) (43) (45) (46)</sup>

The RMA empowers regional councils to develop objectives, policies and methods to achieve the integrated management of natural or physical resources in accordance with the Taranaki Regional Council’s functions under the RMA. In order to recognise the integrated nature of the wider coastal environment and the effect activities undertaken on land could have on the coastal marine area, this Plan includes objectives, general policies and methods that apply across the coastal environment as a whole, including the landward and seaward extent of the coast, as shown in Figure 2.

The Taranaki Regional Council cannot make rules that apply on land to provide for public access or historic heritage. These matters are regulated by district plans. Section 30(ga) of the RMA does allow the Regional Council to make rules to protect indigenous biodiversity on land. However, the *Regional Policy Statement for Taranaki* states that the three territorial authorities of the region will be responsible for specifying the objectives, policies and methods for controlling land use to maintain indigenous biodiversity (except in the coastal marine area and the beds of river, lakes and other waterbodies). The Taranaki Regional Council can also make rules relating to soil conservation and control of discharges on land. However, these are regulated by other regional plans. Therefore, the rules of this Plan apply only in the coastal marine area, but the Plan does include other methods with regard to the landward part of the coastal environment. The many agencies that have a role in management of the coast are shown in Figure 3.



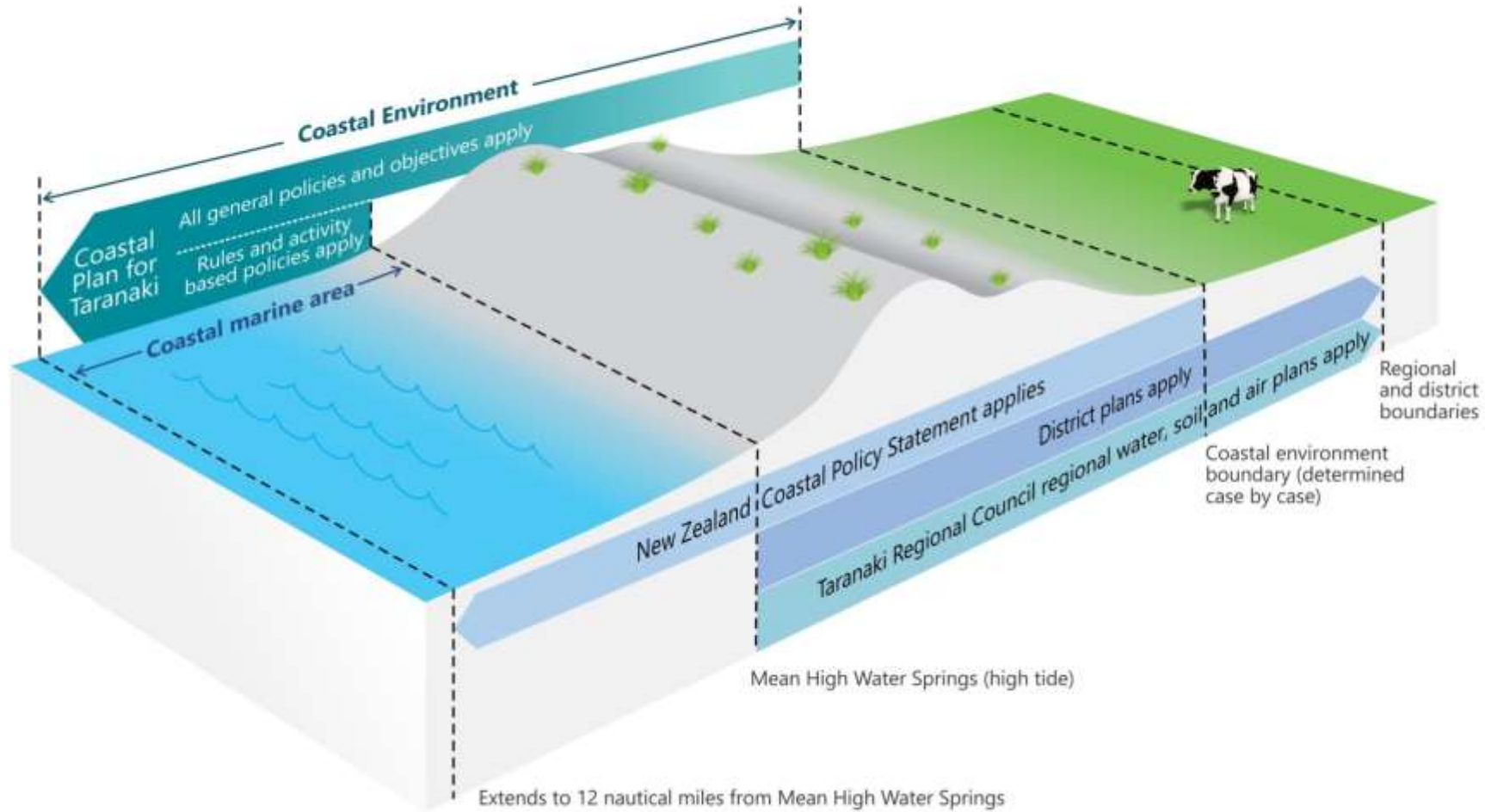


Figure 2: Area where the Plan applies

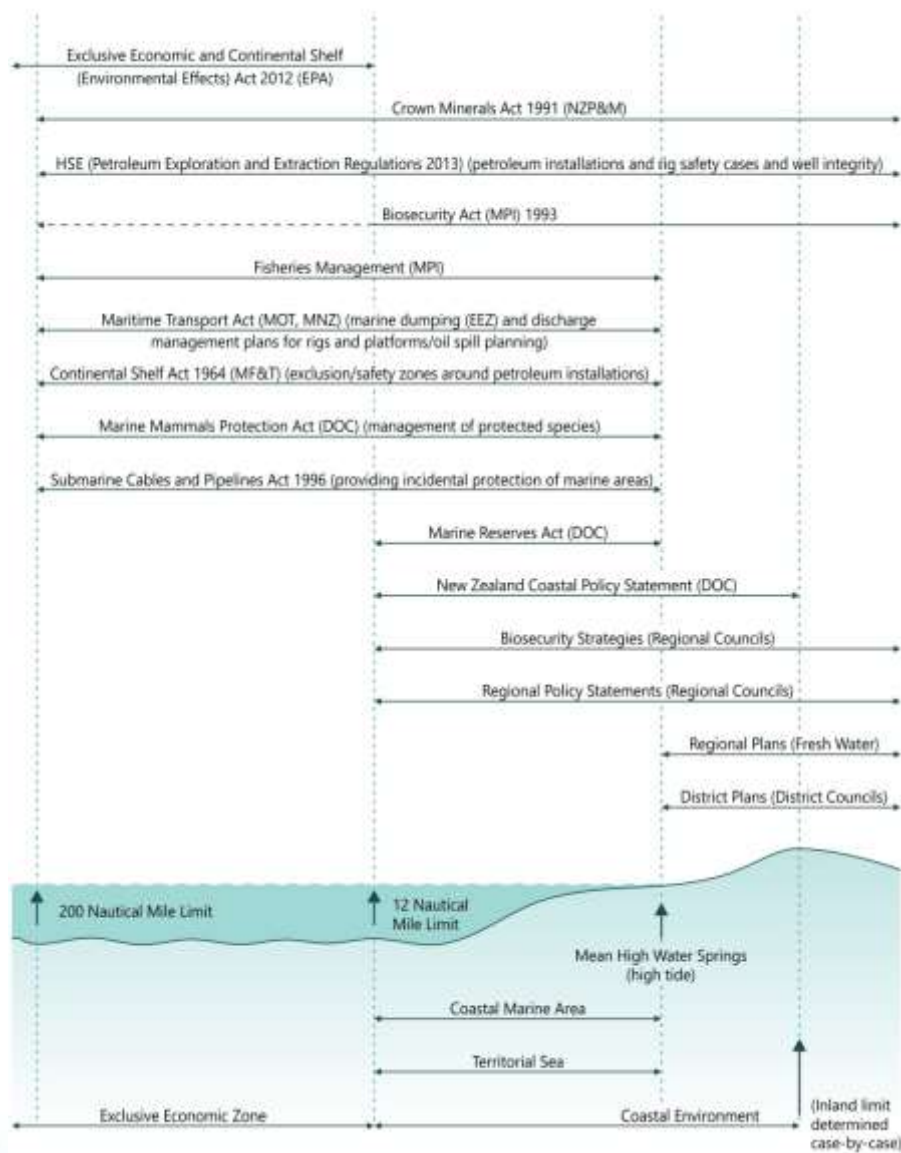


Figure 3: Agencies that have a role in management of the coast

## 1.5 The Taranaki coastline

The Taranaki coastline extends 295 kilometres from Waihi Stream in the north, to Waiinu in the south. Along the coastline there are two distinctive types of geology – the laharic coast of the volcanic ring plain terrace and the sedimentary coast of the uplifted marine terraces, both north and south of the ring plain.

The high energy environment of the Tasman Sea and the exposure to frequent storm generated swells has resulted in erosion, with around 90% of the coastline now comprised of cliffs. Erosion is greatest along the marine terraced coastline where the sedimentary rock is softer than the laharic material of the ring plain coast.

There are a number of small estuaries at the mouths of Taranaki’s larger rivers. These estuaries are well flushed, with little diversity in the way of intertidal and subtidal habitats. Sedimentation has a major influence on the region’s estuaries, the factors behind which include rain fall and modified land use. The large number of rivers and the erosion of Mount Taranaki generally bring a lot of sediment to the coast. However, the high energy coastline means this sediment supply does not settle long enough to greatly assist with the beach building process.

Active dunelands exist at some of the larger river mouths and dominate the low-lying coast from Pātea Beach to the southern extent of the region. Cliff-top dunes are also a unique feature of the Taranaki coastline.

The coastline is noted for high quality surf breaks. This is particularly evident along the stretch of coast from Kaihihi Road to Stent Road, where finger like lahar deposits form offshore reef systems, creating a high concentration of quality surf breaks.

## 1.6 Mana whenua

The resources of Taranaki have has <sup>(60)</sup> provided for and nourished the iwi o Taranaki for generations. These resources were It is integral to the lives of the people who occupied the settlements adjoining the coastline. Taranaki provides ed for these people materially, acted as a highway for travel, was is a source of mahinga kai (food and resource), rongoa (medicine), aid sed their well-being and provides ed spiritual sustenance. <sup>(61)</sup>

The coastal environment was highly valued. It contained kāinga (villages), pā (fortified villages), and pūkāwa (reefs) for gathering mātaītai (seafood), as well as tauranga waka or awa waka (boat channels, tauranga ika (fishing grounds) and mouri kohatu (stone imbued with spiritual significance). The importance of these areas and the role of iwi and hapū <sup>(60)</sup> as kaitiaki (guardians) in protecting these areas and their associated values is as important to whānau (family) today as it was to their tupuna (ancestors).

The cultural and spiritual importance of the coastline and the marine area continues to be embodied in waiata (song), pepeha (sayings) and traditions.

There are eight recognised iwi within the boundaries of the Taranaki Regional Council (Figure 4), seven of which have Treaty of Waitangi settlements. They are Ngāti Tama (Settlement Act 2003), Ngāti Mutunga (Settlement Act 2006), Te Atiawa (Settlement Act 2016), Taranaki (Settlement Act 2015), Ngāruahine (Settlement Act 2016), Ngāti Ruanui (Settlement Act 2003), and Ngāa Rauru Kītahi (Settlement Act 2005). Ngāti Maru is progressing towards a mandate that will enable preliminary settlement discussions to take place with the Crown.

The settlements illustrate the relationship the iwi o Taranaki have with the coast. All eight Taranaki iwi and their hapū <sup>(60)</sup> have traditions that demonstrate an ancestral, cultural, historical and spiritual connection to the coastal environment. Sustainable coastal management, through Kaitiakitanga and tikanga, are at the heart of the relationship between the iwi o Taranaki and the coastal environment. This Plan has integrated the values of Taranaki iwi throughout Plan provisions. <sup>(60)</sup>

Schedule 5B identifies known sites of significance to Māori and their associated values. The identification and on-going protection of these sites provides a continuous connection from the past to the present.

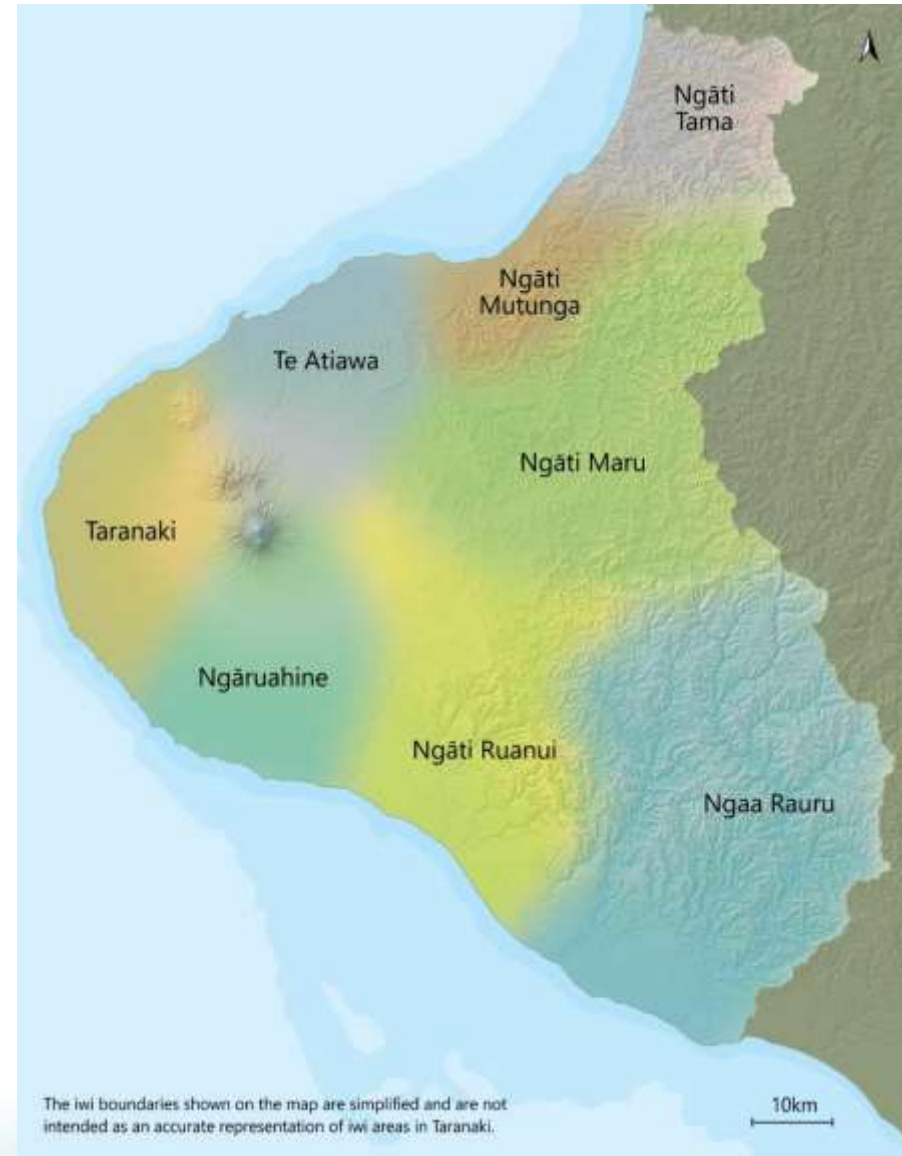


Figure 4: Iwi boundary map



## 1.7 Coastal management areas

The coastal marine area has been divided into five coastal management areas or zones <sup>(53)</sup>. This division recognises that some areas ~~have values, characteristics or uses that are more vulnerable or sensitive to the effects of some activities, or~~ have different management needs than other areas. These areas have been mapped in Schedule 1 and specific rules apply. The coastal management areas are as follows: <sup>(45)</sup>

### 1.7.1 Outstanding Value

These are the coastal areas of outstanding value identified in Schedule 1. They include areas that have outstanding natural character and areas identified as having outstanding natural features and landscapes.

These areas contain values and attributes considered exceptional based on their characteristics, including landforms, land cover, cultural and historic heritage associations and visual qualities.

### 1.7.2 Estuaries Unmodified

These are estuaries identified in Schedule 1 <sup>(53)</sup> that have not been significantly modified, are surrounded by minimal urban development and exist in generally unmodified environments. These estuaries have significantly different and more complex natural processes than the open coast. They provide important habitats for marine and bird life and, in many cases, have significant indigenous biodiversity value and high amenity value.

### 1.7.3 Estuaries Modified

The Pātea, Waiwhakaiho and Waitara estuaries are highly modified and are surrounded by urban and extensively modified environments. Although modified, these estuaries still contain significant habitats and may have significant indigenous biodiversity value. They are also areas with high amenity value.

### 1.7.4 Port

This area is a highly modified environment containing Port Taranaki, which has nationally and regionally important infrastructure providing for the community's economic well-

being. Although highly modified, the area does provide some natural habitat and is valued for recreation.

### 1.7.5 Open Coast

This is the area of the coastal marine area not covered by the other management areas. The open coast is subject to a high energy westerly wave environment and the coastal land behind the foreshore is generally eroding. This area contains significant sites and places, including sensitive benthic habitats, reef systems that are valued by Māori for mahinga kai, and fisheries that are recreationally, culturally and commercially valuable. The area has high natural character and contains large tracts of coastline that are under no significant pressure for use or development. The area also contains nationally and regionally important infrastructure and has many areas with high amenity value, including beaches and surf breaks.

## 1.8 Plan structure

The structure of this Plan is based upon the requirements for a regional plan as set out in section 67(1) of the RMA. There are ten sections:

**Section 1** introduces the Plan, including its title, purpose, operative and review dates, application and structure, and its Taranaki context, including drivers for change.

**Section 2** outlines the statutory and planning context for the Plan, including the RMA and *New Zealand Coastal Policy Statement* (NZCPS) requirements.

**Section 3** provides an overview of the Taranaki coastal environment, including the resource management matters being addressed in the Plan.

**Section 4** sets out the objectives or narrative outcomes the Plan seeks to achieve for the coastal environment.

**Section 5** sets out the policies for implementing the Plan's objectives for the coastal environment. This section includes both general (over-arching) policies related to the coastal environment as a whole and applied across all activities, and activity-specific policies related to the coastal marine area only.

**Section 6** sets out the methods (other than rules) to address the matters identified for the coastal environment as a whole.

**Section 7** presents a guide to resource users on applying the rules, including an explanation of the rules tables.

**Section 8** sets out the rules of the Plan, including standards, terms and conditions. The rules apply to the coastal marine area only and regulate:

- (a) the discharge of water or contaminants into water, into air or onto land;
- (b) the erection, placement, repair, alteration, extension, removal and replacement or removal/demolition of any structure fixed in, on, under or over the foreshore or seabed;
- (c) the occupation of space within the common marine and coastal area;
- (d) the disturbance, destruction or damage of the foreshore or seabed;
- (e) the depositing of any material in, on or under any foreshore or seabed;
- (f) the extraction of materials;
- (g) the reclamation or drainage of the foreshore or seabed; and
- (h) the taking or use of coastal water, or taking or use of heat or energy from coastal water.

**Section 9** sets out the circumstances where a financial contribution may be required, the method for calculating the amount of that contribution and the general purposes for which the contribution may be used.

**Section 10** presents Taranaki Regional Council's procedures for monitoring the effectiveness of the Plan, and the review of the Plan.

**Definitions** of terms and acronyms used in the Plan are set out at the back of the document.

**Schedules** and **Appendices** providing supporting information to assist in the application of the policies and rules are presented immediately following the body of the Plan. The **Schedules** identify:

1. Coastal management areas
2. Coastal areas of outstanding value
3. Coastal water quality
4. Significant indigenous biodiversity
5. Historic heritage
6. Coastal sites with significant amenity values
7. Significant surf breaks and the Significant Surfing Area
8. Port air zone

[8AA. Hazardous substances and threshold values for stormwater discharges from industrial and trade premises](#) <sup>(53)</sup>

9. Documents incorporated by reference.

The **Appendices** include:

1. Agreed river mouths and coastal marine area boundaries
2. Statutory acknowledgements
3. New Plymouth airport flight path protection surfaces
4. Port Taranaki and its approaches
5. Resource Management (Marine Pollution) Regulations 1998
6. New Plymouth District Council port noise control boundaries.





## 2 Statutory and planning framework

*This section outlines the statutory and planning context for the Plan.*

### 2.1 Resource Management Act

The RMA has a single purpose, set out in section 5(1) of the Act, which is “...to promote the sustainable management of natural and physical resources.”

This Plan addresses the sustainable management of the coastal environment in the Taranaki region. It assists the Taranaki Regional Council in carrying out its RMA functions relating to the coast.

When providing for the sustainable management of the coastal environment, the Taranaki Regional Council will manage the use, development and protection of natural and physical resources in a way that enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while:

- sustaining the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations;
- safeguarding the life-supporting capacity of air, water, soil and ecosystems; and
- avoiding, remedying or mitigating any adverse effects of activities on the environment.

#### 2.1.1 Statutory restrictions on activities

Part 3 of the RMA sets out a number of restrictions to control the adverse effects of certain activities on the environment. The following statutory restrictions apply in relation to this Plan:

- (a) restrictions on use of the coastal marine area (section 12) including:
  - (i) reclamation or drainage of the foreshore or seabed;
  - (ii) erection, reconstruction (repair), placement, alteration, extension, removal or demolition of any structure;
  - (iii) destruction, damage or disturbance of the foreshore or seabed;

- (iv) depositing any material in a manner that is likely to have an adverse effect on the foreshore or seabed;
  - (v) introduction of exotic or introduced plants;
  - (vi) occupation of the common marine and coastal area; and
  - (vii) removal of any sand, shingle, shell or other natural material from the common marine and coastal area;
- (b) restrictions relating to the taking, use, damming or diversion of water (section 14);
  - (c) restrictions relating to the discharge of harmful substances, contaminants, water, waste or other matter into water, onto or into land, or into air (sections 15, 15A and 15B); and
  - (d) duty to avoid unreasonable noise (section 16).

Activities covered by sections 12, 14, 15, 15A and 15B may not be undertaken within the coastal marine area unless expressly allowed by a national environmental standard, a rule in a regional plan, or a resource consent. The national environmental standard, plan or resource consent may prescribe the noise standards for those activities (section 16).

#### 2.1.2 National policy statements and environmental standards

Section 67 of the RMA specifies that regional plans must give effect to:

- any national policy statement,
- any New Zealand coastal policy statement, and
- any regional policy statement.

National policy statements (NPS) are instruments issued by the Government under sections 45 and 46 of the RMA. They state objectives and policies for matters of national significance that are relevant to achieving the purpose of the RMA, to which regional plans must give effect to ensure national consistency on their subject matter. There are currently four national policy statements that relate to the coastal environment:

- *New Zealand Coastal Policy Statement 2010*, which sets out objectives and policies for managing the coastal environment (refer section 2.2 below);

- *National Policy Statement on Urban Development Capacity 2016*, which sets out the objectives and policies for providing for urban development capacity;
- *National Policy Statement for Renewable Electricity Generation 2011*, which sets out objectives and policies for managing renewable energy generation; and
- *National Policy Statement on Electricity Transmission 2008*, which sets out objectives and policies for managing the electricity transmission network.

National environmental standards (NES) are Government regulations issued under section 43 and 44 of the RMA. They can prescribe national technical standards, methods, or requirements for environmental matters. The RMA stipulates that a regional plan must not conflict with the provisions of an NES. There are currently six national environmental standards:

- *National Environmental Standards for Air Quality*;
- *National Environmental Standard for Sources of Drinking Water*;
- *National Environmental Standards for Telecommunication Facilities*;
- *National Environmental Standards for Plantation Forestry*;
- *National Environmental Standard for Electricity Transmission Activities*; and
- *National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health*.

## 2.2 New Zealand Coastal Policy Statement

The *New Zealand Coastal Policy Statement 2010* (NZCPS) contains objectives and policies to address key national matters facing the coastal environment and to achieve the purpose of the RMA.

Policies within the NZCPS address matters including:

- the extent and characteristics of the coastal environment;
- the Treaty of Waitangi, tangata whenua and Māori heritage;
- adopting a precautionary approach where there is uncertainty;
- providing for the integrated management of natural and physical resources;

- consideration of effects on land or water in the coastal environment that is managed under other Acts;
- development and other activities, and;
- reclamation and de-reclamation;
- [protection of](#) <sup>(43)</sup> indigenous biological diversity;
- harmful aquatic organisms;
- preservation and restoration of natural character;
- protection of natural features and natural landscapes (including seascapes) of the coastal environment;
- protection of surf breaks of national significance;
- protection of historic heritage;
- allowing for public open space, walking access and control of vehicles;
- enhancement of water quality and control of sedimentation;
- management of discharges of contaminants; and
- identification and management of coastal hazards.

## 2.3 Marine and Coastal Area (Takutai Moana) Act 2011

The *Marine and Coastal Area (Takutai Moana) Act 2011* acknowledges the importance of the marine and coastal area to all New Zealanders and provides for the recognition of the customary rights of iwi, hapū and whānau in the common marine and coastal area.

Under the Act, neither the Crown nor any other person owns the common marine and coastal area. However, an iwi, hapū or whānau group may have their customary rights in the marine and coastal area acknowledged by negotiating a recognition agreement with the Crown, or by applying for a recognition order from the High Court. Groups can apply for protected customary rights and/or customary marine title.

- A **protected customary right** is a right that has continued to be exercised since 1840 and includes things like collecting hāngi stones or launching waka. When the High

Court grants a protected customary rights order or a recognition agreement is negotiated with the Crown, the iwi, hapū or whānau group has the ability to exercise their protected customary rights without need for a resource consent and without paying occupation charges or royalties.

- **Customary marine title** exists when an applicant group has held a specified area in accordance with tikanga and has exclusively used and occupied the area from 1840 to the present day without substantial interruption, or has since 1840, received an area through customary transfer. When an iwi, hapū or whānau group is granted customary marine title they are given certain permission rights relating to resource management and conservation in the area. One of the rights is an RMA permission right giving the group the ability to give or withhold permission for a new consented activity (with some exceptions).

[Iwi of Taranaki currently have claims before the Crown for both customary marine title and protected customary right.](#) <sup>(41) (58) (61)</sup>

## 2.4 Resource Management (Marine Pollution) Regulations 1998

The *Resource Management (Marine Pollution) Regulations 1998* (Appendix 5), made pursuant to section 360(1) of the RMA, control the following:

- dumping of waste or other matter in the coastal marine area from any ship, aircraft or offshore installation;
- discharges from ships or offshore installations in the coastal marine area; and
- incineration of waste or other matter in any marine incineration facility in the coastal marine area.

The regulations set out assessment criteria for a consent authority that is considering an application to dump waste in accordance with regulation 4(2).

### 2.4A Iwi management plans

[Iwi environmental management plans are planning document recognised by an iwi authority \(the authority that represents an iwi and that is recognised by that iwi as having authority to do so\). Pursuant to Section 66 of the RMA the Council, when preparing or](#)

[changing a regional plan, must take into account any relevant planning document recognised by an iwi authority.](#)

[At the time of writing there were two iwi planning documents that have been submitted to Council. They are the:](#)

- [Ngāa Rauru Kīitahi Puutaiao Management Plan](#)
- [Ngāti Ruanui Environmental Management Plan 2012.](#) <sup>(40)</sup>

## 2.5 Other legislation

All persons responsible for activities in the coastal environment should ensure that they comply with all relevant legislation, regulations and bylaws.

Other legislation relating to the coastal marine area includes:

- Crown Minerals Act 1991
- Biosecurity Act 1993
- Marine Reserves Act 1971
- Submarine Cables and Pipelines Act 1996
- Marine Mammals Protection Act 1978
- Continental Shelf Act 1964
- Maritime Transport Act 1994
- Wildlife Act 1952
- Heritage New Zealand Pouhere Taonga Act 2014
- Fisheries Act 1996
- Hazardous Substances and New Organisms Act 1996
- Local Government Act 1974
- Local Government Act 2002
- Conservation Act 1987
- [Treaty settlement legislation – at the time of writing, includes the Ngāti Tama Settlement Act 2003, Ngāti Mutunga Claims Settlement Act 2006, Te Atiawa Claims](#)

Settlement Act 2016, Taranaki Claims Settlement Act 2015, Ngāruahine Claims Settlement Act 2016, Ngāti Ruanui Claims Settlement Act 2003, and Ngāa Rauru Kītahi Claims Settlement Act 2005. <sup>(40)</sup> <sup>(58)</sup> <sup>(60)</sup>



## 3 Coastal management

*This section provides an overview of the Taranaki coastal environment, including the resource management matters being addressed in the Plan.*

### 3.1 Taranaki coastal environment

The coastal environment comprises the coastal marine area together with land dominated by the coast and where coastal processes, influences or qualities predominate.

As provided in section 1.4 of this Plan, the Taranaki Regional Council manages the coastal marine area, and some activities landward of mean high water springs relating to river and lake beds, and soil, freshwater and air quality, through its regional plans. The territorial authorities control land use activities above mean high water springs through their district plans.

There is a relatively low demand for activities in Taranaki's coastal marine area. As at June 2016, there were only 254 current coastal permits, comprising 5% of all resource consents administered by the Taranaki Regional Council. Furthermore, the number of coastal permits has reduced over time for some activities e.g. there are now only four major community or industrial discharges to coastal waters, compared with some 25 major discharges 30 years ago. Notwithstanding generally low use and development, it remains important that adverse effects of use and development continue to be avoided, remedied or mitigated and that, as far as is practicable, take into account the wider coastal environment.<sup>(43)</sup>

#### Integrated management

Although few pressures exist in Taranaki's coastal marine area, demand for activities and the effects of subdivision, use and development on land in the coastal environment can be high. It<sup>(43)</sup> is important to recognise that natural and physical resources and the wider environment consist of interconnected systems. Changes to one part of a system may affect other systems. Thus, activities in the coastal marine area, or on land above mean

high water springs, can cause changes across the divide of land and sea. Because of the interconnected nature of biophysical systems, resource management must recognise the wider effects of using, developing and protecting resources on all other natural and physical resources. It also needs to take into account the large number of different agencies with resource management roles, and the often competing or conflicting interests of the community and resource users. It is essential that the interconnected nature of the coastal environment is recognised through an integrated management approach (refer 1 below).

#### Coastal water quality

Taranaki generally has high quality coastal water, mainly as a result of the region's exposed coastal environment and low development pressures. However, a deterioration of coastal water quality can sometimes occur in discrete areas, such as near river mouths and in close proximity to wastewater discharges. At river mouths, water quality can be reduced as a result of contaminants from land use and development (e.g. farming, earthworks, urban centres, industrial sites) entering waterways, particularly during or following heavy rainfall events. Accidental discharges of largely untreated wastewater can have temporary adverse effects on coastal water quality. Wastewater discharges from large population bases can occasionally render shellfish in the area unsuitable for consumption.

