



DRAFT

Coastal plan for Taranaki

AUGUST 2016

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 words '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.

The eight Taranaki iwi, the Taranaki Regional Council, and the wider community working together seek a unified approach toward maintaining, promoting, developing and protecting the natural and physical resources of the region for future generations. The vision recognises the roles and responsibilities shared by all people in Taranaki to ensure the sustainable and focused protection of freshwater, land (soil) and coastal environments for economic, social, cultural and recreational purposes.

Guiding principles for the management of the coast

The resources of Tangaroa have provided for and nourished the iwi o Taranaki for generations. These resources were integral to the lives of the people who occupied the settlements that adjoined the coastline. Tangaroa provided for them materially, acted as a highway for travel, a source of rongoa (medicine), aided their well-being and provided for their spiritual sustenance.

The coastal environment was highly valued and contained kainga (villages), pa (fortified villages), and pukawa (reefs) for the gathering of mātaimai (seafood), 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 iwi's role as kaitiaki (guardians) to protect these areas and their associated values is as important to present day whanau (family) 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.

The sustainable management of the 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.

- **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.
- **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 mauri and the intrinsic values of natural and physical features, and including the connections between natural processes and human cultures.
- **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.
- **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.
- **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.

Preface

Taranaki may be synonymous with its mountain but the coast is equally treasured by all of us who live here. That's what makes this Draft Coastal Plan for Taranaki so important.

The Draft Plan lays out the measures the Taranaki Regional Council believes are needed to meet community needs and expectations for the use of the coastline and coastal waters, including rules covering discharges and noise. This document – the *Draft Coastal Plan for Taranaki* – is the second regional plan prepared by the Taranaki Regional Council addressing its coastal functions under the Resource Management Act 1991. The Plan has been prepared following a review of the current *Regional Coastal Plan for Taranaki* (1997) under section 79 of that Act and now we're seeking your feedback and comments.

In preparing this Draft Plan, the Taranaki Regional Council has aimed to build on the success of the current Coastal Plan while taking into account changes in community aspirations and national policy directions. Our coastline is a physically rugged and special environment that is rich in cultural history, prized for the recreational opportunities it offers, and the scene of important economic activity. The Plan will cater for all these factors.

As a result of initial consultation with the community, the Draft Plan incorporates a number of new initiatives and directions.

- More coastal areas of outstanding value.
- Greater recognition of Māori values, including a schedule of sites with high cultural, spiritual and historical associations.
- Increased protection for 80 named surf breaks, including a 'Nationally Significant Surfing Area'.
- Increased protection for coastal indigenous biodiversity and areas of outstanding value.

I'm confident the new Plan will ensure Taranaki is at the forefront of best practice, allowing us to avoid adverse environment effects from the use and development of the coast while at the same time allowing for our economic, cultural and social well-being.

The Taranaki Regional Council looks forward to receiving your feedback and working with you to continue our efforts to achieve a sustainable and prosperous Taranaki.

This document – the *Draft Coastal Plan for Taranaki* – is the second regional plan prepared by the Taranaki Regional Council addressing its coastal functions under the Resource Management Act 1991. The Plan has been prepared following a review of the current *Regional Coastal Plan for Taranaki* (1997) under section 79 of that Act.

D N MacLeod
Chair
Taranaki Regional Council

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, and 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 policies:
 - > 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 give different activities different classifications 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).

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1

Introduction

This section outlines the scope and structure of the Plan.

- Title
- Purpose
- Operative date and review
- Application
- The Taranaki coastline
- Mana whenua
- Coastal management areas
- Plan structure

1 Introduction

This section outlines the 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.

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.

Mohakatino River	Huatoki Stream
Tongaporutu River	Oakura River
Mimi River	Kaupokonui Stream
Urenui River	Tangahoe River
Onaero River	Manawapou River
Waitara River	Patea River
Waiongana River	Whenuakura River
Waiwhakaiho River	Waitotara River
Te Henui Stream	

- (b) in the case of any river not referred to in (a), the river mouth is at the continuation of the line of mean high water springs of the coast across the river. The boundary of the coastal marine area is then a distance upstream equal to the lesser of one kilometre or five times the width of the 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.¹

¹ 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

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 coastal environment is wider than the coastal marine area. It 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 Taranaki Regional Council is required by the RMA to prepare a regional plan for the coastal marine area, as 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 management in isolation from the land component of the coastal environment. In order to recognise the integrated nature of the wider coastal environment and the affect 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. The RMA allows for such an approach by empowering regional councils to develop objectives, policies and methods to achieve the integrated management of natural or physical resources.

The Taranaki Regional Council cannot make rules that apply on land to provide for public access or historic or cultural 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 the control of the use of land to maintain indigenous biodiversity (except in the coastal marine area and the beds of river, lakes and other waterbodies). Therefore, this Plan uses rules only in the coastal marine area, and includes other methods (such as advocacy) with regard to the landward part. The Taranaki Regional Council can make rules on land relating to soil conservation and control of discharges, however these are regulated by other regional plans.

There are many agencies that have a role in management of the coast as shown in Figure 2.

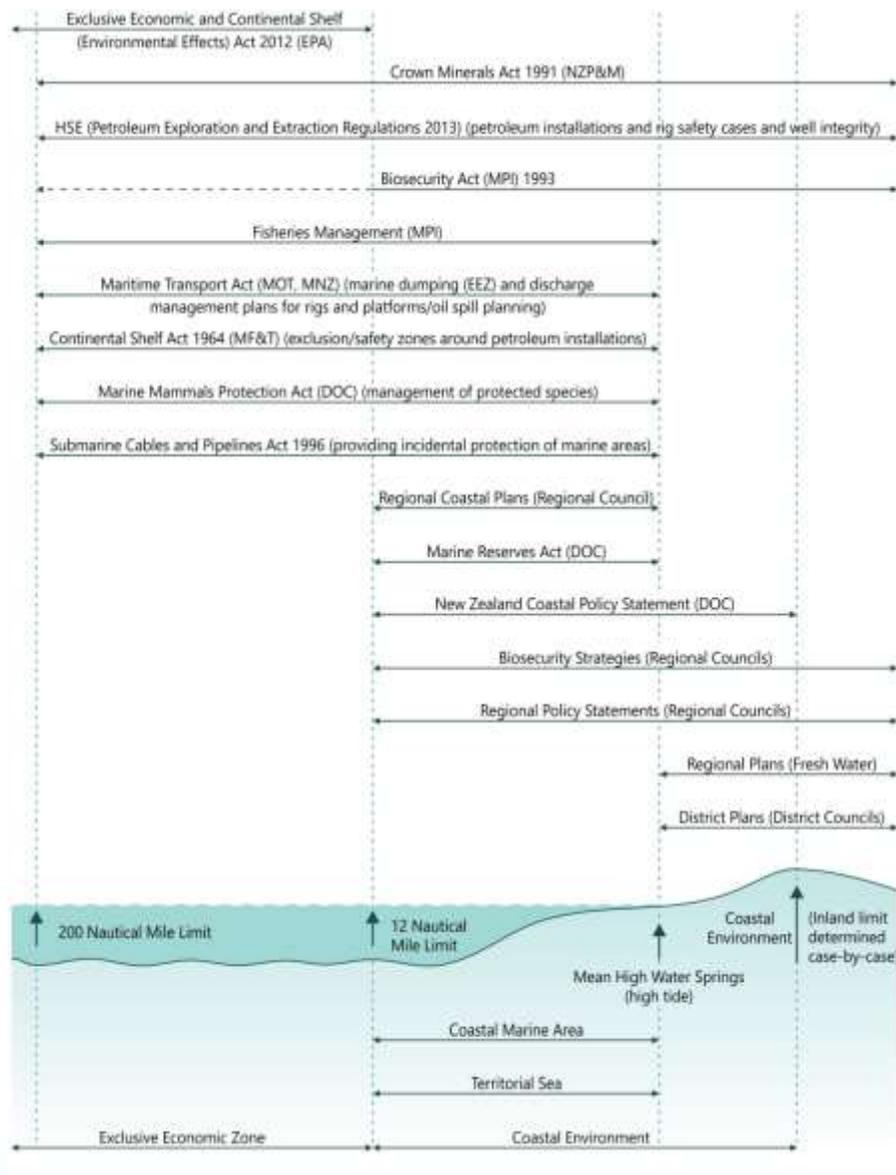


Figure 2: Agencies that have a role in management of the coast.

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, both north and south of the ring plain, of the uplifted marine terraces.

The high energy environment of the Tasman Sea and the exposure to frequent storm generated swells has resulted in the coastline eroding with around 90% now being comprised of cliffs. Erosion is greatest along the marine terraced coastline where sedimentary rock is softer than that of 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. There is generally abundant sediment supply to the coast from the large number of rivers and erosion of mount Taranaki. However due to the high energy coastline 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 Patea 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 which create a high concentration of quality surf breaks.

1.6 Mana whenua

There are eight recognised iwi within the boundaries of the Taranaki Regional Council (Figure 3), four of which have Treaty of Waitangi settlements. They are Ngāti Tama (2001), Ngāti Mutunga (2005), Ngāti Ruanui (2001) and Ngāa Rauru Kītahi (2003). Of the remainder Te Atiawa and Ngāruahine iwi have initialled deeds of settlement and are awaiting legislation to be passed through Parliament. Taranaki Iwi is working towards achieving a deed of settlement and Ngāti Maru is progressing towards a mandate that will enable preliminary settlement discussions to take place with the Crown.

The settlements illustrate iwi o Taranaki's relationship with the coast. All eight Taranaki iwi have traditions that demonstrate an ancestral, cultural, historical and spiritual connection to the coastal environment.

As outlined in the key principles at the start of the Plan, sustainable coastal management, through the exercise of kaitiakitanga and tikanga, is at the heart of the relationship between iwi o Taranaki and the coastal environment.

Schedule 7B identifies known sites of significance to iwi. The identification and on-going protection of these sites provide a continuous connection from the past to the present.

The Plan has integrated iwi o Taranaki values throughout the Plan provisions.



Figure 3: Iwi boundary map.

1.7 Coastal Management Areas

The coastal marine area has been divided into five management areas which recognise 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. These areas have been mapped in Schedule 1 and are as follows.

1.7.1 Outstanding Value

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

These areas contain values and attributes that are exceptional on account of their characteristics including landforms, land cover, cultural and heritage associations and visual qualities.

1.7.2 Estuaries unmodified

These are estuaries 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 habitats for marine and bird life and, in many cases, contain significant indigenous biodiversity values and high amenity values.

1.7.3 Estuaries modified

The Patea, 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 contain significant indigenous biodiversity values. They are also areas of high amenity value.

1.7.4 Port

This area contains the highly modified environment of Port Taranaki which contains nationally and regionally important infrastructure that enables the community to provide for their economic wellbeing. 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 habitats, reef systems that are valued by Maori for mahinga kai and fisheries that are recreationally, culturally and commercially valuable. The area is largely of high natural character and contains large tracts of representative coastline that are under no significant pressure for use or development. The area also contains nationally and regionally important infrastructure and has many areas of 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 and it has ten sections.

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

Section 2 outlines the statutory and planning context for the Plan, including the RMA and 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 sought to be achieved for the coastal environment.

Section 5 sets out the policies of the Plan to implement the objectives for the coastal environment. The section includes both general (over-arching) policies, that relate to the coastal environment as a whole and apply across all activities, and activity-specific policies that relate 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 reconstruction, 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 deposition 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 in which 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 procedures for how the Taranaki Regional Council will monitor the effectiveness of the Plan, and for the review of the Plan.

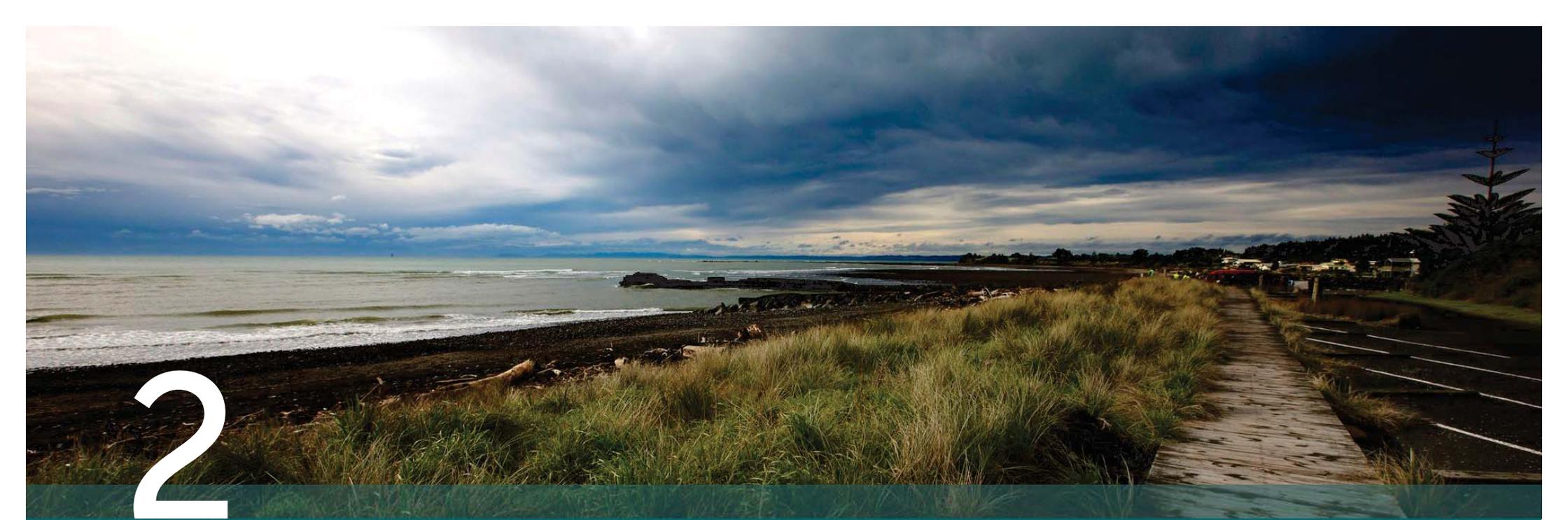
Definitions of terms and acronyms used in the Plan are set out at the back of the document.

Schedules and **Appendices** providing supporting information to assist in the application of the policies and rules are presented at the back of the Plan. The **schedules** identify:

1. Coastal Management Areas
2. Coastal areas of outstanding value
3. Coastal sites with significant amenity values
4. Significant surf breaks and Nationally Significant Surfing Area
5. Sites of geological significance
6. Significant indigenous biodiversity
7. Significant historic heritage.
8. Port air zone
9. Documents incorporated by reference

The **appendices** include:

1. Agreed river mouths and coastal marine area boundaries
2. Statutory acknowledgements
3. Airport flight paths
4. Port Taranaki and its approaches
5. Resource Management (Marine Pollution) Regulations 1998



2

Statutory and planning framework

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

- Resource Management Act
- New Zealand Coastal Policy Statement
- Marine and Coastal Area (Takutai Moana) Act 2011
- Resource Management (Marine Pollution) Regulations 1998
- Other legislation

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.”

The 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
- avoid, 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, 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; and
- (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 environment 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).

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. NPSs state objectives and policies for matters of national significance that are relevant to achieving the purpose of the RMA, which regional plans must give effect to, to ensure national consistency on their subject matter. There are currently three national policy statements that relate to the coastal marine area:

- *New Zealand Coastal Policy Statement 2010*, which sets out objectives and policies for managing the coastal environment ;
- *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.

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 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 Maori 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;
- reclamation and de-reclamation;
- 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.

National environmental standards (NES) are regulation issued under section 43 and 44 of the RMA by the Government. NESs can prescribe national technical standards, methods or requirements for environmental matters. The RMA stipulates that a regional plan must not conflict with a provision in a NES. There are currently five NESs that relate to:

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

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 owes the common marine and

coastal area. However, an iwi, hapū or whānau group may have their customary rights in the marine and coastal area recognised through a recognition agreement negotiated 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 exercised since 1840 and that continues to be exercised. It could include things like collecting hāngi stones or launching waka. When a protected customary rights order is granted by the High Court to an iwi, hapū or whānau group or a recognition agreement is negotiated with the Crown, the group has the ability to exercise their protected customary rights without need for a resource consent and they are not required to pay occupation charges or royalties.
- **Customary marine title** exists when an applicant group holds 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 received an area after 1840 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 a RMA permission right which provides the group with the ability to give or withhold permission for a new consented activity (with some exceptions).

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).

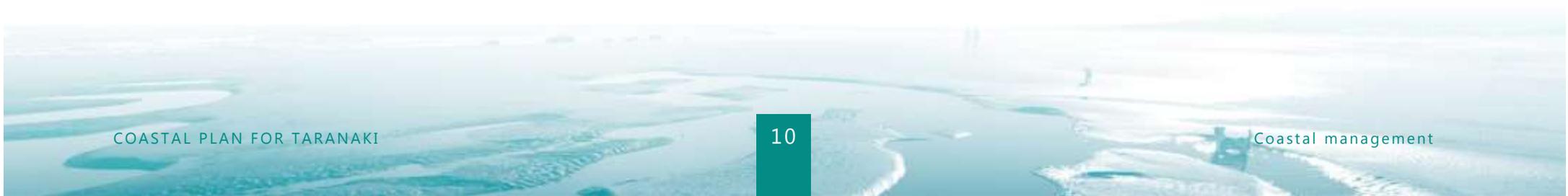
2.5 Other legislation

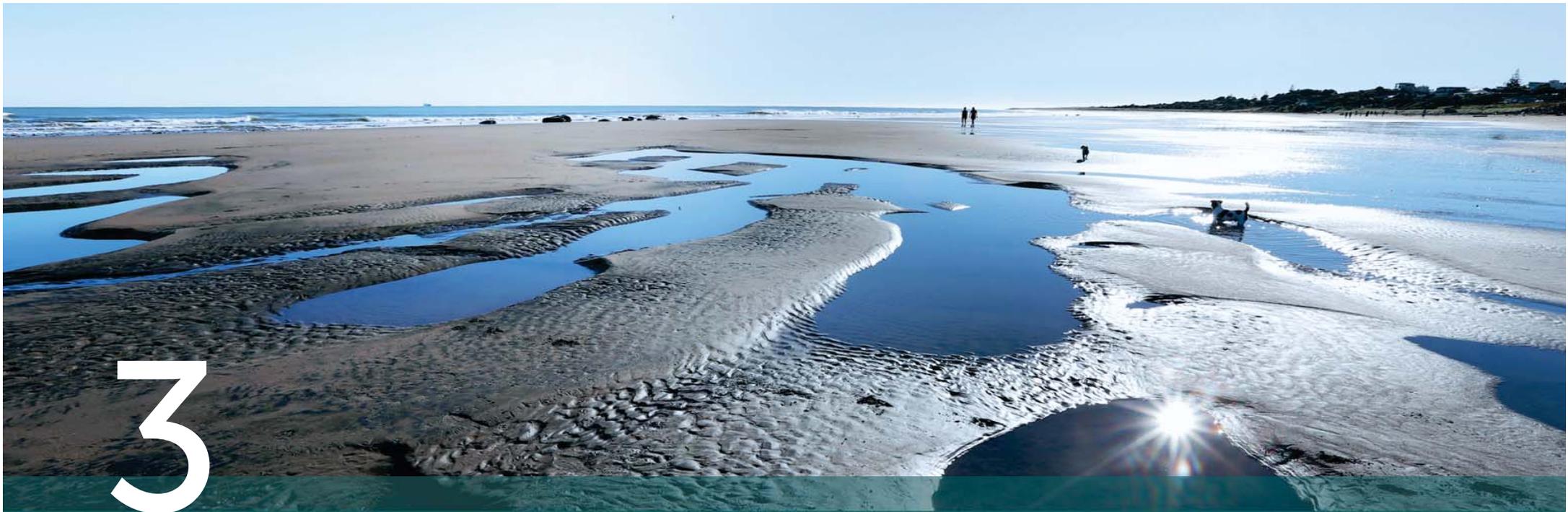
All persons responsible for activities in the coastal marine area should ensure that they comply with all relevant legislation, regulations and bylaws.

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

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3

Coastal management

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

- Taranaki coastal environment
- Managing the Taranaki coastal environment

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 only four major community or industrial discharges to coastal waters compared to some 25 major discharges 30 years ago.

Integrated management

Although few pressures exist in Taranaki's coastal marine area, it is important to recognise that natural and physical resources and the wider environment consist of interconnected systems. Changes to one part of one system may cause some change to the 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 needs to recognise the wider effects of the use, development and protection of 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 a high standard of coastal water quality, 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 a temporary affect on coastal water quality and 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 through discharges to coastal waters or 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. The effects of discharges in the coastal marine area and on land, including cumulative effects, need to be managed in maintaining and enhancing Taranaki's generally high coastal water quality².

Appropriate use and development

Some activities rely upon a location in the coastal marine area or are dependent on the use of coastal resources. Taranaki's coastal developments and resources play a crucial role in both the region's and New Zealand's economy. As an example, Taranaki is one of the most important mineral producing regions in New Zealand and, as at 2016, 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

² 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.

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

Natural and cultural heritage

Taranaki's distinctive natural and cultural heritage is integral to the identity of the region and its people. It is important for its cultural, amenity, biodiversity and tourism values and contributes 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, or cultural 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 or cultural associations inherent in a site or landscape that are of special significance.

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

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 mauri 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, 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 the avoidance of contamination of the coastal habitat from human and animal wastes. It is important that the relationship of tangata whenua with the coastal environment is recognised and provided for (refer 5 below).

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 supports diving, fishing and food gathering activities with its extensive rocky reefs and outcrops, and plankton-rich waters. Community surveys have shown 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 marine area is a high coastal hazard risk area. Risks include tornados, coastal erosion, tsunamis, storm surges, and cliff rock falls and slumps³. The risk or vulnerability to coastal hazards may increase over time due to climate change and sea level rise.

Although most natural processes, which cause coastal hazards originate at sea, the major effects of these processes are nearly always felt on land. The Taranaki coastline is constantly 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

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

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.

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 use and development of the coastal marine area does not increase coastal hazard risk or pose a threat to the health and safety of people or property (refer 7 below).

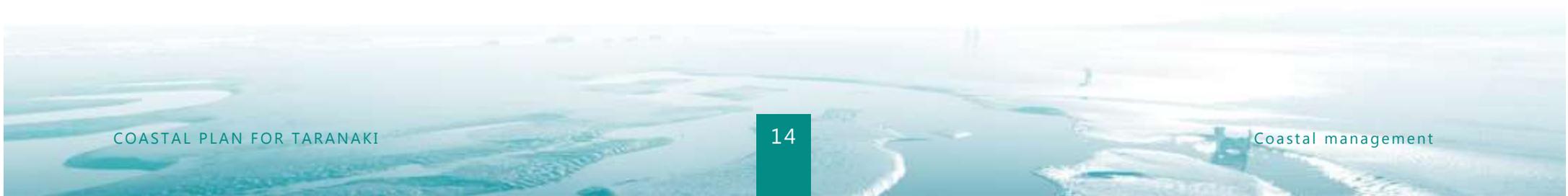
3.2 Managing the Taranaki coastal environment

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 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 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.

7. Ensuring use and development of the coastal marine area does not increase coastal hazard risk or pose a threat to the health and safety of people or property.

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4

Objectives

This section presents the twelve objectives for managing Taranaki's coastal environment.

4 Objectives

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

Objective 1: Integrated management

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

Objective 2: Appropriate use and development

Natural and physical resources of the coastal marine area are used efficiently, and activities that depend on the use of the natural and physical resources of the coastal environment are provided for in appropriate locations.

Objective 3: Reverse sensitivity

The use and ongoing operation of nationally and regionally important infrastructure and other existing lawfully established activities are protected from new or inappropriate use and development in the coastal environment.

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

Overall coastal water quality is maintained and enhanced in the coastal environment.

Objective 6: Natural character and natural features and landscapes

The natural character of the coastal environment, including natural features and

landscapes is preserved and protected from the adverse effects of inappropriate use and development of the coastal environment.

Objective 7: Indigenous biodiversity

Indigenous biodiversity in the coastal environment is maintained and enhanced overall and areas of significant indigenous biodiversity are protected from the adverse effects of inappropriate use and development of the coastal environment.

Objective 8: Relationship of tangata whenua with the coastal environment

Traditional and continuing relationships of tangata whenua and their cultures and traditions with the coastal environment, including the role of tangata whenua as kaitiaki, are recognised and provided for and protected from inappropriate use and development of the coastal marine area.

Objective 9: Treaty of Waitangi

The principles of the Treaty of Waitangi, including the principles of kawanatanga, rangatiratanga, partnership, active participation, resource development and spiritual recognition, are taken into account in the management of the coastal environment.

Objective 10: Historic heritage

Significant historic heritage in the coastal environment is protected from inappropriate use and development of the coastal marine area.

Objective 11: Public use and enjoyment

People's use and enjoyment of the coastal environment, including amenity values, traditional practices and public access to and within the coastal environment, is maintained and enhanced.

Objective 12: Coastal hazard risk and public health and safety

The risk of social, cultural, environmental, and economic harm from coastal hazards is not significantly increased, and public health and safety and property is not compromised, by use and development of the coastal marine area.

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5

Policies

This section includes the policies that implement the Plan objectives.

- General policies
- Activity-based policies

5 Policies

This section includes the policies that implement the Plan objectives. The policies are broadly grouped around eleven categories:

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 and cultural heritage
4. Public use and enjoyment
5. Coastal hazards and public health and safety.

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

1. Discharges to the coastal marine area
2. Coastal structures and occupation of space in the coastal marine area
3. Disturbance, deposition and extraction
4. Reclamation and drainage
5. Taking, use, damming or diversion of coastal water, or taking or use of heat or energy from coastal water
6. 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 where coastal processes, influences or qualities are significant) in order to achieve the objectives of this Plan.

The policies apply to all activities in the coastal marine area, regardless of what Coastal Management Area the activity may be situated in (Coastal Management Areas are identified in Schedule 1 and their characteristics are described in Policy 1).

5.1.1 Management of the coastal environment

Policy 1: Coastal Management Areas

Management of the coastal marine area will be carried out 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 under the Plan, recognition will be given to the following Coastal Management Areas (identified in Schedule 1) and their values, characteristics and uses:

- (a) **Outstanding Value:** Coastal areas of outstanding value (identified in Schedule 2) that characteristically:
 - (i) are areas of outstanding natural character and/or outstanding natural features or landscapes;
 - (ii) contain values and attributes that are exceptional including in relation to landforms, land cover, cultural and heritage associations, and visual qualities identified in Schedule 2 (refer corresponding Policy 8);
 - (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);
 - (iv) include diverse areas of significant indigenous biodiversity value identified

- in accordance with Policy 11;
- (v) include areas of high amenity value identified in Schedule 2 (refer corresponding Policy 15);
 - (vi) contribute to cultural, amenity, recreational and tourism values; and
 - (vii) are iconic to the region's identity and sense of place.
- (b) **Estuaries Unmodified:** Estuaries, not identified in (a) or (c) of this Policy, that are permanently open to tidal movements and characteristically:
- (i) provide a natural focal point for human activity but generally are 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;
 - (iii) provide habitats, migration paths, breeding areas and nursery areas for marine and bird life;
 - (iv) may contain significant indigenous biodiversity values identified in accordance with Policy 11;
 - (v) contains areas of high amenity value (specific areas identified in Schedule 3; refer corresponding Policy 15); and
 - (vi) are valued by Māori for mahinga kai.
- (c) **Estuaries Modified:** Patea, Waiwhakaiho and Waitara estuaries. These estuaries are highly modified and are surrounded by urban, extensively modified, environments and characteristically:
- (i) are permanently open to tidal movements and therefore have significantly different and more complex natural processes than the open coast;
 - (ii) provide habitats, migration paths, breeding areas and nursery areas for marine and bird life;
 - (iii) may contain significant indigenous biodiversity values identified in accordance with Policy 11;
 - (iv) contains areas of high amenity value identified in Schedule 3 (refer
- corresponding Policy 15); and
- (v) are valued by Māori for mahinga kai;
- (d) **Open Coast:** 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 eroding;
 - (ii) may contain significant indigenous biodiversity values identified in accordance with Policy 11;
 - (iii) contain areas of high amenity value identified in Schedule 3 (refer corresponding Policy 15);
 - (iv) contains nationally and regionally important infrastructure;
 - (v) includes reef systems that provide habitat to marine life, and are valued by Māori for mahinga kai;
 - (vi) includes nationally and regionally important surf breaks identified in Schedule 4 (refer corresponding Policy 16);
 - (vii) are largely of high natural character, including the adjoining land dominated by the coast, except for in the vicinity of the New Plymouth urban area and other discrete areas where built form dominates such as coastal subdivisions and settlements, and in areas of substantial river mouth or coastal protection works;
 - (viii) contain large tracts of representative coastline, and are generally under no significant pressure for use and development and have a moderate need for protection; and
 - (ix) contain fisheries that are recreationally, culturally and commercially valuable.
- (e) **Port:** Port Taranaki which is a highly modified environment that characteristically:
- (i) enables people and communities to provide for their economic well-being;

- (ii) contain nationally and regionally important infrastructure;
- (iii) contain port related activities which are accepted as appropriate uses of this Coastal Management Area;
- (iv) has low levels of natural character, although is located adjacent to an area of outstanding value;
- (v) provides habitat to indigenous coastal and marine species that are nationally threatened, at risk, or regionally distinctive (as identified in Schedule 6);
- (vi) can have significant effects on areas outside of the Port, including contributing to coastal erosion along the New Plymouth foreshore; and
- (vii) contains areas valued for recreation.