Water quality can also be impacted on a short-term or on an ongoing basis by discharges to coastal waters or other activities undertaken in the coastal marine area. Coastal water quality is integral to supporting healthy and functioning ecosystems, traditional uses and practices, and other community uses. In maintaining and enhancing Taranaki's generally high coastal water quality<sup>2</sup>, the effects of discharges in the coastal marine area and on land, including cumulative effects, need to be managed (refer 2 below).

<sup>2</sup> Additional to human-induced impacts, it is also worth noting that natural variations in Taranaki's coastal water quality can also occur e.g. as a result of waterfowl, naturally eroding soils and iron oxide pans in soils.

### **Appropriate use and development** <sup>(43)</sup>

Some activities rely upon a location in or near the coastal marine area, or are dependent on the use of coastal resources, or have technical, operational or locational constraints that mean they require a coastal marine area location. <sup>(26)</sup>

Taranaki's coastal resources and developments play a crucial role in both the regional and national economy. As an example, Taranaki is one of the most important mineral producing regions in New Zealand and as at 2017, contains the country's only commercially producing oil and gas fields, including offshore fields.

Port Taranaki, New Zealand's only deep water seaport on the west coast, supports a wide range of regionally and nationally significant activities and contributes to the national transport system.

Other activities, such as the placement of structures in the coastal marine area, can create public benefit, e.g. providing public access, public safety or recreational opportunities. Coastal management will recognise and provide for appropriate resource use and development, and its contribution to enabling people and communities to provide for their social, economic and cultural well-being (refer 3 below).

### **Natural and historic heritage**

Taranaki's distinctive natural and historic heritage is integral to the identity of the region and its people. This heritage is important for its intrinsic, <sup>(43)</sup> cultural, amenity, biodiversity and tourism values and its contribution to the region's economic, social and cultural well-being.

While some areas represent a typical Taranaki coastal environment, others are iconic or contain values and attributes that are of special significance in relation to natural character, natural features and landscapes, historic heritage associations and indigenous biodiversity. In some areas nature predominates and man-made influences are absent or subservient in the context of the natural environment. In other areas it may be the uniqueness or memorability of a landscape or feature, the presence of a rare or threatened species or habitat, or the historical associations inherent in a site or landscape that are of special significance.

Significant natural and historic heritage values in the coastal environment need to be protected to allow healthy and functioning ecosystems to continue, and to provide for the economic, social and cultural well-being of present and future generations (refer 4 below).

Management agencies generally recognise but may have limited and/or incomplete knowledge of historic heritage values present in the coastal environment. <sup>(57)</sup>

### **Tangata whenua values and relationships**

Tangata whenua have a special relationship with natural and physical resources through whakapapa. Inherent in this relationship is kaitiakitanga, which seeks to maintain the māuri of natural and physical resources, while allowing their use and development for social, cultural and economic well-being.

Wāhi tapu, sites, or places of cultural significance, including tauranga waka landing sites, <sup>(41)</sup> taonga, and customary resources, are integral to the identity, well-being and cultural integrity of tangata whenua. The coastal environment and associated resources comprise some of the most important taonga to tangata whenua. As kaitiaki of their traditional fishing grounds and reefs, tangata whenua have a responsibility to nurture and safeguard these resources for future benefit. This stewardship ethic is reflected in customary practices and rules such as rotational or seasonal harvesting, collection techniques aimed at preserving the natural state of fishing reefs, the use of rahui (prohibition) on seafood gathered to prevent exploitation, restrictions on gutting and shelling seafood below the high tide mark and avoiding contamination of the coastal habitat by human and animal waste.

It is important that the relationship of tangata whenua with the coastal environment is recognised and provided for (refer 5 below). That includes rivers and tributaries and land areas identified in Appendix 2 [Statutory acknowledgements] that lie landward of the coastal marine area boundary. <sup>(41)</sup>

### **Public amenity and enjoyment**

The coastal environment is an important and valued part of Taranaki's environment and the quality of life offered by the region. The coastal marine area in particular is an extensive area of public space available for people to use and enjoy. It is where we play, gather food, undertake traditional practices, or relax. Many coastal resources and activities contribute to the economic, social and cultural well-being of communities.

The Taranaki region boasts numerous surf breaks of national and regional significance that draw local and overseas visitors alike and host local, national and international surf competitions. The Taranaki coastal marine area, with its extensive rocky reefs and outcrops and plankton-rich waters, supports diving, fishing and food gathering activities. Taranaki is also famous for its distinctive black sand beaches. Community surveys show

that passive activities including walking, swimming and relaxing are the most popular activities undertaken at the coast. It is important that people can continue to access, use and enjoy the Taranaki coast (refer 6 below).

### Coastal hazards

The coastal environment is at high risk of coastal hazards area. Risks include tornados, coastal erosion, tsunami, storm surges, and cliff rock falls and slumps<sup>3</sup>. The risk of, ~~or~~ and vulnerability to, coastal hazards may will <sup>(21)</sup> increase over time, for instance <sup>(46)</sup> due to climate change and sea level rise.

Although most natural processes that cause coastal hazards originate at sea, the major effects of these processes are nearly always felt on land. The Taranaki coastline is continually influenced by the natural forces of wind and waves. This, coupled with the soft geology found in some localities around the coastline, means that the most significant coastal hazard in Taranaki is coastal erosion. Although coastal erosion and other hazards are generally a natural phenomenon, human activity in the coastal marine area may influence the susceptibility of people, property and the environment to loss or damage on account of coastal hazards. It is important that use and development of the coastal marine area does not increase coastal hazard risk to people or property to unacceptable levels. <sup>(46)</sup>

Similarly, activities in the coastal marine area may also impact on the health or safety of people or property, including aircraft or navigational safety. It is important that these activities do not use and development of the coastal marine area does not increase coastal hazard risk or <sup>(46)</sup> pose a threat to the health and safety of people or property (refer 7 below).

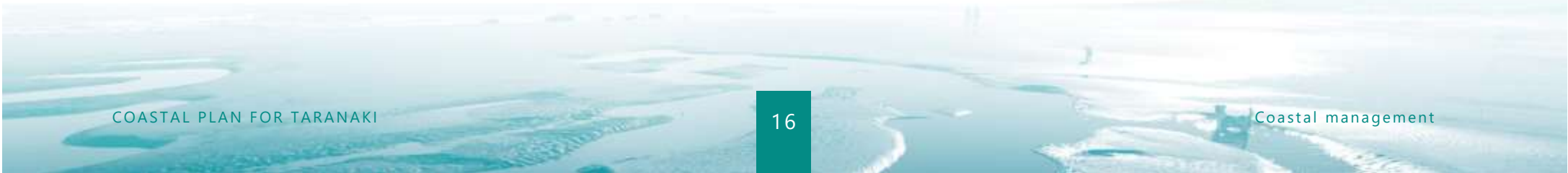
## 3.2 Managing the Taranaki coastal environment

With reference to the former discussion, the following matters are addressed in the objectives, policies, rules and methods that follow:

1. Recognising the interconnected nature of the coastal environment through an integrated management approach.
2. Managing the effects of discharges in the coastal marine area and on land in the coastal environment to maintain and enhance Taranaki's generally high coastal water quality.
3. Recognising and providing for the role of appropriate use and development of natural resources in the coastal environment and its contribution to the social, economic and cultural well-being, and health and safety of people and communities.
4. Ensuring significant natural and historic heritage and natural processes in the coastal environment are protected for the continuation of healthy and functioning ecosystems, and the social, cultural and economic well-being of present and future generations.
5. Ensuring the relationship of tangata whenua, including their traditions, social and cultural values are recognised and provided for in the management of Taranaki's coastal environment.
6. Ensuring people can continue to access, use and enjoy the Taranaki coast, where and when it is appropriate to do so. <sup>(40) (58)</sup>
7. Ensuring use and development of the coastal marine area does not increase coastal hazard risk to unacceptable levels <sup>(46)</sup> or pose a threat to the health and safety of people or property.

---

<sup>3</sup> Based on Civil Defence Emergency Management Group Plan for Taranaki 2012 and National Hazardscape Report 2007.



## 4 Objectives

*This section presents the thirteen objectives for managing Taranaki's coastal environment:*

### **Objective 1: Integrated management**

Management of the coastal environment, including the effects of use and development on land, air and fresh water, is carried out in an integrated manner.

### **Objective 2: ~~Appropriate Use~~ and development <sup>(53)</sup>**

Natural and physical resources of the coastal environment are used efficiently, and activities including regionally important industry and infrastructure, <sup>(47)</sup> that have technical, operational and/or locational requirements, <sup>(26) (32)</sup> that depend on the use and development of these resources, are provided for in appropriate locations.

### **Objective 3: ~~Reverse-sensitivity Impacts on established operations and activities~~ <sup>(26)</sup>**

The use and ongoing operation, maintenance, alteration and extension <sup>(45) (46)</sup> of nationally and regionally important infrastructure and other existing lawfully established activities is protected from new or ~~inappropriate incompatible~~ use and development ~~in the coastal environment occurring under, over, or adjacent to the infrastructure or activity~~. <sup>(43)</sup>

### **Objective 4: Life-supporting capacity and mauri**

The life-supporting capacity and mauri of coastal water, land and air are safeguarded from the adverse effects, including cumulative effects, of use and development of the coastal environment.

### **Objective 5: Coastal water quality**

Water quality in the coastal environment is maintained where it is good, and enhanced where it is degraded. <sup>(29) (47)</sup>

### **Objective 6: Natural character**

The natural character of the coastal environment is preserved and protected from inappropriate use and development and is ~~restored~~improved <sup>(53)</sup> where ~~appropriate~~ degraded. <sup>(43)</sup>

### **Objective 7: Natural features and landscapes**

The natural features and landscapes of the coastal environment are protected from inappropriate use and development.

### **Objective 8: Indigenous biodiversity**

Indigenous biodiversity in the coastal environment is maintained and enhanced and areas of significant indigenous biodiversity in the coastal environment are protected.

### **Objective 9: Relationship of tangata whenua with the coastal environment**

Traditional and continuing relationships of tangata whenua and their cultures and traditions with their ancestral lands, water, sites, waahi tapu and other taonga <sup>(57)</sup> in the coastal environment, including the role of tangata whenua as kaitiaki, are recognised and provided for.

### **Objective 10: Treaty of Waitangi**

The principles of the Treaty of Waitangi, including the principles of mai te maunga Taranaki kite tai a Kupe, whakapapa, kaitiakitanga, manaakitanga, whanaungatanga, kawanatanga, and rangatiratanga ~~kawanatanga, rangatiratanga, partnership, active participation, resource development and spiritual recognition~~ <sup>(41)</sup>, are taken into account in the management of the coastal environment.

### **Objective 11: Historic heritage**

Historic heritage in the coastal environment is protected from inappropriate use and development.



### Objective 12: Public use and enjoyment

~~People's~~ The public's<sup>(29)</sup> use and enjoyment of the coastal environment, including amenity values, traditional practices and public access to and within the coastal environment, is maintained ~~and or~~ enhanced where appropriate.<sup>(40) (41) (47) (58) (59)</sup>

### Objective 13: Coastal hazard risk and public health and safety

The risk of social, cultural, environmental, and economic harm in the coastal environment<sup>(20) (43)</sup> from coastal hazards is not increased beyond acceptable levels<sup>(46)</sup> and public health, safety and property is not compromised by use and development of the coastal marine area.

## 5 Policies

*This section includes the policies that implement the Plan objectives.*

**When assessing an activity, regard will be had to all relevant general and activity-based policies and no individual policy viewed in isolation.**

Section 5.1 contains general or overarching policies applicable to the wider **coastal environment**, including the coastal marine area, for the purposes of achieving integrated management and which relate to:

1. management of the coastal environment
2. use and development of resources
3. natural forms and functioning
4. cultural and historic heritage
5. [the relationship of Maori and their culture and traditions](#) <sup>(57)</sup>
6. public use and enjoyment
7. coastal hazards and public health and safety.

Section 5.2 contains policies specific to activities in the **coastal marine area** and which relate to:

8. discharges
9. coastal structures and occupation of space
10. disturbance, deposition and extraction
11. reclamation and drainage
12. taking, use, damming or diversion of coastal water, or taking or use of heat or energy from coastal water
13. noise.

The same activity-based categories are also used in the Rules section of the Plan.

## 5.1 General policies

This section provides the overall direction for achieving integrated management of ~~significant values and matters~~ in the **coastal environment** (i.e. both the coastal marine area and areas landward where coastal processes, influences or qualities are significant and as indicatively shown on the planning maps <sup>(43)</sup>) in order to achieve the objectives of this Plan.

The policies apply to all activities in the coastal marine area but include consideration of uses, values and relationships across the wider coastal <sup>(53)</sup> environment. The policies set out a coastal management framework, provide for use and development, protect, maintain and enhance significant and outstanding values, and manage coastal hazards and risks to public health and safety, regardless of which coastal management area the activity may fall within (coastal management areas are identified in Schedule 1 and their characteristics are described in Policy 1). <sup>(43)</sup>

### 5.1.1 Management of the coastal environment

#### Policy 1: Coastal management areas

Manage the coastal marine area environment <sup>(20)</sup> in a way that recognises that some areas have values, characteristics or uses that are more vulnerable or sensitive to the effects of some activities, or that have different management needs than other areas.

In managing the use, development and protection of resources in the coastal marine area <sup>(20)</sup> under the Plan, recognition will be given to the following coastal management areas (identified in Schedule 1) and their distinguishing values, characteristics and uses:

- (a) **Outstanding Value:** Coastal areas of outstanding value (identified in Schedule 2) These coastal management areas refer to those areas listed in Schedule 1(a) and are identified as having outstanding natural character and/or outstanding natural features or landscape values. These areas that characteristically: <sup>(43)</sup>
- (i) are areas of outstanding natural character and/or outstanding natural features or landscapes; <sup>(43)</sup>
  - (ii) contain values and attributes that are exceptional, including in relation to landforms, land cover, biodiversity, cultural and heritage associations, and visual qualities identified in Schedule 2 (refer corresponding Policy 7);

- (iii) contain marine areas with legal protection, including Parininihi Marine Reserve, Ngā Motu/Sugar Loaf Islands Marine Protected Area and Tapuae Marine Reserve (identified in Schedule 1); and
  - (iv) are iconic to the region's identity and sense of place.
- (b) **Estuaries Unmodified:** These coastal management areas refer to those estuaries, not identified in (a) or (c) of this policy, that are permanently open to tidal movements and listed in Schedule 1(b). These areas do not include estuaries identified in (a) or (c) of this policy and characteristically: <sup>(43)</sup>
- (i) provide a natural focal point for human activity but are generally not significantly modified and are surrounded by minimal urban development and unmodified environments;
  - (ii) have significantly different and more complex natural processes than the open coast; and
  - (iii) provide important habitats, migration paths, breeding areas and nursery areas for marine and bird life; and
  - (iv) are valued by Māori for taonga species, and cultural, spiritual, historical and traditional associations. <sup>(40) (58) (61)</sup>
- (c) **Estuaries Modified:** These coastal management areas refer to the Pātea, Waiwhakaiho and Waitara estuaries that are permanently open to tidal movements and listed in Schedule 1(c). These areas characteristically:
- (i) have been modified by flood protection works and placement of structures;
  - (ii) are surrounded by urban, extensively modified environments;
  - (iii) have significantly different and more complex natural processes than the open coast; and
  - (iv) provide important habitats, migration paths, breeding areas and nursery areas for marine and bird life; and
  - (v) are valued by Māori for taonga species, and cultural, spiritual, historical and traditional associations. <sup>(40) (58) (61)</sup>
- (d) **Open Coast:** This coastal management area refers to remaining areas of the coastal marine area Areas of the open coast not identified in (a), (b), (c) and (e) of this Policy that characteristically:
- (i) are subject to a high energy westerly wave environment and the coastal land behind the foreshore is generally naturally eroding;

- (ii) include marinereef<sup>(29)</sup> systems that provide habitat to marine life, and are valued by Māori for mahinga kai;
  - (iii) include nationally and regionally important surf breaks identified in Schedule 7 (refer corresponding Policy 19); and
  - (iv) contain fisheries that are recreationally, culturally and commercially valuable.
- (e) **Port:** This coastal management area refers to the operational management area of Port Taranaki. The area is a highly modified environment that characteristically:<sup>(43)</sup>
- (i) enables people and communities to provide for their economic well-being;
  - (ii) contains nationally and regionally important infrastructure;
  - (iii) contains port related activities that are accepted as appropriate uses of this coastal management area; and
  - (iv) has a low level of natural character, although is located adjacent to an area of outstanding value; and
  - (v) can have significant effects on areas outside of the Port, including contributing to coastal erosion along the New Plymouth foreshore.<sup>(32)</sup>

## Policy 2: Integrated management

Provide for the integrated management of the coastal environment by:

- (aa) recognising ki uta ki tai and taking into account the connected nature of resources and natural processes in the management of adverse effects across air, land, fresh water bodies and the coastal environment;<sup>(20) (43)</sup>
- (a) implementing Plan provisions in managing the effects location, form and limits<sup>(43)</sup> of activities (positive and negativeadverse)<sup>(40) (50) (58)</sup> undertaken in the coastal marine area on significant values and characteristics of the wider coastal environment;
- (b) implementing policies, methods and rules in other regional plans for Taranaki<sup>(20)</sup> in relation to managing adverse effects associated with diffuse and direct discharges to freshwater and air, and soil disturbance;
- (c) taking into account the potential for cross-media<sup>(20)</sup> effects and the connections between freshwater bodies and coastal water;

- (d) considering the effects of activities undertaken in the coastal marine area on land or waters held or managed under other statutes, and the purposes of those statutes, including marine areas with legal protection identified in Schedule 1 and statutory acknowledgements identified in Appendix 2;
- (e) considering the effects of activities in the coastal marine area on outstanding natural features and landscapes or areas of outstanding natural character or significant indigenous biodiversity<sup>(43)</sup> identified in other regional or district plans for the Taranaki region;<sup>(20)</sup>
- (f) managing natural and physical coastal<sup>(45)</sup> resources in a manner that has regard to recognises and provides for<sup>(26)</sup> the social, economic and cultural objectives and well-being of the community and the functional, technical, operational needs<sup>(26) (45) (46)</sup> and/or locationa<sup>(26)</sup> constraints of nationally or regionally important infrastructure and industry;<sup>(45) (7)</sup> and
- (g) working collaboratively with government departments, territorial authorities, district health boards,<sup>(48)</sup> other agencies, and tangata whenua in accordance with Policy 1516,<sup>(19) (43)</sup> that have roles and responsibilities that contribute to, and impact on, the management of coastal resources, including where activities in the Taranaki coastal marine area may result in adverse effects, or associated use and development beyond the coastal marine area.

## Policy 3: Precautionary approach

Adopt a precautionary approach, which may include using an adaptive management approach,<sup>(43)</sup> where the effects of any activity on the coastal environment are uncertain, unknown, or little understood, but potentially significantly adverse.

## Policy 4: Extent and characteristics of the coastal environment

Determine the inland extent of the coastal environment for the purposes of policies under Section 5.1 of the Plan on a case by case basis by having regard to:

- (a) having particular regard to the indicative coastal environment line as identified in Schedule 1A; and
- (b) on a case by case, basis recognising:<sup>(2) (29) (35) (43) (45) (46)</sup>
  - (i) areas where coastal processes, influences or qualities are significant, including coastal lakes, lagoons, tidal estuaries, saltmarshes, coastal wetlands and the margins of these areas; and

- (ii) the geographic extent to which activities within the coastal marine area may cause adverse effects on significant values and characteristics landward of the coastal marine area.

## 5.1.2 Use and development of resources

### Policy 5: Appropriate use and development of the coastal environment<sup>(53)</sup>

Determine whether use and development of the coastal environment is in an appropriate place location<sup>(43)</sup> and form, and within appropriate limits, by having regard to:

- (a) the functional need or operational requirement<sup>(26) (47)</sup> for the activity to be located in the coastal marine area. ~~Conversely, a~~Activities<sup>(45) (46)</sup> that do not have a functional need or operational requirement<sup>(26) (47)</sup> to be located in the coastal marine area generally should not be located there (unless the non-marine related activity complements the intended use and function of the area);
  - (aa) whether the activity relates to the use, operation, maintenance and alteration of regionally important infrastructure<sup>(26) (32)</sup>
- (b) the benefits to be derived from ~~the other activities~~ at a local, regional and national level, including the existing and potential contribution of petroleum and mineral resources, and the potential contribution of aquaculture, and renewable energy resources;<sup>(6) (25)</sup>
- (c) the appropriateness of the proposed design, methodology, ~~whether it is the best practicable option~~, location or route of the activity in the context of the receiving environment and any possible alternatives, including best practicable options for preventing or minimising adverse effects on the environment;<sup>(6)</sup>
- (d) the degree to which the activity will recognise and provide for the relationships, uses and practices of Māori and their culture and traditions with their lands, water, sites, wāhi tapu, and other taonga in the coastal environment such as mahinga kai, tauranga waka (canoe landing sites), nga toka (rocks) and tauranga ika (fishing grounds);
- (e) the degree to which the activity will be ~~threatened by, or contribute to,~~ subject to unacceptable risks or exacerbate<sup>(46)</sup> coastal hazards ~~risk~~, or ~~pose a threat to~~ public health and safety with particular reference to Policy 20;
- (f) the degree to which the activity contributes to the maintenance<sup>(6)</sup> enhancement or restoration of natural or historic heritage including by buffering areas and sites of historical heritage value;

- (g) the degree to which the activity contributes to the maintenance<sup>(6)</sup> enhancement or restoration of appropriate<sup>(32)</sup> public access or public use of the coast including for recreation;
- (h) whether any landward component, development or use of land-based infrastructure or facilities associated with the activity can be appropriately provided for;
- (i) whether the activity is for scientific investigation or educational study or research; and
- (j) the degree and significance of actual or potential adverse effects of the activity on the environment, including consideration of:
  - (i) cumulative effects of otherwise minor activities;
  - (ii) the sensitivity of the environment with particular reference to Policy 1<sup>(43)</sup>; and
  - (iii) the efficacy of measures to avoid, remedy or mitigate such effects, or provide environmental compensation where effects cannot be remedied or mitigated.

### Policy 6: ~~Activities important to the well-being of people and communities~~ Benefits of regionally important infrastructure<sup>(26)</sup>

Recognise ~~and provide for the benefits of~~ new and existing ~~infrastructure of~~ regionally important ~~infrastructure or of significance~~ to the social, economic and cultural well-being of people and communities in Taranaki, and provide for the safe and efficient operation of regionally important infrastructure<sup>(26) (32) (43) (45) (46)</sup> subject to appropriate management avoidance, remediation or mitigation<sup>(43)</sup> of adverse environmental effects.

### Policy 7: Impacts on lawfully established activities

~~Avoid, remedy or mitigate the adverse effects of activities, including reverse sensitivity impacts, on~~ Protect existing lawfully established activities ~~from reverse sensitivity effects that may arise from the establishment of new activities or the intensification of other existing activities by:~~

- (a) avoiding significant adverse effects on regionally importance infrastructure;
- (b) avoiding, remedying or mitigating other adverse effects on regionally important infrastructure; and
- (c) avoiding, remedying or mitigating adverse effects on other activities.<sup>(45) (46) (47)</sup>



### 5.1.3 ~~Protection, maintenance or enhancement of natural and historic heritage~~ Natural form and functioning <sup>(53)</sup>

#### **Policy 8: Areas of outstanding value**

Protect the visual quality and the physical, ecological and cultural integrity of coastal areas of outstanding value identified in Schedule 1-2 <sup>(29)</sup> from inappropriate use and development by:

- {a} avoiding adverse effects of activities ~~(other than minor or transitory effects)~~ <sup>(6)</sup> on the values and characteristics identified in Schedule 2 that contribute to areas:
  - {i} having outstanding natural character; and/or
  - {ii} being outstanding natural features and landscape; within or adjoining coastal management area – Outstanding Value; and
- {b} maintaining significant seascapes and visual corridors associated with outstanding natural features and landscapes, including views from within the landscapes or features, and views of the landscapes and features.

#### **Policy 9: Natural character and natural features and landscapes**

Protect ~~all other areas of the natural character, features and landscapes of~~ the coastal environment ~~not identified in Schedule 2~~ <sup>(29)</sup> by:

- ~~(aa) avoiding adverse effects of activities (other than minor or transitory effects)~~ <sup>(6)</sup> ~~on the natural character of areas of outstanding natural character and outstanding natural features and landscapes;~~ <sup>(43)</sup>
- {a} avoiding significant adverse effects, and avoiding, remedying and mitigating other adverse effects on natural character and natural features and landscapes by having regard to the extent to which the activity:
  - {i} ~~maintains,~~ <sup>(20)</sup> ~~contributes to the~~ enhancement or restoration of <sup>(37)</sup> natural character;
  - {ii} is compatible with the existing level of modification to the environment, including by having particular regard to Policy 1;
  - {iii} is appropriate ~~for the context of the area~~ <sup>(37)</sup> within the surrounding landscape, its representativeness and ability to accommodate change;

- {iv} is of an appropriate form, scale and design to ~~be sympathetic to~~ minimise adverse effects on values of <sup>(37)</sup> the existing landforms, features and vegetation (excluding high visibility markers required for safety or conservation purposes) or is of a temporary nature and any adverse effects are of a short duration and are reversible;
- {v} ~~maintains the integrity of significant areas of indigenous vegetation~~ protects significant indigenous biodiversity and maintains or enhances indigenous biodiversity; <sup>(43)</sup>
- {vi} maintains the integrity of historic and cultural <sup>(40) (58)</sup> heritage;
- {vii} maintains physical, visual (including seascapes) and experiential attributes that significantly contribute to the scenic, wild or other aesthetic values of the area; and
- {viii} alters the integrity of landforms and features, or disrupts the natural processes and ecosystems.

#### **Policy 10: Restoration of natural character**

Promote the restoration of natural character of the coastal environment particularly in relation to dunes, estuaries, coastal wetlands, coastal indigenous vegetation cover and habitats, ecological corridors, coastal water quality, and land stability where human-induced soil or coastal erosion is an issue.

#### **Policy 11: Coastal water quality**

Maintain coastal water quality where it is good <sup>(47)</sup> ~~and or~~ <sup>(6)</sup> enhance coastal water quality where it is degraded <sup>(47)</sup> by avoiding, remedying and mitigating the adverse effects of activities on:

- {a} the life-supporting capacity of coastal water;
- {b} the mouri and wairua of coastal water;
- {c} the integrity and functioning of natural coastal processes; and
- {d} the ability of coastal water to provide for existing and anticipated future use by the community.

### Policy 12: Restoration of coastal water quality

Promote the restoration of coastal water quality where deterioration is having a significant adverse effect on ecosystems, natural habitats or water based recreational activities, or is restricting existing uses such as shellfish gathering and cultural activities, as identified in Schedule 3.

### Policy 13: Coastal air quality

Maintain ~~and~~ or <sup>(6)</sup> enhance coastal air quality by avoiding, remedying and mitigating the adverse effects of activities on the life-supporting capacity of coastal air.

## 5.1.3A Indigenous biodiversity-<sup>(53)</sup>

### Policy 14: Significant indigenous biodiversity

Protect ~~areas of~~ <sup>(29)</sup> significant indigenous biodiversity in the coastal environment ~~and maintain and enhance indigenous biodiversity~~ <sup>(43)</sup> by:

- (a) avoiding adverse effects of activities (other than minor or transitory effects) <sup>(6)</sup> on:
  - (i) indigenous taxa that are nationally threatened or at risk, or regionally distinctive, including those identified in Schedule 4A;
  - (ii) taxa that are internationally threatened including those identified in Schedule 4A;
  - (iii) indigenous ecosystems and vegetation types that are threatened in the coastal environment, or are naturally rare, as identified in Schedule 4A;
  - (iv) habitats of indigenous species where the species are at the limit of their natural range, or are naturally rare;
  - (v) areas containing nationally significant examples of indigenous community types; and
  - (vi) areas set aside for full or partial protection of indigenous biological diversity under other legislation; and
- (b) avoiding significant adverse effects and avoiding, remedying and mitigating other adverse effects of activities on:
  - (i) areas of predominantly indigenous vegetation in the coastal environment;
  - (ii) habitats in the coastal environment that are important during the vulnerable life stage of indigenous species including:

- i. estuaries;
  - ii. spawning areas (e.g. snapper-trevally spawning area in the North Taranaki Bight between Mōhakatino River and Pariokariwa Point);
  - iii. areas that provide passage for diadromous species;
  - iv. marine mammal resting, feeding and breeding areas; and
  - v. bird roosting and nesting areas;
- (iii) indigenous ecosystems and habitats found only in the coastal environment and which are particularly vulnerable to modification including estuaries, lagoons, coastal wetlands, dunelands, intertidal zones, rocky reef systems, eelgrass, saltmarsh, and sensitive marine benthic habitats as identified in Schedule 4B;
  - (iv) habitats of indigenous species in the coastal environment that are important for recreational, commercial, traditional or cultural purposes;
  - (v) habitats, including areas and routes, that are important to migratory species; and
  - (vi) ecological corridors and areas important for linking or maintaining biological values identified under this policy, including Significant Marine Animal and Seabird Areas identified in Schedule 4C. <sup>(43)</sup>

unless following a route, site and method selection process, the activity is necessary for the provision of regionally important infrastructure, avoidance of adverse effects is not practicable and adverse effects are remedied or mitigated to the extent reasonably practicable. <sup>(26)</sup>

### Policy 14A: Indigenous biodiversity

Recognise and provide for the maintenance and enhancement of indigenous biodiversity generally in the coastal environment by:

- (a) as far as is practicable, avoiding, remedying and mitigating the adverse effects of activities; and
- (b) when assessing adverse effects on indigenous biodiversity, having regard to the extent of effects, including consideration of:
  - (i) the association of the ecological site and values with other interrelated, but not necessarily contiguous, ecological sites and values;

- (ii) the nature, location, extent and design of the proposed development and the effects of these factors on indigenous biodiversity;
- (iii) the degree to which indigenous biodiversity values will be lost, damaged, destroyed, or enhanced, recognising that:
  - i. the scale of the effect of an activity is proportional to the size and sensitivity of the ecological area and associated indigenous biodiversity values;
  - ii. discrete, localised or otherwise minor effects not impacting on the ecological area may be acceptable; and
  - iii. activities with transitory effects may be acceptable, where they can demonstrate the effects are not long-term and/or irreversible.<sup>(43)</sup>

#### **Policy 14B: Taonga species**

Recognise and provide for the maintenance or enhancement of taonga species as identified in Schedule 4CC by:

- (a) avoiding significant adverse effects of activities (other than minor or transitory effects)<sup>(6)</sup> on the habitat of taonga species, mahinga kai, tāiapure or mataitai and customary uses and values unless:  
following a route, site and method selection process, the activity is necessary for the provision of regionally important infrastructure, avoidance of adverse effects is not practicable and adverse effects are remedied or mitigated to the extent reasonably practicable; and
- (b) avoiding, remedying or mitigating other adverse effects of activities on taonga species habitat, mahinga kai, tāiapure or mataitai.<sup>(40) (41) (42) (58) (60) (61)</sup>

### 5.1.3B Historic heritage<sup>(53)</sup>

#### **Policy 15: Historic heritage**

Protect historic heritage in the coastal environment from inappropriate use and development by:

- (a) avoiding adverse effects (other than minor or transitory effects)<sup>(6)</sup> on the values associated with Category A archaeological sites of significance and historic areas identified in Schedule 5A;

- (b) avoiding significant adverse effects, and avoiding, remedying and mitigating other adverse effects on the values associated with sites of significance to Māori identified in Schedules 5A and 5B;
- (c) avoiding, remedying or mitigating adverse effects on the values associated with all other historic heritage sites, including those identified in Schedule 5 and those identified by New Zealand Archaeological Association's ArchSite (Archaeological Site Recording Scheme);
- (d) when assessing adverse effects on historic heritage, giving regard to the extent of effects, including consideration of:
  - (i) the association of the site with other interrelated, but not necessarily contiguous, historic heritage sites and their collective significance in the context of historic landscapes and areas;
  - (ii) the degree to which historic heritage values will be lost, damaged, destroyed, or enhanced;
  - (iii) the nature, location, extent, design and appearance of the proposed development and the effects of these factors on historic heritage values;
  - (iv) the classification given to the historic heritage, as set out in Schedule 5A and the reasons for which it has been scheduled;
  - (v) the extent to which the historic heritage has been damaged by natural events, weather, or environmental factors and any subsequent risk to public safety;
  - (vi) the importance (if any) of land surrounding the historic heritage;
  - (vii) the degree of compliance with Heritage New Zealand's Pohere Taonga Archaeological requirements;
  - (viii) any investigation and documentation of the site to provide a historical record; and
  - (ix) the outcome of any consultation with any relevant body or individual, such as Heritage New Zealand Pohere Taonga, the Department of Conservation, or local iwi and/or hapū; and
- (e) allowing the maintenance, repair or restoration of identified historic heritage where it is based on a clear understanding of the heritage values of the place, and undertaken in accordance with good practice conservation principles and methods.