Note: This Policy applies to the coastal marine area

Policy 2: Integrated management

To provide for the integrated management of the coastal environment the Taranaki Regional Council will:

- (a) implement policies under Section 5.1 of the Plan in managing the effects of activities (positive and negative) undertaken in the coastal marine area on significant values and characteristics of the wider coastal environment;
- (b) maintain or enhance coastal water quality, amenity values and natural character of the coastal environment by implementing policies, methods and rules in other regional plans in relation to managing adverse effects associated with diffuse and direct discharges to freshwater and air, and soil disturbance;
- (c) take into account the potential for cross-media effects (e.g. water quality effects as a result of a discharge to air) and the connections between freshwater bodies and coastal water);
- (d) consider 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) consider the effects of activities in the coastal marine area on outstanding natural features and landscapes or areas of outstanding natural character identified in other regional or district plans;
- (f) meet the social, cultural and economic objectives and interests of the community, recognising that the management of physical and natural coastal resources will be carried out having regard to social, economic and cultural well-being, and the functional and/or locational constraints of nationally or regionally important infrastructure; and
- (g) work collaboratively with government departments, territorial authorities, other agencies, and tangata whenua in accordance with Policy 13, with 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.

Note: This Policy applies to the coastal environment

Policy 3: Extent and characteristics of the coastal environment

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

- (a) areas where coastal processes, influences or qualities are significant, including coastal lakes, lagoons, tidal estuaries, saltmarshes, coastal wetlands and the margins of these; and
- (b) the geographic extent to which activities within the coastal marine area may cause adverse effects on significant values and characteristics, detailed in policies 8 to 13 and 14 to 16, landward of the coastal marine area.

Note: This Policy applies to the coastal environment

5.1.2 Use and development of resources

Policy 4: Appropriate use and development of the coastal environment

In determining whether use and development of the coastal environment is appropriate

regard will be had to:

- (a) the functional need for the activity to be located in the coastal marine area; conversely, activities that do not have a functional need to be located in the coastal marine area should not be located there (unless the non-marine related activity complements the intended use and function of the area);
- (b) the benefits to be derived from the activity at a local, regional and national level;
- (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;
- (d) avoiding, remedying or mitigating adverse effects on the values and attributes of coastal areas of outstanding value, significant indigenous biodiversity, significant historic heritage, and significant amenity values in accordance with Policies 8, 11, 12 and 15;
- (e) the degree to which the activity will recognise and provide for traditional Māori uses and practices relating to natural and physical resources of the coastal environment such as mahinga kai, tauranga waka (canoe landing site), nga toka (rocks) and turanga ika (fishing ground);
- (f) the degree to which the activity will be threatened by, or contribute to, coastal hazard risk, or pose a threat to public health and safety with particular reference to Policy 17;
- (g) the degree to which the activity contributes to the enhancement or restoration of natural or cultural heritage including by buffering areas and sites of historical heritage value;
- (h) the degree to which the activity contributes to the enhancement or restoration of public access or public use of the coast including for recreation;
- (i) the aspirations of iwi to develop, use or protect the coastal environment within their rohe where this is appropriate and consistent with the other policies of the Plan and the purpose of the RMA;
- (j) whether any landward component, development or use of land-based infrastructure or facilities associated with the activity can be appropriately

provided for;

- (k) whether the activity is for scientific investigations or educational study or research; and
- (l) 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;
 - (iii) where applicable, the nature of the site or place of significance and associated values; and
 - (iv) the efficacy of measures to avoid, remedy or mitigate such effects, or provide environmental compensation where not able to remedy or mitigate.

Note: This Policy applies to the coastal environment

Policy 5: Activities important to the well-being of people and communities

Appropriate recognition will be provided to new or existing activities of regional or national significance or of importance to the social, economic and cultural well-being of people and communities in Taranaki including:

- (a) Port Taranaki and its contribution to the regional and national economy and a sustainable national transport system, including the continuation of existing activities, and diversification to meet changing operational needs;
- (b) infrastructure and activities associated with the exploration, extraction, production, transport or distribution of minerals including oil and gas and their derivatives;
- (c) infrastructure and activities associated with the generation, supply and distribution or transmission of electricity, including the potential contribution from marine-based renewable energy resources towards meeting the energy needs of future generations;
- (d) infrastructure and activities associated with the safe and efficient operation of state highways, public roads, rail network and airports; and

- (e) the potential economic contribution from aquaculture, including coastal activities that support land-based facilities.

Note: This Policy applies to the coastal environment

Policy 6: Impacts on established operations and activities

Activities will avoid, remedy or mitigate adverse effects (including reverse sensitivity impacts) on the following established operations and activities:

- (a) roads, rail network, airports, flight path protection surfaces and flight paths⁴;
- (b) Port Taranaki and its approaches⁵, including port operations and activities;
- (c) infrastructure and activities associated with the generation, supply, storage and distribution or transmission of energy or substances including the electricity transmission network, oil and gas pipelines, and the telecommunications line;
- (d) marine navigation and safety;
- (e) Lower Waitara River Flood Protection Scheme works and activities;
- (f) any established aquaculture activities in relation to water quality; and
- (g) other infrastructure including the use and maintenance of existing lawful structures.

Note: This Policy applies to the coastal environment

Policy 7: Provision for activities that have less than minor adverse effects

Activities that have less than minor adverse effect on the coastal marine area will be provided for without the need for a resource consent.

Note: This Policy applies to the coastal marine area

5.1.3 Protection, maintenance or enhancement of natural and cultural heritage and values

Policy 8: Areas of outstanding value

To protect the visual quality and the physical, ecological and cultural integrity of coastal

areas of outstanding value (identified in Schedule 1) from inappropriate use and development by:

- (a) avoiding adverse effects of activities on the significant values and characteristics identified in Schedule 2 that contribute to areas having outstanding natural character and/or that are outstanding natural features and landscapes 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.

Note: This Policy applies to the coastal environment

Policy 9: Natural character and natural features and landscapes

For all other areas of the coastal environment not identified in Schedule 2:

- (a) avoid significant adverse effects on natural character and natural features and landscapes by having regard to the extent to which the activity:
 - (i) contributes to the enhancement or restoration of natural character;
 - (ii) is compatible with the existing level of modification to the environment, including by having particular regard to Policy 1;
 - (iii) the context of the area within the surrounding landscape, its representativeness and ability to accommodate change;
 - (iv) is of an appropriate form, scale and design to be sympathetic to 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;
 - (vi) maintains the integrity of significant historic heritage;
 - (vii) maintains physical, visual (including seascapes) and experiential attributes that significantly contribute to the scenic, wild or other aesthetic values of the area;

⁴ A map of the New Plymouth airport flight path is contained in Appendix 3 of the Plan.

⁵ A map of Port Taranaki and its approaches is contained in Appendix 4 of the Plan.

- (viii) maintains the integrity of sites of geological significance identified in Schedule 5; and
 - (ix) alters the integrity of landforms and features, or disrupts the natural processes and ecosystems; and
- (b) avoid, remedy or mitigate other adverse effects on natural character and natural features and landscapes.

Note: This Policy applies to the coastal environment

Policy 10: Restoration of natural character

Promote the restoration or rehabilitation 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.

Note: This Policy applies to the coastal environment

Policy 11: Indigenous biodiversity

To protect areas of significant indigenous biodiversity in the coastal environment from inappropriate use and development and maintain and enhance indigenous biodiversity by:

- (a) avoiding adverse effects of activities on:
 - (i) indigenous taxa that are nationally threatened or at risk, or regionally distinctive as identified in Schedule 6A;
 - (ii) taxa that are internationally threatened as identified in Schedule 6A;
 - (iii) indigenous ecosystems and vegetation types that are threatened in the coastal environment, or are naturally rare, as identified in Schedule 6A;
 - (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 estuaries and the snapper-trevally spawning area in the North Taranaki Bight (situated offshore between Mohakatino River and Pariokariwa Point);
 - (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 6B;
 - (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, important to migratory species; and
 - (vi) ecological corridors, and areas important for linking or maintaining biological values identified under this policy.

Note: This Policy applies to the coastal environment

Policy 12: Historic heritage

To protect significant historic heritage in the coastal environment from inappropriate use and development by:

- (a) working collaboratively with territorial authorities, heritage agencies and tangata whenua to provide integrated management;
- (b) avoiding significant adverse effects on the values of:
 - (i) archaeological sites identified in Schedule 7A;

- (ii) places or values of historic, cultural or spiritual significance to tangata whenua identified in Schedule 7B or by tangata whenua;
 - (iii) sites registered by the Heritage New Zealand Pouhere Taonga on the New Zealand Heritage List/Rārangi Kōrero;
 - (iv) sites scheduled within the New Plymouth District Plan and South Taranaki District Plan;
- (c) where one or more sites with identified significant historic heritage values are adversely affected, having regard to the extent of effects including consideration of:
- (i) the association of the site in the context of the landscape, including the different types of occupation or activities over time; and
 - (ii) the association of the site with other interrelated, but not necessarily contiguous, historic heritage or cultural heritage sites and their collective significance in the context of historic landscapes;
- (d) where an activity is deemed appropriate in accordance with Policy 4 and avoidance of adverse effects is not possible:
- (i) the site will be thoroughly investigated and documented to provide a record of the site and that record will be deposited with the Heritage New Zealand Pouhere Taonga and relevant iwi and/or hapū where applicable; and
 - (ii) adverse effects will be remediated or mitigated, including by, for sites identified under clause (a)(ii), consulting with tangata whenua in developing appropriate mitigation and remediation options; and
- (e) allowing the maintenance, repair or restoration of identified significant 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.

Note: This Policy applies to the coastal environment

Policy 13: Relationship of tangata whenua

To recognise and provide for the relationship of tangata whenua culture, values and traditions with the coastal environment and take into account the principles of the Treaty of Waitangi, and kaitiakitanga the Taranaki Regional Council will:

- (a) provide opportunities for tangata whenua to actively participate in the resource management process where decisions are being made on issues of significance to tangata whenua by:
 - (i) taking into account any relevant iwi planning document;
 - (ii) taking into account any relevant memorandum of understanding between the Taranaki Regional Council and the iwi authority;
 - (iii) taking into account treaty settlements including, statements of association, protection principles and statutory acknowledgements;
 - (iv) providing for tikanga Māori and interpretation services for the use of Māori language in presenting evidence;
 - (v) providing for marae pre-hearing meetings and hearings where appropriate;
 - (vi) providing for the appointment of a person with recognised expertise in tikanga Māori to any hearing committee where a resource consent application is a significant issue to tangata whenua;
 - (vii) recognising the importance of mātauranga Māori, customary, traditional and intergenerational knowledge;
 - (viii) requiring that resource consent applications or plan change applications provide cultural impact assessments and/or archaeological assessments where appropriate; and
 - (ix) involving tangata whenua in the development of consent conditions, compliance monitoring plans and/or enforcement procedures where appropriate; and
- (b) have regard to other policies of this Plan that relate to tangata whenua values including Policies 1, 3, 4, 8, 9, 11, 12 and 14.

Note: This Policy applies to the coastal environment

5.1.4 Public use and enjoyment

Policy 14: Public access

Public access to, along and adjacent to the coastal environment will be maintained and enhanced by:

- (a) avoiding, remedying or mitigating any adverse effects of activities on public access;
- (b) promoting the enhancement or restoration of public access including for the connection of areas of public open space, access to mahinga kai, access to sites of historical and/or cultural importance, improving outdoor recreation opportunities, access to surf breaks and providing access for people with disabilities; and
- (c) only imposing a restriction on public access where such a restriction is necessary to:
 - (i) protect significant natural or cultural 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 6A;
 - (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 consistent with the purposes of a resource consent; 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.

Note: This Policy applies to the coastal environment

Policy 15: Amenity values

To maintain and enhance the significant amenity values of areas identified in Schedule 3 and surf breaks identified in Schedule 4 by:

- (a) avoiding, remedying or mitigating adverse effects on amenity values;
- (b) maintaining or enhancing water quality of a standard that allows existing community uses of the area for recreation, fishing or shellfish gathering to continue;
- (c) maintaining or enhancing the visual (including seascapes) and experiential attributes that significantly contribute to the scenic, wild or other aesthetic values of the area;
- (d) maintaining or enhancing public access to or use of the public open space area; and
- (e) ensuring activities are compatible with, or enhance, the existing established uses of the area on a permanent or on-going basis.

This Policy applies to the coastal environment

Policy 16: Surf breaks and Nationally Significant Surfing Area

To protect surf breaks and their use and enjoyment from adverse effects of other activities by:

- (a) avoiding adverse effects on:
 - (i) all nationally significant surf breaks as identified in Schedule 4; and

- (ii) all nationally and regionally significant surf breaks within the designated Nationally Significant Surfing Area as identified in Schedule 4;
- (b) giving priority to avoiding adverse effects on all regionally significant surf breaks, identified in Schedule 4, that are outside of the Nationally Significant Surfing Area;
- (c) within the Nationally Significant Surfing Area giving priority to:
 - (i) avoiding adverse effects on seascape, including development which would have an adverse effect on the remote feel of the area;
 - (ii) maintaining and enhancing public access in accordance with Policy 14; and
 - (iii) maintaining and enhancing amenity values in accordance with Policy 15
- (d) 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 of surf breaks, including natural character, water quality and amenity values.

Note: This Policy applies to the coastal environment

5.1.5 Coastal hazards and public health and safety

Policy 17: Avoidance of increasing coastal hazard or public safety risks

Activities in the coastal environment will avoid increasing the risk of social, environmental and economic harm from coastal hazards or posing a threat 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 takes into account dynamic coastal processes, including the expected effects of 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;
- (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 in accordance with Policy 14(c);
 - (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.

Note: This Policy applies to the coastal environment

Policy 18: 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.

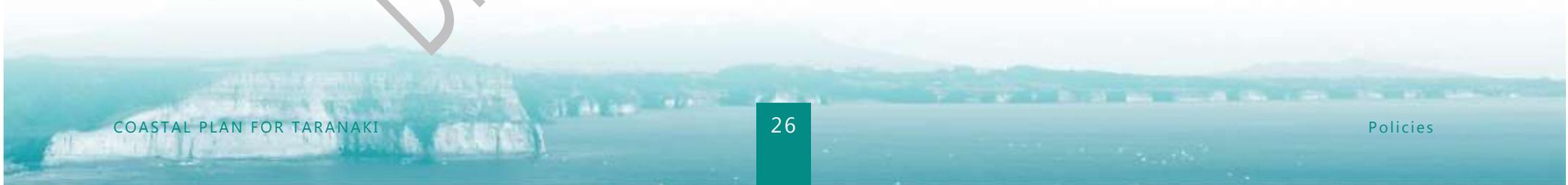
Note: This Policy applies to the coastal environment

Policy 19: Precautionary approach

A precautionary approach, which may include using an adaptive management approach, will be adopted where the effects of any activity on the coastal environment are uncertain, unknown, or little understood, but potentially significantly adverse.

Note: This Policy applies to the coastal environment

DRAFT NO LEGAL EFFECT



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.

5.2.1 Discharges to the coastal marine area

Policy 20: Cross-media effects

Take into account the potential for the discharge of contaminants to:

- (a) air to adversely affect other alternative receiving environments (i.e. land and water); and
- (b) coastal waters to result in significant deposition on the foreshore or seabed.

Policy 21: Maintenance and enhancement of coastal water quality

Coastal water quality will be maintained and enhanced by:

- (a) requiring point source discharges to land or the use of constructed wetlands or other land-based treatment as an alternative to discharging directly to water unless there is no other practicable option; and
- (b) requiring, where appropriate, the improvement in the quality of a discharge through a defined programme of works set as a condition of consent for either new resource consents or during a renewal or review process for existing resource consents where reasonably practicable.