### 5.1.3C Tangata whenua culture, values and traditions <sup>(53)</sup>

#### **Policy 16: Relationship of tangata whenua**

Recognise and provide for the relationship of tangata whenua culture, values and traditions with the coastal environment, including the role of tangata whenua as kaitiaki, and take into account the principles of the Treaty of Waitangi, ~~and kaitiakitanga.~~ <sup>(40) (41) (58)</sup>

The Taranaki Regional Council will provide opportunities for working in partnership with <sup>(48)</sup> tangata whenua to actively participate in the resource management process where decisions are being made on issues of significance to tangata whenua by:

- (a) taking into account any relevant iwi planning document, including but not limited to environmental plans, management plans, kaitiaki plans and marine spatial plans recognised by an iwi authority; <sup>(41)</sup>
- (b) taking into account any relevant memorandum of understanding or kaitiaki agreement with ~~between the Taranaki Regional Council and~~ <sup>(40) (57)</sup> the iwi authorities; <sup>(57)</sup>
- (c) implementing the relevant legal requirements of Treaty settlements, including representation on Council committees; and taking into account other aspects of Treaty settlements including, statements of association, protection principles and statutory acknowledgements;
- (d) responding to requests for give effect to Mana Whakahono a Rohe to enhance the opportunities for collaboration with that provide agreements about how iwi may contribute to resource management processes; <sup>(41) (61)</sup>
- (e) providing for tikanga Māori and interpretation services for the use of Māori language in presenting evidence;
- (f) providing for marae-based pre-hearing meetings and hearings where appropriate;
- (g) providing for the appointment of a person(s) <sup>(41)</sup> with recognised expertise in tikanga Māori to any hearing committee where a resource consent application raises significant issues for tangata whenua;
- (h) recognising the importance of mātauranga Māori, customary, traditional and intergenerational knowledge;
- (i) requiring that resource consent applications or plan change applications provide cultural impact assessments and/or archaeological assessments where appropriate; ~~and~~

- (j) involving tangata whenua in the development of consent conditions, compliance monitoring plans and/or enforcement procedures where appropriate; ~~and~~
- (k) considering consent conditions that incorporate the use of mātauranga Māori based methods or cultural indicators that recognise and express Māori values to monitor the effects of the activity on the mauri of the natural and physical resources of the coastal environment. <sup>(40) (41) (58)</sup>

### 5.1.4 Public use and enjoyment

#### **Policy 17: Public access**

~~Maintain and enhance~~ Recognise and provide for the maintenance and enhancement of <sup>(53)</sup> public access to, along and adjacent to the coastal environment marine area <sup>(2) (20)</sup> by:

- (a) avoiding, remedying or mitigating any adverse effects of activities on public access;
- (b) promoting the enhancement or restoration of public access, where a demand exists, <sup>(2)</sup> including for the connection of areas of public open space, access to mahinga kai, access to sites of historical and/or cultural importance, <sup>(40) (41) (42) (58)</sup> improving outdoor recreation opportunities, access to surf breaks and providing access for people with disabilities; and
- (c) only <sup>(2)</sup> imposing a restriction on public access, including vehicles, where such a restriction is necessary to:
  - (i) protect significant natural or historic heritage values;
  - (ii) protect dunes, estuaries and other sensitive natural areas or habitats;
  - (iii) protect sites and activities of cultural value to Māori;
  - (iv) protect threatened or at risk indigenous species and rare and uncommon ecosystem types as identified in Schedule 4A;
  - (v) protect public health or safety, including where the safety of other coastal or beach users is threatened by inappropriate use of vehicles on beaches and vessels offshore;
  - (vi) provide for defence purposes in accordance with the *Defence Act 1990* or port or airport purposes;
  - (vii) avoid or reduce conflict between public uses of the coastal marine area and its margins;

- (viii) provide for temporary activities or special events;
  - (ix) ensure a level of security for lawfully established activities <sup>(2)</sup> consistent with the activity, including protection of equipment; or
  - (x) provide for other exceptional circumstances where restriction to public access is justifiable;
- and alternative access routes for the public have been considered and provided where practicable.

### Policy 18: Amenity values

~~Maintain and enhance~~ Recognise and provide for the maintenance and enhancement of <sup>(53)</sup> significant amenity values by avoiding, remedying or mitigating adverse effects on those qualities and characteristics that contribute to amenity values in:

- (a) coastal areas of outstanding value identified in Schedules 1 and (61) 2;
- (b) coastal sites with significant amenity values identified in Schedule 6 including:
  - (i) beaches;
  - (ii) reefs; and
  - (iii) estuaries and river mouths;
- (c) surf breaks identified in Schedule 7; and
- (d) coastal sites with significant indigenous biodiversity identified in Schedule 4, taonga species identified in Schedule 4CC, or historic heritage sites including those identified in Schedule 5A and B and Appendix 2 <sup>(20) (41) (43) (58) (61)</sup>
- (e) other areas of the coastal environment with significant amenity values not identified in the Schedules referred to in (a), (b), (c) and (d). <sup>(29)</sup>

### Policy 19: Surf breaks and Significant Surfing Area

Protect surf breaks and their use and enjoyment from the adverse effects of other activities by:

- (a) avoiding adverse effects (other than minor or transitory effects) <sup>(6)</sup> on:
  - (i) ~~all~~ nationally significant surf breaks as identified in Schedule 7; and
  - (ii) ~~all~~ surf breaks within the designated Significant Surfing Area as identified in Schedule 7;
- (b) avoiding significant adverse effects on all regionally significant surf breaks, identified in Schedule 7, that are outside of the Significant Surfing Area;

unless following a route, site and method selection process, the activity is necessary for the provision of regionally important infrastructure, avoidance of adverse effects is not possible practicable and adverse effects are remedied or mitigated to the extent reasonably practicable; <sup>(26) (32)</sup>

- (c) avoiding, remedying or mitigating adverse effects on all locally significant surf breaks listed in Schedule 7;
- (d) ~~within the Significant Surfing Area, avoiding significant adverse effects and avoiding, remedying or mitigating other adverse effects on seascape, including development which would have an adverse effect on the remote feel of the area; and~~ <sup>(49)</sup>
- (e) in managing adverse effects in accordance with clauses (a), (b) and (c), having regard to:
  - (i) effects on the quality or consistency of the surf break by considering the extent to which the activity may: change or interrupt coastal sediment dynamics; change or interrupt swell within the swell corridor including through the reflection, refraction or diffraction of wave energy; or change the morphology of the foreshore or seabed; and
  - (ii) ~~the effects on access to surf breaks and~~ other qualities and characteristics that contribute to use and enjoyment of surf breaks, ~~including natural character, water quality, and amenity values.~~ <sup>(41) (58)</sup>

## 5.1.5 Coastal hazards and public health and safety

### Policy 20: Avoidance of increasing coastal hazard or public safety risks

Avoid increasing the risk of social, environmental and economic harm from coastal hazards ~~or posing a threat and avoid increased risks~~ <sup>(6) (46)</sup> to public health and safety, or aircraft or navigation safety including by:

- (a) for coastal hazard risk, ensuring:
  - (i) where appropriate, the design, placement, and long-term efficiency and use of structures, reclamations or works take into account dynamic coastal processes, including the expected effects of tsunami, climate change and sea level rise, assessed over at least a 100 year time frame;
  - (ii) activities that involve disturbance, deposition or extraction do not remove or interact with such quantities of sediment from the onshore-offshore or



longshore drift systems as to materially increase the rate of coastal erosion; and

- (iii) structures and reclamations are designed and managed to avoid or remedy erosion and scour as a consequence of the structure, including by reflection, refraction or diffraction of wave energy, and the interaction or interception of sediment; and

(b) for aircraft or navigation safety, and general public health and safety:

- (i) ensuring activities allow the free and safe passage of vessels to and from lawful launching, mooring or berthing areas;
- (ii) separating conflicting recreational and commercial activities;
- (iii) ensuring activities do not adversely affect the functioning of navigation aids;
- (iv) ensuring discharges to air are not hazardous to human health or restrict visibility in accordance with Policy 30;
- (v) requiring structures to be maintained to an appropriate standard;
- (vi) requiring structures to be appropriately located and lit whilst avoiding light emissions that could affect the safe navigation of vessels and aircraft; and
- (vii) enabling the removal of structures in accordance with Policy 38, where they are no longer functional or required, or have been abandoned.

#### Policy 21: Natural hazard defences

Protect, restore and enhance the ability of natural features and systems, including beaches, estuaries, wetlands, intertidal areas, reef systems, coastal vegetation, dunes, coastal cliffs, peninsulas and barrier islands, to provide a natural defence from coastal hazards.

## 5.2 Activity-based policies

This section contains policies specific to particular activities or uses in the **coastal marine area**. The policies provide direction for the use, development or protection of resources, and how the particular activities should be managed.

**The activity-based policies must be considered alongside the general policies and never in isolation. Where a policy in this section is inconsistent with a general policy in 5.1, the general policy takes precedence.**<sup>(57)</sup>

### 5.2.1 Discharges to the coastal marine area

#### Policy 22: Discharge of water or contaminants to coastal waters

Discharges of water or contaminants to water in the coastal marine area ~~will~~ **must**.<sup>(40) (48)</sup>

- (a) be of an acceptable quality with regard to:
  - (i) the sensitivity of the receiving environment and associated uses and values.<sup>(60)</sup>
  - (ii) the nature and concentration of the contaminants to be discharged and the efficacy of waste reduction, treatment and disposal measures;
  - (iii) the capacity of the receiving environment to assimilate the contaminants and achieve the required water quality, taking into account the potential for cumulative or synergetic effects;
- (b) avoid the accumulation of persistent toxic contaminants in the environment;
- (c) adopt the best practicable option for the treatment and discharge.<sup>(47)</sup> to prevent or minimise adverse effects on the environment, having consideration to:
  - (i) discharging contaminants onto or into land above mean high water springs as an alternative to discharging contaminants into coastal waters;
  - (ii) the use of constructed wetlands or other land-based treatment systems as an alternative to discharging directly to water unless there is no other practicable option;
  - (iii) the nature of the discharge and sensitivity of the receiving environment;
  - (iv) the capital, operating and maintenance costs of alternative technical options to reduce the effects of the discharge, the effectiveness and reliability of each option, and the relative benefits to the receiving environment offered by each option; and

- (v) the weighting of costs in proportion to any benefits to the receiving environment offered by each option;
- (d) be required, where appropriate, to reduce adverse environmental effects through a defined programme of works, over an appropriate timeframe,<sup>(47)</sup> set out as a condition of consent for either new resource consents or during a renewal or review process for existing resource consents;
- (e) use the smallest mixing zone necessary to achieve the required water quality in the receiving environment and minimise as far as practicable the adverse effects on the life supporting capacity of water,<sup>(47)</sup> within the mixing zone; and
- (f) avoid, remedy or mitigate adverse effects, after reasonable mixing.

#### **Policy 23: Discharge of untreated human sewage**

Discharges of untreated human sewage to coastal water is not allowed.

#### **Policy 24: Discharge of treated wastewater containing human sewage**

Discharges of treated wastewater containing human sewage to coastal water will only occur where:

- (a) an adequate consideration of alternative methods, disposal locations and routes for the discharge has been undertaken, including land disposal and wetland treatment;
- (b) adequate consultation with tangata whenua has been undertaken so that their values and the effects on those values are understood; and
- (c) there has been consultation with the general community

#### **Policy 25: New discharges of wastewater containing human sewage**

New discharges of treated wastewater containing human sewage must will,<sup>(58)</sup> not occur in the coastal management areas: Outstanding Value, Estuaries Unmodified, Estuaries Modified and Port.

#### **Policy 26: Improving existing wastewater discharges**

Adverse effects of existing wastewater discharges to coastal water will be minimised, and:

- (a) in the case of existing discharges from wastewater treatment plants, the best practicable option will be used to improve water quality and reduce the quantity of discharges; and

- (b) in the case of existing consented wastewater overflows that contain untreated human sewage, including those occurring during or following extreme rainfall events, the frequency and/or volume of discharges should be progressively reduced and eliminated over the course of the existing consent as, in accordance with Policy 23, no further consents will be granted.

#### **Policy 27: Discharge of stormwater**

Discharges of stormwater to the coastal marine area will be appropriately managed by:

- (a) adequate consideration of:
  - (i) the nature of the activities undertaken, and substances stored or used, within the contributing catchment;
  - (ii) the use of source controls to avoid the contamination of stormwater;
  - (iii) the use of measures (~~which may include~~ eing treatment)<sup>(41) (58)</sup> to prevent or minimise contamination of the receiving environment;
  - (iiiA) the location of the discharge in relation to avoiding, remedying or mitigating any adverse environmental effects;<sup>(40) (41) (58)</sup>
  - (iv) the use of design options to reduce the overall volume of stormwater requiring disposal to the coastal marine area, including discharging into or onto land; and
  - (v) integrated management of whole stormwater catchments and stormwater networks where appropriate;
- (b) avoiding, where practicable, and otherwise remedying cross contamination of sewage and stormwater systems; ~~and~~
- (c) ensuring discharge rates and volumes, and outlet structures are designed and managed to avoid, remedy or mitigate erosion and scour; and
- (d) the adoption of the best practicable option for the treatment and discharge of stormwater to the coastal marine area to minimise adverse effects.<sup>(47)</sup>

### Policy 28: Harmful aquatic organisms

The following activities in the coastal marine area will be managed in a way that minimises the risk of introduction or spread of harmful aquatic organisms:

- (a) maintenance (including hull cleaning ~~and scraping~~)<sup>(29)</sup> of structures, movable objects and ships;
- (b) introduction or placement of a structure or installation;
- (c) relocation of equipment or machinery; and
- (d) relocation of stock in the case of aquaculture.

### Policy 29: Impacts from offshore ~~petroleum~~<sup>(6)</sup> drilling and production

Activities associated with ~~petroleum~~<sup>(6)</sup> drilling and production in the coastal marine area must be managed to avoid, remedy or mitigate adverse environmental effects associated with ~~accidental any~~<sup>(40) (41) (58)</sup> discharges by ~~ensuring~~:

- (a) ~~ensuring~~ use of industry best practice drilling, construction and maintenance methods, including the type of mud systems and maintenance and construction materials;
  - ~~(aa) in relation to offshore production activities, adopting adequate separation and buffer distances having regard to the values and sensitivity of the environment;~~<sup>(51)</sup>
- (b) ~~ensuring~~ discharges of fluids from any well do not occur unless specifically authorised;
- (c) ~~ensuring~~ compliance with relevant recognised standards, codes of practice, or regulations; and
- (d) ~~ensuring it~~<sup>(53)</sup> is undertaken in an appropriate manner and location having regard to the values and sensitivity of the environment potentially affected and the degree and significance of effects.

### Policy 30: Discharge of contaminants to air

Discharges of contaminants to air in the coastal marine area must:

- (a) not occur at a volume, concentration or rate, or in such a manner that causes or is likely to cause a hazardous, noxious, dangerous, toxic, offensive or objectionable effect on the environment including human or animal health or the significant restriction of visibility or soiling of property;
- (b) not cause odours that are offensive or objectionable to people on private property or public places of assembly or on their use and enjoyment of the coast; and
- (c) adopt the best practicable option to prevent or minimise adverse effects on the environment by giving consideration to the following:
  - (i) the nature of the discharge;
  - (ii) the sensitivity of the receiving environment;
  - (iii) the capital, operating and maintenance costs of relative technical options to reduce the effects of the discharge, the effectiveness and reliability of each option, and the relative benefits to the receiving environment offered by each option; and
  - (iv) the weighting of costs in proportion to any benefits to the receiving environment offered by each option.

## 5.2.2 Coastal structures and occupation of space in the coastal marine area

### Policy 31: Structures that support safe public access and use, or public or environmental benefit

~~Allow S~~structures in appropriate locations ~~will be allowed for~~,<sup>(26)</sup> subject to the appropriate management of adverse effects, where the structure is to provide for:

- (a) public access and use of the coastal marine area, including for traditional uses and cultural or recreational activities (excluding whitebait stands);
- (b) public health and safety, including navigational aids;
- (c) scientific or educational study or research; and
- (d) the efficient operation of nationally and regionally important infrastructure.

### Policy 32: Placement of structures

Structures placed in the coastal marine area:

- (a) must generally be limited to those that have a functional need or technical, operational and/or locational requirement <sup>(26) (47)</sup> to be located in the coastal marine area and that do not cause duplication of a function for which existing structures or facilities are adequate;
- (b) must not be located in Parininihi Marine Reserve, Ngā Motu/Sugar Loaf Islands Marine Protected Area and Tapuae Marine Reserve identified in Schedule 1 apart from boundary marker buoys or temporary structures associated with scientific or educational study or research;
- (c) should be placed in an appropriate location with consideration given to the sensitivity of the environment;
- (d) must be designed, located and managed so as to avoid, remedy or mitigate:
  - (i) any increase in coastal hazard risk including increased rates of erosion or accretion;
  - (ii) settlement or loss of foundation material;
  - (iii) movement or dislodgement of individual structural elements; and
  - (iv) adverse effects on the environment and associated uses and values, including cumulative effects;
- (e) should be made available for public or multiple use where it will not conflict with operational or safety requirements; and
- (f) where appropriate, should be made of, or finished with, materials that are visually and aesthetically compatible with minimise effects on the natural character and visual amenity of <sup>(37)</sup> the adjoining coast.

### Policy 33: Hard protection structures in coastal areas of outstanding value

Hard protection structures located within the coastal management area – Outstanding Value (identified in Schedule 2) must not have an adverse effect on the values and characteristics identified in Schedule 2 that contribute to an area having outstanding value, in accordance with Policy 8.

### Policy 34: Appropriateness of hard protection structures

Hard protection structures are discouraged and the use of alternatives promoted, ~~whilst recognising that hard protection structures may be the only practical means to protect existing nationally and regionally important infrastructure.~~ <sup>(47)</sup>

Appropriateness of hard protection structures must be assessed by the provision of evidence that demonstrates:

- (a) an adequate consideration of alternative methods to hard protection structures including non-intervention, natural defences in accordance with Policy 21, 'soft' protection options such as beach re-nourishment and planting, and the relocation or removal of existing development or structures at risk;
- (b) the levels of risk and any likely increase in disaster or risk potential over at least a 100 year time frame;
- (c) the national and regional importance of existing infrastructure, use or value at threat;
- (d) the costs and benefits to people and the community;
- (e) that hard protection structures to protect private assets are not located on public land unless there is a significant public or environmental benefit from doing so;
- (f) the works have been designed by a suitably qualified and experienced professional; and
- (g) the degree and significance of actual or potential adverse effects on the environment including consideration of:
  - (i) cumulative effects;
  - (ii) the sensitivity of the environment; and
  - (iii) the efficacy of measures to avoid, remedy or mitigate such effects.

### Policy 35: Temporary hard protection structures

Temporary hard protection structures with a duration of less than five years may be allowed provided that:

- (a) the protection is temporary in order to provide time to prepare and implement a plan to remove or reduce coastal hazard risk through approaches that do not involve a further hard protection structure;
- (b) the proposed structure is removable; and

- (c) ~~no permanent any~~ adverse effects on the environment ~~will result resulting~~ from the placement, use and removal of the structure, will be less than minor and transitional. <sup>(60)</sup>

**Policy 36: Maintenance, ~~repair~~, replacement and minor alteration of existing structures**

Maintenance, ~~repair~~, replacement and minor alteration of existing lawful structures and reclamations will be allowed in order to:

- (a) in order to: <sup>(43)</sup>
- (i) enable compliance with applicable standards and codes;
  - (ii) ensure structural integrity;
  - (iii) maintain or improve efficiency; or
  - (iv) address health and safety or navigational safety issues; and
- (b) where it does not increase the scale or significance of the adverse effects of the activity or structure; and
- (c) subject to the appropriate management of adverse effects. <sup>(43)</sup>

**Policy 37: Major alteration or extension of existing structures**

~~Major a~~Alteration or extension of existing lawful structures, including major alterations or extensions, <sup>(45) (46)</sup> will be allowed in locations where the activity will not have significant adverse effects on other lawfully established structures or <sup>(43)</sup> uses and values and must:

- (a) result in greater, more efficient, or multiple use of the structure for marine activities; or
- (b) reduce the need for a new structure elsewhere.

**Policy 38: Removal of coastal structures**

Decommissioning and removal of any new structure will must <sup>(58)</sup> be planned for as part of the initial design and installation.

~~Structures will be removed from the coastal marine area at the expiry of their authorisations or at the end of their useful lives, unless Applications to abandon material in situ or elsewhere in the coastal marine area may be made if~~ <sup>(38)</sup> one or more of the following applies:

- (a) removal of the structure would cause greater adverse effects on the environment than leaving it in place;

- (b) the structure is an integral part of an historic heritage site or landscape; ~~or~~
- (c) the structure, or part of the structure, is permanent <sup>(32)</sup> or has reuse value that is considered appropriate in accordance with Policy 5;
- (d) the removal of the structure poses unreasonable costs or is technically unfeasible; or
- (e) the removal of the structure poses unreasonable risk on human health and safety. <sup>(25) (37)</sup>

**Policy 39: Occupation**

Structures and activities occupying space within the common marine and coastal area should be established and operated in a manner that does not unreasonably restrict or prevent other users of the coastal marine area.

Occupation should be avoided in areas where it will have significant adverse effects on public use.

### 5.2.3 Disturbance, deposition and extraction

**Policy 40: Disturbance, deposition and extraction in marine areas with legal protection**

Disturbance of, or deposition on, the foreshore or seabed or the extraction of natural material must not occur in areas managed or held under other Acts for statutory protection (including <sup>(41)</sup> Parininihi Marine Reserve, Ngā Motu/Sugar Loaf Islands Marine Protected Area and Tapuae Marine Reserve identified in Schedule 1) apart from that associated with:

- (a) recreational activities including boating and anchoring;
- (b) scientific or educational study or research; and
- (c) the placement and maintenance of boundary marker buoys.

**Policy 41: Disturbance, deposition or extraction activities that provide public or environmental benefit**

Disturbance, deposition or extraction that is necessary to ~~protect, or maintain the safe and efficient operation of nationally and regionally important infrastructure or~~ provide for public or environmental benefit, including protecting or maintaining the safe and efficient operation of nationally and regionally important infrastructure, will be allowed <sup>(26)</sup>, subject to appropriate management of adverse effects, including:



- (a) maintaining existing navigation channels and access to structures, including maintaining safe navigational depth within Port Taranaki;
- (b) clearing, cutting or realigning stream or river mouths for flood or erosion control purposes;
- (c) restoring, enhancing or protecting natural or historic heritage values;
- (d) deposition of material, including dredging spoil, for beach replenishment;
- (e) clearing the outlet of any lawful stormwater outfall or pipe;
- (f) removal or control of harmful aquatic organisms, pest plants or other exotic plants;
- (g) operating, maintaining, repairing, altering or extending or upgrading <sup>(26)</sup> lawful structures or infrastructure;
- (h) removing hazards to navigation or public health and safety, or installing navigational aids;
- (i) recreational activities, scientific or educational study, or research; and
- (j) small scale extraction that results in a less than minor level of disturbance.

#### Policy 42: Disturbance of the foreshore or seabed

Activities that cause disturbance of the foreshore or seabed must:

- (a) be managed with regard to the sensitivity of the site specific values present;
- (b) avoid significant adverse effects caused by the release of contaminants;
- (c) avoid, remedy or mitigate other adverse effects; and
- (d) ensure that the foreshore or seabed is, as far as practicable, reinstated in a manner that is consistent with the natural character and visual amenity of the area.

#### Policy 43: Port dredging

Maintenance and capital dredging activities for Port Taranaki, including spoil disposal, must be managed in order that:

- (a) uncontaminated sand is deposited in inshore areas in a manner that mitigates the effects of Port Taranaki facilities on natural littoral sediment processes;
- (b) fine particle sediment (silt) and any contaminated sediment is deposited in appropriate offshore spoil disposal areas locations; <sup>(43)</sup>

- (c) best practicable methods and procedures for dredging and depositing contaminated sediments, or dredging in the zone of natural oil seeps, are used so that sediment or contaminant mobilisation and dispersal is minimised as far as practicable; and
- (d) adverse environmental effects are avoided, remedied or mitigated.

#### Policy 44: Extraction or deposition of material

Extraction of sand, shingle, shell and other natural material from the foreshore or seabed, or deposition of material on the foreshore or seabed, not provided for by Policies 39, 40, 41 and 42 43 <sup>(53)</sup> should must; <sup>(43)</sup>

- (a) be undertaken in an appropriate manner and location by having regard to the values and sensitivity of the environment potentially affected and the degree and significance of effects;
- (b) generally not occur in coastal management areas – Outstanding Value, Estuaries Unmodified and Estuaries Modified;
  - (ba) not occur close to moderate or high relief offshore reefs; <sup>(9)</sup>
- (c) have regard to the surface area and volumes of material to be extracted or deposited over the duration of the activity, composition of the material and method of extraction or deposition, and the resulting effects on water quality, sediment quality and ecology;
- (d) where applicable, have regard to the volumes of material to be extracted over the duration of the activity and where appropriate:
  - (i) the natural rate of sediment being deposited over sediment lost from the area where extraction is proposed; and
  - (ii) the interaction of sediment within the extraction site with the nearshore littoral system;
- (e) use methods and engineering controls to minimise adverse effects on the form of the foreshore or seabed, and benthic communities adjacent to the area of extraction or deposition;
- (f) where applicable and appropriate, ensure that the deposited material is of a similar size, sorting and parent material as the receiving sediments; and
- (g) not be for the purpose of disposing spoil from land-based activities unless significant environmental benefit can be demonstrated.

## 5.2.4 Reclamation and drainage

### Policy 45: Appropriateness of reclamation or drainage

~~Allow re~~ Reclamation or drainage of land in the coastal marine area ~~will not be allowed unless where:~~ <sup>(26)</sup>

- (a) land outside the coastal marine area is not available for the proposed activity;
- (b) ~~the activity which requires reclamation or drainage can only occur there is a functional need for the activity to be located~~ <sup>(43)</sup> in or adjacent to the coastal marine area;
- (c) there are no practicable alternative methods of providing for the activity; and
- (d) the activity provides significant public benefit with particular regard to the extent to which the reclamation or drainage and intended purpose would provide for the efficient operation of nationally and regionally important infrastructure including, but not limited to, ports, airports, coastal roads, pipelines, electricity transmission, railways, marinas and electricity generation.

### Policy 46: Design of reclamation

Subject to Policy 45, the design and form of any reclamation of land in the coastal marine area must:

- (a) take into account the potential effects of climate change, including sea level rise, over 100 years;
- (b) as far as reasonably practicable, provide public access to and maintain connectivity along the coastal marine area at high tide, unless a restriction on public access is appropriate in accordance with Policy 17(c); and
- (c) be undertaken in an appropriate manner and location by having regard to the values and sensitivity of the environment potentially affected and the degree and significance of effects.

## 5.2.5 Taking, use, damming and diversion of coastal water, or taking or use of heat or energy from coastal water

### Policy 47: Taking and use of coastal water or taking of heat or energy from coastal water

~~Allow the T~~ Taking and use of coastal water and any taking of heat or energy from coastal water ~~will be allowed provided subject to it is not being taken in a quantity or at a rate and in a manner that avoids, remedies or mitigates that would cause~~ adverse environmental effects. <sup>(33) (53)</sup>

### Policy 48: Damming or diversion of coastal water

Damming or diversion of coastal water should not cause adverse environmental effects.

## 5.2.6 Noise

### Policy 49: Noise and vibration

Noise and vibration from activities undertaken in the coastal marine area, including underwater activities, will be managed to ~~minimise avoid, remedy or mitigate~~ <sup>(60)</sup> adverse environmental effects.

## 6 Methods of implementation

This section contains the methods, in addition to the rules contained in section 8 that will be used to implement the policies of the Plan. Unless the context indicates otherwise, the methods of implementation apply to the coastal environment.

### 6.1 General

1. Provide **advice and information**, including guidelines to coastal users, consent holders and the public:
  - a) to **generally** <sup>(53)</sup> promote awareness of the need for the protection of the natural character of the coastal environment and the importance and values of coastal areas of outstanding value and other coastal areas of value;
    - aa) to promote awareness of the need to consult with any persons likely to be affected by coastal activities, including tangata whenua if their interests are affected, prior to lodging any resource consent application; <sup>(41)</sup>
    - ab) to promote awareness of the natural, cultural, historic, and amenity attributes and values of the coastal environment, including the cultural significance and importance of the coastal and marine environments to Māori and iwi/hapū; <sup>(41)</sup> <sup>(49)</sup>
  - b) to encourage the adoption of practices that avoid or mitigate adverse effects on the coastal environment;
  - c) to encourage the use of industry recognised guidelines or codes of practice that avoid or mitigate adverse effects on the coastal environment;
  - d) to encourage appropriate coastal use, development and protection practices to maintain or enhance coastal values, including public use and enjoyment;
  - e) on siting, design, installation, operation and maintenance systems;
  - f) on procedures to avoid or mitigate adverse effects on the coastal environment; and
  - g) on responsibilities and processes under other legislation, for example, *Fisheries Act 1996*, *Biosecurity Act 1993*, *Reserves Act 1977*, ~~and~~ *Heritage New Zealand Pouhere Taonga Act 2014*, *the Marine Mammal Protection Act 1978*, *Wildlife Act*

*1953 and Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012*. <sup>(43)</sup>

2. Consider the use of other **economic instruments** such as financial contributions, environmental enhancement grant funding and rates relief to maintain or enhance coastal values, including biodiversity values, historical and cultural values, public use and enjoyment, surf breaks (*including the Significant Surfing Area*), <sup>(49)</sup> and natural hazard management.
3. Consider undertaking **works and services** to maintain or enhance coastal values, including biodiversity values, historical and cultural values, recreational use and enjoyment, surf breaks (*including the Significant Surfing Area*), <sup>(49)</sup> and natural hazard management.
4. Maintain a **state of the environment monitoring** programme to monitor the state, trends and pressures relating to the coastal environment and where possible, make this available in easily accessible electronic forms.
5. **Gather or collate information** on the resources and values of the coastal environment of Taranaki.
- 5A *Develop and implement spatial planning to achieve integrated management of the coastal environment, including the identification of sites and places with significant values, and, where appropriate, make this publicly available.* <sup>(55)</sup> <sup>(56)</sup> <sup>(61)</sup>
6. Develop and implement a monitoring, review and reporting programme to assess the **effectiveness and efficiency of the Plan**, including whether the objectives have been achieved.
7. Support, as and when appropriate, **research and investigation** into coastal management.

### 6.2 Management of the coastal environment

8. **Implement Plan** objectives, policies and methods of implementation that recognise different coastal processes, values, and uses, and which allow, regulate or prohibit activities in the following coastal management areas:
  - a) Outstanding Value
  - b) Estuaries Unmodified

- c) Estuaries Modified
- d) Open Coast
- e) Port.

8A Implement Plan objectives, policies and methods of implementation that allow, regulate or prohibit activities in locations, areas or places with significant values in a manner that avoids, remedies or mitigates adverse effects on:

- a) infrastructure of regional importance
  - b) natural character and natural features and landscapes
  - c) indigenous biodiversity
  - d) historic heritage, including sites of significance to Maori
  - e) amenity values, including surf breaks. <sup>(43)</sup>
9. **Advocate** to and liaise with territorial authorities to promote alignment and consistency, where appropriate, between the Plan and district plans.
10. **Advocate** to relevant sector and industry groups, territorial authorities, and government departments and agencies for the adoption of policies, strategies or programmes to assist in the implementation of the objectives, policies and methods of the Plan.
11. Consider in accordance with section 33 of the RMA the **transfer of functions** that other agencies could carry out more efficiently, effectively and appropriately.

## 6.3 Use and development of resources

12. Implement Plan objectives, policies and methods of implementation that **recognise and provide for appropriate use and development** in the coastal environment.

## 6.4 Natural heritage

13. **Participate** as appropriate, in central government planning for a network of marine protected areas around New Zealand.
14. **Advocate** when appropriate, to relevant agencies, to protect significant indigenous biodiversity, including <sup>(29)</sup> the establishment of marine protected areas including marine reserves to preserve the natural character of the coastal environment.
15. Assist, when appropriate, with the **integrated management** of marine protected areas.

16. Maintain and update GIS **databases** of all known coastal sites with regionally significant values that identify their values, including the presence of any threatened or regionally distinctive species and sites of high cultural, spiritual and historical significance.
17. Prepare **biodiversity plans** for coastal sites with regionally significant indigenous biodiversity values and work with landowners, tangata whenua and care groups to implement these plans.
18. Provide **environmental enhancement grants** and general advice to support the active protection of biodiversity in Taranaki, including coastal habitats for threatened or regionally distinctive native flora and fauna.
19. Promote active restoration of sand dunes and coastal herb fields, wetlands and forests through working with landowners and mana whenua <sup>(60)</sup> and providing **advice and funding** for planting, weed and pest control and other related matters.
20. Encourage **legal protection** of sand dunes and coastal herb fields, wetlands and forests with significant indigenous biodiversity values.

## 6.5 Historic and cultural <sup>(61)</sup> heritage

21. **Advocate** to:
- a) Heritage New Zealand, New Zealand Archaeological Association, Department of Conservation, local territorial authorities, and iwi to maintain and regularly update databases and records of historic heritage; and
  - b) relevant agencies the use of other legislation (such as the *Conservation Act 1987*, *National Parks Act 1980*, *Reserves Act 1977*, *Queen Elizabeth II National Trust Act 1977* and the *Heritage New Zealand Pouhere Taonga Act 2014*), for the purpose of identifying and protecting the region's historic heritage values.
22. Actively support, as and when appropriate, **surveys, research and investigation** into identifying historic heritage in the region.
23. Protect, through both the Plan and **resource consent processes**, spiritual and cultural values, traditional uses and practices, and economic well-being of tangata whenua.

24. **Support and assist** iwi ~~as appropriate, with their~~ **to identify sites and places of special cultural and traditional value associated with the coastal environment, including the** <sup>(41)</sup> identification of wāhi tapu, **wāhi taonga** <sup>(42)</sup> and other taonga through the development of electronic wāhi tapu inventories, registers or 'silent files'.
25. Consider **iwi involvement or partnerships** in Taranaki Regional Council resource investigations and projects, ~~including developing iwi and Council databases and records that identify sites and places of special cultural and traditional value~~ <sup>(42)</sup> associated with the coastal environment.
26. Provide **technical assistance and advice** in preparing iwi planning documents and consider financial or other support for preparing such documents.
27. Provide advice and information to generally **promote awareness** of wāhi tapu, **wāhi taonga** <sup>(42)</sup> and other taonga and the importance and values of such sites and values.
28. Through both the Plan and resource consent processes, have regard to **statutory acknowledgements**, take into account any relevant **planning document** recognised by an iwi authority and lodged with the Council, and recognise and provide for foreshore and seabed reserve management plans in preparing regional policies and plans.
29. Protect **sensitive information** about the location and nature of wāhi tapu in the consent and hearing process through public exclusion and restrictions on the release of this information.
30. Work with iwi authorities to develop **memoranda of understanding** that establish and maintain an effective working relationship between the Taranaki Regional Council and iwi.
31. Provide opportunities for **tangata whenua to be represented** on the Taranaki Regional Council's Policy and Planning Committee, the Consents and Regulatory Committee and other committees arising out of Treaty of Waitangi settlements.

## 6.6 Public use and enjoyment

32. As appropriate, require new or renewed **resource consents** for the use or development of the coastal marine area to include a condition addressing public access.

33. **Advocate** to territorial authorities the establishment of public access to and along the coast, through esplanade reserves, esplanade strips or access strips following subdivision, or through other means, as appropriate.
34. **Investigate** ~~E~~**establishing** a working group that includes relevant agencies, landowners, iwi and interest groups to protect and enhance the recreational values of the **Significant Surfing Area** as described in Schedule 7B. <sup>(50)</sup>
35. **Promote** the enhancement of public access to and along the coast through agreements or covenants with landowners under the *Walking Access Act 2008*, the *Reserves Act 1977*, ~~the Queen Elizabeth the Second National Trust Act 1977~~, <sup>(42)</sup> or through the voluntary creation of esplanade strips under the RMA.
36. Provide **information and technical assistance** to persons and communities wishing to carry out activities to enhance public access to and along the coastal environment.

## 6.7 Coastal hazards and public health and safety

37. Develop and maintain **hazard information**, including coastal hazards, in partnership with territorial authorities.
38. Provide **advice and information** to resource users and the public on:
  - a) natural coastal processes and hazards;
  - b) the possibility of sea level rise; and
  - c) ways in which individuals and communities can prepare or make adjustments to reduce their susceptibility to natural coastal hazard events.
39. Encourage and support moves by territorial authorities to **restrict vehicle access** in coastal areas where the safety of other beach users is threatened by inappropriate use of vehicles on beaches.
40. Set speed and **navigation safety** controls under the *Navigation Bylaws for Port Taranaki and its Approaches 2009*, and any subsequent bylaws, to promote the safety of all users of the coastal marine area within the gazetted harbour limits of Port Taranaki.
41. Apply **height restrictions** to give effect to New Plymouth Airport flight path protection surfaces in Section 8.6.1 and Appendix 3 of this Plan. In particular:
  - a) controlled activities for placement of structures will not breach the airport flight path protection surfaces; and



- b) no application to carry out a discretionary activity will be granted if that activity involves a structure that would breach the airport flight path protection surfaces.
42. **Notify** Maritime New Zealand and [the Hydrographic Office of the Royal New Zealand Navy Land Information New Zealand](#) <sup>(53)</sup> when a coastal permit is granted for a new structure or other harbour work and when that structure or work is completed.

## 6.8 Coastal water and air quality

43. **Promote** industrial, domestic, and agricultural discharge and treatment systems, siting, design, installation, operation and maintenance procedures to avoid or mitigate adverse effects on coastal water or air quality.
44. Provide technical advice and information on:
- a) discharge and treatment system design and their efficient application;
  - b) urban development activities and the development and re-contouring of land; and
  - c) sustainable land management practices that avoid or reduce contamination of coastal water.
45. Undertake **compliance monitoring** of authorised industrial, domestic, and agricultural discharges to water and air in the coastal marine area.
46. Through the **Taranaki Riparian Management Programme**, support rural landowners to reduce diffuse source discharges of contaminants to water by:
- a) preparing riparian plans;
  - b) providing native plants for riparian management purposes at the lowest possible cost; and
  - c) providing ongoing advice and support to plan holders.
47. **Notify** the Medical Officer of Health for Taranaki and the relevant territorial authority if water quality shows that coastal water is unfit for contact recreation or gathering of shellfish for human consumption. [The Taranaki Regional Council will also conduct an investigation to determine the cause of the poor water quality if it is practicable.](#) <sup>(48)</sup>
48. Advocate or encourage, as appropriate:

- a) the provision of facilities for the collection of litter and on-board waste by operators of launching, mooring and berthing facilities;
- b) the provision of areas on dry land, by operators of launching, mooring and berthing facilities, for the maintenance and cleaning of vessels so that waste does not escape into coastal water;
- c) the undertaking of activities by ship operators and owners of offshore installation in a manner that will avoid or mitigate the effects of discharges of contaminants to water or air the coastal marine area;
- d) the following of Ministry of Primary Industries' border protection guidelines on the exchange of ballast water to avoid the release of harmful marine organisms into New Zealand waters by ship operators; and
- e) the uptake of the *Australia and New Zealand Anti-fouling and In-water Cleaning Guidelines 2013* on the in-water cleaning and anti-fouling of vessels and moveable structures to avoid the release of harmful marine organisms into New Zealand waters.

## 6.9 Coastal structures and occupation, disturbance, and reclamation

49. Prepare and implement the Waitara and Lower Waiwhakaiho **flood protection schemes, works and activities** within the coastal environment to minimise the risk of flooding.
50. Maintain the **Regional Marine Oil Spill Response Plan** under the *Maritime Transport Act 1994* and provide adequate resources and training for emergency responders to ensure an effective response to an oil spill in the coastal marine area.

## 6.10 Noise

51. **Consideration** of the general standards in this Plan, and of *New Zealand Standards NZS 6802:2008 Acoustics - Environmental noise* and *NZS 6803: 1999 Acoustics - Construction Noise* when:
- a) considering applications for coastal permits; or
  - b) determining whether noise levels are [excessive in breach](#) <sup>(43)</sup> for the purpose of enforcement action under Part 126 <sup>(53)</sup> of the RMA.

## 7 Reader's guide to the rules

*This section provides a reader's guide explaining how the rules (in section 8) are formatted and arranged in the Plan, including an explanation to assist in rule interpretation and application.*

### 7.1 Arrangement of rules

The regional rules are broadly grouped into five categories that reflect the use of the coastal marine area. The five categories are:

- Discharges to the coastal marine area
- Coastal structures and occupation of space in the coastal marine area
- Disturbance, deposition and extraction
- Reclamation or drainage
- Taking or use of water, heat or energy.

### 7.2 How the rules table are formatted

The rules in the Plan are arranged in tables. Each table has seven columns headed:

- Activity
- Rule
- Coastal management area
- Classification
- Standards/terms/conditions
- Control/ notification
- Policy reference.

The table below provides an explanation of the matters covered in the columns of a rules table.

Definitions for many of the terms used in the rules are provided at the back of the Plan.

Note: The rules within this Plan do not address activities that are regulated by the *Resource Management (Marine Pollution) Regulations 1998* (Appendix 5).

## 7.3 Guide to the rules table

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
This column specifies the activity or activities covered by the rule.	This column contains the rule number, for reference purposes.	This column identifies which coastal management area(s) the rule applies to.	This column contains the classification of the activity – i.e. permitted, controlled, discretionary, non-complying or prohibited.	<p>This column contains conditions, standards and terms for permitted activities, and controlled activities.</p> <p>The conditions, standards and terms are ongoing requirements that must be met for as long as the activity is undertaken. Failure to comply with these conditions, standards and terms is a breach of the rule.</p> <p><b>Note <u>all</u> conditions, standards and terms in this column must be met to comply with the rule.</b></p>	<p>This column is relevant to controlled activities only.</p> <p>For controlled activities, this column contains the matters over which the Taranaki Regional Council has reserved its control.</p> <p>If the column is blank, one of three situations applies:</p> <ol style="list-style-type: none"> <li>the activity is a permitted activity, and by definition no control or discretion can be reserved;</li> <li>the activity is a prohibited activity, and by definition no control or discretion can be reserved; or</li> <li>the activity is a discretionary or non-complying activity over which the Taranaki Regional Council has retained full discretion, which will be exercised in accordance with the objectives and policies of the Plan and the matters to be considered in section 104 of the Act.</li> </ol> <p>This column also includes any statements about notification. If the column is 'silent' on notification, the default provisions of the RMA apply in terms of whether notification is, or is not, required.</p>	<p>This column provides a cross-reference to the key policies in Section 5 of the Plan that the rule implements.</p> <p>All general policies plus the relevant activity specific policies will be considered by the Council when deciding on a resource consent application and the conditions that may be placed on the consent if granted.</p>

Note:

1. Permission may also be required from the relevant territorial council.
2. Notes and cross-references are included for information purposes only and do not form part of the rules. Nor should they be considered a complete list.

## 7.4 Guide for consent applicants

The steps below set out how to find out whether or not an activity is regulated by the Plan, and if so, whether a resource consent is needed from the Taranaki Regional Council. The rules referred to can be found in section 8 of the Plan on pages 48 to 88.

**Step One:** Determine whether the activity involves:

- discharges to the coastal marine area (rules 1–17)
- coastal structures and occupation of space in the coastal marine area (rules 18–50)
- disturbance, deposition and extraction (rules 51–61)
- reclamation or drainage (refer to rules 62–64)
- taking or use of water, heat or energy (rules 65–66).

**Step Two:** If so, further determine where the activity occurs. The activity will be located within one or more of the five coastal management areas mapped in Schedule 1. Rules only apply to the coastal management areas listed.

**Step Three:** Having identified the relevant rule(s) based upon activity and location, refer to the classification of the activity under that rule. (Note: if the 'activity' is made up of several parts, several rules and classifications may apply):

- if it is permitted, the activity can be carried out without obtaining a resource consent, provided the permitted activity standards are met
- if it is controlled, a resource consent is needed and the Taranaki Regional Council will grant the consent if the controlled activity standards and terms are met
- if it is restricted discretionary, a resource consent is needed, and the Council will decide whether or not to grant the consent. However, in deciding whether or not to grant the consent, the Council's exercising of discretion is restricted to the list of matters specified in the 'discretion/notification' column of the rule
- if it is discretionary, a resource consent is needed, and the Council will decide whether or not to grant the consent having regard to the relevant matters in section 104 of the RMA

- if it is non-complying, a resource consent is needed. The Council cannot grant a consent unless the effects of the activity are minor or the activity will not be contrary to the objectives and policies of the Plan. Even if this test is satisfied, the Council retains discretion to grant or refuse a consent for the activity, having regard to the relevant matters in section 104 of the RMA
- if it is prohibited, the activity cannot proceed, and no resource consent can be applied for.

Figure 5 on the following page shows a simplified version of how the activity classifications work. Neither this diagram nor this discussion can be treated as a substitute for the provisions of the RMA.

**Step Four:** If any part or parts of the activity require a resource consent:

- check the policies referenced in the Rule Tables to find out which effects are of concern; and
- prepare a document that describes the assessment of effects on the environment; and
- make your resource consent application(s) to the Taranaki Regional Council, and include the assessment of effects on the environment and any other information required.

You are encouraged to consult with any persons likely to be affected by your activity, including tangata whenua if their interests are affected, prior to lodging your resource consent application.

**Step Five:** If in doubt, particularly regarding the information requirements of Step Four above, or the classification of your activity, telephone the Consents Section of the Taranaki Regional Council on (06) 765 7127.



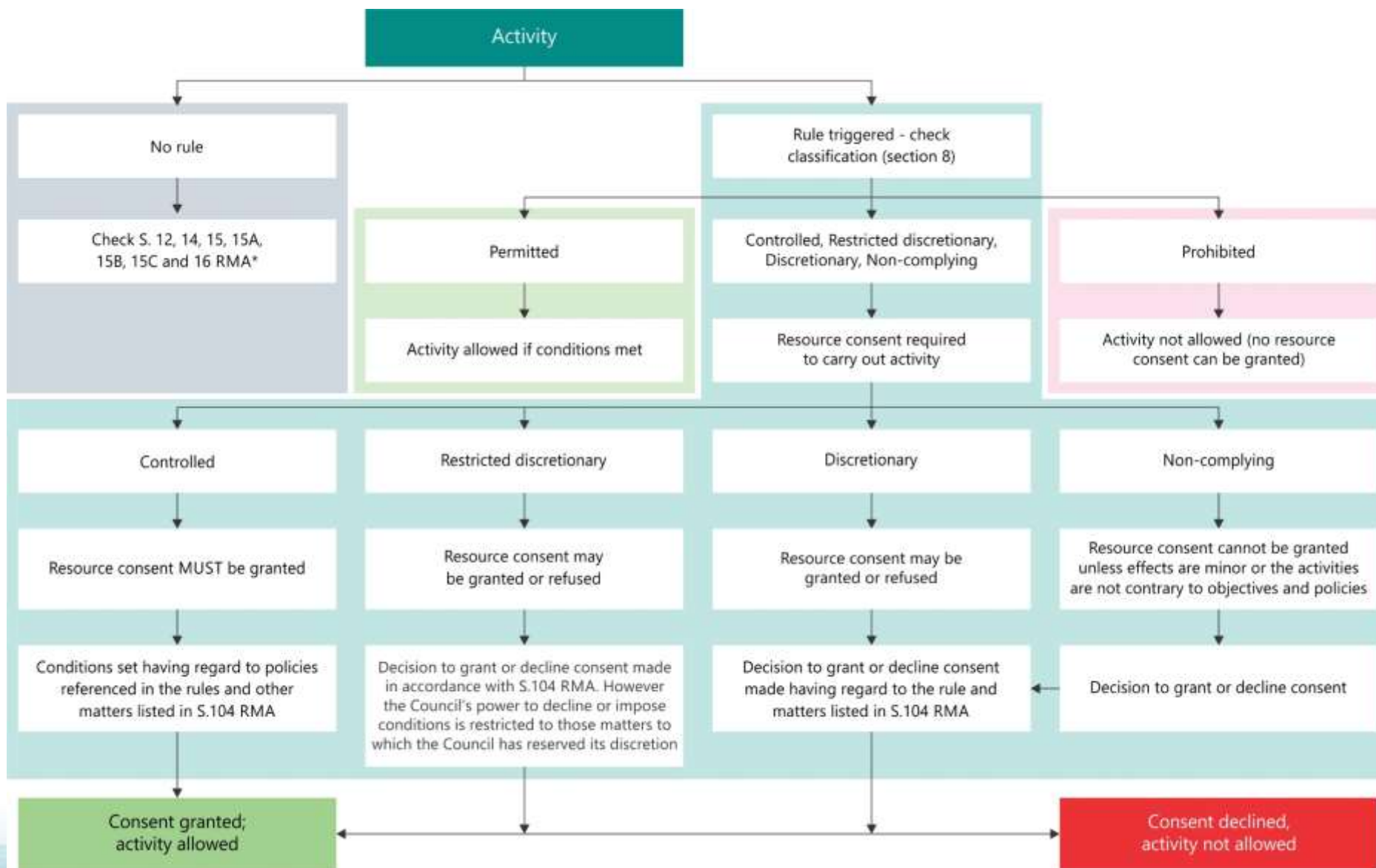


Figure 5: Guide for consent applicants.



## 8 Regional rules

*This section sets out the rules for the Plan.*

### Index to rules

The table below provides an index of activities covered in the rules – including reference to the relevant rule number and hyperlink to the rule.

Activity		Rule number and hyperlink
<b>Discharges</b>	Stormwater discharges	<a href="#">1-3</a>
	Petroleum dispersant use	<a href="#">4</a>
	Untreated human sewage discharges	<a href="#">5</a>
	Wastewater treatment plant discharges	<a href="#">6-8</a>
	Sampling and cleaning biofouling	<a href="#">9-10</a>
	Abrasive blasting discharges	<a href="#">11</a>
	Seismic surveying and bathymetric testing	<a href="#">12</a>
	Other discharges to water or land not provided for in Rules 1 - 12	<a href="#">13-14</a>
	Storage or transfer of cargo materials within the Port Air Zone	<a href="#">15-16</a>
	Other discharges to air not provided for in Rules 15 and 16	<a href="#">17</a>
<b>Structures and occupation</b>	Outfall structure placement	<a href="#">18</a>
	Mooring structure placement	<a href="#">19-20</a>
	Navigation aid erection or placement	<a href="#">21</a>
	Network utility structure erection or placement	<a href="#">22</a>
	Port launching, mooring or berthing structure erection or placement	<a href="#">23</a>

Activity	Rule number and hyperlink
	Structure used for whitebaiting <a href="#">24</a>
	Hard protection structure erection or placement <a href="#">25</a>
	Exploration or appraisal well drilling <a href="#">26 - 28</a>
	Petroleum production installation erection or placement <a href="#">29 - 30</a>
	Temporary military training <a href="#">31 - 32</a>
	Other structure erection or placement not provided for in Rules 18 to 32 <a href="#">33 - 34</a>
	Structure maintenance, repair or minor alteration <a href="#">35</a>
	Hard protection structure repair, alteration, extension or removal and replacement <a href="#">36</a>
	Network utility structure repair, alteration or extension <a href="#">37</a>
	Structure removal and replacement <a href="#">38</a>
	Port wharves or breakwaters and attached structure, maintenance, repair or alteration <a href="#">39 - 40</a>
	Port launching mooring or berthing structure repair, alteration or extension <a href="#">41</a>
	Other structure repair, alteration, extension or removal and replacement that is not provided for in Rules 35 - 41 <a href="#">42 - 43</a>
	Structure removal or demolition <a href="#">44 - 46</a>
	Community, recreational or sporting activity <a href="#">47</a>
	Continued occupation <a href="#">48 - 49</a>
	Other occupation that is not provided for in Rules 47 to 49 <a href="#">50</a>
<b>Disturbance, deposition and extraction</b>	Clearance of outfalls, culverts and intake structures <a href="#">51</a>
	Collection of benthic grab samples <a href="#">52</a>
	Minor disturbance and removal <a href="#">53</a>
	Burial of dead animals <a href="#">54</a>

Activity		Rule number and hyperlink
	Dredging and spoil disposal	<a href="#">55 - 56</a>
	Beach replenishment	<a href="#">57</a>
	Introduction of exotic plants	<a href="#">58 - 59</a>
	Other disturbance, damage, destruction, removal or deposition that is not provided for in Rules 51 - 59	<a href="#">60 - 61</a>
Reclamation or drainage	Erosion control or flood control involving reclamation and draining within areas of outstanding coastal value and unmodified estuaries	<a href="#">62</a>
	Other reclamation or drainage that is not provided for in Rule 62	<a href="#">63 - 64</a>
Taking or use	Taking or use of water heat or energy	<a href="#">65 - 66</a>





## 8.1 Discharges

### Water discharges

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<u>Discharge of water on the foreshore, seabed or into waters of the coastal marine area and any associated disturbance of the foreshore or seabed.</u>	1A	<u>Outstanding Value</u> <u>Estuaries Unmodified</u> <u>Estuaries Modified</u> <u>Open Coast</u> <u>Port</u>	<u>Permitted</u>	(a) <u>the discharge is unchanged, by intent or omission, from its previous state prevailing when previously abstracted for use;</u> (b) <u>the discharge does not result in permanent physical damage to the foreshore and seabed; and</u> (c) <u>there is no significant change to the salinity of the receiving environment after reasonable mixing.</u> <sup>(33)</sup>		



## Stormwater discharges

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Stormwater discharge into water or onto land in the coastal marine area that either:</p> <p>(a) does not convey stormwater from any industrial or trade premises <a href="#">including the Port</a>, or</p> <p>(b) conveys stormwater from industrial or trade premises that:</p> <p>(i) cover a total area of 2 ha or less; and</p> <p>(ii) do not use or store hazardous substances <a href="#">in quantities or of a type that exceed any of the hazardous property threshold values identified in Schedule 8AA</a></p> <p><a href="#">and any associated disturbance of the foreshore or seabed.</a> <sup>(53)</sup></p> <p><i>Note (1): Discharge of stormwater into a district council managed stormwater system is a discharge to land outside the CMA and an assessment for consent requirement should be made under the Freshwater Plan not this Rule.</i></p> <p><i>Note (2): If the activity does not meet the standards, terms and conditions in this Rule refer to Rule 2 or Rule 3 depending on the coastal management area involved.</i></p>	1	<p>Outstanding Value</p> <p>Estuaries Unmodified</p> <p>Estuaries Modified</p> <p>Open Coast</p>	Permitted	<p>(a) the discharge does not cause any scouring or erosion beyond the point of discharge;</p> <p>(b) the discharge does not contain wastewater;</p> <p>(c) the discharge does not contain stormwater from the Port;</p> <p>(d) the discharge does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4A [significant species and ecosystems];</p> <p>(e) the discharge does not have an adverse effect on the values associated with historic heritage identified in Schedule 5 [Historic heritage];</p> <p><a href="#">(ee) the discharge does not have an adverse effect on the taonga species identified in Schedule 4CC [Taonga species];</a> <sup>(61)</sup></p> <p>(f) the discharge does not result in the production of conspicuous oil or grease films or result in change in colour or visual clarity within the receiving environment after reasonable mixing;</p> <p>(g) the discharge does not emit an objectionable odour;</p> <p>(h) the discharge does not adversely affect the suitability of the receiving water for bathing after reasonable mixing;</p> <p>(i) the discharge does not render marine organisms unsuitable for human consumption <a href="#">within recognised mātaītai reefs/resources;</a> <sup>(40) (58)</sup></p> <p>(j) there are no undesirable biological growths as a result of the discharge; and</p> <p>(k) the discharge does not cause the natural temperature to be changed by more than three degrees from normal seasonal water temperature fluctuations, after reasonable mixing.</p>		

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Stormwater discharge into water or onto land in the coastal marine area that does not come within or comply with Rule 1, <a href="#">and any associated disturbance of the foreshore or seabed.</a><sup>(53)</sup></p> <p><i>Note (1): Discharge of stormwater into a district council managed stormwater system is a discharge to land outside the CMA and an assessment for consent requirement should be made under the Freshwater Plan not this Rule.</i></p> <p><i>Note (2): Discharge of stormwater from a district council managed stormwater network into water or onto land in the CMA that does not comply with Rule 1 requires a coastal permit under either this Rule or Rule 3 depending on the coastal management area involved.</i></p>	2	Open Coast Port	Discretionary			General Policies 1 to 21 and Activity-based policies 22, 27
<p>Stormwater discharge into water or onto land in the coastal marine area that does not come within or comply with Rule 1, <a href="#">and any associated disturbance of the foreshore or seabed.</a><sup>(53)</sup></p> <p><i>Note (1): Discharge of stormwater into a district council managed stormwater system is a discharge to land outside the CMA and an assessment for consent requirement should be made under the Freshwater Plan not this Rule.</i></p> <p><i>Note (2): Discharge of stormwater from a district council managed stormwater network into water or onto land in the CMA that does not comply with Rule 1 requires a coastal permit under either this Rule or Rule 2 depending on the coastal management area involved.</i></p>	3	Outstanding Value Estuaries Unmodified Estuaries Modified	Non-complying			General Policies 1 to 21 and Activity-based Policies 22,27



## Petroleum dispersant use

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Petroleum dispersant discharge into water or onto land in the coastal marine area in the event of a natural marine oil seep resulting from capital dredging.</p> <p><i>Note: Excludes dispersant use regulated by the Resource Management (Marine Pollution) Regulations 1998 (Appendix 5).</i></p>	4	Port	Permitted	<p>(a) discharge is of a petroleum dispersant approved for use in marine oil spills by Maritime New Zealand;</p> <p>(b) dispersant is applied at the rates and by the methods recommended by the manufacturer; and</p> <p>(c) Taranaki Regional Council is informed of dispersant use within 24 hours by entering details of the activity at <a href="http://www.trc.govt.nz/informcouncil">www.trc.govt.nz/informcouncil</a>.</p>		

## Untreated human sewage discharges

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Untreated human sewage discharge into water or onto land in the coastal marine area;</p> <p>excluding sewage discharges regulated by the Resource Management (Marine Pollution) Regulations 1998 (Appendix 5).</p> <p><i>Note: this rule does not apply to discharges from ships.</i> <sup>(53)</sup></p>	5	<p>Outstanding Value</p> <p>Estuaries Unmodified</p> <p>Estuaries Modified</p> <p>Open Coast</p> <p>Port</p>	Prohibited			

## Wastewater treatment plant discharges

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Continuation of existing wastewater discharge that contains treated human sewage, into water or onto land in the coastal marine area after its consent expires;</p> <p>excluding sewage discharges regulated by the <i>Resource Management (Marine Pollution) Regulations 1998</i> (Appendix 5).</p> <p><i>Note: At the time this Plan was drafted there were three existing lawfully authorised wastewater discharges containing treated human sewage, the New Plymouth discharge through the outfall at Waiwhakaiho, the Patea discharge into the Patea estuary and the Hāwera treatment plant discharge to the coastal outfall near Hāwera.</i></p>	6	Estuaries Modified Open Coast	Discretionary			General Policies 1 to 21 And Activity-based Policies 22, 24, 26,
<p>New wastewater discharge that contains treated human sewage, into water or onto land in the coastal marine area;</p> <p>excluding sewage discharges regulated by the <i>Resource Management (Marine Pollution) Regulations 1998</i> (Appendix 5).</p> <p><i>Note: For a new wastewater discharge that does not contain human sewage refer to Rule 13.</i></p>	7	Open Coast	Discretionary			General Policies 1 to 21 And Activity-based Policies 22, 25,