Policy 22: Discharge of water or contaminants to coastal waters

Subject to Policy 21, discharges of water or contaminants to water in the coastal marine area should:

- (a) be of an acceptable quality with regard to:
 - (i) the sensitivity of the receiving environment including relevant values identified in Policy 1;

- (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 significant adverse effects, after reasonable mixing, on public health, aquatic life, habitats, ecosystems, mahinga mātaītai and amenity values;
 - (c) maintain or enhance, after reasonable mixing, water quality of a standard that allows existing community use of that water for recreation, fishing or shellfish gathering to continue;
 - (d) minimise adverse effects on the life-supporting capacity, mauri and wairua of water including by being of a quality that ensures that the smallest mixing zone necessary to achieve the required water quality in the receiving environment is used and that adverse effects within the mixing zone are minimised as far as practicable;
 - (e) avoid the accumulation of persistent toxic contaminants in the environment;
 - (f) adopt the best practicable option to prevent or minimise adverse effects on the environment having consideration to:
 - (i) options for discharging contaminants onto or into land above mean high water springs as an alternative to discharging contaminants into coastal waters;
 - (ii) the nature of the discharge and sensitivity of the receiving environment;
 - (iii) 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
 - (iv) the weighting of costs in proportion to any benefits to the receiving environment offered by each option; and

- (g) avoid, remedy or mitigate adverse effects, or where adverse effects cannot be avoided, remedied or mitigated protect, maintain, restore or enhance coastal values through environmental compensation or financial contributions.

Policy 23: Discharge of untreated human sewage

Discharges of untreated human sewage to coastal water will not be allowed.

Policy 24: Discharge of treated wastewater

Discharges of treated wastewater 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;
- (c) there has been consultation with the community generally; and
- (d) the discharge will result in no more than minor effects after reasonable mixing.

Policy 25: New discharges of wastewater containing human sewage

New discharges of treated wastewater containing human sewage will not occur in Coastal Management Areas - Outstanding Value, Estuaries Unmodified, Estuaries Modified and Port.

Policy 26: Improving Existing Wastewater Discharges

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

- (a) in the case of existing discharges from wastewater treatment plants, as far as is practicable, the quality of discharges should be progressively improved and the quantity of discharges progressively reduced, and
- (b) in the case of existing wastewater overflows, during or following extreme rainfall events, the frequency and/or volume of discharges should be progressively reduced and eliminated over the life of this Plan.

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 treatment) to prevent or minimise contamination of the receiving environment;
 - (iv) the use of design options to reduce the overall volume of stormwater requiring disposal to the coastal marine area, including discharging into land;
 - (v) integrated management of whole stormwater catchments and stormwater networks where appropriate; and
 - (vi) minimising the possibility of cross contamination of stormwater systems with sewage; and
- (b) ensuring discharge rates and volumes, and outlet structures, are designed and managed to avoid, remedy or mitigate erosion and scour.

Policy 28: Discharges from cleaning and maintenance of structures and ships.

Maintenance activities (including hull cleaning and scraping) of structures, movable objects and ships will be managed to minimise the risk of harmful aquatic organisms and toxic chemicals, such as some anti-fouling coatings, being discharged into the coastal marine area.

Policy 29: Impacts from offshore petroleum drilling and production

Activities associated with petroleum drilling and production in the coastal marine area will be managed to avoid, remedy or mitigate adverse environmental effects associated with accidental discharges by ensuring:

- (a) use of industry best practice drilling, construction and maintenance methods, including the type of mud systems and construction materials;

- (b) discharges of fluids from any well do not occur unless specifically authorised;
- (c) compliance with relevant recognised standards, codes of practice, or regulations;
- (d) activities are consistent with policies 8, 9, 11, 22, 30, 32, 39, 40, 43, 50, 52.

Policy 30: Discharge of contaminants to air

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

- (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, 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) any sensitive receiving environments including by having regard to Policy 1;
 - (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 public access and use of the coastal marine area or which are for public or environmental benefit

Enable structures in appropriate locations, 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 existing nationally and regionally important infrastructure, including for electricity or oil and gas generation or transmission purposes.

Policy 32: Placement of structures

Structures in the coastal marine area:

- (a) will be limited to those that meet the criteria in Policy 4(a) and which do not cause duplication of a function for which existing structures or facilities are adequate;
- (b) will not be located in Parininihi Marine Reserve, Ngā Motu/Sugar Loaf Islands Marine Protected Area and Tapaue 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 of any potential adverse effects on surf breaks consistent with Policy 16.
- (d) should be placed in an appropriate location with consideration of the sensitivity of the environment, including by giving consideration to Policy 1;
- (e) will 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 including cumulative effects;
- (f) will be managed in a way that minimises the risk of harmful aquatic organisms being introduced or spread, including from the introduction or placement of the structure or installation, use of machinery, relocation of equipment, or relocation of stock in the case of aquaculture;
- (g) should be made available for public or multiple use where it will not conflict with operational or safety requirements; and
- (h) where appropriate, should be made of, or finished with, materials which are visually and aesthetically compatible with the adjoining coast.

Policy 33: Hard protection structures in coastal areas of Outstanding Value

Hard protection structures located within Coastal Management Area – Outstanding Value coastal areas of Outstanding Value (identified in Schedule 2) will 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

The use of hard protection structures will be 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.

Appropriateness of hard protection structures will be assessed by the provision of evidence which demonstrates:

- (a) an adequate consideration of alternative methods to hard protection structures including non-intervention, natural defences in accordance with Policy 18, '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) consideration of locating hard protection structures landward of mean high water springs where practicable, particularly if the structure is for the purpose of protecting private assets;
- (f) the works being designed by a suitably qualified and experienced professional;
- (g) the degree and significance of actual or potential adverse effects on the environment including consideration of:
 - (i) cumulative effects;
 - (ii) any adverse effect on surf breaks consistent with Policy 16
 - (iii) the sensitivity of the environment; and
 - (iv) the efficacy of measures to avoid, remedy or mitigate such effects, or provide environmental compensation where not able to remedy or mitigate.

Policy 35: Temporary hard protection works

Temporary hard protection works 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 more sustainable approaches that do not involve further hard protection works;
- (b) the proposed works are removable; and
- (c) no permanent adverse effects on the environment will result from the placement, use and removal of the works.

Policy 36: Maintenance, repair, replacement and upgrade of existing structures

Maintenance, repair, replacement and minor upgrade of existing lawful structures and reclamations will be allowed to enable compliance with applicable standards and codes, ensure structural integrity, maintain or improve efficiency, or address health and safety or

navigational safety issues, subject to the appropriate management of adverse effects.

Policy 37: Reconstruction or extension of existing structures

Reconstruction or extension of existing lawful structures will be allowed in locations where the activity will not have significant adverse effects on other uses and values and will:

- (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 should be planned for as part of the initial design and installation. Structures should be removed from the coastal marine area at the expiry of their authorisations or at the end of their useful lives, unless 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 will have no more than minor adverse effects on the environment or public access or use of the coastal marine area, and not pose a threat to navigation or public health and safety, if left in place; or
- (c) the structure is an integral part of a cultural or historic site or landscape or has reuse value.

Policy 39: Storage, use and transmission of hazardous substances

The storage, use and transmission of hazardous substances will be managed to avoid or adequately mitigate adverse effects, including risks to people, property and the environment from unintended discharges, including by, but not necessarily limited to:

- (a) discouraging non-essential bulk storage of hazardous substances in the coastal marine area;
- (b) appropriately locating, designing, constructing and managing containment facilities, and treatment or spill response facilities where appropriate, for

hazardous substances;

- (c) ensuring the ongoing structural integrity of storage or transmission infrastructure; and
- (d) the use of spill contingency plans.

Policy 40: Occupation

Activities and structures occupying space within the coastal marine 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 of high public use and where it will have significant adverse effects on public access and recreational use of the coastal marine area in accordance with Policy 14(c).

5.2.3 Disturbance, deposition and extraction

Policy 41: Disturbance, deposition and extraction in marine areas with legal protection

Activities involving disturbance of, or deposition on, the foreshore or seabed or the extraction of natural material will not occur in Parininihi Marine Reserve, Ngā Motu/Sugar Loaf Islands Marine Protected Area and Tapaue 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 42: Provision for disturbance, deposition or extraction activities that provide public or environmental benefit

Enable activities involving disturbance, deposition or extraction which are necessary to protect or maintain the safe and efficient operation of nationally and regionally important infrastructure or provide for public or environmental benefit, 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) protecting or maintaining state highways and public roads;
- (d) restoring, enhancing or protecting natural or cultural heritage values;
- (e) deposition of material, including dredging spoil, for beach replenishment;
- (f) clearing the exit of any lawful stormwater outfall or pipe;
- (g) removal or control of harmful aquatic organisms, pest plants or other exotic plants;
- (h) operating, maintaining, repairing or upgrading lawful structures or infrastructure, including for telecommunications, electricity or oil and gas generation or transmission purposes;
- (i) removing hazards to navigation or public health and safety, or installing navigational aids;
- (j) recreational activities, or scientific or educational study or research; and
- (k) small scale extraction that results in a minor level of disturbance in accordance with Policy 45.

Policy 43: Disturbance of the foreshore or seabed

Activities that cause disturbance of the foreshore or seabed should:

- (a) should be managed with regard to the sensitivity of the site specific values present including those described in Policy 1;
- (b) avoid significant adverse effects on marine biota caused by the release of contaminants and avoid, remedy or mitigate adverse effects:
 - (i) on spawning areas, aquatic life at spawning times, and migratory patterns of marine life (such as whitebait runs)
 - (ii) on passage of diadromous species through estuaries and river catchments;

- (iii) on bird roosting, nesting and feeding areas including that of migratory species;
- (iv) on marine mammal resting, feeding or breeding areas;
- (v) on vegetation communities including saltmarsh;
- (vi) on mahinga mātaītai;
- (vii) on other lawfully established activities in the coastal marine area, including recreational and cultural use;
- (viii) including by having regard to tidal cycles, time of day and seasonal changes;
- (c) avoid or minimise disturbance of sensitive marine benthic habitats and threatened or at risk species identified in Schedule 6 consistent with Policy 11 including by giving consideration to alternate routes or locations;
- (d) avoid or minimise adverse affects on surf breaks consistent with Policy 16.
- (e) not adversely affect identified significant cultural or historic heritage in accordance with Policy 12;
- (f) ensure than any Māori heritage which is accidentally discovered is managed in accordance with appropriate protocols and tikanga Māori; and
- (g) 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 44: Port dredging

Port Taranaki maintenance and capital dredging activities, including spoil disposal, will 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;

- (c) the wave climate is not significantly modified and erosion rates are not materially increased;
- (d) significant adverse effects are avoided on mahinga mātaimai and benthic communities outside of the extraction and deposition areas;
- (e) bird roosting, nesting and feeding areas are not adversely affected including by having regard to the time of year;
- (f) adverse water quality effects are minimised;
- (g) best practicable methods are used and procedures for dredging and depositing contaminated sediments, or dredging in the zone of natural oil seeps, so that:
 - (i) sediment or contaminant mobilisation and dispersal is minimised as far as practicable; and
 - (ii) significant adverse effects on water quality or the seabed, substrate, ecosystems or habitats do not result;
- (h) the risk of harmful aquatic organisms being introduced or spread is minimised; and
- (i) damage is not caused to existing lawful structures.

Policy 45: Provision for small scale extraction of natural materials

Removal of sand, shingle, shell or other natural material from the foreshore or seabed in minor quantities will be allowed (apart from within areas identified in Policy 41), including for traditional Māori uses, provided the removal:

- (a) is of a volume or from a location that will not result in adverse effects on shoreline stability;
- (b) does not adversely affect other established activities in the coastal marine area;
- (c) does not adversely affect significant historic heritage identified in Schedule 7; and
- (d) results in only a minor level of disturbance to the foreshore or seabed that can either be reinstated or remediated by wave or tidal processes.

Policy 46: 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 41, 42, 44 and 45 should:

- (a) be undertaken in an appropriate manner and location by having regard to the values and sensitivity of the environment potentially affected by the extraction or deposition, including by giving particular consideration to historic heritage values and Policy 1, and the degree and significance of effects;
- (b) generally not occur in Coastal Management Areas – Outstanding Value, Estuaries Unmodified and Estuaries Modified;
- (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) not materially increase the rate of coastal erosion or significantly modify nearshore wave climates;
- (g) where applicable and appropriate, ensure that the deposited material is of a similar size, sorting and parent material as the receiving sediments;

- (h) avoid or minimise, as far as practicable, the coverage or smothering of sensitive marine benthic habitats identified in Schedule 6(excluding areas where those rocky habitats have been exposed by coastal erosion induced by human activities);
- (i) not be for purposes of disposing of spoil from land-based activities unless the benefits outweigh any adverse environmental effects;
- (j) ensure that any contaminated material does not result in significant adverse effects on water quality or the seabed, substrate, ecosystems or habitats;
- (k) manage the introduction, cleaning or maintenance of vessels or equipment used, and have regard to the presence of harmful aquatic organisms in the material to be disposed of, to minimise the risk of introducing or spreading harmful aquatic organisms; and
- (l) avoid, remedy or mitigate adverse effects on other lawfully established activities in the coastal marine area, including recreational use and mahinga mātaītai.

5.2.4 Reclamation and drainage

Policy 47: Appropriateness of reclamation or drainage

The reclamation or drainage of land in the coastal marine area will not be allowed unless:

- (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 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 48: Design of reclamation

Subject to Policy 47, the design and form of any reclamation of land in the coastal marine area will:

- (a) not be constructed from material that contains any contaminants that could result in significant adverse effects on water quality, aquatic ecosystems and indigenous biodiversity in the coastal marine area;
- (b) take into account the potential effects of climate change, including sea level rise, over 100 years;
- (c) take into account the amenity values, landscape and natural character in the location in ensuring, where appropriate, that the shape of the reclamation and materials used are visually and aesthetically compatible with the adjoining coast;
- (d) 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 14(c);
- (e) take into account whether the activity will affect cultural landscapes and sites of significance to tangata whenua;
- (f) avoid or remedy consequential erosion and accretion; and
- (g) take into account the avoidance, remediation or mitigation of adverse effects on the environment, including environmental compensation where not able to remedy or mitigate.

Policy 49: De-reclamation

Enable the de-reclamation of land in the coastal marine area where it would:

- (a) restore the natural character and resources of the coastal marine area;
- (b) provide for better public access or public open space; or
- (c) provide for the efficient operation of nationally or regionally important infrastructure.

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

Policy 50: Taking and use of coastal water or taking of heat or energy from coastal water

Taking and use of coastal water and any taking of heat or energy from coastal water will be allowed provided it is not taken in a quantity or at a rate that would cause adverse effects on natural coastal processes or marine flora and fauna, habitats or ecosystems.

Policy 51: Damming or diversion of coastal water

Damming or diversion of coastal water should not adversely affect ecosystems, the natural character of the coastal environment or increase the risk of flooding or erosion.