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>New wastewater discharge that contains treated human sewage, into water or onto land in the coastal marine area; excluding sewage discharges regulated by the <i>Resource Management (Marine Pollution) Regulations 1998</i> (Appendix 5).</p> <p><i>Note: For a new wastewater discharge that does not contain human sewage refer to either Rule 12 or Rule 13 depending on the Coastal Management Area involved.</i></p>	8	Outstanding Value Estuaries Unmodified Estuaries Modified Port	Prohibited			



**Sampling and In-water<sup>(16)</sup> cleaning of biofouling**

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p><u>Sampling, scraping and/or cleaning of biofouling In-water cleaning of biofouling from</u> the part of a ship, moveable object or navigation aid that is normally below the water surface, <u>involving the discharge of a substance resulting in the discharge of a biological contaminant<sup>(16)</sup></u> into water in the coastal marine area</p> <p><u>And including<sup>(63)</sup></u> any associated:</p> <p>(a) deposition on the foreshore or seabed.</p> <p>Notes:</p> <ol style="list-style-type: none"> <li>If the activity does not meet the standards, terms and conditions in this Rule refer to Rule 13.</li> <li><u>For the purposes of this rule, further guidance is provided in the Anti-fouling and In-water Cleaning Guidelines (June 2013).</u></li> <li><u>International vessels arriving into New Zealand waters have additional obligations under the Craft Risk Management Standard: Biofouling on Vessels Arriving to New Zealand (May 2014).<sup>(16)</sup></u></li> </ol>	9	Port	Permitted	<p>(a) the anti-foul coating on the vessel has not exceeded its planned service life, as specified by the manufacturer, and the cleaning method is undertaken in accordance with the manufacturer's recommendations;</p> <p><del>(b) where the ship, moveable object or navigation aid has travelled outside of the Taranaki coastal marine area since it was last cleaned, the cleaning or treatment method captures any biological material greater than 50µm in diameter that is released into the water column and this material is disposed of on land; and</del></p> <p><del>(c) the Ministry for Primary Industries, or subsequent replacement Ministry, is advised immediately if a suspected invasive or non-indigenous aquatic species is encountered.</del></p> <p>(b) <u>macrofouling (other than goose barnacles) coverage on the ship, moveable structure or navigational aid is less than or equal to 2 on the Level of Fouling rank (Floerl et al (2005));<sup>4</sup></u></p> <p>(c) <u>all biological material that cannot pass through a 50 micron sieve that is dislodged during cleaning (other than goose barnacles) is captured and disposed of at an approved landfill; and</u></p> <p>(d) <u>if any person undertaking or responsible for the cleaning, suspects that harmful or unusual aquatic species (including species designated as unwanted organisms or pest species under the Biosecurity Act 1993) are present on the ship, structure or navigational aid, that person shall take the following steps:</u></p> <p>(i) <u>any cleaning activities commenced ceases immediately;</u></p>		

<sup>4</sup> Defined in Floerl et al (2005) A Risk-based Predictive Tool to Prevent Accidental introductions of Nonindigenous Marine Species as: Light Fouling - 1—5% of visible surface covered by very patchy macrofouling. Remaining area often covered in microfouling. (16)

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
				(ii) <a href="#">Taranaki Regional Council and the Ministry for Primary Industries is notified without unreasonable delay; and</a> (iii) <a href="#">cleaning does not recommence until notified by the Council to do so, or in the event a designated unwanted organisms or pest species is found, notified to do so by the Ministry for Primary Industries.</a> <sup>(16)</sup>		
<a href="#">Sampling, scraping and/or cleaning of biofouling</a> <a href="#">In-water cleaning of biofouling from</a> <sup>(29)</sup> the part of a ship, moveable object or navigation aid that is normally below the water surface, <a href="#">involving the discharge of a substance resulting in the discharge of a biological contaminant</a> <sup>(16)</sup> <sup>(29)</sup> into water in the coastal marine area and any associated: [a] deposition on the foreshore or seabed.	10	Outstanding Value Estuaries Unmodified Estuaries Modified Open Coast	Non-complying			General Policies 1 to 21 And Activity-based Policies 22, 28

### Abrasive blasting discharges

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
Abrasive blasting involving discharge of contaminants into water, into air or onto land in the coastal marine area and any associated: [a] deposition on the foreshore or seabed  <a href="#">excluding activities regulated by the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (Appendix 6).</a>	11	Outstanding Value Estuaries Unmodified Estuaries Modified Open Coast Port	Discretionary			General Policies 1 to 21 and Activity-based Policies 22, 30, 39, 40, 41

## Seismic surveying and bathymetric testing

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Seismic surveying or bathymetric testing involving discharge of energy into water in the coastal marine area and any associated noise.</p> <p><i>Note: If the activity involves seismic surveying not covered by this Rule or does not meet the standards, terms and conditions in this Rule refer to Rule 13 or Rule 14 depending on the Coastal Management Area involved.</i></p>	12	Outstanding Value Estuaries Unmodified Estuaries Modified Open Coast Port	Permitted	with regards to seismic testing: (a) survey complies with <i>2013 Code of Conduct for Minimising Acoustic Disturbance to Marine Mammals from Seismic Survey Operations</i> <del>or any subsequent applicable Code of Conduct;</del> <sup>(40)</sup> and (b) Taranaki Regional Council is informed of the activity at least five working days before commencement by entering details of the activity at <a href="http://www.trc.govt.nz/informcouncil">www.trc.govt.nz/informcouncil</a> with regards to bathymetric testing: a) activity does not have an adverse effect on marine mammals.		

## Other discharges to water or land not provided for in Rules 1 to 12

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Discharge of water or contaminants into water or onto land in the coastal marine area and the discharge does not come within or comply with Rules 1 to 12, any other Rule in this Plan, <i>the Resource Management (Marine Pollution) Regulations 1998 (Appendix 5)</i> <del>or the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (Appendix 6).</del><sup>(26)</sup></p> <p><i>Note: A discharge into a district council managed stormwater system is a discharge to land outside the coastal marine area and an assessment for consent requirement should be made under the Freshwater Plan not this rule.</i><sup>(46)</sup></p>	13	Open Coast Port	Discretionary			General Policies 1 to 21 and Activity-based Policies 22 to 30

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Discharge of water or contaminants into water or onto land in the coastal marine area and the discharge does not come within or comply with Rules 1 to 12, any other Rule in this Plan, <i>the Resource Management (Marine Pollution) Regulations 1998</i> (Appendix 5) <del>or the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009</del> (Appendix 6).<sup>(26)</sup></p> <p><i>Note: A discharge into a district council managed stormwater system is a discharge to land outside the coastal marine area and an assessment for consent requirement should be made under the Freshwater Plan not this rule.</i><sup>(46)</sup></p>	14	<p>Outstanding Value</p> <p>Estuaries Unmodified</p> <p>Estuaries Modified</p>	Non-complying			<p>General Policies 1 to 21 and Activity-based Policies 22 to 30</p>

### Storage or transfer of cargo materials within the Port Air Zone

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Storage or transfer of cargo materials within the Port Air Zone involving discharge of contaminants to air <del>or water</del>.<sup>(32)</sup></p> <p><i>Note (1): Map showing the Port Air Zone is included as Schedule 8.</i></p> <p><i>Note (2): If the activity does not meet the standards, terms and conditions in this Rule refer to Rule 16.</i></p>	15	Port	Permitted	<p>(a) discharge does not result in offensive or objectionable odour or dust at or beyond the boundary of the Port Air Zone;</p> <p>(b) discharge does not result in noxious or toxic levels of airborne contaminants at or beyond the boundary of the Port Air Zone;</p> <p>(c) discharge does not result in dangerous levels of airborne contaminants at or beyond the boundary of the Port Air Zone, including, but not limited to, any risk of fire or explosion; <del>and</del></p> <p>(d) <del>discharge to water does not, after reasonable mixing, cause any emissions of objectionable odour, the production of conspicuous oil or grease, films, scums or foams, or floatable or suspended materials, or any conspicuous change in the visual clarity or colour of the receiving water.</del><sup>(32)</sup></p>		

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
Storage or transfer of cargo materials within the Port Air Zone involving discharge of contaminants to air <u>or water</u> <sup>(32)</sup> that does not come within or comply with Rule 15.  <i>Note: Map showing the Port Air Zone is included as Schedule 8.</i>	16	Port	Discretionary			General Policies 1 to 21 and Activity-based Policies 22, 30

### Other discharges to air not provided for in Rules 15 and 16

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
Discharge of contaminants to air <u>and water</u> <sup>(32)</sup> from any industrial or trade premises in the coastal marine area which is restricted by Section 15(1) of the RMA and which does not come within or comply with Rules 15 or 16 or any other Rule in this Plan <u>including excluding</u> <sup>(53)</sup> discharges covered by the Resource Management (Marine Pollution) Regulations 1998 (Appendix 5).	17	Outstanding Value Estuaries Unmodified Estuaries Modified Open Coast Port	Discretionary			General Policies 1 to 21 and Activity-based Policies 20, 29, 30



## 8.2 Structures and occupation

### Outfall structure placement

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Outfall structure placement and any associated:</p> <p>(a) occupation of space in the common marine and coastal area;</p> <p>(f) disturbance of the foreshore or seabed;</p> <p>(g) deposition in, on or under the foreshore or seabed; and</p> <p>(h) discharge of sediment.</p> <p><i>Note: (1) If the activity does not meet the standards, terms and conditions in this Rule refer to Rule 22 for a network utility structure or Rule 33 or Rule 34 for other outfalls depending on the coastal management area involved.</i></p> <p><i>Note (2): this rule does not authorise a discharge from the outfall structure. The discharge rules are Rules 1A to 3 and 5 to 8.</i><sup>(43)</sup></p>	18	Outstanding Value Estuaries Unmodified Estuaries Modified Open Coast Port	Permitted	<p>(a) structure has a maximum internal diameter of 150 mm and extends a maximum of 0.5 m seaward of the line of mean high water springs;</p> <p>(b) no erosion or scour results from placement of the structure <u>or ongoing occupation</u><sup>(53)</sup>;</p> <p>(c) the extent of disturbance of the foreshore and seabed is limited to the minimum required to undertake the activity;</p> <p>(d) structure is not placed in any Marine Reserve or Marine Protected Area;</p> <p>(e) placement of the structure does not have an adverse effect on the values associated with historic heritage identified in Schedule 5A and B<sup>(58)</sup> [Historic heritage];</p> <p>(f) placement of the structure does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4A [Significant species and ecosystems];</p> <p>(ff) placement of the structure <u>does not have an adverse effect on the taonga species identified in Schedule 4CC [Taonga species]</u>;<sup>(61)</sup> and</p> <p>(g) Taranaki Regional Council is informed of the activity at least one working day before commencement by entering details of the activity at <a href="http://www.trc.govt.nz/informcouncil">www.trc.govt.nz/informcouncil</a>.</p>		

## Mooring structure placement

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Mooring structure placement that does not require excavation of the foreshore or seabed and any associated:</p> <ul style="list-style-type: none"> <li>(a) occupation of space in the common marine and coastal area;</li> <li>(b) disturbance of the foreshore or seabed;</li> <li>(c) deposition in, on or under the foreshore or seabed; and</li> <li>(d) discharge of sediment.</li> </ul> <p><i>Note: If the activity does not meet the standards, terms and conditions in this Rule refer to Rule 23.</i></p>	19	Port	Permitted	<ul style="list-style-type: none"> <li>(a) mooring structure is placed, secured and maintained in accordance with the instructions of the Taranaki Regional Council Harbourmaster;</li> <li>(b) if the mooring structure is placed within the breakwaters, it is placed to secure a ship that is moored to a wharf or that is moored within an area that extends 400 m from the landward side of the Lee Breakwater;</li> <li>(c) placement of the mooring structure does not have an adverse effect on the values associated with historic heritage identified in Schedule 5 <a href="#">A and B</a> <sup>(41)</sup> [Historic heritage];</li> <li>(d) placement of the mooring structure does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4A [Significant species and ecosystems];</li> <li>(ff) placement of the mooring structure <b>does not have an adverse effect on the taonga species identified in Schedule 4CC [Taonga species];</b> <sup>(61)</sup> and</li> <li>(e) at least one working day before placement, the Harbourmaster is notified that placement is to occur.</li> </ul>		

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Mooring structure placement for monitoring or sampling equipment that does not require excavation of the foreshore or seabed</p> <p>and any associated:</p> <p>(a) occupation of space in the common marine and coastal area;</p> <p>(b) disturbance of the foreshore or seabed;</p> <p>(c) deposition in, on or under the foreshore or seabed; and</p> <p>(d) discharge of sediment.</p> <p><i>Note (1): Iwi authorities that have requested to be informed of this activity will be advised by the Council.</i></p> <p><i>Note (2): If the activity does not meet the standards, terms and conditions in this Rule refer to Rule 23, 33 or 34 depending on the coastal management area involved.</i></p>	20	<p>Outstanding Value</p> <p>Estuaries Unmodified</p> <p>Estuaries Modified</p> <p>Open Coast</p> <p>Port</p>	Permitted	<p>(a) Taranaki Regional Council is informed of the scale and location of the structure and the timing of construction and removal at least five working days before work commences by entering details of the activity at <a href="http://www.trc.govt.nz/informcouncil">www.trc.govt.nz/informcouncil</a>;</p> <p>(b) placement of the mooring structure does not have an adverse effect on the values associated with historic heritage identified in Schedule 5A and B <sup>(41)</sup> [Historic heritage];</p> <p>(c) placement of the mooring structure does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4A [Significant species and ecosystems]; and</p> <p>(d) the mooring structure and the monitoring or sampling equipment does not occupy an area exceeding 5 m<sup>2</sup> of the coastal marine area.</p>		

## Navigation aid erection or placement

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Maritime navigation aid erection or placement that does not require excavation of the foreshore or seabed and any associated:</p> <p>(a) occupation of space (including renewal of occupation) in the common marine and coastal area;</p> <p>(b) disturbance of the foreshore or seabed;</p> <p>(c) deposition in, on or under the foreshore or seabed; and</p> <p>(d) discharge of sediment.</p> <p><i>Note (1): Iwi authorities that have requested to be informed of this activity will be advised by Council.</i></p> <p><i>Note (2): If the activity does not meet the standards, terms and conditions in this Rule refer to Rule 33 or Rule 34 depending on the Coastal Management Area involved.</i></p>	21	Outstanding Value Estuaries Unmodified Estuaries Modified Open Coast Port	Permitted	<p><u>(aa) The activity is undertaken by:</u></p> <p>(i) <u>Taranaki Regional Council or its agents; or</u></p> <p>(ii) <u>Port Taranaki or its agents (within the Port); or</u></p> <p>(iii) <u>Maritime New Zealand or its agents.</u> <sup>(29)</sup></p> <p>(a) structure does not interfere with the New Plymouth Airport Flight Path Protection Surfaces shown in Appendix 3;</p> <p>(b) the navigation aid does not occupy an area exceeding 5 m<sup>2</sup> of the coastal marine area;</p> <p>(c) Taranaki Regional Council is informed of the scale and location of the structure and the timing of construction <b>and removal</b> <sup>(53)</sup> at least five working days before work commences by entering details of the activity at <a href="http://www.trc.govt.nz/informcouncil">www.trc.govt.nz/informcouncil</a>;</p> <p>(d) written notice detailing the scale and location of the structure and the timing of construction <b>and removal</b> <sup>(53)</sup> is given at least five working days before work commences to:</p> <p>(i) Maritime New Zealand;</p> <p>(ii) Land Information New Zealand; and</p> <p>(iii) the Taranaki Regional Council Harbourmaster for Port Taranaki <u>(for activities within the Port);</u> <sup>(53)</sup></p> <p>(e) navigation aid erection or placement does not have an adverse effect on the values associated with historic heritage identified in Schedule 5A and B <sup>(41)</sup> [Historic heritage]; and</p> <p>(f) navigation aid erection or placement does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4A [Significant species and ecosystems].</p>		

## Network utility structure erection or placement

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Network utility structure erection or placement where the structure is :</p> <p>(a) a pipeline that is buried or attached to a bridge, <u>wharf</u> <sup>(46)</sup> or access structure;</p> <p>(b) an outfall structure which does not come within or comply with Rule 18;</p> <p>(c) an intake structure;</p> <p>(d) a communication or electricity cable that is buried or attached to a bridge, access structure or pole; or</p> <p>(e) marine communications equipment and any associated:</p> <p>(a) occupation of space in the common marine and coastal area;</p> <p>(b) disturbance of the foreshore or seabed;</p> <p>(c) deposition in, on or under the foreshore or seabed; and</p> <p>(d) discharge of sediment</p> <p>excluding activities regulated by the Resource Management (National Environmental Standards for Electricity Transmission Activities) ) Regulations 2009 (Appendix 6).</p> <p><i>Note: If the activity does not meet the standards, terms and conditions in this Rule refer to Rule 33 or Rule 34 depending on the coastal management area involved.</i></p>	22	<p>Estuaries Unmodified</p> <p>Estuaries Modified</p> <p>Open Coast</p> <p>Port</p> <p><u>Outstanding value</u> <sup>(30)</sup></p>	Controlled	<p>(a) no erosion or scour results from erection or placement of the structure;</p> <p>(b) erection or placement of the structure does not have an adverse effect on the values associated with historic heritage identified in Schedule 5A and B <sup>(41)</sup> [Historic heritage];</p> <p>(c) erection or placement of the structure does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4A [Significant species and ecosystems]; and</p> <p>(d) structure does not adversely affect access to or use of the area surrounding the structure.</p>	<p>Control is reserved over:</p> <p>(a) location, method, timing and notification of works;</p> <p>(b) design, construction, maintenance and decommissioning of structure;</p> <p>(c) effects on other authorised structures or activities;</p> <p>(d) sediment movement and erosion;</p> <p>(e) effects on water quality;</p> <p>(f) effects on <u>ecological natural character, features and landscapes values</u> <sup>(43) (53)</sup></p> <p><u>(fa) effects on indigenous biodiversity</u> <sup>(43) (53)</sup> values;</p> <p>(g) effects on <u>cultural and historic, cultural and amenity heritage</u> <sup>(53)</sup> values;</p> <p>(h) effects on <u>amenity values, including</u> <sup>(53)</sup> surf breaks;</p> <p>(i) effects of occupation on public access;</p> <p>(j) effects on navigation;</p> <p>(k) effects of noise and light;</p> <p>(l) monitoring and information requirements;</p> <p>(m) duration of consent; and</p> <p>(n) review of consent conditions.</p> <p>Resource consent applications under this Rule will not be publicly notified but may be limited notified.</p>	<p>General Policies 1 to 21 and Activity-based Policies 22, 31, 32, 39, 40, 41, 42, 49</p>



**Port launching, mooring or berthing structure erection or placement in the Port**

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Launching, mooring or berthing structure erection or placement excluding:</p> <p>a) placement or erection of any structure seaward of the Main Breakwater or Lee Breakwater; or within 200 m perpendicular from mean high water springs of Ngāmotu Beach;</p> <p>(b) any structure with a horizontal projection of 50 m or more; and</p> <p>(c) any structure that interferes with the New Plymouth Airport Flight Path Protection Surfaces shown in Appendix 3</p> <p>and any associated:</p> <p>{a} occupation of space (including renewal of occupation) in the common marine and coastal area;</p> <p>{b} disturbance of the foreshore or seabed;</p> <p>{c} deposition in, on or under the foreshore or seabed; and</p> <p>{d} discharge of sediment</p> <p>and does not come within or comply with Rule 19 and 20.</p> <p><i>Note: If the activity does not meet the standards, terms and conditions in this Rule refer to Rule 33.</i></p>	23	Port	Controlled	<p>{a} structure does not present a hazard to navigation and shipping;</p> <p>{b} structure does not have an adverse effect on the values associated with historic heritage identified in Schedule 5A and B <sup>(41)</sup> [Historic heritage]; and</p> <p>{c} structure does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4A [Significant species and ecosystems].</p>	<p>Control is reserved over:</p> <p>(b) location, method, timing and notification of works;</p> <p>(c) design, construction, maintenance and methods available for decommissioning of structure;</p> <p>(d) effects on other authorised structures or activities;</p> <p>(e) sediment movement and erosion;</p> <p>(f) effects on water quality;</p> <p>(g) effects on <del>ecological</del> <b>natural character, features and landscapes values</b> <sup>(43)</sup> <sup>(53)</sup></p> <p><del>(ga)</del> <b>effects on indigenous biodiversity</b> <sup>(43)</sup> <sup>(53)</sup> values;</p> <p>(h) effects on <b>cultural and historic, cultural and amenity heritage</b> <sup>(53)</sup> values;</p> <p>(i) effects on <b>amenity values, including</b> <sup>(53)</sup> surf breaks;</p> <p>(j) effects of occupation on public access;</p> <p>(k) effects on navigation;</p> <p>(l) effects of noise and light;</p> <p>(m) monitoring and information requirements;</p> <p>(n) duration of consent; and</p> <p>(o) review of consent conditions.</p> <p>Resource consent applications under this Rule will not be publicly notified but may be limited notified.</p>	<p>General Policies 1 to 21 and Activity-based Policies 22, 31, 32, 39, 40, 41, 42, 49</p>

### Structure used for whitebaiting

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
Erection or placement a structure used for whitebaiting <u>and any associated:</u> (a) <u>occupation of space in the coastal marine area and coastal area.</u> <sup>(53)</sup>	24	Outstanding Value Estuaries Unmodified Estuaries Modified Open Coast Port	Prohibited			

### Hard protection structure erection or placement

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
Hard protection structure erection or placement for the purpose of erosion control <u>and any associated:</u> (a) occupation of space (including renewal of occupation) in the common marine and coastal area; (b) disturbance of the foreshore or seabed; (c) deposition in, on or under the foreshore or seabed; and (d) discharge of sediment.	25	Outstanding Value Estuaries Unmodified Estuaries Modified Open Coast Port	Discretionary			General Policies 1 to 21 and Activity-based Policies 22, 31, 32, 33, 34, 35, 39, 40, 41, 42, 44, 45, 46, 49

### Geotechnical bore hole drilling <sup>(32)</sup>

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p><u>Geotechnical bore hole drilling by a rig, and placement of a casing structure in, on, under or over the foreshore or seabed</u></p> <p><u>and any associated:</u></p> <p>(a) <u>repair, alteration, and abandonment of the bore structure fixed in, on, under or over any foreshore or seabed;</u></p> <p>(b) <u>disturbance of the foreshore or seabed;</u></p> <p>(c) <u>deposition in, on or under the foreshore or seabed;</u></p> <p>(d) <u>discharge of contaminants into water, into, on or under the foreshore or seabed, or into air; and</u></p> <p>(e) <u>taking of water and heat incidental to the drilling process;</u></p> <p><u>excluding discharges regulated by the Resource Management (Marine Pollution) Regulations 1998 (Appendix 5).</u></p>	26A	Port	Controlled	<p>(a) <u>drilling hole does not exceed 120 mm in diameter or 50 m in depth;</u></p> <p>(b) <u>drilling is not undertaken within any site identified in Schedule 5A and B [Historic heritage];</u></p> <p>(c) <u>drilling does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4A [Significant species and ecosystems];</u></p> <p>(d) <u>only water-based or synthetic-based drilling fluids and muds are used; and</u></p> <p>(e) <u>activity complies with the general standards in Section 8.6 of this Plan.</u></p>		<p><u>General Policies 1 to 21 and Activity-based Policies 22, 28, 30, 31, 32, 36, 37, 38, 39, 40, 41, 42, 44, 47, 49</u></p>

### Exploration or appraisal well drilling

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
Exploration or appraisal well drilling by an offshore installation or drilling ship, or directional drilling by a land based drilling	26	Open Coast Port	Controlled	(a) drilling is not undertaken within 2,000 m of any site where drilling has occurred in the previous five years;	Control is reserved over: (a) compliance with relevant legislation and regulations <sup>1</sup> managing well	General Policies

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>rig, and placement of a well structure in, on, under or over the foreshore or seabed</p> <p>and any associated:</p> <p>(f) repair, alteration, extension and abandonment of the well structure fixed in, on, under or over any foreshore or seabed;</p> <p>(g) <b>temporary exclusive</b> <sup>(37) (53)</sup> occupation of space in the common marine and coastal area;</p> <p>(h) disturbance of the foreshore or seabed;</p> <p>(i) deposition in, on or under the foreshore or seabed;</p> <p>(j) discharge of contaminants into water, into, on or under the foreshore or seabed, or into air; and</p> <p>(k) taking of water and heat incidental to the drilling process;</p> <p>excluding discharges regulated by the <i>Resource Management (Marine Pollution) Regulations 1998</i> (Appendix 5).</p> <p><i>Note (1): Where the well head originates landward of the coastal marine area and enters the coastal marine area under the seabed only condition (f) will apply.</i></p> <p><i>Note(2): If the activity does not meet the standards, terms and conditions in this Rule refer to Rule 27.</i></p>				<p>(g) drilling is not undertaken directly into or within 1000 m of any sensitive marine benthic habitat identified in Schedule 4B or reef system;</p> <p>(h) drilling is not undertaken within any site identified in Schedule 5A and B <sup>(41)</sup> [Historic heritage];</p> <p>(i) drilling does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4A [Significant species and ecosystems];</p> <p>(j) drilling is undertaken at least 2,000 m from the line of mean high water springs or at least 1,000 m from the boundary of coastal management area – Outstanding Value;</p> <p>(k) only water-based or synthetic-based drilling fluids and muds are used; and</p> <p>(l) activity complies with the general standards in Section 8.6 of this Plan.</p>	<p>integrity and discharges (including relating to the management of hazardous substances), and provision of relevant supporting documentation<sup>2</sup>;</p> <p>(c) well integrity, maintenance and abandonment;</p> <p>(c) any incidental discharges;</p> <p>(d) location, method, timing and notification of works;</p> <p>(e) effects on other authorised structures or activities;</p> <p>(f) sediment movement and erosion;</p> <p>(g) effects on water quality;</p> <p>(h) effects on <b>ecological natural character, features and landscapes values</b> <sup>(43) (53)</sup></p> <p><b>(ha) effects on indigenous biodiversity</b> <sup>(43)</sup> <sup>(53)</sup> values;</p> <p>(i) effects on <b>cultural and historic, cultural and amenity heritage</b> <sup>(53)</sup> values;</p> <p>(j) effects on <b>amenity values, including</b> <sup>(53)</sup> surf breaks;</p> <p>(k) effects of occupation on public access;</p> <p>(l) effects on navigation;</p> <p>(m) effects of noise and light;</p> <p>(n) monitoring and information requirements;</p> <p>(c) duration of consent; and</p> <p>(c) review of consent conditions.</p>	<p>1 to 21 and Activity-based Policies</p> <p>22, 28, 29, 30, 31, 32, 36, 37, 38, 39, 40, 41, 42, 44, 47, 49</p>

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
					Resource consent applications under this Rule will not be publicly notified but may be limited notified.	

<sup>1</sup> Current examples include:

- Part 6 Well Operations provisions of the Health and Safety in Employment (Petroleum Exploration and Extraction) Regulations 2013 whereby there is considerable overlap between Health and Safety in Employment and environmental considerations.
- Maritime Transport Act 1994 and associated Marine Protection Rules
- Resource Management (Marine Pollution) Regulations 1998.

<sup>2</sup> Current examples include:

- Well examiners verification of the well examination scheme under Part 6 Well Operations provisions of the Health and Safety in Employment (Petroleum Exploration and Extraction) Regulations 2013
- Valid International Oil Pollution Prevention Certificate applicable to the offshore installation being used, as required under Part 200 of the Marine Protection Rules (note as above).
- Approved Discharge Management Plan as required under Part 200 of the Marine Protection Rules (soon to become Marine Oil Spill Contingency Plan under Part 131 of the Marine Protection Rules).



Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Exploration or appraisal well drilling by an offshore installation or drilling ship, or directional drilling by a land based drilling rig, and placement of a well structure in, on, under or over the foreshore or seabed</p> <p>and any associated:</p> <p>(a) repair, alteration, extension and abandonment of the well structure fixed in, on, under or over any foreshore or seabed;</p> <p>(b) temporary exclusive occupation of space in the common marine and coastal area;</p> <p>(c) disturbance of the foreshore or seabed;</p> <p>(d) deposition in, on or under the foreshore or seabed;</p> <p>(e) discharge of contaminants into water, into, on or under the foreshore or seabed, or into air; and</p> <p>(f) taking of water and heat incidental to the drilling process</p> <p>excluding discharges regulated by the <i>Resource Management (Marine Pollution) Regulations 1998</i> (Appendix 5) and does not come within or comply with Rule 26.</p>	27	Open Coast Port	Discretionary			<p>General Policies</p> <p>1 to 21</p> <p>and</p> <p>Activity-based Policies</p> <p>22, 28, 29, 30, 31, 32, 36, 37, 38, 39, 40, 41, 42, 44, 47, 49</p>

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Exploration or appraisal well drilling by an offshore installation or drilling ship, or directional drilling by a land based drilling rig, and placement of a well structure in, on, under or over the foreshore or seabed</p> <p>and any associated:</p> <p>(a) repair, alteration, extension and abandonment of the well structure fixed in, on, under or over any foreshore or seabed;</p> <p>(b) temporary exclusive occupation of space in the common marine and coastal area;</p> <p>(c) disturbance of the foreshore or seabed;</p> <p>(d) deposition in, on or under the foreshore or seabed;</p> <p>(e) discharge of contaminants into water, into, on or under the foreshore or seabed, or into air; and</p> <p>(f) taking of water and heat incidental to the drilling process;</p> <p>excluding discharges regulated by the <i>Resource Management (Marine Pollution) Regulations 1998</i> (Appendix 5).</p>	28	<p>Outstanding Value</p> <p>Estuaries Unmodified</p> <p>Estuaries Modified</p>	Non-complying			<p>General Policies</p> <p>1 to 21</p> <p>and</p> <p>Activity-based Policies</p> <p>22, 28, 29, 30, 31, 32, 36, 37, 38, 39, 40, 41, 42, 44, 47, 49</p>

**Petroleum production installation erection or placement**

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Petroleum production installation erection or placement, including drilling of any production wells and placement of any pipelines, in, on, under or over the foreshore or seabed and any associated:</p> <ul style="list-style-type: none"> <li>(a) repair, alteration, extension, <b>removal</b> <sup>(53)</sup> and abandonment of a well and other structures fixed in, on, under, or over any foreshore or seabed;</li> <li>(b) occupation of space in the common marine and coastal area by an offshore installation, pipeline or drilling ship;</li> <li>(c) disturbance of the foreshore or seabed;</li> <li>(d) deposition in, on or under the foreshore or seabed;</li> <li>(e) discharge of contaminants into water, into, on or under the foreshore or seabed, or into air; and</li> <li>(f) taking of water and heat incidental to the drilling process and the taking of heat and produced water;</li> </ul> <p>excluding discharges regulated by the <i>Resource Management (Marine Pollution) Regulations 1998</i> (Appendix 5).</p>	29	Open Coast Port	Discretionary			<p>General Policies 1 to 21 and Activity-based Policies 22, 28, 29, 30, 31, 32, 36, 37, 38, 39, 40, 41, 42, 44, 47, 49</p>

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Petroleum production installation erection or placement including drilling of any production wells and placement of any pipelines, in, on, under or over the foreshore or seabed</p> <p>and any associated:</p> <p>(a) repair, alteration, extension, <b>removal</b> <sup>(53)</sup> and abandonment of a well and other structures fixed in, on, under, or over any foreshore or seabed;</p> <p>(b) occupation of space in the common marine and coastal area by an offshore installation or drilling ship;</p> <p>(c) disturbance of the foreshore or seabed;</p> <p>(d) deposition in, on or under the foreshore or seabed;</p> <p>(e) discharge of contaminants into water, into, on or under the foreshore or seabed, or into air; and</p> <p>(f) taking of water and heat incidental to the drilling process and the taking of heat and produced water</p> <p>excluding discharges regulated by the <i>Resource Management (Marine Pollution) Regulations 1998</i> (Appendix 5).</p>	30	Outstanding Coastal Estuaries Unmodified Estuaries Modified	Non-complying			<p>General Policies</p> <p>1 to 21</p> <p>and</p> <p>Activity-based Policies</p> <p>22, 28, 29, 30, 31, 32, 36, 37, 38, 39, 40, 41, 42, 44, 47, 49</p>

## Temporary military training

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Temporary military training activities that do not involve excavation or use of explosives, including placement of temporary structures and temporary exclusive occupation of the common marine and coastal area and any associated:</p> <p>(a) noise;</p> <p>(b) disturbance of the foreshore or seabed;</p> <p>(c) deposition in, on or under the foreshore or seabed; and</p> <p>(d) discharge of sediment.</p> <p><i>Note (1): Iwi authorities that have requested to be informed of this activity will be advised by Council.</i></p> <p><i>Note (2): If the activity does not meet the standards, terms and conditions in this Rule refer to Rule 32.</i></p>	31	Estuaries Unmodified Estuaries Modified Open Coast Port	Permitted	<p>(a) <del>the duration of the activity occurs on no more than 30 days over a 12 month period, occupation is for a period of no more than three consecutive weeks;</del> <sup>(33)</sup></p> <p>(b) activity does not involve construction of permanent structures;</p> <p>(c) Taranaki Regional Council is informed of the activity at least five working days prior to commencement by entering details of the activity at <a href="http://www.trc.govt.nz/informcouncil">www.trc.govt.nz/informcouncil</a>;</p> <p>(d) <del>written notice is given to the adjacent territorial authority at least five working days prior to the activity commencing;</del> <sup>(33)</sup></p> <p>(e) signs are located at the site of the activity notifying the public of the details of the activity, any restrictions imposed on the use of the area and contact information of the organiser at least seven working days prior to the activity commencing;</p> <p>(f) the details of the activity, along with any restrictions imposed on the use of the area, are published in a newspaper circulating in the entire area likely to be affected by the activity at least 14 working days prior to the activity commencing;</p> <p>(g) activity complies with the general standards specified in Section 8.6 of this Plan;</p> <p>(h) activity does not exclude, or effectively exclude, public access from areas of the coastal marine area over 10 ha or from more than 320 m along the length of the foreshore;</p> <p>(i) activity does not hinder the operational requirements of emergency services including the coastguard, police and surf lifesaving;</p> <p>(j) activity does not have an adverse effect on the values associated with historic heritage identified in Schedule 5A and B <sup>(41)</sup> [Historic heritage]; and</p> <p>(k) activity does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4A [Significant indigenous biodiversity].</p>		



Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Temporary military training involving placement of temporary structures and temporary exclusive occupation of the common marine and coastal area and any associated</p> <p>(a) noise;</p> <p>(b) disturbance of the foreshore or seabed;</p> <p>(c) deposition in, on or under the foreshore or seabed; and</p> <p>(d) discharge of sediment</p> <p>and does not come within or comply with Rule 31.</p> <p><i>Note: If the activity does not meet the standards, terms and conditions in this Rule refer to Rule 32 or Rule 33 or Rule 34<sup>(29)</sup> depending on the coastal management area involved.</i></p>	32	Estuaries Unmodified Estuaries Modified Open Coast Port	Controlled	<p>(a) activity does not exclude, or effectively exclude, public access from areas of the coastal marine area over 10 ha or from more than 320 m along the length of the foreshore;</p> <p>(b) activity does not have an adverse effect on the values associated with historic heritage identified in Schedule 5A and B<sup>(41)</sup> [Historic heritage]; and</p> <p>(c) activity does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4A [Significant species and ecosystems].</p>	<p>Control is reserved over:</p> <p>(a) location, method, timing and notification of works;</p> <p>(b) design, construction and decommissioning of structures;</p> <p>(c) effects on other authorised structures or activities;</p> <p>(d) sediment movement and erosion;</p> <p>(e) effects on water quality;</p> <p>(f) effects on <b>ecological natural character, features and landscapes values</b><sup>(43) (53)</sup></p> <p><b>(fa) effects on indigenous biodiversity</b><sup>(43)</sup> <sup>(53)</sup> values;</p> <p>(g) effects on <b>cultural and historic, cultural and amenity heritage</b><sup>(53)</sup> values;</p> <p>(h) effects on <b>amenity values, including</b><sup>(53)</sup> surf breaks;</p> <p>(i) effects of occupation on public access;</p> <p>(j) effects on navigation;</p> <p>(k) effects of noise and light;</p> <p>(l) monitoring and information requirements;</p> <p>(m) duration of consent; and</p> <p>(n) review of consent conditions.</p> <p>Resource consent applications under this Rule will not be publicly notified but may be limited notified.</p>	<p>General Policies 1 to 21 and Activity-based Policies 22, 28, 30, 31, 32, 38, 39, 40, 41, 42, 47, 49</p>

Other **structure erection or placement activities** <sup>(29) (53)</sup> not provided for in Rules 18 to 32

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
Structure erection or placement <u>or temporary military training</u> <sup>(29)</sup> and any associated: (a) occupation of space in the common marine and coastal area and does not come within or comply with Rules 18 to 32, or any other Rule in this Plan <i>or the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (Appendix 6)</i> . <sup>(26)</sup>	33	Estuaries Modified Open Coast Port	Discretionary			General Policies 1 to 21 and Activity-based Policies 31, 32, 33, 34, 35, 39, 49
Structure erection or placement <u>or temporary military training</u> <sup>(29)</sup> and any associated: (a) occupation of space in the common marine and coastal area and does not come within or comply with Rules 18 to 32, any other Rule in this Plan <i>or the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (Appendix 6)</i> . <sup>(26)</sup>	34	Outstanding Value Estuaries Unmodified	Non-complying			General Policies 1 to 21 and Activity-based Policies 31, 32, 33, 34, 35, 39, 49

**Structure maintenance, ~~repair or minor alteration~~** <sup>(21) (32) (43) (45) (46)</sup>

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Existing lawfully established structure maintenance, <del>repair or minor alteration</del> <sup>(21) (32) (43) (45) (46)</sup></p> <p>and any associated:</p> <p>(a) occupation of space in the common marine and coastal area;</p> <p>(b) disturbance of the foreshore or seabed;</p> <p>(c) deposition in, on or under the foreshore or seabed; and</p> <p>(d) discharge of sediment</p> <p><del>excluding activities regulated by the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (Appendix 6).</del> <sup>(26)</sup></p> <p><i>Note: If the activity does not meet the standards, terms and conditions in this Rule refer to Rule 42 or Rule 43 depending on the coastal management area involved.</i> <sup>(53)</sup></p>	35	<p>Outstanding Value</p> <p>Estuaries Unmodified</p> <p>Estuaries Modified</p> <p>Open Coast</p> <p><del>Port</del> <sup>(32) (46)</sup></p>	Permitted	<p>(a) size of the structure, including length, width and height, does not increase beyond original size (except for existing communications cables or electricity transmission <del>or distribution</del> lines where these activities do not result in an increase in the design voltage <del>above 33kV</del> <sup>(45)</sup> and the new or altered cables or lines are not lower in height above the foreshore or seabed);</p> <p>(b) materials used match the existing materials in form and appearance;</p> <p>(c) for structures identified in Schedule 5A and B <sup>(41)</sup> [Historic heritage]:</p> <p>(i) there are no changes to the existing surface treatment of fabric, painting of any previously unpainted surface, or the rendering of any previously un-rendered surface;</p> <p>(ii) there are no changes to the design, texture, or form of the fabric; and</p> <p>(iii) there is no abrasive or high-pressure cleaning method, such as sand or water blasting, used;</p> <p>(d) after reasonable mixing any discharge does not give rise to:</p> <p>(i) any conspicuous oil or grease films, scums or foams, or floatable or suspended materials;</p> <p>(ii) any conspicuous change of colour or visual clarity; or</p> <p>(iii) any emission of objectionable odour;</p> <p>(e) the extent of disturbance of the foreshore and seabed is limited to the minimum required to undertake the activity;</p> <p>(f) activity complies with general standards in Section 8.6;</p> <p>(g) activity does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4A [Significant species and ecosystems]; and</p> <p>(h) Taranaki Regional Council is informed of the activity at least five working days before commencement by entering details of the activity at <a href="http://www.trc.govt.nz/informcouncil">www.trc.govt.nz/informcouncil</a>.</p>		

**Hard protection structure ~~repair~~, alteration, extension or ~~removal and~~ replacement <sup>(53)</sup>**

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
Existing lawfully established hard protection structure <del>repair</del> ; alteration, extension or <del>removal and</del> replacement and any associated: <ul style="list-style-type: none"> <li>(a) occupation of space in the common marine and coastal area;</li> <li>(b) disturbance of the foreshore or seabed;</li> <li>(c) deposition in, on or under the foreshore or seabed; and</li> <li>(d) discharge of sediment</li> </ul> and does not come within or comply with Rules 35 and 38. <sup>(21) (32) (43) (45) (46)</sup>	36	Outstanding Value Estuaries Unmodified Estuaries Modified Open Coast Port	Discretionary			General Policies 1 to 21 and Activity-based Policies 22, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 44, 45, 46, 49



**Network utility structure ~~repair~~, alteration or extension**

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Lawfully established network utility structure <del>repair</del>, alteration or extension where the structure is:</p> <p>(a) a pipeline that is buried or attached to a bridge, <del>wharf</del> (46) or access structure;</p> <p>(b) an outfall structure;</p> <p>(c) an intake structure;</p> <p>(d) a communication or electricity cable that is buried or attached to a bridge or access structure <del>or pole</del>; (45) or</p> <p>(e) marine communications equipment excluding:</p> <p>(a) any structure seaward of the Main Breakwater or Lee Breakwater in coastal management area - Port and any associated:</p> <p>(a) occupation of space in the common marine and coastal area;</p> <p>(b) disturbance of the foreshore or seabed;</p> <p>(c) deposition in, on or under the foreshore or seabed; and</p> <p>(d) discharge of sediment</p> <p><del>and does not come within or comply with Rule 35 (21) (32) (43) (45) (46)</del></p> <p><del>excluding activities regulated by the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (Appendix 6). (26)</del></p>	37	Estuaries Unmodified Estuaries Modified Open Coast Port	Controlled	<p>(a) structure is necessary to enable the safe and efficient conduct of utility operations;</p> <p>(b) no erosion or scour results from the structure;</p> <p>(c) the activity does not have an adverse effect on the values associated with historic heritage identified in Schedule 5A and B (41) [Historic heritage]; and</p> <p>(d) structure does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4A [Significant species and ecosystems].</p>	<p>Control is reserved over:</p> <p>(a) location, method, timing and notification of works;</p> <p>(b) design, construction, maintenance and decommissioning of structure;</p> <p>(c) effects on other authorised structures or activities;</p> <p>(d) sediment movement and erosion;</p> <p>(e) effects on water quality;</p> <p>(f) effects on <del>ecological natural character, features and landscapes values</del> (43) (53)</p> <p><del>(fa) effects on indigenous biodiversity</del> (43) (53) values;</p> <p>(g) effects on <del>cultural and historic, cultural and amenity heritage</del> (53) values;</p> <p>(h) effects on <del>amenity values, including</del> (53) surf breaks;</p> <p>(i) effects of occupation on public access;</p> <p>(j) effects on navigation;</p> <p>(k) effects of noise and light;</p> <p>(l) monitoring and information requirements;</p> <p>(m) duration of consent; and</p> <p>(n) review of consent conditions.</p> <p>Resource consent applications under this Rule will not be publicly notified but may be limited notified.</p>	<p>General Policies 1 to 21 and Activity-based Policies 22, 31, 32, 36, 37, 39, 40, 41, 42, 44, 49</p>



Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p><i>Note: If the activity does not meet the standards, terms and conditions in this Rule refer to Rule 42 or Rule 43 depending on the coastal management area involved.</i></p>						

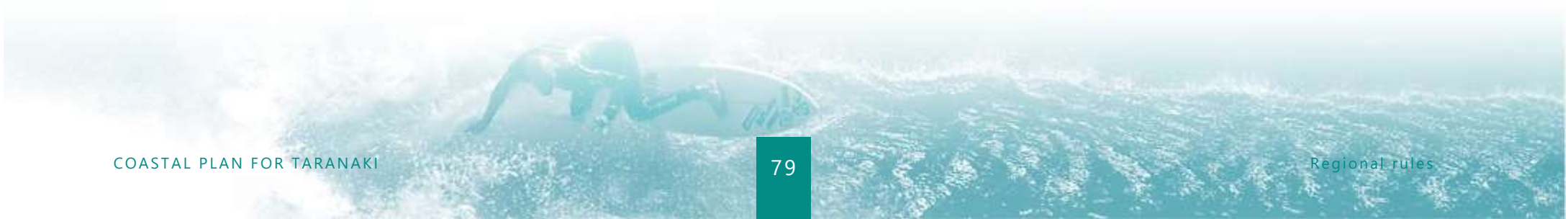
### Structure removal and replacement <sup>(53)</sup>

Note for this track change version of the Proposed Plan, Rule 38 has been moved and grouped alongside other structure removal rules – see Rule 44A.

### Port ~~wharves or breakwaters and attached structures, maintenance, repair or~~ alteration

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Existing lawfully established structure <del>maintenance, (21) (32) (43) (45) (46) repair or</del> alteration where the activity relates to that part of the wharves or breakwaters that is normally above the water surface including any attached structures, and relates directly to port <del>company (46)</del> operations and any associated:</p> <p>(a) occupation of space in the common marine and coastal area;</p> <p>(b) deposition in, on or under the foreshore or seabed; and</p> <p>(c) discharge of contaminants <del>and does not come within or comply with Rule 35. (21) (32) (43) (45) (46)</del></p> <p><i>Note: If the activity does not meet the standards, terms and conditions in this Rule refer to Rule 40.</i></p>	39	Port	Permitted	<p>(a) size of the structure does not increase beyond original size;</p> <p>(b) activity complies with the general standards of Section 8.6;</p> <p>(c) after reasonable mixing any discharge does not give rise to:</p> <p>(i) any conspicuous oil or grease films, scums or foams, or floatable or suspended materials;</p> <p>(ii) any conspicuous change of colour or visual clarity; or</p> <p>(iii) any emission of objectionable odour;</p> <p>(d) activity does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4A [Significant species and ecosystems]; and</p> <p>(e) Taranaki Regional Council is informed of the activity at least five working days before commencement by entering details of the activity at <a href="http://www.trc.govt.nz/informcouncil">www.trc.govt.nz/informcouncil</a>.</p>		

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Existing lawfully established structure <del>maintenance, repair</del> <sup>(21) (32) (43) (45) (46)</sup> or alteration where the activity relates to that part of the wharves or breakwaters that is normally above the water surface including any attached structures and any associated:</p> <p>(a) occupation of space in the common marine and coastal area;</p> <p>(b) disturbance of the foreshore or seabed;</p> <p>(c) deposition in, on or under the foreshore or seabed; and</p> <p>(d) discharge of contaminants <del>and activity does not come within or comply with Rule 39.</del> <sup>(21) (32) (43) (45) (46)</sup></p> <p><i>Note: If the activity does not meet the standards, terms and conditions in this Rule refer to Rule 42.</i></p>	40	Port	Controlled	<p>(a) size of the structure does not increase beyond original size; and</p> <p>(b) activity does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4A [Significant species and ecosystems].</p>	<p>Control is reserved over:</p> <p>(a) location, method, timing and notification of works;</p> <p>(b) design, construction, maintenance and decommissioning of structure;</p> <p>(c) effects on other authorised structures or activities;</p> <p>(d) effects on water quality;</p> <p>(e) effects on <u>ecological natural character, features and landscapes values</u> <sup>(43) (53)</sup></p> <p><u>(fa) effects on indigenous biodiversity</u> <sup>(43)</sup> <sup>(53)</sup> values;</p> <p>(f) effects on <u>cultural and historic, cultural and amenity heritage</u> <sup>(53)</sup> values;</p> <p>(g) <u>effects on amenity values, including surf breaks:</u> <sup>(53)</sup></p> <p>(h) effects of occupation on public access;</p> <p>(i) effects on navigation;</p> <p>(j) effects of noise and light;</p> <p>(k) monitoring and information requirements;</p> <p>(l) duration of consent; and</p> <p>(m) review of consent conditions.</p> <p>Resource consent applications under this Rule will not be publicly notified but may be limited notified.</p>	<p>General Policies 1 to 21 and Activity-based Policies 22, 31, 36, 37, 39, 40, 41, 42, 44, 49</p>



**Port launching mooring or berthing structure **repair**, alteration or extension**

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Existing lawfully established launching, mooring or berthing structure <b>repair</b>, alteration or extension excluding:</p> <p>(a) any seaward extension of the Main Breakwater or Lee Breakwater;</p> <p>(b) extension of any structure seaward of the Main Breakwater or Lee Breakwater; or within 200 m perpendicular from mean high water springs of Ngāmotu Beach;</p> <p>(c) extension of any structure <b>by more than</b> <sup>(53)</sup> 50 m or more in a horizontal projection; and</p> <p>(d) any structure that interferes with the New Plymouth Airport Flight Path Protection Surfaces shown in Appendix 3</p> <p>and any associated:</p> <p>(a) occupation of space in the common marine and coastal area;</p> <p>(b) disturbance of the foreshore or seabed;</p> <p>(c) deposition in, on or under the foreshore or seabed; and</p> <p>(d) discharge of sediment</p> <p>and activity does not come within or comply with Rules 36, 37, 38, 39 or 40.</p> <p><i>Note: If the activity does not meet the standards, terms and conditions in this Rule refer to Rule 42.</i></p>	41	Port	Controlled	<p>(a) activity does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4A [Significant indigenous biodiversity];</p> <p>(b) structure does not have an adverse effect on the values associated with historic heritage identified in Schedule 5 [Historic heritage]; and</p> <p>(c) structure, when completed, does not prevent reasonable navigation between any existing launching, mooring or berthing facility and the Port entrance.</p>	<p>Control is reserved over:</p> <p>(a) location, method, timing and notification of works;</p> <p>(b) design, construction, maintenance and decommissioning of structure;</p> <p>(c) effects on other authorised structures or activities;</p> <p>(d) sediment movement and erosion;</p> <p>(e) effects on water quality;</p> <p>(f) effects on <b>ecological natural character, features and landscape values</b> <sup>(43)</sup> <sup>(53)</sup></p> <p><b>(fa) effects on indigenous biodiversity</b> <sup>(43)</sup> <sup>(53)</sup> values;</p> <p>(g) effects on <b>cultural and historic, cultural and amenity heritage</b> <sup>(53)</sup> values;</p> <p>(h) effects on <b>amenity values, including</b> <sup>(53)</sup> surf breaks;</p> <p>(i) effects of occupation on public access;</p> <p>(j) effects on navigation;</p> <p>(k) effects of noise and light;</p> <p>(l) monitoring and information requirements;</p> <p>(m) duration of consent; and</p> <p>(n) review of consent conditions.</p> <p>Resource consent applications under this Rule will not be publicly notified but may be limited notified.</p>	<p>General Policies 1 to 21 and Activity-based Policies 22, 31, 36, 37, 39, 40, 41, 42, 44, 49</p>

Other structure **maintenance, repair, alteration, extension or removal and** replacement not provided for in Rules 35 to 41

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Structure <b>maintenance, repair, alteration, extension or removal and</b> <sup>(53)</sup> replacement and any related occupation of the common marine and coastal area <b>and any associated:</b></p> <p>(a) <b>occupation of space in the common marine and coastal area;</b></p> <p>(b) <b>disturbance of the foreshore or seabed;</b></p> <p>(c) <b>deposition in, on or under the foreshore or seabed; and</b></p> <p>(d) <b>discharge of sediment</b> <sup>(53)</sup></p> <p>and the activity or structure does not come within or comply with any of Rules 35 to 41 <i>or the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (Appendix 6).</i> <sup>(26)</sup></p>	42	Estuaries Modified Open Coast Port	Discretionary			General Policies 1 to 21 and Activity-based Policies 36, 37, 38
<p>Structure <b>maintenance, repair, alteration, extension or removal and</b> <sup>(53)</sup> replacement and any related occupation of the common marine and coastal area <b>and any associated:</b></p> <p>(e) <b>occupation of space in the common marine and coastal area;</b></p> <p>(f) <b>disturbance of the foreshore or seabed;</b></p> <p>(g) <b>deposition in, on or under the foreshore or seabed; and</b></p> <p>(h) <b>discharge of sediment</b> <sup>(53)</sup></p> <p>and the activity or structure does not come within or comply with any of Rules 35 to 41 <i>or the Resource Management</i></p>	43	Outstanding Value Estuaries Unmodified	Non-complying			General Policies 1 to 21 and Activity-based Policies 36, 37, 38

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<i>(National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (Appendix 6).<sup>(26)</sup></i>						

**Structure removal and replacement <sup>(53)</sup>**





Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Existing lawfully established structure <b>removal and</b> <sup>(53)</sup> replacement excluding:</p> <p>(a) Waitara and Pātea River control arms;</p> <p>(b) Main Breakwater or Lee Breakwater;</p> <p>(c) petroleum production installations and pipelines;</p> <p>(d) hard protection structures; and</p> <p>(e) bridges</p> <p>and any associated:</p> <p>(a) occupation of space in the common marine and coastal area;</p> <p>(b) disturbance of the foreshore or seabed;</p> <p>(c) deposition in, on or under the foreshore or seabed; and</p> <p>(d) discharge of sediment</p> <p><b>excluding activities regulated by the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (Appendix 6).</b> <sup>(26)</sup></p> <p><i>Note (1): Iwi authorities that have requested to be informed of this activity will be advised by the Council.</i></p> <p><i>Note (2): For hard protection structures refer to Rule 36.</i></p>	<p><b>38</b></p> <p><b>44A</b></p>	<p>Outstanding Value</p> <p>Estuaries Unmodified</p> <p>Estuaries Modified</p> <p>Open Coast</p> <p>Port</p>	<p>Permitted</p>	<p>(a) the replacement structure has a functional need or operational requirement to be located in the coastal marine area;</p> <p>(b) the activity does not require the use of explosives;</p> <p>(c) the extent of disturbance of the foreshore and seabed is limited to the minimum required to undertake the activity;</p> <p>(d) replacement structure maintains the form of the original structure with no increase in length, width or height, or increase in adverse effects;</p> <p>(e) materials used match the existing materials in form and appearance and have comparable effects;</p> <p>(f) the replacement structure, <u>except for submarine cables or lines</u>, is built in the same location as the original structure. <u>A replacement submarine cable or line must be laid or suspended within a horizontal distance of no more than three times the depth of water from the cable or line which is being replaced.</u> <sup>(12)</sup> <sup>(13)</sup> <sup>(14)</sup></p> <p>(g) the existing structure is removed completely with no <b>waste remnant material</b> <sup>(63)</sup> being placed into the coastal marine area, <u>unless the removal of the structure is considered by a Suitable Experienced and Qualified Coastal Professional, in collaboration with the Taranaki Regional Council, to have greater adverse effects on the environment than leaving it in place.</u> <sup>(12)</sup> <sup>(13)</sup> <sup>(14)</sup></p> <p>(h) activity complies with the general standards in Section 8.6;</p> <p>(i) structure is not located within any historic heritage site identified in Schedule 5A and B <sup>(41)</sup> [Historic heritage] or any other archaeological site;</p> <p>(j) <u>structure is not located at any site identified in Schedules 5[Sites of geological significance];</u> <sup>(61)</sup></p> <p>(k) activity does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4A [Significant species and ecosystems]; and</p> <p>(l) Taranaki Regional Council is informed of the activity at least five working days before commencement by entering details of the activity at <a href="http://www.trc.govt.nz/informcouncil">www.trc.govt.nz/informcouncil</a>.</p>		

## Structure removal and demolition

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Structure removal and demolition that does not involve the use of explosives, excluding:</p> <ul style="list-style-type: none"> <li>(a) Waitara and Pātea river control arms;</li> <li>(b) Main Breakwater or Lee Breakwater;</li> <li>(c) petroleum production installations and pipelines;</li> <li>(d) hard protection structures; and</li> <li>(e) bridges</li> </ul> <p>and any associated:</p> <ul style="list-style-type: none"> <li>(a) occupation of space in the common marine and coastal area;</li> <li>(b) disturbance of the foreshore or seabed;</li> <li>(c) deposition in, on or under the foreshore or seabed; and</li> <li>(d) discharge of sediment</li> </ul> <p>excluding activities regulated by the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (Appendix 6).</p> <p><i>Note: If the activity does not meet the standards, terms and conditions in this Rule refer to Rule 45.</i></p>	44	Outstanding Value Estuaries Unmodified Estuaries Modified Open Coast Port	Permitted	<ul style="list-style-type: none"> <li>(a) <del>the extent of</del> <sup>(63)</sup> disturbance of the foreshore and seabed is limited to the minimum required to undertake the activity;</li> <li>(b) the structure is removed completely with no <del>waste remnant material</del> <sup>(63)</sup> being placed into the coastal marine area;</li> <li>(c) removal or demolition of structure does not significantly affect sediment movement or lead to increased erosion or scour;</li> <li>(d) activity complies with the general standards in Section 8.6;</li> <li>(e) structure is not located within any historic heritage site identified in Schedule 5A and B <sup>(41)</sup> [Historic heritage] or any other archaeological site;</li> <li>(f) activity does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4A [Significant species and ecosystems]; and</li> <li>(g) Taranaki Regional Council is informed of the activity at least five working days before commencement by entering details of the activity at <a href="http://www.trc.govt.nz/informcouncil">www.trc.govt.nz/informcouncil</a>.</li> </ul>		

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Structure removal and demolition excluding:</p> <p>(a) Waitara and Pātea River control arms;</p> <p>(b) Main Breakwater or Lee Breakwater; and</p> <p>(c) petroleum production installations and pipelines;</p> <p>and any associated:</p> <p>(a) occupation of space in the common marine and coastal area;</p> <p>(b) disturbance of the foreshore or seabed;</p> <p>(c) deposition in, on or under the foreshore or seabed; and</p> <p>(d) discharge of contaminants</p> <p>and the activity does not come within or comply with Rule 44<sup>(29)</sup> (32) or the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 1998 (Appendix 5).</p> <p><i>Note: If the activity does not meet the standards, terms and conditions in this Rule refer to Rule 46.</i></p>	45	<p>Outstanding Value</p> <p>Estuaries Unmodified</p> <p>Estuaries Modified</p> <p>Open Coast</p> <p>Port</p>	Controlled	<p><u>(aa) activity does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4A [Significant species and ecosystems]; and</u><sup>(43)</sup></p> <p>(a) structure is not located within any historic heritage site identified in Schedule 5A and B<sup>(41)</sup> [Historic heritage] or any other archaeological site.</p>	<p>Control is reserved over:</p> <p>(a) location, method, timing and notification of works;</p> <p>(b) effects on other authorised structures or activities;</p> <p>(c) sediment movement and erosion;</p> <p>(d) effects on water quality;</p> <p>(e) effects on <u>ecological natural character, features and landscapes values</u><sup>(43)</sup> (53)</p> <p><u>(ee) effects on indigenous biodiversity</u><sup>(53)</sup> values;</p> <p>(f) effects on <u>cultural and historic, cultural and amenity heritage</u><sup>(53)</sup> values;</p> <p>(g) effects on <u>amenity values, including</u><sup>(53)</sup> surf breaks;</p> <p>(h) effects of occupation on public access;</p> <p>(i) effects on navigation;</p> <p>(j) effects of noise and light;</p> <p>(k) monitoring and information requirements;</p> <p>(l) duration of consent; and</p> <p>(m) review of consent conditions.</p> <p>Resource consent applications under this Rule will not be publicly notified but may be limited notified.</p>	<p>General Policies 1 to 21 and Activity-based Policies 22, 38, 40, 41, 42, 44, 49</p>



Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Structure removal <b>and demolition</b> <sup>(53)</sup> and any associated:</p> <p>(a) occupation of space in the common marine and coastal area;</p> <p>(b) disturbance of the foreshore or seabed;</p> <p>(c) deposition in, on or under the foreshore or seabed; and</p> <p>(d) discharge of contaminants</p> <p>and the activity does not come within or comply with Rules <b>44A</b>, <sup>(53)</sup> 44 or 45 or <i>the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 1998</i> (Appendix 5).</p>	46	<p>Outstanding Value</p> <p>Estuaries Unmodified</p> <p>Estuaries Modified</p> <p>Open Coast</p> <p>Port</p>	Discretionary			<p>General Policies</p> <p>1 to 21</p> <p>and</p> <p>Activity-based Policies</p> <p>22, 38, 40, 41, 42, 44, 49</p>

## Community, recreational or sporting activity

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Community, recreational or sporting activity involving temporary occupation of the common marine and coastal area and any associated:</p> <p>(a) disturbance of the foreshore or seabed.</p> <p><i>Note: If the activity does not meet the standards, terms and conditions in this Rule refer to Rule 50. <sup>(43)</sup></i></p>	47	<p>Outstanding Value</p> <p>Estuaries Unmodified</p> <p>Estuaries Modified</p> <p>Open Coast</p> <p>Port</p>	Permitted	<p>(a) activity does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4A [Significant indigenous biodiversity];</p> <p>(b) the activity does not have an adverse effect on the values associated with historic heritage identified in Schedule 5A and B <sup>(41)</sup> [Historic heritage];</p> <p>(c) activity does not present a hazard to navigation and shipping;</p> <p>(d) activity complies with the general standards in Section 8.6;</p> <p>(e) activity does not involve disturbance of the foreshore or seabed or other works that will have an effect that lasts longer than four high tides after the conclusion of the event;</p> <p>(f) the details of the activity, along with any restrictions imposed on the use of the area, are published in a newspaper circulating in the entire area likely to be affected by the activity at least 14 days prior to the event;</p> <p>(g) Taranaki Regional Council is informed of the activity at least five working days prior to commencement by entering details of the activity at <a href="http://www.trc.govt.nz/informcouncil">www.trc.govt.nz/informcouncil</a>;</p> <p>(h) written notice is given to the adjacent Territorial Authority at least five working days prior to the activity commencing;</p> <p>(i) signs are located at the site of the activity notifying the public of the details of the activity, any restrictions imposed on the use of the area and contact information of the organiser for at least the seven working days prior to the activity commencing;</p> <p>(j) activity does not restrict public access or exclude the public for a period of longer than four consecutive days;</p> <p>(k) all litter and other refuse attributable to the activity is removed from the area of the activity on a daily basis;</p> <p>(l) activity occupies an area extending seaward that runs no more than 300 m along or parallel to the line of mean high water spring at any time; and</p>		



Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
				(r) activity does not hinder the operational requirements of emergency services including the coastguard, police and surf lifesaving.		