5.2.6 Noise

Policy 52: Noise and vibration

Noise and vibration from activities undertaken in the coastal marine area, including underwater activities, will be managed to protect the natural character, amenity values and fauna of the coastal environment, including by having regard to the sensitivity of the receiving environment and noise standards identified in section 8.6.3 of this Plan.

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6

Methods of implementation

This section contains the non-regulatory methods that will be used to implement the policies.

- General
- Management of the coastal environment
- Use and development of resources
- Natural heritage
- Historic and cultural heritage
- Public use and enjoyment
- Coastal hazards and public health and safety
- Coastal water quality
- Coastal structures and occupation, disturbance, and reclamation
- Noise

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 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;
 - 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; and
 - e) on siting, design, installation, operation and maintenance systems and procedures to avoid or mitigate adverse effects on the coastal environment.
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, 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, 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
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 investigations 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; and
 - e) Port.
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, 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 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 habitat 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 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 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 Historic Places Act 1993), for the purpose of identifying and protecting the region's historic heritage values.
22. Actively support, as and when appropriate, **surveys, research and investigations** into identifying historic heritage in the region.
23. Impose conditions on resource consents for activities that involve disturbance of foreshore and sea bed that set out appropriate **protocols** to be followed in the event of an accidental discovery of kōiwi or artefacts of Māori origin.
24. Protect, through both the Plan and **resource consent processes**, spiritual and cultural values, traditional uses and practices, and economic well-being of tangata whenua.
25. **Support and assist** iwi as appropriate, with their identification of wāhi tapu and other taonga through the development of electronic wāhi tapu inventories, registers or 'silent files'.
26. Consider **iwi involvement or partnerships** in Taranaki Regional Council resource investigations and projects, including developing iwi and Council databases and records identifying sites and places of special cultural and traditional value

associated with the coastal environment.

27. Provide **technical assistance and advice** in preparing iwi planning documents and consider financial or other support for preparing such documents.
28. Provide advice and information to generally **promote awareness** of wāhi tapu and other taonga and the importance and values of such sites and values.
29. 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.
30. 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.
31. Work with iwi authorities to develop **memorandums of understanding** that establish and maintain an effective working relationship between the Taranaki Regional Council and iwi.
32. 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

33. 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.
34. **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.
35. Establish a working group that includes relevant agencies, landowners, iwi and interest groups to protect and enhance the recreational values of the **Nationally**

Significant Surfing Area as described in Schedule 4.

36. **Promote** the enhancement of public access to and along the coast through agreements or covenants with landowners under the New Zealand Walkways Act 1990, the Queen Elizabeth the Second National Trust Act 1977, or through the voluntary creation of esplanade strips under the RMA.
37. 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

38. Develop and maintain **hazard information** including coastal hazards in partnership with territorial authorities.
39. 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.
40. Encourage and support moves by territorial authorities to **restrict vehicular access** in coastal areas where the safety of other beach users is threatened by inappropriate use of vehicles on beaches.
41. Setting of 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.
42. Application of **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.

43. **Notify** Maritime New Zealand and the Hydrographic Office of the Royal New Zealand Navy 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

44. **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.
45. 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) to promote sustainable land management practices that avoid or reduce contamination of coastal water.
46. Undertake **compliance monitoring** of authorised industrial, domestic, and agricultural discharges to water and air in the coastal marine area.
47. 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 at lowest possible cost for riparian management purposes; and
 - c) providing ongoing advice and support to plan holders.
48. **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.

49. 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 in a manner that will avoid or mitigate the effects of discharges of contaminants to water or air the coastal marine area by ship operators and owners of offshore installation; and
 - 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.

6.9 Coastal structures and occupation, disturbance, and reclamation

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

6.10 Noise

52. **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 for the purpose of enforcement action under Part 12 of the RMA.

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Reader's guide to the rules

This section provides a reader's guide explaining how the rules are formatted and arranged in the Plan.

- Arrangement of rules
- How the rules tables are formatted
- Guide to the rules table
- Index to the rules

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 their interpretation and application.

7.1 Arrangement of rules

The regional rules are broadly grouped around five categories reflecting 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 which 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>Note all conditions, standards and terms in this column must be met to comply with the rule.</p>	<p>This column is relevant only for <i>controlled activities</i>.</p> <p>For controlled activities, this column contains the matters over which the Taranaki Regional Council has reserved its control.</p> <p>When the column is blank, one of three situations applies:</p> <ol style="list-style-type: none"> the activity is a permitted activity, and by definition no control or discretion can be reserved; the activity is a prohibited activity, and by definition no control or discretion can be reserved; or the activity is a discretionary or non-complying activity for 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. <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 cross-references the key policies in section 5 of the Plan that the rule implements.</p> <p>These 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 and 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 50 to 84.

Step One: Determine whether the activity involves:

- discharges to the coastal marine area (rules 1–16)
- coastal structures and occupation of space in the coastal marine area (rules 17–50)
- disturbance, deposition and extraction (rules 51–60)
- reclamation or drainage (refer to rules 61–63)
- taking or use of water, heat or energy (rules 64–65)

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. Different rules apply for different Coastal Management Areas.

Step Three: Having identified the relevant rule(s) based upon activity and location refer to the rule's classification of the activity (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 the need to obtain 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 is restricted to exercising its discretion 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 a 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 4 on the following page shows a simplified version of how the activity classifications work. Neither it 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.

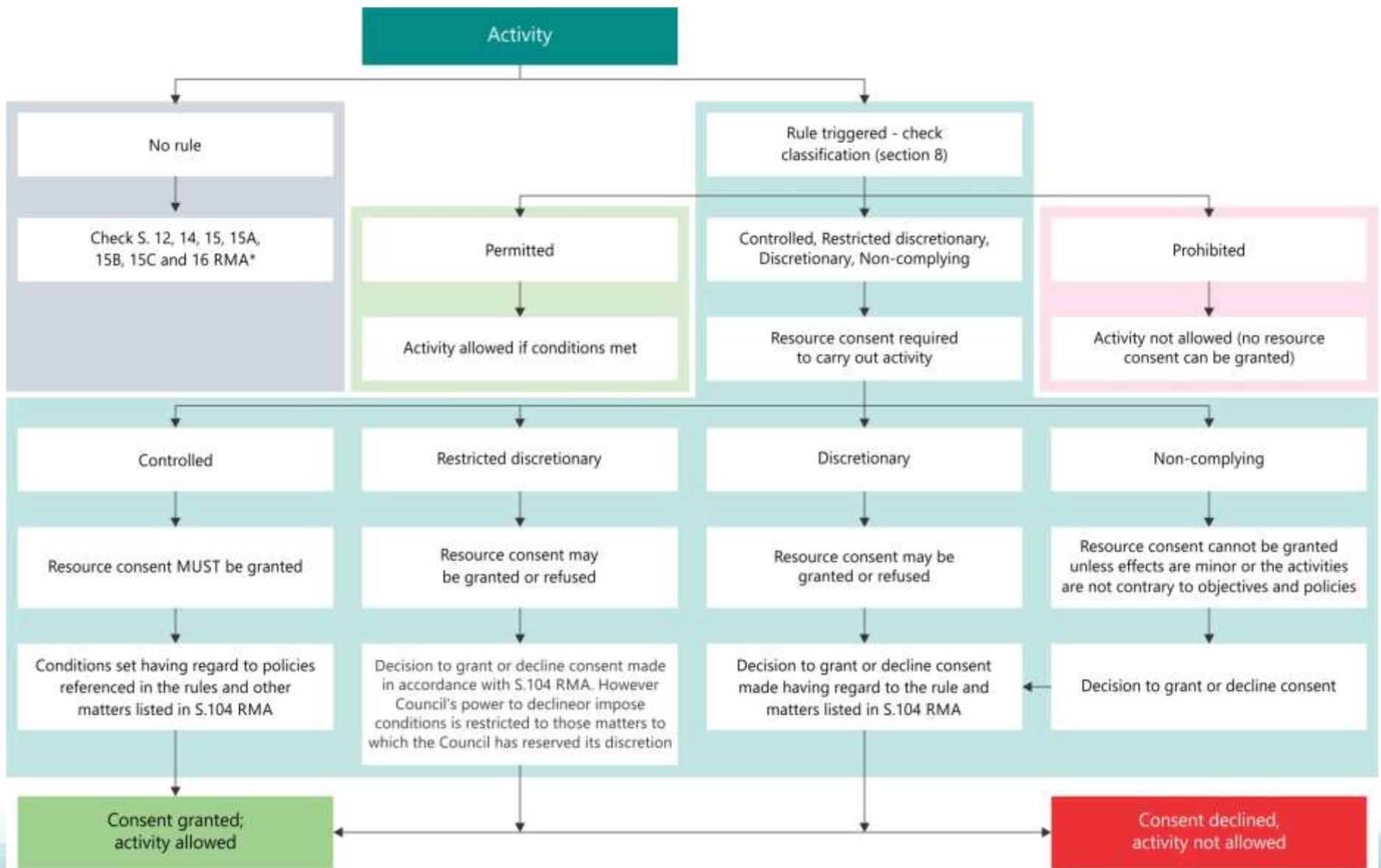


Figure 4: Guide for consent applicants.



8

Regional rules

This section sets out the rules for the Plan.

- 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
- General standards

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 the page number.

Activity		Rule number	Page number
Discharges (to coastal water and air)	Discharges of stormwater	1 - 3	50
	Petroleum dispersant use	4	51
	Discharges of untreated human sewage	5	51
	Discharges from wastewater treatment plants	6 – 8	51 - 52
	Discharges from boifoul cleaning	9	53
	Discharges from abrasive blasting	10	53
	Discharges from seismic surveying	11	53
	Other discharges to water or land not provided for in Rules 1 to 11	12 - 13	54
	Discharges to air within the Port Air Zone	14 - 15	54
	Other discharges to air not provided for in Rules 14 and 15	16	55
Structures and occupation	Placement of an outfall structure	17	55
	Placement of a mooring structure	18 – 19	56
	Erection or placement of a navigation aid	20	57

Activity	Rule number	Page number
Erection or placement of a network utility structure	21	57
Erection or placement of a launching, mooring or berthing structure in the Port	22	58
Erection or placement of a whitebait stand	23	59
Erection or placement of a hard protection structure	24	60
Drilling of a petroleum exploration or appraisal well	25 - 27	60 – 62
Petroleum production installation, drilling construction, operation, maintenance, modification and abandonment	28 - 29	63 – 64
Temporary military training	30 - 31	65 – 66
Other erection or placement of structures not provided for in Rules 31 to 46	32 - 33	67
Maintenance or reconstruction of a structure	34	68
Reconstruction, alteration, extension or replacement of a hard protection structure	35	68
Reconstruction, alteration or extension of a network utility structure	36	69
Removal and replacement of a structure	37	70
Reconstruction or alteration of upper surfaces of the wharves and breakwaters	38 – 39	71
Reconstruction, alteration or extension of a launching mooring or berthing structure	40	72
Other reconstruction, alteration, extension or removal and replacement of a structure that is not provided for within Rules 34 – 40	41 - 42	73

	Activity	Rule number	Page number
	Removal or demolition of a structure	43 - 45	73 – 75
	Temporary occupation for a community, recreational or sporting activity	46	75
	Continued occupation	47 - 49	76
	Other occupation that is not provided for within Rules 46 to 49	50	77
Disturbance, deposition and extraction	Clearance of outfalls, culverts and intake structures	51	78
	River mouth clearance	52	78
	Dredging and spoil disposal	53 - 54	80
	Beach replenishment	55	80
	Introduction of exotic plants	56	81
	Minor disturbance and removal	57	81
	Burial of dead animals	58	81
	Other disturbance, damage, destruction, removal or deposition that is not provided for within Rules 51 to 58	59 - 60	82
Reclamation or drainage	Reclamation or drainage for flood control within areas of outstanding coastal value and unmodified estuaries	61	83
	Other reclamation or drainage that is not provided for within Rule 61	62 - 63	83 – 84
Taking or use	Taking or use of water heat or energy	64 - 65	84

8.1 Discharges to the coastal marine area

Discharges of stormwater

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Discharge of stormwater 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, or</p> <p>(b) conveys stormwater from industrial or trade premises that:</p> <p>(i) cover a total area of 2ha or less, and</p> <p>(ii) do not use or store hazardous substances.</p> <p><i>Note: 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 will not cause any scouring or erosion beyond the point of discharge;</p> <p>(b) the discharge will not contain wastewater;</p> <p>(c) the discharge will not contain stormwater from the Port or state highways;</p> <p>(d) the discharge will not have an adverse effect on any habitat or species identified in Schedule 6A[significant indigenous biodiversity];</p> <p>(e) the discharge will 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>(f) the discharge will not emit an objectionable odour;</p> <p>(g) the discharge will not adversely affect the suitability of the receiving water for bathing after reasonable mixing;</p> <p>(h) the discharge will not render marine organisms unsuitable for human consumption within recognised mātaītai reefs/resources;</p> <p>(i) there will be no undesirable biological growths as a result of the discharge; and</p> <p>(j) the discharge will not cause the natural temperature to be changed by more than 3 degrees from normal seasonal water temperature fluctuations, after reasonable mixing.</p>		
Discharge of stormwater into water or onto land in the coastal marine area that does not come within or comply with Rule 1.	2	<p>Open Coast</p> <p>Port</p>	Discretionary			Policies 1 to 19, 20, 22, 27
Discharge of stormwater into water or onto land in the coastal marine area that does not come within or comply with Rule 1.	3	<p>Outstanding Value</p> <p>Estuaries Unmodified</p> <p>Estuaries Modified</p>	Non-complying			Policies 1 to 19, 20, 22, 27

Petroleum dispersant use

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Discharge of petroleum dispersant 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 covered 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.</p>		

Discharges of untreated human sewage

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Discharge of untreated human sewage into water or onto land in the coastal marine area;</p> <p>excluding sewage discharges covered by the <i>Resource Management (Marine Pollution) Regulations 1998</i> (Appendix 5).</p>	5	<p>Outstanding Value</p> <p>Estuaries Unmodified</p> <p>Estuaries Modified</p> <p>Open Coast</p> <p>Port</p>	Prohibited			

Discharges from wastewater treatment plants

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Continuation of existing wastewater discharge, that contains human sewage, into water or onto land in the coastal marine area after its consent expires;</p> <p>excluding sewage discharges covered by the <i>Resource Management (Marine Pollution) Regulations 1998</i> (Appendix 5).</p> <p><i>Note: There are three existing lawfully authorised wastewater discharges containing human sewage, the New Plymouth discharge through the outfall at Waiwhakaiho, the Patea discharge into the Patea estuary and the Hawera treatment plant discharge to the</i></p>	6	<p>Estuaries Modified</p> <p>Open Coast</p>	Discretionary			<p>Policies 1 to 19, 20, 21, 22, 23, 24, 26</p>

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<i>coastal outfall near Hawera.</i>						
New wastewater discharge, that contains human sewage, into water or onto land in the coastal marine area; excluding sewage discharges covered by the <i>Resource Management (Marine Pollution) Regulations 1998</i> (Appendix 5). <i>Note: For a new wastewater discharge that does not contain human sewage refer to Rule 12.</i>	7	Open Coast	Discretionary			Policies 1 to 19, 20, 21, 22, 23, 24, 25
New wastewater discharge, that contains human sewage, into water or onto land in the coastal marine area; excluding sewage discharges covered by the <i>Resource Management (Marine Pollution) Regulations 1998</i> (Appendix 5). <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>	8	Outstanding Value Estuaries Unmodified Estuaries Modified Port	Prohibited			

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Discharges from biofoul cleaning

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Discharge of a substance into water in the coastal marine area from the scraping and/or cleaning of the part of a ship, moveable object or navigation aid that is normally below the water surface.</p> <p><i>Note: If the activity does not meet the standards, terms and conditions in this Rule refer to Rule 12 or Rule 13 depending on the Coastal Management Area involved.</i></p>	9	Outstanding Value Estuaries Unmodified Estuaries Modified Open Coast Port	Permitted	(a) the cleaning or treatment method will capture any biological material greater than 50µm in diameter that is released into the water column and this material will be disposed of in an appropriate manner on land; and (b) the anti-foul coating on the vessel will not have exceeded its planned life, as specified by the manufacturer, and the cleaning method will be undertaken in accordance with the manufacturer's recommendations.		

Discharges from abrasive blasting

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Discharge of contaminants into water, into air or onto land in the coastal marine area from abrasive blasting.</p> <p>and any associated:</p> <p>(a) deposition on the foreshore or seabed.</p>	10	Outstanding Value Estuaries Unmodified Estuaries Modified Open Coast Port	Discretionary			Policies 1 to 19, 20, 22, 28, 29, 30, 41, 42

Discharges from seismic surveying

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Discharge of energy into water in the coastal marine area from seismic surveying for the purpose of petroleum prospecting and any associated noise.</p> <p><i>Note: If the activity does not meet the standards, terms and conditions in this Rule refer to Rule 12 or Rule 13 depending on the Coastal Management Area involved.</i></p>	11	Outstanding Value Estuaries Unmodified Estuaries Modified Open Coast Port	Permitted	Survey complies with <i>2013 Code of Conduct for Minimising Acoustic Disturbance to Marine Mammals from Seismic Survey Operations</i>		

Other discharges to water or land not provided for in Rules 1 to 11

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
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 11, any other Rule in this Plan, or <i>the Resource Management (Marine Pollution) Regulations 1998</i> (Appendix 5).	12	Open Coast Port	Discretionary			Policies 1 to 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30
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 11, any other Rule in this Plan, or <i>the Resource Management (Marine Pollution) Regulations 1998</i> (Appendix 5).	13	Outstanding Value Estuaries Unmodified Estuaries Modified	Non-complying			Policies 1 to 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30

Discharges to air within the Port Air Zone

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
Discharge of contaminants to air within the Port Air Zone from the storage or transfer of cargo materials. <i>Note (1): Map showing the Port Air Zone is included as Schedule 8.</i> <i>Note (2): If the activity does not meet the standards, terms and conditions in this Rule refer to Rule 15.</i>	14	Port	Permitted	(a) discharge will not result in offensive or objectionable odour or dust at or beyond the boundary of the Port Air Zone; (b) discharge will not result in noxious or toxic levels of airborne contaminants at or beyond the boundary of the Port Air Zone; and (c) discharge will 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.		
Discharge of contaminants to air within the Port Air Zone from the storage or transfer of cargo materials and which does not come within or comply with Rule 14 <i>Note: Map showing the port air zone is included as Schedule 8.</i>	15	Port	Discretionary			Policies 1 to 19, 20, 29, 30

Other discharges to air not provided for in Rules 14 and 15

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
Discharge of contaminants to air 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 14 or 15 or any other Rule in this Plan including discharges covers by the Resource Management (Marine Pollution) Regulations 1998 (Appendix 5).	16	Outstanding Value Estuaries Unmodified Estuaries Modified Open Coast Port	Discretionary			Policies 1 to 19, 20, 29, 30

8.2 Coastal structures and occupation of space in the coastal marine area

Placement of an outfall structure

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Placement of an outfall structure 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: If the activity does not meet the standards, terms and conditions in this Rule refer to Rule 21 for a network utility structure or Rule 32 or Rule 33 for other outfalls depending on the Coastal Management Area involved.</i></p>	17	Outstanding Value Estuaries Unmodified Estuaries Modified Open Coast Port	Permitted	<p>(a) structure has a maximum internal diameter of 150mm and extends a maximum of 0.5m from the line of mean high water springs;</p> <p>(b) no erosion or scour results from placement of the structure;</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 to be placed in any Marine Reserve or Marine Protected Area;</p> <p>(e) structure is not to be placed at any site identified in Schedules 5 [Sites of geological significance] or 7 [Sites of significant historic heritage];</p> <p>(f) structure will not have an adverse effect on any habitat or species identified in Schedule 6A [Significant indigenous biodiversity]; and</p> <p>(g) at least one working day before the activity commences, the Taranaki Regional Council is informed that the activity is to occur.</p>		

Placement of a mooring structure

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Placement of a mooring structure on the seabed that does not require excavation and any associated:</p> <ul style="list-style-type: none"> (a) occupation of space 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. <p><i>Note: If the activity does not meet the standards, terms and conditions in this Rule refer to Rule 22.</i></p>	18	Port	Permitted	<ul style="list-style-type: none"> (a) mooring structure is placed, secured and maintained in accordance with the instructions of the Taranaki Regional Council Harbourmaster; (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; (c) the mooring structure is not to be placed at any site identified in Schedule 7[Significant historic heritage]; (d) placement of mooring structure will not have an adverse effect on any habitat or species identified in Schedule 6A[Significant indigenous biodiversity; and (e) at least one working day before placement, the Harbourmaster is notified that placement is to occur. 		
<p>Placement of a mooring structure for monitoring or sampling equipment that does not require excavation.</p> <p><i>Note: If the activity does not meet the standards, terms and conditions in this Rule refer to Rule 22, 32 or 33 depending on the Coastal Management Area involved.</i></p>	19	Outstanding Value Estuaries Unmodified Estuaries Modified Open Coast Port	Permitted	<ul style="list-style-type: none"> (a) written notice detailing the scale and location of the structure and the timing of construction and removal will be given to the Taranaki Regional Council five working days before work commences; (b) structure is not to be placed at any site identified in Schedules 5[Sites of geological significance], or 7[Sites of significant historic heritage]; (c) placement of mooring structure will not have an adverse effect on any habitat or species identified in Schedule 6A[Significant indigenous biodiversity; and (d) the mooring structure and the monitoring or sampling equipment will not occupy an area exceeding 5 m² of the coastal marine area. 		

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Erection or placement of a navigation aid

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Erection or placement of a maritime navigation aid that does not require excavation 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: If the activity does not meet the standards, terms and conditions in this Rule refer to Rule 32 or Rule 33 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) structure does not interfere with the New Plymouth Airport Flight Path Protection Surfaces shown in Appendix 3;</p> <p>(b) the navigation aid will not occupy an area exceeding 5 m² of the coastal marine area;</p> <p>(c) written notice detailing the scale and location of the structure and the timing of construction and removal will be given five working days before work commences to:</p> <p>(i) Taranaki Regional Council;</p> <p>(ii) Maritime New Zealand;</p> <p>(iii) Land Information New Zealand; and</p> <p>(iv) The Taranaki Regional Council Harbourmaster for Port Taranaki;</p> <p>(d) navigation aid is not to be placed at any site identified in Schedules 5[Sites of geological significance], or 7[Sites of significant historic heritage]; and</p> <p>(e) erection or placement of the navigation aid will not have an adverse effect on any habitat or species identified in Schedule 6A[Significant indigenous biodiversity].</p>		

Erection or placement of a network utility structure

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Erection or placement of network utility structure that is a:</p> <p>(a) pipeline that is buried or attached to a bridge or access structure;</p> <p>(b) outfall structure which does not come within or comply with Rule 17;</p> <p>(c) intake structure;</p> <p>(d) communication or electricity cable that is buried or attached to a bridge or access structure; or</p>	21	<p>Estuaries Unmodified</p> <p>Estuaries Modified</p> <p>Open Coast</p> <p>Port</p>	Controlled	<p>(a) no erosion or scour results from erection or placement of the structure;</p> <p>(b) structure is not to be placed at any site identified in Schedules 5[Sites of geological significance], or 7[Significant historic heritage];</p> <p>(c) structure will not have an adverse effect on any habitat or species identified in Schedule 6A[Significant indigenous biodiversity]; and</p> <p>(d) structure does not adversely affect access to or use of the area surrounding the structure and does not adversely affect the amenity values present in the area.</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 ecological values;</p>	<p>Policies 1 to 19, 20, 22, 27, 31, 32, 33, 34, 35, 36, 37, 40, 41, 42, 43, 46, 47</p>

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
(e) marine communications equipment and any associated: (a) occupation of space 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. <i>Note: If the activity does not meet the standards, terms and conditions in this Rule refer to Rule 32 or Rule 33 depending on the Coastal Management Area involved.</i>					(g) effects on historic, cultural and amenity values; (h) effects on surf breaks; (i) effects of occupation on public access; (j) effects on navigation; (k) effects of noise and light; (l) monitoring and information requirements; (m) duration of consent; (n) review of consent conditions; and (o) payment of administrative charges and financial contributions. Resource consent applications under this Rule will not be publicly notified but may be limited notified.	

Erection or placement of a launching, mooring or berthing structure in the Port

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
Erection or placement of a launching, mooring or berthing structure for ships excluding 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 Ngamotu Beach; b) any activity or structure that presents a significant barrier to water or sediment movement; c) any structure with a horizontal	22	Port	Controlled	(a) structure, when completed, does not prevent reasonable navigation between any existing launching, mooring or berthing facility and the Port entrance; (b) structure is not to be placed at any site identified in Schedules 7[Sites of significant historic heritage]; and (c) structure will not have an adverse effect on any habitat or species identified in Schedule 6A[Significant indigenous biodiversity].	Control is reserved over: a) location, method, timing and notification of works; b) design, construction, maintenance and methods available for decommissioning of structure; c) effects on other authorised structures or activities; d) sediment movement and erosion; e) effects on water quality; f) effects on ecological values; g) effects on historic, cultural and	Policies 1 to 19, 20, 22, 27, 31, 32,34, 36, 37, 40, 42, 43, 46

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>projection of 50 m or more; 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 (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 18 and 19.</p> <p><i>Note: If the activity does not meet the standards, terms and conditions in this Rule refer to Rule 32.</i></p>					<p>amenity values;</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;</p> <p>m) review of consent conditions; and</p> <p>n) payment of administrative charges and financial contributions.</p> <p>Resource consent applications under this Rule will not be publicly notified but may be limited notified.</p>	

Erection or placement of a whitebait stand

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
Erection or placement of a structure used for whitebaiting.	23	Outstanding Value Estuaries Unmodified Estuaries Modified Open Coast Port	Prohibited			

Erection or placement of a hard protection structure

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Erection or placement of a hard protection structure for the purpose of erosion control</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>	24	<p>Outstanding Value</p> <p>Estuaries Unmodified</p> <p>Estuaries Modified</p> <p>Open Coast</p> <p>Port</p>	Discretionary			<p>Policies 1 to 19, 20, 22, 27, 32, 33, 34, 35, 36, 37, 40, 41, 42, 43, 46, 47</p>

Drilling of a petroleum exploration or appraisal well

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Drilling of an exploration or appraisal well by an offshore installation or drilling ship and placement of a well structure in, on, under or over the foreshore or seabed</p> <p>and any associated:</p> <p>(a) reconstruction, alteration, extension and abandonment of the well structure fixed in, on, under or over any foreshore or seabed;</p> <p>(b) 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</p>	25	<p>Open Coast</p> <p>Port</p>	Controlled	<p>(a) drilling is not undertaken directly into or within 1000 m of any sensitive marine benthic habitat identified in Schedule 6B or reef system;</p> <p>(b) drilling will not have an adverse effect on any species identified in Schedule 6A[Significant indigenous biodiversity];</p> <p>(c) drilling is undertaken at least 2000 m from the line of mean high water springs or at least 1000 m from the boundary of Coastal Management Area Outstanding Value;</p> <p>(d) only water-based or synthetic-based drilling fluids and muds are used; and</p> <p>(e) activity complies with the general standards in Section 8.6 of this Plan.</p>	<p>Control is reserved over:</p> <p>(a) compliance with relevant legislation and regulations¹ managing well integrity and discharges (including relating to the management of hazardous substances), and provision of relevant supporting documentation²;</p> <p>(d) well integrity, maintenance and abandonment;</p> <p>(e) any incidental discharges;</p> <p>(f) location, method, timing and notification of works;</p> <p>(g) effects on other authorised structures or activities;</p> <p>(h) sediment movement and erosion;</p>	<p>Policies 1 to 19, 20, 22, 23, 24, 28, 29, 30, 32, 39, 40, 41, 42, 43, 46, 50, 52</p>

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
foreshore or seabed, or into air; and (f) taking of water incidental to the drilling process. excluding discharges covered by the <i>Resource Management (Marine Pollution) Regulations 1998</i> (Appendix 5). <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 (d) will apply.</i> <i>Note(2): If the activity does not meet the standards, terms and conditions in this Rule refer to Rule 26</i>					(i) effects on water quality; (j) effects on ecological values; (k) effects on historic, cultural and amenity values; (l) effects on surf breaks; (m) effects of occupation on public access; (n) effects on navigation; (o) effects of noise and light; (p) monitoring and information requirements; (q) duration of consent; (r) review of consent conditions; and (s) payment of administrative charges and financial contributions. Resource consent applications under this Rule will not be publicly notified but may be limited notified.	

¹ 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*.

² 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
Drilling of an exploration or appraisal well by an offshore installation or drilling ship and placement of a well structure in, on, under or over the foreshore or seabed	26	Open Coast Port	Discretionary			Policies 1 to 19, 20, 22, 23, 24, 28, 29, 30, 32, 39, 40, 41, 42, 43, 46, 50,

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>and any associated:</p> <p>(a) reconstruction, 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 incidental to the drilling process</p> <p>excluding discharges covered by the <i>Resource Management (Marine Pollution) Regulations 1998</i> (Appendix 5)</p> <p>and does not come within or comply with Rule 25.</p>						52
<p>Drilling of an exploration or appraisal well by an offshore installation or drilling ship and placement of a well structure in, on, under or over the foreshore or seabed and any associated:</p> <p>a) reconstruction, 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>	27	Outstanding Value Estuaries Unmodified Estuaries Modified	Non-complying			Policies 1 to 19, 20, 22, 23, 24, 28, 29, 30, 32, 39, 40, 41, 42, 43, 46, 50, 52

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
c) disturbance of the foreshore or seabed; d) deposition in, on or under the foreshore or seabed; e) discharge of contaminants into water, into, on or under the foreshore or seabed, or into air; and f) taking of water incidental to the drilling process; excluding discharges covered by the <i>Resource Management (Marine Pollution) Regulations 1998</i> (Appendix 5).						