### Continued occupation

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
Continued occupation of the common marine and coastal area, with an existing lawfully established structure, where the occupation was a permitted activity at the time of placement or erection.	48	Outstanding Value Estuaries Unmodified Estuaries Modified Open Coast Port	Permitted	(a) the structure is being used for its originally <u>permitted</u> <sup>(63)</sup> purpose.		

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
Continued occupation of the common marine and coastal area with an existing lawfully established structure after its consent expires, where the occupation was a controlled activity at the time of placement or erection.	49	Outstanding Value Estuaries Unmodified Estuaries Modified Open Coast Port	Controlled	[a] the structure is being used for its originally consented purpose.	<p>[a] maintenance and decommissioning of structure;</p> <p>[b] effects on other authorised structures or activities;</p> <p>[c] sediment movement and erosion;</p> <p>[d] effects on water quality;</p> <p>[e] effects on <u>ecological natural character, features and landscapes values</u> <sup>(43)</sup> <sup>(53)</sup></p> <p><u>(ee) effects on indigenous biodiversity</u> <sup>(43)</sup> <sup>(53)</sup> values;</p> <p>[f] effects on <u>cultural and historic, cultural and amenity heritage</u> <sup>(53)</sup> values;</p> <p>[g] effects on <u>amenity values, including</u> <sup>(53)</sup> surf breaks;</p> <p>[h] effects of occupation on public access;</p> <p>[i] effects on navigation;</p> <p>[j] effects of noise and light;</p> <p>[k] monitoring and information requirements;</p> <p>[l] duration of consent; and</p> <p>[m] review of consent conditions.</p> <p>Resource consent applications under this Rule will not be publicly notified but may be limited notified.</p>	General Policies 1 to 21 and Activity-based Policies 22, 29, 30, 31, 32, 39, 49

**Other occupation that is not provided for in Rules 47 to 49**

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
Occupation of the common marine and coastal area and the activity does not come within or comply with Rules 47 to 50 49 <sup>(29)</sup> (32) or any other Rule in this Plan or the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2008 (Appendix 5). <sup>(26)</sup>	50	Outstanding Value Estuaries Unmodified Estuaries Modified Open Coast Port	Discretionary			General Policies 1 to 21 and Activity-based Policies 31, 32, 39

## 8.3 Disturbance, deposition and extraction

### Clearance of outfalls, culverts and intake structures

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Clearance of <u>an existing lawfully established</u> outfalls, culverts <u>and</u> intake structures <u>or boat ramp</u> <sup>(53)</sup> involving disturbance of the foreshore or seabed and deposition of materials onto the foreshore or seabed and any associated:</p> <p>(a) occupation of space in the common marine and coastal area; and</p> <p>(b) discharge of contaminants.</p> <p><i>Note: If the activity does not meet the standards, terms and conditions in this Rule refer to Rule 60 or Rule 61 depending on the coastal management area involved.</i></p>	51	Outstanding Value Estuaries Unmodified Estuaries Modified Open Coast Port	Permitted	<p>(a) disturbance is for the purpose of removing accumulated sediment that is adversely affecting the use and performance of a culvert, outfall or intake structure;</p> <p><u>(aa) disturbance does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4A [Significant indigenous biodiversity];</u> <sup>(43) (58) (61)</sup></p> <p><u>(ab) disturbance does not have an adverse effect on the values associated with historic heritage identified in Schedule 5A and B [Historic heritage];</u> <sup>(43) (57) (58) (61)</sup></p> <p><u>(ac) disturbance does not have an adverse effect on the taonga species identified in Schedule 4CC [Taonga species];</u> <sup>(61)</sup></p> <p>(b) amount of material removed is the minimum necessary to allow reasonable use of the structure;</p> <p>(c) material removed is placed on foreshore or seabed that consists of the same type of material;</p> <p>(d) activity complies with the general standards in Section 8.6; and</p> <p>(e) <u>the activity is completed in the minimum time and extent necessary, and</u> does not restrict public access for more than <u>2472</u> hours <sup>(47)</sup>.</p>		

## Collection of benthic grab samples

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Collection of benthic grab samples for scientific or monitoring purposes involving disturbance of the foreshore or seabed and removal of natural material from the foreshore or seabed and any associated:</p> <p>(a) deposition of materials onto the foreshore or seabed;</p> <p>(b) occupation of space in the common marine and coastal area; and</p> <p>(c) discharge of sediment.</p> <p><i>Note: If the activity does not meet the standards, terms and conditions in this Rule refer to Rule 60 or Rule 61 depending on the coastal management area involved.</i></p>	52	Outstanding Value Estuaries Unmodified Estuaries Modified Open Coast Port	Permitted	<p>(a) sampling is confined to mud, silt, sand, gravel and other fine sediments <b>and associated biota</b> <sup>(53)</sup>;</p> <p>(b) spacing between sampling locations is not less than 0.5 km;</p> <p>(c) recurrent sampling at the same location does not occur more frequently than once every two months;</p> <p>(d) the volume of material removed from a sampling location does not exceed 0.3 m<sup>3</sup>;</p> <p>(e) the area of seabed disturbed at a sampling location does not exceed 3 m<sup>2</sup>;</p> <p>(f) sampling does not have an adverse effect on the values associated with historic heritage identified in Schedule 5 [Historic heritage];</p> <p>(g) sampling does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type, or any sensitive marine benthic habitat including those identified in Schedule 4 [Significant indigenous biodiversity] or any reef system; <b>and</b></p> <p><b>(ga) disturbance does not have an adverse effect on the taonga species identified in Schedule 4CC [Taonga species];</b> <sup>(61)</sup></p> <p>(h) Taranaki Regional Council is informed of the scale, location and timing of the activity at least five working days before work commences by entering details of the activity at <a href="http://www.trc.govt.nz/informcouncil">www.trc.govt.nz/informcouncil</a>.</p>		



## Minor disturbance and removal

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Removal of sand, shell, shingle or other natural material involving minor disturbance of the foreshore and seabed, and any associated:</p> <p>(a) occupation of space in the common marine and coastal area; and</p> <p>(b) discharge of contaminants.</p> <p><i>Note: If the activity does not meet the standards, terms and conditions in this Rule refer to Rule 60 or Rule 61 depending on the coastal management area involved.</i></p>	53	<p>Outstanding Value</p> <p>Estuaries Unmodified</p> <p>Estuaries Modified</p> <p>Open Coast</p> <p>Port</p>	Permitted	<p>(a) the activity does not have an adverse effect on the values associated with historic heritage identified in Schedule 5 [Historic heritage];</p> <p>(b) the activity does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4A [Significant species and ecosystems];</p> <p>(c) no more than 0.5 m<sup>3</sup> of sand, shingle, shell or other natural material is taken by a person in a 12 month period;</p> <p>(d) the removal of natural material is not for commercial gain;</p> <p>(e) the area of excavation is smoothed over after the completion of the activity (e.g. no holes left on the foreshore);</p> <p>(f) the extent of the foreshore and seabed disturbance is limited to that required to undertake the activity; and</p> <p>(g) no motorised excavation machinery is used to disturb or remove sand, shingle, shell or other natural material.</p>		

## Burial of dead animals

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Burial of dead animals, <a href="#">found on the foreshore or seabed</a>,<sup>(63)</sup> undertaken by the Taranaki Regional Council, a territorial authority, the Department of Conservation, or agents of those organisations, involving disturbance of the foreshore and seabed and excavation and deposition of material and any associated:</p> <p>(a) occupation of space in the common marine and coastal area; and</p> <p>(b) discharge of contaminants.</p> <p><i>Note: (1) Ideally animals should be buried at least 2 m below the surface.</i>  <i>Note: (2) If the activity does not meet the standards, terms and conditions in this Rule refer to Rule 60 or Rule 61 depending on the coastal management area involved.</i></p>	54	Outstanding Value Estuaries Unmodified Estuaries Modified Open Coast Port	Permitted	<p>(a) the activity does not have an adverse effect on the values associated with historic heritage identified in Schedule 5A and B [Historic heritage];</p> <p>(b) the activity does not occur at any site identified in 65B [Sites of significance to Māori and associated values] except with express permission of the relevant iwi authority; <sup>(40)</sup> <sup>(58)</sup></p> <p>(c) activity complies with the general standards in Section 8.6;</p> <p>(d) the activity does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4A [Significant species and ecosystems]; and</p> <p>(e) <a href="#">except for seal</a>,<sup>(29)</sup> where a marine mammal is buried, the relevant iwi authority is notified prior to the burial taking place.</p>		

## Dredging and spoil disposal

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Maintenance or capital dredging to ensure a safe navigational depth within Port Taranaki and its approaches involving disturbance of the seabed and any associated:</p> <p>(a) occupation of space in the common marine and coastal area;</p> <p>(b) discharge of contaminants; and</p> <p>(c) incidental deposition.</p>	55	Port	Discretionary			General Policies 1 to 21 and Activity-based Policies 22, 30, 39, 40, 41, 42, 43, 44, 49

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
Deposition of natural material, <a href="#">dredged from Port Taranaki or its approaches, from port dredging</a> <sup>(53)</sup> on the foreshore or seabed and any associated: <ul style="list-style-type: none"> <li>(a) occupation of space in the common marine and coastal area;</li> <li>(b) discharge of contaminants; and</li> <li>(c) disturbance of the foreshore or seabed.</li> </ul>	56	Open Coast	Discretionary			General Policies 1 to 21 and Activity-based Policies 22, 39, 40, 41, 42, 43, 44, 49

### Beach replenishment

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
Beach replenishment involving deposition of natural material onto the foreshore or seabed and any associated: <ul style="list-style-type: none"> <li>(a) occupation of space in the common marine and coastal area;</li> <li>(b) discharge of contaminants; and</li> <li>(c) disturbance of the foreshore or seabed</li> </ul> that does not come within or comply with Rule 56.	57	Open Coast	Discretionary			General Policies 1 to 21 and Activity-based Policies 22, 40, 41, 42, 44, 49



## Introduction of exotic plants

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
Introduction <b>or planting</b> <sup>(53)</sup> of any exotic plant onto the foreshore or seabed.	58	Estuaries Modified Open Coast Port	Discretionary			General Policies 1 to 21 and Activity-based Policies 28
Introduction <b>or planting</b> <sup>(53)</sup> of any exotic plant onto the foreshore or seabed.	59	Outstanding Value Estuaries Unmodified	Non-complying			General Policies 1 to 21 and Activity-based Policies 28

**Other disturbance, damage, destruction, removal or deposition that is not provided for in Rules 51 to 59**

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Disturbance, damage or destruction of the foreshore or seabed including any:</p> <p>(a) removal of sand, shell, shingle or other natural material; or</p> <p>(b) deposition of material in, on or under the foreshore or seabed</p> <p>that does not come within or comply with Rules 51 to 59, or any other Rule in this Plan including the deemed rules in the <i>Resource Management (Marine Pollution) Regulations 1998</i> (Appendix 5) or the <i>Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009</i> (Appendix 6).<sup>(26)</sup></p>	60	Estuaries Modified Open Coast Port	Discretionary			<p>General Policies 1 to 21 and Activity-based Policies 39, 40, 41, 42, 44</p>
<p>Disturbance, damage or destruction of foreshore or seabed including any:</p> <p>(a) removal of sand, shell, shingle or other natural material; or</p> <p>(b) deposition of material in, on or under the foreshore or seabed</p> <p>that does not come within or comply with Rules 51 to 59, or any other Rule in this Plan including the deemed rules in the <i>Resource Management (Marine Pollution) Regulations 1998</i> (Appendix 5) or the <i>Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009</i> (Appendix 6).<sup>(26)</sup></p>	61	Outstanding Value Estuaries Unmodified	Non-complying			<p>General Policies 1 to 21 and Activity-based Policies 39, 40, 41, 42, 44</p>



## 8.4 Reclamation or drainage

### Reclamation or drainage for erosion and flood control within areas of outstanding coastal value and unmodified estuaries

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Erosion control or flood control involving reclamation or draining of the foreshore or seabed and any associated:</p> <ul style="list-style-type: none"> <li>(a) occupation of space in the common marine and coastal area;</li> <li>(b) disturbance or destruction of the foreshore or seabed;</li> <li>(c) deposition of material in, on or under the foreshore or seabed; and</li> <li>(d) discharge of contaminants.</li> </ul> <p><i>Note: For reclamation and draining not related to flood control refer to Rule 63.</i></p>	62	Outstanding Value Estuaries Unmodified	Non-complying			<p>General Policies 1 to 21 and Activity-based Policies 22, 39, 40, 41, 42, 44, 45, 46, 49</p>

### Other reclamation or drainage that is not provided for in Rule 62

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Reclamation or draining of the foreshore or seabed that does not come within or comply with Rule 62.</p>	63	Estuaries Modified Open Coast Port	Discretionary			<p>General Policies 1 to 21 and Activity-based Policies 45, 46</p>

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
Reclamation or draining of the foreshore or seabed that does not come within Rule 62.	64	Outstanding Value Estuaries Unmodified	Prohibited			



## 8.5 Taking or use

### Taking or use of water, heat or energy

Activity	Rule	Coastal management area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Taking or use of coastal water or taking or use of any heat or energy from coastal water, excluding water in estuaries.</p> <p><i>Note: For estuarial refer to Rule 66.</i></p>	65	Outstanding Value Open Coast Port	Permitted	<p>(a) the activity does not have an adverse effect on any site identified in Schedule 7A [Regionally and nationally significant surf breaks];</p> <p>(b) the activity does not have an adverse effect on the values associated with historic heritage identified in Schedule 5 [Historic heritage];</p> <p>(c) the activity does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4A [Significant indigenous biodiversity];</p> <p><u>(ca) the taking or use of water is not at a quantity or rate that would cause adverse environmental effects;</u> <sup>(40) (58)</sup> and</p> <p><u>(cb) activity does not have an adverse effect on the taonga species identified in Schedule 4CC [Taonga species];</u> <sup>(61)</sup></p> <p>(d) activity complies with the general standards in Section 8.6.</p>		
<p>Taking or use of water from an estuary or aquifer or taking or use of any heat or energy from water in an estuary or aquifer excluding taking or use of water which is allowed by sections 14(3)(d) or (e) of the Act.</p>	66	Outstanding Value Estuaries Unmodified Estuaries Modified Open Coast Port	Discretionary			<p>General Policies 1 to 21 and Activity-based Policy 47</p>



## 8.6 General standards

These general standards apply where a rule explicitly states that these standards will be complied with.

### 8.6.1 Height (New Plymouth Airport)

No structure or part of any structure will interfere with the New Plymouth Airport Flight Path Protection Surfaces described in Appendix 3 of the Plan.

### 8.6.2 Light

Light sources will be shielded so that the light source is not directly visible from any residence, vehicle on a public road or ship under navigation, except in the following cases:

- (a) Navigation aids; or
- (b) Lighting required under the Acts of Parliament for the safety of ships or offshore installations and aircraft.

### 8.6.3 Noise

#### (a) Port activities

Port activities in the coastal marine area will not create noise that exceeds the following when measured at any point at or landward of the Port Noise Inner Control Boundary (Appendix 6):

- (i) Day-night average sound level over a period of 5 consecutive days shall not exceed 65 dB  $L_{dn}$
- (ii) On any day between 10pm to 7am the following day shall not exceed 60 dB  $L_{Aeq}$  (9hours) provided that no single 15 minute sound measurement level shall exceed 65 dB  $L_{Aeq}$  and 85 dB  $L_{Amax}$ .

Port activities in the coastal marine area will not create noise that exceeds the following when measured at any point at or landward of the Port Noise Outer Control Boundary (Appendix 6):

- (i) On any day between 10pm to 7am the following day shall not exceed 50 dB  $L_{Aeq}$  (9hours) provided that no single 15 minute sound measurement level shall exceed 55 dB  $L_{Aeq}$  and 75 dB  $L_{Amax}$ .

For the purpose of Port Noise, daytime is defined as 7am to 10pm on any day, and night-time is defined as 10pm to 7am the following day.

Port noise shall be measured and assessed in accordance with *New Zealand Standard NZS 6809:1999 Acoustics – Port Noise and Land Use Planning*.

#### (b) Construction, maintenance or demolition activities

The noise from any construction, maintenance, alteration, extension <sup>(53)</sup> and demolition activities in the coastal marine area must be measured, assessed, managed and controlled in accordance with the requirements of *New Zealand Standard NZS6803:1999 Acoustics – Construction noise*.

#### (c) Temporary military training

Temporary military training activities in the coastal marine area will not create noise that exceeds the following:

- (i) when measured 1 m from any side of any building used for accommodation:

Time (any day)	Limits (dB)	
	$L_{Aeq}$	$L_{Amax}$
0630 – 0730	60	75
0730 – 1800	75	90
1800 – 2000	70	85
2000 – 0630	45	75

- (ii) Noise resulting from the use of explosives will not exceed 120 dBC when measured 1 m from any side of any building used for accommodation.
- (iii) Explosions (including live firing and firing of blanks) shall not occur between the hours of 2000 and 0730 hours the following day.

Noise must be measured, assessed, managed and controlled in accordance with the requirements of *New Zealand Standard NZS6803:1999 Acoustics – Construction noise*, as if the Temporary Military Training Activity noise was construction noise.

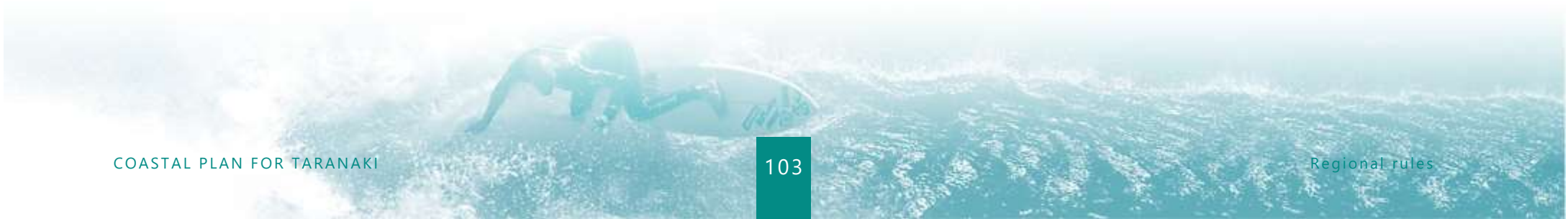


(d) **All other activities**

Noise generated by any other activity in the coastal marine area (excluding those in (a), (b) and (c) above) shall not exceed the following at any point ~~landward of~~ ~~at or beyond~~ <sup>(48)</sup> the boundary of the coastal marine area:

Time (any day)	Limit
7am to 7pm –	50 dB $L_{Aeq}(15 \text{ min})$
7pm to 10pm –	45 dB $L_{Aeq}(15 \text{ min})$
10pm to 7am –	40 dB $L_{Aeq}(15 \text{ min})$
10pm to 7am –	70 dB $L_{Amax}$

Noise shall be measured in accordance with *New Zealand Standard NZS 6801:2008 Acoustics – Measurement of Environmental Sound* and assessed in accordance with *New Zealand Standard NZS 6802:2008 Acoustics – Environmental Noise*.





## 9 Financial contributions and environmental compensation (32)

*This section outlines when and how financial contributions may be applied. Where the Taranaki Regional Council grants a coastal permit under the rules in the Plan, it may impose a condition requiring that a financial contribution be made for the purposes specified in the Plan.*

Note: Changes to the RMA mean that from **18 April 2022** Councils will no longer be able to require financial contributions to be paid under the RMA. Similar contributions may continue beyond this time through mutually agreed consent conditions.

The term 'financial contribution' is defined in Section 108(9) of the RMA to mean:

*"... a contribution of:*

*money; or*

*land, including an esplanade reserve or esplanade strip (other than in relation to a subdivision consent), but excluding Māori land within the meaning of Te Ture Whenua Māori Act 1993 unless that Act provides otherwise; or*

*a combination of money and land. "*

Financial contributions may be for various purposes specified in the Plan including the purposes of ensuring positive effects on the environment to mitigate any adverse effects. All monies collected under the financial contributions regime of the Plan are collected by the Taranaki Regional Council for use under the provisions of this plan. When deciding how those contributions should be levied or allocated, consideration will be given to matters contained within any submissions on a coastal permit application.

The provisions that follow reflect the requirements of the Act and set out:

- (a) the purposes for which such contributions may be required and used; and
- (b) the manner in which the amount of the contribution will be determined.

Note: The Council is not operating a charging regime for occupation of the coastal area.

(29)

## 9.1 Purpose

Financial contributions may be imposed on any coastal permit for the purposes set out below. Contributions of money to the Taranaki Regional Council will be used for the purpose for which the contribution is required.

The following provisions set out the purposes for which financial contributions may be imposed.

### 9.1.1 Maintenance or improvement of public access to and along the coast

Purpose: To remedy or mitigate the effects of an activity limiting public access to or along the coast by:

- (a) providing for public access through or around the area to which the consent applies; or
- (b) contributing to new or enhanced access to or along another part of the coastal marine area within the same general locality or serving the same general community.

Note: The operation of this section is limited to mitigating restrictions on access caused by activities within the coastal marine area. The limitation of access to and along the coastal marine area from activities that are conducted solely above mean high water springs is not able to be compensated for under this section.

### 9.1.2 Protection, maintenance or enhancement of recreational amenity values

Purpose: To mitigate adverse effects of an activity on recreational amenity values in the coastal marine area by creating or improving:

- (a) recreational opportunities;
- (b) facilities; or
- (c) other public amenities

on or in the vicinity of the site, at an alternative location in the same general locality or serving the same general community. This may include contributing to the maintenance or enhancement of public reserves or nationally and regionally significant surf breaks.

### 9.1.3 Protection, maintenance or enhancement of biodiversity

Purpose: to mitigate the adverse effects of damage, destruction or erosion of coastal habitats by:

- (a) enhancing or restoring habitat on the site; or
- (b) creating, restoring or enhancing a coastal habitat at a site in the same general locality.

### 9.1.4 Protection, maintenance or enhancement of visual amenity and landscape

Purposes: to mitigate the adverse effects of erection or placement of a structure and/or disturbance of the foreshore or seabed by:

- (a) landscaping or planting of the area to reduce loss of visual amenity; or
- (b) landscaping or planting of a site adjacent to the site to improve the visual amenity of the general area.

### 9.1.5 Protection, maintenance or restoration of sites of historic importance

Purpose: To mitigate adverse effects on sites of historic importance by:

- (a) providing for works that protect, maintain or restore the affected site; or
- (b) contributing to protection, maintenance or restoration of some alternative historic site in the same general locality.

### 9.1.6 Protection, restoration or enhancement of seabed and foreshore

Purpose: To mitigate adverse effects on the seabed or foreshore by protecting, restoring or enhancing the seabed or foreshore, including (without limitation):

- (a) maintenance and planting of vegetation;
- (b) sediment replenishment;

- (c) erosion protection works;
- (d) fencing; and
- (e) foreshore protection

and including contribution to such measures elsewhere in the same general locality.

### 9.1.7 Esplanade reserves or esplanade strips on reclamation

Purpose: To mitigate the adverse effects of reclamation or draining of the foreshore and/or seabed by:

- (a) establishment of an esplanade reserve or esplanade strip

for the purpose of contributing to biodiversity values, or enabling public access to or along the sea, or enabling public recreational use of the esplanade reserve or strip and adjacent coastal marine area.

### 9.1.8 General - environmental compensation

Purpose: To provide environmental compensation where an activity will have adverse effects, which will not be adequately avoided, remedied or mitigated by protecting, restoring and/or enhancing natural and physical resources and/or amenity values elsewhere in the coastal environment in the same general locality.

## 9.2 Determining a financial contribution

The amount of contribution will be determined on a case-by-case basis by the Taranaki Regional Council with reference to the matters set out in section 9.2.1 and will provide for such projects or works reasonably necessary to avoid, remedy or mitigate the adverse effects of the activity. They will be used to provide positive mitigation effects reasonably equivalent in standard, amenity value or environmental value to those amenities or resources which will be lost, compromised or adversely affected. These may be determined as part of the pre-hearing process for notified resource consent applications.

### 9.2.1 Matters to be considered

In deciding whether or not to impose financial contributions, the types of contribution and their value, the Taranaki Regional Council will have particular regard to the following matters:

1. The purpose of the financial contribution is to avoid, remedy or, mitigate the community or environmental effects caused or contributed to by the activity and not otherwise avoided, remedied or mitigated by the resource consent holder.
2. Whether adverse effects are likely to occur notwithstanding any avoidance, remediation or mitigation undertaken.
3. Whether the adverse effects for which a contribution is imposed can be avoided, remedied or mitigated directly by project design or, in the case of a discharge, adoption of the best practicable option for preventing or minimising the effects.
4. Whether granting a resource consent and requiring a financial contribution would be more effective in achieving the purpose of the RMA (including recognition of the economic and social benefits of the activity) and the objectives and policies of the Plan than declining consent, or granting a consent without a condition requiring a financial contribution.
5. Financial contributions will relate to the effects of the activity for which consent is granted and be consistent with the significance of any adverse effects resulting from the activity that are not otherwise mitigated.
6. Any financial contribution required will be reasonable, and consistent with the purpose of the RMA and the effects of the activity. Where the Taranaki Regional Council grants a coastal permit under the rules in the Plan, it may impose a condition requiring that a financial contribution be made for the purposes specified in the Plan.





## 10 Monitoring and review of the Plan

*This section outlines the monitoring and review provisions for the Plan.*

### 10.1 Monitoring the efficiency and effectiveness of the Plan

The Taranaki Regional Council is required by section 35 of the RMA to undertake monitoring and keep records. In summary, the Taranaki Regional Council will:

1. monitor the state of the regional environment (to the extent necessary to carry out the Taranaki Regional Council's functions under the RMA);
2. monitor the efficiency and effectiveness of the policies, rules or other methods in the Plan;
3. monitor the exercise of any transferred functions, powers or duties;
4. monitor the exercise of resource consents; and
5. take any action that is appropriate in the circumstances.

The monitoring of the efficiency and effectiveness of the Plan's policies and methods will be carried out in conjunction with monitoring of the *Regional Policy Statement for Taranaki* and other regional plans. The following methods will be used to monitor the effectiveness of the Plan:

1. State of the environment monitoring programmes for the coastal marine area, including:
  - (a) continuation of water quality monitoring at bathing beaches, and
  - (b) continuation of marine ecological monitoring at hard and soft substrata sites around the coast.
2. Compliance monitoring carried out in relation to individual coastal permits. Where appropriate to the nature and scale of effect of an activity, individual consent monitoring programmes will be designed and implemented in conjunction with the consent holder.

3. Continuation of recording and evaluating unauthorised discharges to land, water and air in the coastal marine area, along with other unauthorised activities in the coastal marine area.

#### 3A. Investigate monitoring methods for the incorporation of mātauranga Māori into state of the environment monitoring for the coastal environment. <sup>(41)</sup>

4. Use of appropriate and relevant monitoring and research programmes carried out by other agencies where appropriate.
5. Use of appropriate and relevant information (including requests and complaints) from iwi, territorial authorities, other agencies and the public, where appropriate.
6. Keep records of the numbers, types and location of permitted activities that are reported where notification to the Taranaki Regional Council is required by rules in the Plan.
7. Keep records of the numbers, types and location of notified and non-notified consents applied for and the number granted and declined in each category.
8. Keep records of the numbers, types and location of consent applications made for each type of activity regulated by the Plan.

### 10.2 Review of the Plan

The RMA requires that all provisions of the Plan be reviewed every 10 years.

The following procedures will be used to review the Plan:

1. A review of the relevant parts or provisions of the Plan may be carried out in response to any changes to the NZCPS or to the *Regional Policy Statement for Taranaki*. This review will be to the extent appropriate to determine and make changes to the Plan so that it gives effect to the Regional Policy Statement.
2. A review of the relevant parts or provisions of the Plan may be carried out if a new issue arises, or if regional monitoring or research programmes show that a review would otherwise be appropriate.
3. A full review of the Plan (within the meaning of section 79 of the RMA) will be carried out no later than 10 years after the date on which the Plan becomes operative.

The procedures to be used to review the Plan will be determined at that time, and may include (as part of a review programme):

1. An assessment of the state of those matters that will be the subject of monitoring in the State of the Environment Monitoring Procedures Document, and comparison with the relevant objectives of the Plan.
2. Internal assessment by officers of the Taranaki Regional Council regarding the efficiency and effectiveness of policies and methods of implementation in achieving the objectives of the Plan.
3. Internal assessment by officers of the Taranaki Regional Council regarding the usefulness of the matters required to be included in an application for a resource consent and of administrative procedures.
4. Internal review of the data arising from the methods used to assess the efficiency and effectiveness of the Plan.
5. Formal and informal liaison with tangata whenua, public authorities and key interest groups regarding the effectiveness of the Plan.
6. Analysis and appropriate incorporation of public submissions regarding proposed changes to the Plan, or re-notification of the Plan, as required by section 79 of the RMA.

# Definitions and acronyms

This section provides the meanings of words used in the Plan.

Where a word is followed by an asterisk '\*', the meaning that follows is the meaning from the RMA (or in regulations). The other definitions are for a term or expression that has been used in the policies [Section 6] and rules [section 8] of the Plan and for which there is no RMA definition.

**Abrasive blasting** means the cleaning, smoothing, roughening, cutting or removing of part of the surface of any article by the use, as an abrasive, of a jet of sand, metal, short or grit or other material propelled by a blast of compressed air, steam or water or by a wheel and includes:

- (a) dry abrasive blasting which refers to abrasive blasting using materials to which no water has been added; and
- (b) wet abrasive blasting which refers to abrasive blasting to which water has been added.

**Accretion** means the seaward extension of land as a result [of the natural process](#) <sup>(43)</sup> of the deposition of sediments.