Petroleum production installation drilling, construction, operation, maintenance, modification and abandonment

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
Erection or placement of a petroleum production installation, including drilling of any production wells and placement of any pipelines, in, on, under or over the foreshore or seabed and any associated: (a) reconstruction, alteration, extension and abandonment of a well and other structures fixed in, on, under, or over any foreshore or seabed (b) occupation of space in the common marine and coastal area by an offshore installation, pipeline or drilling ship; (c) disturbance of the foreshore or seabed; (d) deposition in, on or under the	28	Open Coast Port	Discretionary			Policies 1 to 19, 20, 22, 23, 24, 28, 29, 30, 32, 39, 40, 41, 42, 43, 46, 50, 52

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
foreshore or seabed; (e) discharge of contaminants into water, into, on or under the foreshore or seabed, or into air; and (f) taking of water incidental to the drilling process and the taking of produced water excluding discharges covered by the <i>Resource Management (Marine Pollution) Regulations 1998</i> (Appendix 5).						
Erection or placement of a petroleum production installation, including drilling of any production wells and placement of any pipelines, in, on, under or over the foreshore or seabed and any associated: (a) reconstruction, alteration, extension and abandonment of a well and other structures fixed in, on, under, or over any foreshore or seabed (b) occupation of space in the common marine and coastal area by an offshore installation or drilling ship; (c) disturbance of the foreshore or seabed; (d) deposition in, on or under the foreshore or seabed; (e) discharge of contaminants into water, into, on or under the foreshore or seabed, or into air;	29	Outstanding Coastal Estuaries Unmodified Estuaries Modified	Non-complying			Policies 1 to 19, 20, 22, 23, 24, 28, 29, 30, 32, 39, 40, 41, 42, 43, 46, 50, 52

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
and (f) taking of water incidental to the drilling process and the taking of produced water; excluding discharges covered by the <i>Resource Management (Marine Pollution) Regulations 1998</i> (Appendix 5).						

Temporary military training

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
Placement of temporary structures and temporary exclusive occupation of the common marine and coastal area for the purposes of military training activities that do not involve earthworks or excavations and any associated (a) disturbance of the foreshore or seabed; (b) deposition in, on or under the foreshore or seabed; and (c) discharge of sediment. <i>Note: If the activity does not meet the standards, terms and conditions in this Rule refer to Rule 31</i>	30	Estuaries Unmodified Estuaries Modified Open Coast Port	Permitted	(a) occupation is for a period of no more than three weeks; (b) activities do not involve construction of permanent structures; (c) a written notice will be given to the relevant territorial authority and Taranaki Regional Council at least 5 working days prior to the activity commencing; (d) signs are placed at the location of the activity notifying the public of the activity with dates, times, the activity proposed, any restrictions imposed on the use of the area and contact information of the organiser at least 7 working days prior to the activity commencing; (e) date, duration, location and extent of the activity is published in a newspaper circulating in the entire area likely to be affected by the activity at least 14 working days prior to the event; (f) activities comply with the general standards specified in Section 8.6 of this Plan; (g) activities do not exclude, or effectively exclude, public access from areas of the coastal marine area over 10 hectares or from more than 320 m along the length of the foreshore, except where such exclusions are required for reasons of public safety or security; (h) activity will not hinder the operation requirements of emergency services including the coastguard, police and surf lifesaving; (i) structures are not to be placed at any site identified in Schedules		

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
				5[Sites of geological significance] or 7[Significant historic heritage]; and (j) structures will not have an adverse effect on any habitat or species identified in Schedule 6A[Significant indigenous biodiversity].		
<p>Placement of temporary structures and temporary exclusive occupation of the common marine and coastal area for the purposes of military training and any associated</p> <p>(a) disturbance of the foreshore or seabed; (b) deposition in, on or under the foreshore or seabed, and (c) discharge of sediment and does not come within or comply with Rule 30.</p> <p><i>Note: If the activity does not meet the standards, terms and conditions in this Rule refer to Rule 31 or Rule 32 depending on the Coastal Management Area involved.</i></p>	31	Estuaries Unmodified Estuaries Modified Open Coast Port	Controlled	<p>(a) activities do not exclude, or effectively exclude, public access from areas of the coastal marine area over 10 hectares or from more than 320 m along the length of the foreshore, except where such exclusions are required for reasons of public safety of security;</p> <p>(b) structures are not to be placed at any site identified in Schedules 5[Sites of geological significance] or 7[Significant historic heritage];</p> <p>(c) structures will not have an adverse effect on any habitat or species identified in Schedule 6A[Significant indigenous biodiversity].</p>	<p>Control is reserved over:</p> <p>(a) location, method, timing and notification of works; (b) design, construction and decommissioning of structures; (c) effects on other authorised structures or activities; (d) sediment movement and erosion; (e) effects on water quality; (f) effects on ecological values; (g) effects on historic, cultural and amenity values; (h) effects on amenity values; (i) effects on surf breaks; (j) effects of occupation on public access; (k) effects on navigation; (l) effects of noise and light; (m) monitoring and information requirements; (n) duration of consent; (o) review of consent conditions; and (p) payment of administrative charges and financial contributions.</p> <p>Resource consent applications under this Rule will not be publicly notified but may be limited notified.</p>	Policies 1 to 19, 20, 22, 27, 28, 32, 38, 39, 40, 41, 43, 46, 50, 52

Other erection or placement of structures not provided for in Rules 31 to 46

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
Erection or placement, of any structure and any associated: (a) occupation of space in the common marine and coastal area and does not come within or comply with Rules 31 to 46 or any other Rule in this Plan.	32	Estuaries Modified Open Coast Port	Discretionary			Policies 1 to 19, 20, 22, 23, 24, 28, 29, 30, 33, 39, 40, 41, 42, 43, 46, 50, 52
Erection or placement, of any structure and any associated: (a) occupation of space in the common marine and coastal area and does not come within or comply with Rules 31 to 46 or any other Rule in this Plan.	33	Outstanding Value Estuaries Unmodified	Non-complying			Policies 1 to 19, 20, 22, 23, 24, 28, 29, 30, 33, 39, 40, 41, 42, 43, 46, 50, 52

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Maintenance or reconstruction of a structure

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Maintenance or reconstruction of an existing lawfully established structure 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>	34	<p>Outstanding Value</p> <p>Estuaries Unmodified</p> <p>Estuaries Modified</p> <p>Open Coast</p> <p>Port</p>	Permitted	<p>(a) size of the structure, including length, width and height, will not increase beyond original size;</p> <p>(b) materials used will match the existing materials in form and appearance;</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) activity complies with general standards in Section 8.6;</p> <p>(e) activity will not have an adverse effect on any habitat or species identified in Schedule 6A[Significant indigenous biodiversity]; and</p> <p>(f) at least five working day before maintenance commences, the Taranaki Regional Council is informed that the activity is to occur.</p>		

Reconstruction, alteration, extension or removal and replacement of a hard protection structure

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Reconstruction, alteration, extension or removal and replacement of an existing lawfully established hard protection structure 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 does not come within or comply with Rule 34</p>	35	<p>Outstanding Value</p> <p>Estuaries Unmodified</p> <p>Estuaries Modified</p> <p>Open Coast</p> <p>Port</p>	Discretionary			<p>Policies 1 to 19, 20, 22, 23, 24, 28, 29, 30, 33, 39, 40, 41, 42, 43, 46</p>

Reconstruction, alteration or extension of a network utility structure

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Reconstruction, alteration or extension of an existing lawfully established network utility structure that is a:</p> <p>(a) pipeline that is buried or attached to a bridge or access structure;</p> <p>(b) outfall structure;</p> <p>(c) intake structure;</p> <p>(d) communication or electricity cable that is buried or attached to a bridge or access structure; 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>and does not come within or comply with Rule 34.</p> <p><i>Note: If the activity does not meet the standards, terms and conditions in this Rule refer to Rule 41 or Rule 42 depending on the Coastal Management Area involved.</i></p>	36	Estuaries Unmodified Estuaries Modified Open Coast Port	Controlled	<p>(a) structure is necessary to enable the safe and efficient conduct of the utility operations;</p> <p>(b) no erosion or scour results from the structure;</p> <p>(c) structure is not to be placed at any site identified in Schedules 5[Sites of geological significance], or 7[Significant historic heritage];</p> <p>(d) structure will not have an adverse effect on any habitat or species identified in Schedule 6A[Significant indigenous biodiversity]; and</p> <p>(e) excludes extension of any structure seaward of the Main Breakwater or Lee Breakwater in Coastal Management Area - Port.</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 ecological values;</p> <p>(g) effects on historic, cultural and amenity values;</p> <p>(h) effects on 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;</p> <p>(n) review of consent conditions; and</p> <p>(o) payment of administrative charges and financial contributions.</p> <p>Resource consent applications under this Rule will not be publicly notified but may be limited notified.</p>	Policies 1 to 19, 20, 22, 27, 31, 32, 33, 34, 35, 36, 37, 40, 41, 42, 43, 46, 47

Removal and replacement of a structure

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Removal and replacement of an existing lawfully established structure excluding:</p> <p>(a) Waitara and Patea River control arms;</p> <p>(b) Main Breakwater or Lee Breakwater;</p> <p>(c) hard protection structures; and</p> <p>(d) 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><i>Note: For hard protection structures refer to Rule 35</i></p>	37	<p>Outstanding Value</p> <p>Estuaries Unmodified</p> <p>Estuaries Modified</p> <p>Open Coast</p> <p>Port</p>	Permitted	<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 will match the existing materials in form and appearance and have comparable effects;</p> <p>(f) the replacement structure is built in the same location as the original structure;</p> <p>(g) the existing structure will be removed completely with no waste being placed into the coastal marine area;</p> <p>(h) activity complies with the general standards in Section 8.6;</p> <p>(i) structure is not located within a site included in Schedule 7[Significant historic heritage] or subject to the Historic Places Act 1993 or any other legislation applying to historic places;</p> <p>(j) structure is not located at any site identified in Schedules 5[Sites of geological significance];</p> <p>(k) activity will not have an adverse effect on any habitat or species identified in Schedule 6A[Significant indigenous biodiversity]; and</p> <p>(l) at least five working days before the activity commences, the Taranaki Regional Council is informed that the activity is to occur.</p>		

Reconstruction or alteration of upper surfaces of the wharves and breakwaters

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Reconstruction or alteration of any existing lawfully established structure for the purpose of maintaining the upper surfaces of the wharves and breakwaters and the maintenance relates directly to port company 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</p> <p>and does not come within or comply with Rule 34</p> <p><i>Note: If the activity does not meet the standards, terms and conditions in this Rule refer to Rule 39.</i></p>	38	Port	Permitted	<p>(a) size of the structure will 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 will 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 will not have an adverse effect on any habitat or species identified in Schedule 6A[Significant indigenous biodiversity];</p> <p>(e) structure is not located within a site included in Schedule 7[Significant historic heritage]; and</p> <p>(f) at least five working days before the activity commences, the Taranaki Regional Council is notified that the maintenance is to occur.</p>		
<p>Reconstruction or alteration of any existing lawfully established structure for the purpose of maintaining the upper surfaces of the wharves and breakwaters 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 activity does not come within or comply with Rule 38.</p> <p><i>Note: If the activity does not meet the standards, terms and conditions in this Rule refer to Rule 41.</i></p>	39	Port	Controlled	<p>(a) size of the structure will not increase beyond original size;</p> <p>(b) activity will not have an adverse effect on any habitat or species identified in Schedule 6A[Significant indigenous biodiversity]; and</p> <p>(c) structure is not located within a site included in Schedule 7[Significant historic heritage].</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 ecological values;</p> <p>(f) effects on historic, cultural and amenity values;</p> <p>(g) effects of occupation on public access;</p> <p>(h) effects on navigation;</p> <p>(i) effects of noise and light;</p> <p>(j) monitoring and information</p>	<p>Policies 1 to 19, 20, 22, 27, 31, 32, 34, 36, 37, 40, 42, 43, 46</p>

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
					requirements; (k) duration of consent; (l) review of consent conditions; and (m) payment of administrative charges and financial contributions. Resource consent applications under this Rule will not be publicly notified but may be limited notified.	

Reconstruction, alteration or extension of a launching mooring or berthing structure

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
Reconstruction, alteration or extension of an existing lawfully established launching, mooring or berthing structure for ships excluding: a) any seaward extension of the Main Breakwater or Lee Breakwater; b) extension of any structure seaward of the Main Breakwater or Lee Breakwater; or within 200 metres perpendicular from mean high water springs of Ngamotu Beach; c) extension of any structure 50 m or more in a horizontal projection; and d) any structure that interferes with the New Plymouth Airport Flight Path Protection Surfaces shown in Appendix 3 and any associated: (a) occupation of space in the common marine and coastal area; (b) disturbance of the foreshore or seabed; (c) deposition in, on or under the	40	Port	Controlled	(a) activity will not have an adverse effect on any habitat or species identified in Schedule 6A[Significant indigenous biodiversity]; (b) structure is not to be placed at any site in Schedule 7[Sites of significant historic heritage]; and (c) structure, when completed, does not prevent reasonable navigation between any existing launching, mooring or berthing facility and the Port entrance.	Control is reserved over: (a) location, method, timing and notification of works; (b) design, construction, maintenance and decommissioning of structure; (c) effects on other authorised structures or activities; (d) sediment movement and erosion; (e) effects on water quality; (f) effects on ecological values; (g) effects on historic, cultural and amenity values; (h) effects on surf breaks; (i) effects of occupation on public access; (j) effects on navigation; (k) effects of noise and light; (l) monitoring and information requirements; (m) duration of consent; (n) review of consent conditions; and	Policies 1 to 19, 20, 22, 27, 31, 32, 34, 36, 37, 40, 42, 43, 46

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
foreshore or seabed; and (d) discharge of sediment and activity does not come within or comply with Rules 34, 35, 36, 38 or 39. <i>Note: If the activity does not meet the standards, terms and conditions in this Rule refer to Rule 41.</i>					(o) payment of administrative charges and financial contributions. Resource consent applications under this Rule will not be publicly notified but may be limited notified.	