**Act** or **RMA** means the *Resource Management Act 1991*.

~~**Adaptive management** means a structured, iterative process of robust decision making in the face of uncertainty, with an aim to reducing uncertainty over time via system monitoring. For the purposes of this Plan, the principles underpinning adaptive management include:~~

- ~~(a) robust baseline monitoring to establish the existing receiving environment;~~
- ~~(b) resource consent conditions that require effective monitoring of adverse effects using appropriate indicators;~~
- ~~(c) resource consent conditions that set thresholds requiring remedial action to be taken before significant adverse effects eventuate;~~
- ~~(d) that any effects that may arise can be remedied before they become irreversible; and~~
- ~~(e) that the activity is able to cease all or part of its operation, or the scale of part or all of the operation, if the monitoring results warrant it. <sup>(43)</sup>~~

**Alteration** includes the modification of a structure in order to bring the structure up to a new standard or condition or to provide for new operational requirements. It excludes the extension of structures. <sup>(57)</sup>

**Amenity values\*** means those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes.

**Archaeological site** means

- (a) any place in New Zealand, including any building or structure (or part of a building or structure), that:
  - (i) was associated with human activity that occurred before 1900 or is a site of a wreck of any vessel where the wreck occurred before 1900; and
  - (ii) provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand; and
- (b) includes a site for which a declaration is made under section 43(1) of the *Heritage New Zealand Pouhere Taonga Act 2014*.

**At risk**, in relation to indigenous flora and fauna species, means a species facing a long term risk of extinction in the wild (either because of severely reduced or naturally small population size or because the population is declining but buffered by either a large total population or a slow rate of decline) as identified in the New Zealand Threat Classification lists.

**Bed\*** means, in relation to the sea, the submarine areas covered by the internal waters and the territorial sea.

**Best practicable option\*** in relation to a discharge of a contaminant or an emission of noise, means the best method for preventing or minimising the adverse effects on the environment having regard, among other things, to:

- (a) the nature of the discharge or emission and the sensitivity of the receiving environment to adverse effects;
- (b) the financial implications, and the effects on the environment, of that option when compared with other options; and
- (c) the current state of technical knowledge and the likelihood that the option can be successfully applied.

**Biodiversity** or **biological diversity**\* means the variability among living organisms, and the ecological complexes of which they are a part, including diversity within species, between species, and of ecosystems.

**Biofouling** means the aquatic organisms such as micro-organisms, plants and animals that have accumulated on surfaces and structures immersed in or exposed to the aquatic environment.

**Coastal area of outstanding value**, refers to an area identified in Schedule 2 of the Plan as having outstanding values.

**Capital dredging** means dredging undertaken to extend navigation channels in an area or to a depth that has not previously been dredged.

**Coastal marine area**\* means the foreshore, seabed, and coastal water, and the air space above the water:

- (a) of which the seaward boundary is the outer limits of the territorial sea;
- (b) of which the landward boundary is the line of mean high water springs, except that where that line crosses a river, the landward boundary at that point will be whichever 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 five.

**Coastal environment** means ~~the areas where coastal processes, influences or qualities are significant, including lakes, lagoons, tidal estuaries, saltmarshes, coastal wetlands, and the margins of these and includes all of~~ the coastal marine areas, ~~land inland to the indicative coastal environment line indicated on Map Link, the natural and physical resources within it, and the atmosphere above it.~~ <sup>(43) (45) (46)</sup>

**Coastal water**\* means seawater within the outer limits of the territorial sea and includes:

- (a) seawater with a substantial freshwater component; and
- (b) seawater in estuaries, fiords, inlets, harbours or embayments.

**Common marine and coastal area** means the marine and coastal area other than:

- (a) specified freehold land located in that area; and

- (b) any area that is owned by the Crown and has the status of any of the following kinds:
  - (i) a conservation area within the meaning of section 2(1) of the *Conservation Act 1987*;
  - (ii) a national park within the meaning of section 2 of the *National Parks Act 1980*;
  - (iii) a reserve within the meaning of section 2(1) of the *Reserves Act 1977*; and
- (c) the bed of Te Whaanga Lagoon in the Chatham Islands.

**Conditions**\*, in relation to plans and resource consents, includes terms, standards, restrictions and prohibitions.

**Consent authority**\* means a regional council, a territorial authority, or a local authority that is both a regional council and a territorial authority, whose permission is required to carry out an activity for which a resource consent is required under the RMA.

**Contaminant**\* includes any substance (including gases, liquids, solids, and micro-organisms) or energy (excluding noise) or heat, that either by itself or in combination with the same, similar, or other substances, energy, or heat:

- (a) when discharged into water, changes or is likely to change the physical, chemical or biological condition of water; or
- (b) when discharged onto or into land or into air, changes or is likely to change the physical, chemical, or biological condition of the land or air onto or into which it is discharged.

**Controlled activity** means an activity which is described in the RMA, regulations, a plan, or a proposed plan as a controlled activity, such that a resource consent is required for the activity; and

- (a) the consent authority will grant a resource consent except if:
  - (i) section 106<sup>5</sup> of the RMA applies; or
  - (ii) section 55(2) of the *Marine and Coastal Area (Takutai Moana) Act 2011* applies; and

---

<sup>5</sup> S106 does not apply to regional consents.



- (b) the consent authority's power to impose conditions on the resource consent is restricted to the matters over which control is reserved (whether in its plan or proposed plan, a national environmental standard, or otherwise); and
- (c) the activity will comply with the requirements, conditions, and permissions, if any, specified in the Act, regulations, plan, or proposed plan.

**Data deficient species** means those species that are likely to be at risk or threatened, however, populations are so low that information is not available to determine their status under the New Zealand Threat Classification. This includes, but is not limited to, species identified as such in Schedule 4A. <sup>(43)</sup>

**Diadromous** means a species that lives in both fresh and salt water.

**Discharge\*** includes emit, deposit and allow to escape.

**Discretionary activity** means an activity which is described in the RMA, regulations, a plan, or a proposed plan as a discretionary activity, a resource consent is required for the activity; and

- (a) the consent authority may decline the consent or grant the consent with or without conditions; and
- (b) if granted, the activity will comply with the requirements, conditions, and permissions, if any, specified in the Act, regulations, plan, or proposed plan.

**District plan\*** means an operative plan approved by a territorial authority under the First Schedule; and includes all operative changes to such a plan (whether arising from a review or otherwise).

**Disturbance** includes excavation, extraction, dredging, drilling and tunnelling.

**Ecosystem** means a dynamic complex of plant, animal and micro-organism communities and their non-living environment interacting as a functional unit.

**Effect\*** includes:

- (a) any positive or adverse effect;
- (b) any temporary or permanent effect;
- (c) any past, present or future effect; and
- (d) any cumulative effect which arises over time or in combination with other effects, regardless of the scale, intensity, duration or frequency of the effect,

and also includes:

- (e) any potential effect of high probability; and
- (f) any potential effect of low probability which has a high potential impact.

**Environment\*** includes:

- (a) ecosystems and their constituent parts, including people and communities;
- (b) all natural and physical resources;
- (c) amenity values; and
- (d) the social, economic, aesthetic, and cultural conditions which affect the matters stated in paragraphs (a) to (c) or which are affected by those matters.

**Erosion** means the natural (geological) processes of the wearing away of the land surface (including soil, regolith or bedrock) by natural agents and the transport of the derived material. Erosion includes sheet, wind, creep, slump, flow, hill, gully and stream erosion.

**Estuary Modified** refers to the coastal management area identified in Schedule 1 of the Plan, as the Pātea, Waiwhakaiho or Waitara estuaries and river mouths <sup>(29)</sup>, and which are surrounded by extensively modified environments.

**Estuary Unmodified** refers to estuaries and river mouths <sup>(29)</sup> identified in Schedule 1 of the Plan that are permanently open to tidal movements and are largely unmodified.

**Exotic** means not indigenous to New Zealand.

**Extension** includes any enlargement to the external dimensions of a structure or site beyond its original size.

**Foreshore\*** means any land covered and uncovered by the flow and ebb of the tide at mean spring tides and, in relation to any such land that forms part of the bed of a river, does not include any area that is not part of the coastal marine area.

**Form of the foreshore** includes the physical nature of the foreshore but does not include those species that live on the foreshore.

**Functional need** means the need for a proposal of activity to traverse, locate or operate in a particular environment because the activity can only occur in that environment. <sup>(26) (45) (46) (47)</sup>

**Fresh water\*** means all water except coastal water and geothermal water.

**Habitat** means the place or type of site where an organism or population naturally occurs.

**Hapū** means sub-tribe, usually a number of whānau (families) [of people of Māori descent](#)<sup>(42)</sup> with a common ancestor.

**Hard protection structure** includes a seawall, rock revetment, groyne, breakwater, stopbank, retaining wall or comparable structure or modification to the seabed, foreshore or coastal land that has the primary purpose or effect of protecting an activity from a coastal hazard, including erosion.

**Hazardous substance** means, unless expressly defined otherwise by regulations, any substance:

- (a) with one or more of the following intrinsic properties
  - (i) explosiveness;
  - (ii) flammability;
  - (iii) a capacity to oxidise;
  - (iv) corrosiveness;
  - (v) toxicity (including chronic toxicity);
  - (vi) ecotoxicity, with or without bioaccumulation; or
- (b) which on contact with air or water (other than air or water where the temperature or pressure has been artificially increased or decreased) generates a substance with any one or more of the properties specified in paragraph (a).

**Heritage values** mean any cultural, traditional, aesthetic or other value related to the past.

**Historic heritage\***

- (a) means those natural and physical resources that contribute to an understanding and appreciation of New Zealand's history and cultures, deriving from any of the following qualities:
  - (i) archaeological;
  - (ii) architectural;
  - (iii) cultural;
  - (iv) historic;
  - (v) scientific;
  - (vi) technological; and
- (b) includes:

- (i) historic sites, structures, places, and areas;
- (ii) archaeological sites;
- (iii) sites of significance to Māori, including wāhi tapu; and
- (iv) surroundings associated with the natural and physical resources.

**Incidental water** means groundwater extracted incidental to drilling.

**Industrial or trade premises\*** means:

- (a) any premises used for any industrial or trade purposes;
- (b) any premises used for the storage, transfer, treatment, or disposal of waste materials or for other waste-management purposes, or used for composting organic materials; or
- (c) any other premises from which a contaminant is discharged in connection with any industrial or trade process

but does not include any production land.

**Integrated management** means managing (i.e., identifying, prioritising and acting on) the use, development and protection of natural and physical resources as a whole.

Integrated management involves three interrelated parts:

- (a) a recognition by management agencies that natural and physical resources exist as part of complex and interconnected social and biophysical systems, where effects on one part of a system may affect other parts of the system and that these effects may occur immediately, may be delayed or may be cumulative; and
- (b) the integration of management systems between agencies so that the various roles and responsibilities of those agencies are clearly identified and combined or coordinated to achieve consistency of purpose; and
- (c) the integration of management systems within agencies to ensure that other legislative or administrative actions are consistent with promoting sustainable management of natural and physical resources.

**Intrinsic values\*** in relation to ecosystems, means those aspects of ecosystems and their constituent parts which have value in their own right, including:

- (a) their biological and genetic diversity; and
- (b) the essential characteristics that determine an ecosystem's integrity, form, functioning, and resilience.

**Issue** includes a matter of concern to the region's community regarding activities affecting some aspect of natural and physical resources and the environment of the region.

**Iwi** means tribe or grouping of people of Māori descent.

**Iwi authority\*** means the authority that represents an iwi and which is recognised by that iwi as having authority to do so.

**Iwi o Taranaki or iwi of Taranaki** refers to iwi whose rohe (territory or boundary) fall either wholly or partially within the Taranaki region.

**Kaitiakitanga\*** means the exercise of guardianship by the tangata whenua of an area in accordance with tikanga Māori in relation to natural and physical resources; and includes the ethic of stewardship.

#### Land - \*

- (a) includes land covered by water and the air space above land; and
- (b) in a national environmental standard dealing with a regional council function under section 30 or a regional rule, does not include the bed of a lake or a river; and
- (c) in a national environment standard dealing with a territorial authority function under section 31 or a district rule, includes the surface of water in a lake or river.<sup>(42)</sup>

**Local authority\*** means a regional council or territorial authority.

**Macrofoul** is any biofouling organism not included in the definition of microfouling.<sup>(29)</sup>

**Mahinga kai** means areas from which food resources are gathered and/or propagated.

#### Marine and coastal area:

- (d) means the area that is bounded:
  - (i) on the landward side, by the line of mean high-water springs; and
  - (ii) on the seaward side, by the outer limits of the territorial sea; and
- (e) includes the beds of rivers that are part of the coastal marine area (within the meaning of the RMA; and
- (f) includes the air space above, and the water space (but not the water) above, the areas described in paragraphs (a) and (b); and

- (g) includes the subsoil, bedrock, and other matter under the areas described in paragraphs (a) and (b).

**Maintenance** in relation to structures, includes activities which restore a structure or asset to its original authorised standard and purpose, and where the character, intensity and scale of the structure, asset or site remains the same or similar. It excludes the extension or repair of structures or assets, or change in location includes the ongoing and regular activities that aid in the preservation of a structure for the purpose of keeping the structure in good condition and/or working efficiently and where the character, intensity and scale of the structure remains the same. It excludes the extension, or alteration of the structure, or change in location.<sup>(43) (45) (46) (57)</sup>

**Maintenance dredging** means dredging undertaken to maintain safe navigation channels in an area and to a depth that has been dredged previously.

**Māra kai** means garden, cultivation. A garden for cultivating food.

**Mātauranga Māori** means Māori customary knowledge, traditional knowledge or intergenerational knowledge.

**Mātaitai\*** means food resources from the sea and **Mahinga mātaitai** means the areas from which these resources are gathered.

**Method** means a specific action, procedure, programme or technique adopted to carry out a policy.

**Microfoul** is a layer of microscopic organism including bacteria and diatoms and the slimy substances they produce. Often referred to as a 'slime layer', microfouling can usually be removed by gently passing a finger over the surface.<sup>(29)</sup>

**Military training:** Any training undertaken by the New Zealand Defence Force for defence purposes (as define by section 5 of the *Defence Force Act 1990*).<sup>(33)</sup>

**Mouri** means essential life force or principle; a metaphysical quality inherent in all things, both animate and inanimate.

**Mouth\*** for the purpose of defining the landward boundary of the coastal marine area, means the mouth of a river either:

- (a) as agreed and set between the Minister of Conservation, the regional council, and the appropriate territorial authority in the period between consultation on, and notification of, the proposed regional coastal plan; or

(b) as declared by the Environment Court under section 310 upon application made by the Minister of Conservation, the regional council, or the territorial authority prior to the plan becoming operative,

and once so agreed and set or declared will not be changed in accordance with Schedule 1 (of the RMA) or otherwise varied, altered, questioned, or reviewed in any way until the next review of the regional coastal plan, unless the Minister of Conservation, the regional council, and the appropriate territorial authority agree.

**Nationally significant surf break** means the four surf breaks within Taranaki identified in the *New Zealand Coastal Policy Statement 2010 as Surf Breaks of National Significance*. These are Waiwhakaiho, Stent Road, Backdoor Stent and Farmhouse Stent. The location of these breaks is mapped in Schedule 7A of this Plan.

**Natural** means a product of nature.

**Natural and physical resources\*** includes land, water, air, soil, minerals, and energy, all forms of plants and animals (whether native to New Zealand or introduced), and all structures.

**Natural character** ~~includes a range of natural elements, patterns and processes and the perception of those qualities means the extent to which a place, area or landscape in the coastal environment is a product of nature rather than cultural elements (resulting from human activity). An area with high natural character will have (or be perceived to have) a dominance of natural elements and an absence of cultural elements. Elements of natural character include (amongst other things) landforms such as hills, cliffs, rivers, and streams; water and associated characteristics such as clarity, salinity, and colour; locational processes such as drainage, uplift, erosion, and deposition; ecosystem functioning and resilience; and plant and animal species.~~<sup>(29) (43)</sup>

**Natural feature** ~~means a distinctive or characteristic part of a natural landscape which involves the physical character of the area, the perception of that character and the associations with that area (including cultural, spiritual, historic and heritage associations) specific natural component within a landscape. Depending on the extent of the feature the term can sometimes overlap with natural landscapes. In general, a natural feature is just one component that helps to make up a landscape. Unlike natural character, a natural feature may exist in a location that has experienced a high level of cultural alteration (human activity) if that feature remains in a relatively unaltered state. Natural features includes the physical character of the area, the perception of that character and the associations with that area (including cultural, spiritual, historic and heritage associations).~~<sup>(29) (43)</sup>

**Natural hazard\*** means any atmospheric or earth or water related occurrence (including earthquake, tsunami, erosion, volcanic and geothermal activity, landslip, subsidence, sedimentation, wind, drought, fire or flooding) the action of which adversely affects or may adversely affect human life, property or other aspects of the environment.

**Natural landscape** means a large subset of the natural environment which involves the physical character of the area, the perception of that character and the associations with that area (including cultural, spiritual, historic and heritage associations).

**Naturally rare** or **originally rare**: means rare before the arrival of humans in New Zealand.

**Navigation aid** includes:

- (a) any lightship and any floating or other light exhibited for the guidance of ships;
- (b) any description of a fog signal not carried on a ship;
- (c) all marks and signs in aid of marine navigation; and
- (d) any electronic, radio, or other aid to marine navigation not carried on board any ship.

**Network utility** means any activity that a network utility operator would be authorised to carry out under section 166 of the *Resource Management Act 1991*.

**New Zealand coastal policy statement\*** or **NZCPS** means a statement issued under Section 57 of the RMA.

**Ngāmotu Beach** refer Appendix 4 of the Plan.

**Noise\*** includes vibration.

**Non-complying activity** means an activity which is described in the RMA, regulations, a plan, or a proposed plan as a non-complying activity, such that a resource consent is required for the activity and the consent authority may:

- (a) decline the consent; or
- (b) grant the consent, with or without conditions, but only if the consent authority is satisfied that the requirements of section 104D are met and the activity will comply with the requirements, conditions, and permissions, if any, specified in the Act, regulations, plan, or proposed plan.

**Objective** means a statement of a desired and specific environmental outcome.

**Occupy\*** means the activity of occupying any part of the coastal marine area:

- (a) where the occupation is reasonably necessary for another activity;
- (b) where it is to the exclusion of all or any class of persons who are not expressly allowed to occupy that part of the coastal marine area by a rule in a regional coastal plan and in any relevant proposed regional coastal plan or by a resource consent; and
- (c) for a period of time and in a way that, but for a rule in the regional coastal plan and in any relevant proposed regional coastal plan or the holding of a resource consent under this Act, a lease or licence to occupy that part of the coastal marine area would be necessary to give effect to the exclusion of other persons, whether in a physical or legal sense.

**Offshore installation or installation** includes any artificial structure (including a floating structure other than a ship) used or intended to be used in or on, or anchored or attached to, the seabed for the purpose of the exploration for, or the exploitation or associated processing of, any mineral; but does not include a pipeline.

**Open coast** means the coastal management area described in Policy 1.

**Operational requirement** means the requirement for a proposal or activity to traverse, locate or operate in a particular environment because of technical or operational characteristics or constraints.<sup>(47)</sup>

**Outstanding Value** refers to those areas that have been identified in a regional policy statement or regional plan as having outstanding natural character or being outstanding natural features and landscapes, refer Schedules 1 and 2 of the Plan.

**Permitted activity** means an activity that is described in the RMA, regulations, a plan, or a proposed plan as a permitted activity, such that a resource consent is not required for the activity if it complies with the requirements, conditions, and permissions, if any, specified in the Act, regulations, plan, or proposed plan.

**Person\*** includes the Crown, a corporation sole, and also a body of persons, whether corporate or unincorporated.

**Petroleum** means:

any naturally occurring hydrocarbon ~~(other than coal) whether in a gaseous, liquid or solid state; any or any~~<sup>(43)</sup> naturally occurring mixture of hydrocarbons (other than coal) whether in a gaseous, liquid or solid state; or

- (a) any naturally occurring mixture of one or more hydrocarbons (other than coal) and one or more of the following: hydrogen sulphide, nitrogen, helium or carbon dioxide.

**Pipeline** means a pipeline constructed or used to convey any matter or substance, and includes all machinery, tanks, and fittings connected to the pipeline.

**Plan\*** means a regional plan or district plan.

**Policy** means a specific statement that guides or directs decision making. A policy indicates a commitment to a general course of action when working towards an objective.

**Port** refers to the coastal management area identified in Schedule 1 of the Plan [as Port Taranaki](#).<sup>(43)</sup>

**Port Air Zone** refer Schedule 8 of the Plan.

**Port Taranaki** refer Appendix 4 of the Plan.

**Produced water** means water with high mineral or salt content associated with the production of oil and gas from reservoirs. It may include water, water that has been injected into the reservoir, and any chemicals added during the production/treatment/enhancement process.

**Prohibited activity** means an activity which is described in the RMA, regulations, or a plan as a prohibited activity, such that:

- (a) no application for a resource consent may be made for the activity; and
- (b) the consent authority will not grant a consent for it.

**Rare and uncommon ecosystem type** means those ecosystems that would have naturally occurred over a small area in the absence of human activity and are those identified in Schedule 4A.

**Reclamation** means the formation of permanent land located above mean high water springs that was formerly below the line of mean high water springs. Reclamation does not include:

- (a) [land that has arisen above the line of mean high-water springs as a result of natural processes, including accretion;](#)
- (b) [any infilling where the purpose is to provide beach nourishment, or](#)



(c) [structures such as breakwaters, moles, groynes or sea walls.](#) <sup>(43)</sup>

**Region\*** means in relation to a regional council, the region of the regional council as determined in accordance with the *Local Government Act 2002*.

**Regional coastal plan\*:**

- (a) means an operative plan approved by the Minister of Conservation under Schedule 1 (of the RMA); and
- (b) includes all operative changes to the Plan (whether arising from a review or otherwise).

**Regional council\***

- (a) has the same meaning as in section 5 of the *Local Government Act 2002*; and
- (b) includes a unitary authority within the meaning of that Act.

**Regionally distinctive** in relation to indigenous flora and fauna species, refers to a species, including those identified in Schedule 4A of this Plan, that are locally significant to the Taranaki region, irrespective of their national threat status, and

- (a) are at their distributional limit in Taranaki;
- (b) only occur in or are relatively confined to Taranaki; or
- (c) are particularly uncommon/rare in Taranaki (but are resident).

**Regional plan\*:**

- (a) means an operative plan approved by a regional council under Schedule 1 (of the RMA) including all operative changes to the plan (whether arising from a review or otherwise); and
- (b) includes a regional coastal plan.

**Regionally important infrastructure** means infrastructure of regional and/or national importance and is:

- (a) Port Taranaki and its approaches<sup>6</sup> and on-going development to meet changing operational needs;
- (b) facilities and arterial pipelines for the supply, [storage](#) <sup>(37)</sup> or distribution of minerals including oil and gas and their derivatives;
- (c) the national electricity grid, as defined by the *Electricity Industry Act 2010*;
- (d) facilities for the generation and/or transmission of electricity where it is supplied to the national electricity grid and/or the local electricity distribution network, including supply within the local electricity distribution network;
- (e) defence facilities;
- (f) flood protection works;
- (g) infrastructure associated with the safe and efficient operation of state highways and the rail network;
- (h) [strategic](#) <sup>(12) (13) (14)</sup> telecommunications facilities, as defined in section 5 of the *Telecommunications Act 2001*;
- (i) [strategic](#) <sup>(12) (13) (14)</sup> radiocommunications facilities as defined in section 2(1) of the *Radio Communications Act 1989*;
- (j) New Plymouth airport, including flight paths<sup>7</sup>;
- (k) arterial pipelines and pumping stations for the distribution of potable water and water treatment plants; and
- (l) arterial pipelines and pumping stations for the collection of wastewater and stormwater, and wastewater treatment plants.

**Regional rule\*** means a rule made as part of a regional plan in accordance with Section 68 of the RMA.

~~**Repair** means reconstruction.~~ <sup>(53) (57)</sup>

**Reverse sensitivity** refers to the [potential for the operation of an existing effects of sensitive activities on other](#) lawfully established activities [ies to be constrained or curtailed](#)

<sup>6</sup> A map of Port Taranaki and its approaches is contained in Appendix 4 of the Plan.

<sup>7</sup> A map of the New Plymouth airport flight paths is contained in Appendix 3 of the Plan.

by the more recent establishment or intensification of other activities which are sensitive to the existing activity <sup>(45)</sup> <sup>(46)</sup> in their vicinity.

**River\*** means a continually or intermittently flowing body of fresh water; and includes a stream and modified watercourse; but does not include any artificial watercourse (including an irrigation canal, water supply race, canal for the supply of water for electricity power generation, and farm drainage canal).

**Rohe** means a territory or boundary which defines the area within which a tangata whenua group claims traditional association and mana whenua.

**Rongoā** means medicine or a substance that soothes or heals the body, mind and spirit.

**Seascape** means views from land to sea, from sea to land and along the coastline.

**Sensitive marine benthic habitats** means marine habitats identified in Schedule 4B of the Plan where there is a low tolerance of the habitat to damage from an external factor and where the time taken for its subsequent recovery from damage sustained is significant.

**Sewage** means:

- (a) drainage and other wastes from any form of toilet, urinal and WC/water closet <sup>(42)</sup> scupper;
- (b) drainage from medical premises (dispensary, sick bay, etc.) via wash basins, tubs, and scuppers located in such premises;
- (c) drainage from spaces containing living animals; or
- (d) other waste waters when mixed with the drainage defined above.

**Ship** means every description of boat or craft used in navigation, whether or not it has any means of propulsion; and includes:

- (a) a barge, lighter, or other like vessel;
- (b) a hovercraft or other thing deriving full or partial support in the atmosphere from the reaction of air against the surface of the water over which it operates;
- (c) a submarine or other submersible.

**Significant indigenous biodiversity** means areas or habitats that meet one or more of the criteria in Policy 14 of the Plan.

**Standards and terms** means statements of measurement, time, rates or other information used in a regional rule to determine whether an activity comes within a rule.

**Stormwater** means runoff that has been channelled, diverted, intensified or accelerated by human modification of the land surface or runoff from the external surface of any structure as a result of precipitation (rainfall) and includes entrained contaminants and sediment (including that generated during construction or earthworks).

**Structure\*** means any building, equipment, device, or other facility made by people and which is fixed to land; and includes any raft.

**Surf break** means a natural feature that is comprised of swell, currents, water levels, seabed morphology, and wind. The hydrodynamic character of the ocean (swell, currents and water levels) combined with seabed morphology and winds to give rise to a surfable 'wave'. A surf break includes the 'swell corridor' through which the swell travels, and the morphology of the seabed of that wave corridor, through to the point where the waves created by the swell dissipate and become non-surfable.

**Surfable wave** means a wave that can be caught and ridden by a surfer. Surfable waves have a wave breaking point that peels along the unbroken wave crest so that the surfer is propelled laterally along the wave crest.

**Surfing** means an activity that involves a person riding on a wave and includes short boarding, long boarding, knee boarding, body boarding, stand up paddle boarding, foiling and kite surfing.<sup>10</sup>

**Sustainable management\*** means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural well-being and for their health and safety while:

- (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations;
- (b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
- (c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.

**Swell corridor** means the region offshore of the surf break where ocean swell travels and transforms to a surfable wave.

**Synthetic based drilling muds** means a form of drilling fluid where the base fluid is synthetic and has further compounds added to it to achieve required results during the drilling process.

**Tangata whenua\*** in relation to a particular area, means the iwi, or hapū that holds mana whenua over the area.

**Taonga** means treasure, ~~and/or prized possession(s), property. Taonga are prized and protected as sacred possessions of the tribe. The term carries a deep spiritual meaning and taonga may be things that cannot be seen or touched. Included for example are te reo Māori (the Māori language), wāhi tapu, waterways, fishing grounds and mountains.~~

**Taonga species** means the species of birds, plants, and animals identified as such by treaty settlements and described in Schedule 4CC. <sup>(42)</sup>

**Temporary military training** means a temporary training activity undertaken for defence purposes in accordance with the *Defence Act 1990*. <sup>(33)</sup>

**Significant Surfing Area** means the area identified in Schedule 7B of the Plan.

**Tauranga waka\*** means canoe landing or launching sites.

**Territorial authority\*** means a city council or a district council.

**Territorial sea\*** means the territorial sea of New Zealand as defined by Section 3 of the *Territorial Sea and Exclusive Economic Zone Act 1977*.

**Threatened** means in relation to indigenous flora and fauna species. It refers to a species identified in the New Zealand Threat Classification lists as facing a very high risk of extinction in the wild and includes nationally critical, nationally endangered and nationally vulnerable species.

**Treaty of Waitangi (Te Tiriti o Waitangi)\*** has the same meaning as the word 'Treaty' as defined in Section 2 of the *Treaty of Waitangi Act 1975*.

**Undesirable biological growth** means those that have developed to the extent that they have nuisance or otherwise detrimental effects on desirable water uses.

**Wāhi tapu or Waahi tapu** means a place that is sacred to Māori in a traditional, spiritual, religious, ritual or mythological sense.

**Wāhi taonga** means a treasured location or place. <sup>(42)</sup>

**Wairua** means inner identity or force of a being or subject, spirit; non-physical, spiritual, intangible.

**Wairuatanga** means the practise of Māori spirituality.

**Wastewater** means liquid waste (and liquids containing waste solids) from domestic, industrial or commercial premises, including, but not limited to, toilet wastes, grey water (household wastewater from kitchens, bathrooms and laundries), sullage and trade wastes and excludes stormwater.

**Water\*:**

- (a) means water in all its physical forms whether flowing or not and whether over or under the ground;
- (b) includes fresh water, coastal water, and geothermal water; and
- (c) does not include water in any form while in any pipe, tank, or cistern.

**Water based drilling muds** is a form of drilling fluid where the base fluid is comprised of fresh or saline water, to which further compounds are added to achieve required results during the drilling process.

**Water quality** refers to the physical, chemical and biological characteristics of water.

**Well** means a hole drilled for the purpose of exploring for, appraising or extracting hydrocarbons and includes:

- (a) any hole for injection or reinjection purposes;
- (b) any down-hole pressure containing equipment; and
- (c) any pressure-containing equipment on top of the well.

**Wetland\*** includes permanently or intermittently wet areas, shallow water, and land water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions.

**Whanaungatanga** means relationship, kinship, sense of family connection – a relationship through shared experiences and working together which provides people with a sense of belonging. It develops as a result of kinship rights and obligations, which also serve to strengthen each member of the kin group. It also extends to others to whom one develops a close familial, friendship or reciprocal relationship.

**Working day\*** means a day of the week other than:

- (a) a Saturday, a Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's birthday, and Labour Day;

- (b) if Waitangi Day or Anzac Day falls on a Saturday or a Sunday, the following Monday; and
- (c) a day in the period commencing on 20 December in any year and ending with 10 January in the following year.