Other reconstruction, alteration, extension or removal and replacement of a structure that is not provided for within Rules 34 to 40

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
Reconstruction, alteration, extension or removal and replacement of any structure and any related occupation of the common marine and coastal area and the activity or structure does not come within or comply with any of Rules 34 to 40.	41	Estuaries Modified Open Coast Port	Discretionary			Policies 1 to 19, 20, 22, 27, 31, 32, 34, 36, 37, 38, 40, 42, 43, 46
Reconstruction, alteration, extension or removal and replacement of any structure and any related occupation of the common marine and coastal area and the activity or structure does not come within or comply with any of Rules 34 to 40.	42	Outstanding Value Estuaries Unmodified	Non-complying			Policies 1 to 19, 20, 22, 27, 31, 32, 34, 36, 37, 38, 40, 42, 43, 46

Removal or demolition of a structure

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
Removal or demolition of a structure excluding: (a) Waitara and Patea River control arms; (b) Main Breakwater or Lee Breakwater;	43	Outstanding Value Estuaries Unmodified Estuaries Modified Open Coast Port	Permitted	(a) the extent of disturbance of the foreshore and seabed is limited to the minimum required to undertake the activity; (b) the activity does not require the use of explosives (c) the structure will be removed completely with no waste being placed into the coastal marine area; (d) removal or demolition of structure will not significantly affect		

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
(c) hard protection structures; and (d) bridges and any associated: (a) occupation of space 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. <i>Note: If the activity does not meet the standards, terms and conditions in this Rule refer to Rule 44.</i>				sediment movement or lead to increased erosion or scour; (e) activity complies with the general standards in Section 8.6; (f) structure is not located within a site included in Schedule 7[Significant historic heritage] or subject to the Historic Places Act 1993 or any other legislation applying to historic places; (g) structure is not located at any site identified in Schedules 5[Sites of geological significance]; (h) activity will not have an adverse effect on any habitat or species identified in Schedule 6A[Significant indigenous biodiversity]; and (i) at least five working days before the activity commences, the Taranaki Regional Council is notified that the maintenance is to occur.		
Removal or demolition of a structure excluding: (a) Waitara and Patea River control arms; and (b) Main Breakwater or Lee Breakwater and any associated: (a) occupation of space 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 contaminants and the activity does not come within or comply with Rule 43 <i>Note: If the activity does not meet the standards, terms and conditions in this Rule refer to Rule 45.</i>	44	Outstanding Value Estuaries Unmodified Estuaries Modified Open Coast Port	Controlled	Structure is not located within a site included in Schedule 7[Significant historic heritage] or subject to the Historic Places Act 1993 or any other legislation applying to historic places.	Control is reserved over: (a) location, method, timing and notification of works; (b) effects on other authorised structures or activities; (c) sediment movement and erosion; (d) effects on water quality; (e) effects on ecological values; (f) effects on historic, cultural and amenity values; (g) effects on surf breaks; (h) effects of occupation on public access; (i) effects on navigation; (j) effects of noise and light; (k) monitoring and information requirements; (l) duration of consent; (m) review of consent conditions; and	Policies 1 to 19, 20, 22, 27, 31, 32, 34, 36, 37, 38, 40, 42, 43, 46

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
					(n) payment of administrative charges and financial contributions. Resource consent applications under this Rule will not be publicly notified but may be limited notified.	
Removal or demolition of a structure and any associated: (a) occupation of space 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 contaminants and the activity does not come within or comply with Rules 43 or 44	45	Outstanding Value Estuaries Unmodified Estuaries Modified Open Coast Port	Discretionary			Policies 1 to 19, 20, 22, 27, 31, 32, 34, 36, 37, 38, 40, 42, 43, 46

Temporary occupation for a community, recreational or sporting activity

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
Temporary occupation of the common marine and coastal area for the purpose of conducting a community, recreational or sporting activity. <i>Note: If the activity does not meet the standards, terms and conditions in this Rule refer to Rule 49.</i>	46	Outstanding Value Estuaries Unmodified Estuaries Modified Open Coast Port	Permitted	(a) activity will not have an adverse effect on any habitat or species identified in Schedule 6A[Significant indigenous biodiversity]; (b) activity does not present a hazard to navigation and shipping; (c) activity does not involve disturbance of the foreshore or seabed or other works that will have an effect that lasts longer than 4 high tides after the conclusion of the event; (d) date, duration, location and extent of the activity is published in a newspaper circulating in the entire area likely to be affected by the activity at least 14 days prior to the event; (e) a written notice will be given to the relevant Territorial Authority and Taranaki Regional Council at least 5 working days prior to the activity commencing; (f) signs are placed at the location of the activity notifying the public of the activity with dates, times, the activity proposed, any restrictions imposed on the use of the area and contact		

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
				<p>information of the organiser at least 7 working days prior to the activity commencing;</p> <p>(g) activity does not restrict public access or exclude the public for a period of longer than 10 consecutive days over any 14 day period;</p> <p>(h) all litter and other refuse attributable to the activity is removed from the area of the activity on a daily basis;</p> <p>(i) activity occupies no more than 500 metres along or parallel to the line of mean high water spring at any one time; and</p> <p>(j) activity will not hinder the operational requirements of emergency services including the coastguard, police and surf lifesaving.</p>		

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 occupation with a structure was a permitted activity at the time of placement or erection.	47	Outstanding Value Estuaries Unmodified Estuaries Modified Open Coast Port	Permitted			
Continued occupation of the common marine and coastal area with an existing lawfully established structure after its consent expires, where occupation with a structure was a controlled activity at the time of placement or erection.	48	Outstanding Value Estuaries Unmodified Estuaries Modified Open Coast Port	Controlled			Policies 1 to 19, 31, 32, 33, 34, 35, 36, 37, 38, 40
Continued occupation of the common marine and coastal area with an existing lawfully established structure, after its consent expires. and the activity does not come within or comply with Rule 47 and Rule 48.	49	Outstanding Value Estuaries Unmodified Estuaries Modified Open Coast Port	Discretionary			Policies 1 to 19, 31, 32, 33, 34, 35, 36, 37, 38, 40

Other occupation that is not provided for within Rules 46 to 49

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
Other occupation of the common marine and coastal area excluding occupation where there is a Rule relating to structure placement or erection that specifically provides for occupation and the activity does not come within or comply with Rule 46 to 49 or any other Rule in this Plan	50	Outstanding Value Estuaries Unmodified Estuaries Modified Open Coast Port	Discretionary			Policies 1 to 19, 31, 32, 33, 34, 35, 36, 37, 38, 40

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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>Disturbance of the foreshore or seabed and deposition of materials onto the foreshore or seabed for clearance of outfalls, culverts and intake structures 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 59 or Rule 60 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>(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) activity does not restrict public access for more than 24 hours.</p>		

River mouth clearance

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Disturbance of the foreshore or seabed, and deposition of materials on the foreshore or seabed for:</p> <p>a) river diversion; or</p> <p>b) river mouth clearance</p> <p>for the purpose of river control, water quality or any other Taranaki Regional Council statutory purpose regardless of who conducts the work and the activity occurs in one of the following rivers:</p> <p>a) Katikara</p> <p>b) Waiaua</p> <p>c) Pitone</p> <p>d) Timaru</p>	52	Open Coast	Permitted	<p>(a) works are only undertaken during the period from 1 August to 28 February inclusive;</p> <p>(b) the original stream channel is drained into the new channel to minimise fish stranding;</p> <p>(c) material removed is replaced 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;</p> <p>(e) activity does not restrict public access for more than 48 hours; and</p> <p>(f) at least one working day before the activity commences, the Taranaki Regional Council is informed that the activity is to occur.</p>		

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
e) Otupoto f) Waimoku g) Wairau h) Oakura i) Waiti j) Papatiki k) Whenuariki and any associated: (a) occupation of space in the common marine and coastal area; and (b) discharge of contaminants. <i>Note: If the activity does not meet the standards, terms and conditions in this Rule refer to Rule 58.</i>						

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Dredging and spoil disposal

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
Disturbance of the seabed by maintenance or capital dredging to ensure a safe navigational depth within Port Taranaki and its approaches and any associated: (a) occupation of space in the common marine and coastal area; (b) discharge of contaminants; and (c) incidental deposition.	53	Port	Discretionary			Policies 1 to 19, 20, 22, 31, 41, 42, 43, 44, 46
Deposition of natural material on the foreshore or seabed from port dredging and any associated: (a) occupation of space in the common marine and coastal area; (b) discharge of contaminants; and (c) disturbance of the foreshore or seabed.	54	Open Coast	Discretionary			Policies 1 to 19, 20, 22, 31, 41, 42, 43, 44, 46

Beach replenishment

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
Deposition of natural material onto the foreshore or seabed for beach replenishment and any associated: (a) occupation of space in the common marine and coastal area; (b) discharge of contaminants; and (c) disturbance of the foreshore or seabed that does not come within or comply with Rule 54.	55	Open Coast	Discretionary			Policies 1 to 19, 20, 22, 31, 41, 42, 43, 44, 46

Introduction of exotic plants

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
Introduction of any exotic plant onto the foreshore or seabed.	56	Outstanding Value Estuaries Unmodified Estuaries Modified Open Coast Port	Discretionary			Policies 1 to 19, 28

Minor disturbance and removal

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Minor disturbance of the foreshore and seabed, including any removal of sand, shell shingle or other natural 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: If the activity does not meet the standards, terms and conditions in this Rule refer to Rule 59 or Rule 60 depending on the Coastal Management Area involved.</i></p>	57	Outstanding Value Estuaries Unmodified Estuaries Modified Open Coast Port	Permitted	<p>(a) the activity will not occur at any site identified in Schedules 5[Sites of geological significance] or 7[Sites of significant historic heritage],</p> <p>(b) the activity will not have an adverse effect on any habitat or species identified in Schedule 6A[Significant indigenous biodiversity];</p> <p>(c) no more than 0.5 m³ of sand, shingle, shell or other natural material will be taken by a person in a 12 month period;</p> <p>(d) the removal of natural material will not be used for commercial gain;</p> <p>(e) the area of excavation will be 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 will be 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
Disturbance of the foreshore and seabed by excavation and deposition of material for the burial of dead animals undertaken by the Regional Council, a territorial authority, the Department of	58	Outstanding Value Estuaries Unmodified Estuaries Modified Open Coast	Permitted	<p>(a) the activity will not occur at any site identified in Schedules 5[Sites of geological significance] or 7[Sites of significant historic heritage]; and</p> <p>(b) the activity will not have an adverse effect on any habitat or</p>		

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<p>Conservation, or agents of those organisations 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 2m below the surface.</i></p> <p><i>Note: (2) If the activity does not meet the standards, terms and conditions in this Rule refer to Rule 59 or Rule 60 depending on the Coastal Management Area involved.</i></p>		Port		species identified in Schedule 6A[Significant indigenous biodiversity].		

Other disturbance, damage, destruction, removal or deposition that is not provided for within Rules 51 to 58

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
Disturbance, damage or destruction of foreshore or seabed including any removal of sand, shell, shingle or other natural material, or deposition of material in, on or under the foreshore or seabed that does not come within or comply with Rules 51 to 58 or any other Rule in this Plan including the deemed rules in the <i>Resource Management (Marine Pollution) Regulations 1998</i> (Appendix 5).	59	Estuaries Modified Open Coast Port	Discretionary			Policies 1 to 19, 20, 22, 31, 41, 42, 43, 44, 45, 46, 47
Disturbance, damage or destruction of foreshore or seabed including any removal of sand, shell, shingle or other natural material, or deposition of material in, on or under the foreshore or seabed that does not come within or comply with Rules 51 to 58 or any other Rule in this Plan including the deemed rules in the <i>Resource Management (Marine</i>	60	Outstanding Value Estuaries Unmodified	Non-complying			Policies 1 to 19, 20, 22, 31, 41, 42, 43, 44, 45, 46, 47

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
<i>Pollution) Regulations 1998 (Appendix 5).</i>						

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
Reclamation and draining of the foreshore or seabed for the principal purpose of erosion control or flood control and any associated: <ul style="list-style-type: none"> (a) occupation of space in the common marine and coastal area; (b) disturbance or destruction of the foreshore or seabed; (c) deposition of material in, on or under the foreshore or seabed; and (d) discharge of contaminants. <p><i>Note: For reclamation and draining not related to flood control refer to Rule 62.</i></p>	61	Outstanding Value Estuaries Unmodified	Non-complying			Policies 1 to 19, 20, 22, 23, 27, 31, 40, 41, 42, 43, 46, 47, 48, 51

Other reclamation or drainage that is not provided for within Rule 60

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
Reclamation and draining of the foreshore or seabed and any associated: <ul style="list-style-type: none"> (a) occupation of space in the common marine and coastal area; (b) disturbance or destruction of the 	62	Estuaries Modified Open Coast Port	Discretionary			Policies 1 to 19, 20, 22, 23, 27, 31, 40, 41, 42, 44, 47, 48, 49, 52

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
foreshore or seabed; (c) deposition of material in, on or under the foreshore or seabed; and (d) discharge of contaminants.						
Reclamation and draining of the foreshore or seabed that does not come within or comply with Rule 60.	63	Outstanding Value Estuaries Unmodified	Prohibited			

8.5 Taking or use of water, heat or energy

Maintenance or reconstruction of a structure

Activity	Rule	Coastal Management Area	Classification	Standards/terms/conditions	Control/notification	Policy reference
Taking or use of coastal water or taking or use of any heat or energy from coastal water, excluding water in estuaries <i>Note: For estuaries refer to Rule 65.</i>	64	Outstanding Value Open Coast Port	Permitted	(a) the activity will not have an adverse effect on any site identified in Schedule 4A[Regionally and nationally significant surf breaks]; (b) the activity will not have an adverse effect on any site identified in Schedule 7[Sites of significant historic heritage]; and (c) the activity will not have an adverse effect on any habitat or species identified in Schedule 6A[Significant indigenous biodiversity].		
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..	65	Outstanding Value Estuaries Unmodified Estuaries Modified Open Coast Port	Discretionary			Policies 1 to 19, 50

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** in the coastal marine area will not create noise that exceeds the following limits at any point at, or landward of the Port Noise inner control boundary as shown on the New Plymouth District Council Port Noise control boundaries map (Appendix 6).

Day – night average sound level over a period of 5 consecutive days	65dBA L_{dn}
On any day between 10pm and 7am the following day	60dBA L_{eq} (9hr) provided that no single 15 minute sound measurement level shall exceed 65dBA L_{eq} 85dBA L_{max}

- (b) **Construction, maintenance or demolition activities** in the coastal marine area will not create noise that exceeds the following limits when measured from a line 20 metres from and parallel to any side of any building used for accommodation or the legal boundary, whichever is closer to the dwelling or building:

Monday to Friday	7am – 7pm	L_{10} 65dBA
Saturday (excluding public holidays on any day)	10am – 6pm	L_{10} 65 dBA

At all other times meets the requirements for (c) below.

Provided that when the background sound level exceeds these limits (due to noise of the sea, wind noise, traffic noise or other uncontrollable types of noise) the limits will not apply but every person will remain under the duty to avoid unreasonable noise in Section 16 of the RMA.

- (c) **Temporary military training** activities in the coastal marine area will not create noise that exceeds the following limits when measured from a line 20 metres from and parallel to any side of any building used for accommodation or the legal boundary, whichever is closer to the dwelling or building:

Time (any day)	Limits (dba)		
	L_{10}	L_{95}	L_{max}
0630 – 0730	60	45	70
0730 – 1800	75	60	90
1800 – 2000	70	55	85

The following maximum noise levels will apply in respect of the interface with residential zones from 2000 hours – 0630 hours any day:

Time (any day)	Limits (dba)
	L ₁₀
0000 – 0630	40
2000 – 2400	40

Noise resulting from the use of explosives will not exceed 122 dba.

Provided that when the background sound level exceeds these limits (due to noise of the sea, wind noise, traffic noise or other uncontrollable types of noise) the limits will not apply but every person will remain under the duty to avoid unreasonable noise in section 16 of the RMA.

- (d) **All other activities** (excluding those in (a), (b) and (c) above) in the coastal marine area will not create noise that exceeds the following limits when measured from a line 20 metres from and parallel to any side of any building used for accommodation or the legal boundary, whichever is closer to the dwelling or building:

Time (any day)	Limits (dba)	
	L ₁₀	L _{max}
0700 – 2200	50	n/a
2200 – 0700	40	70

Provided that when the background sound level exceeds these limits (due to noise of the sea, wind noise, traffic noise or other uncontrollable types of noise) the limits will not apply but every person will remain under the duty to avoid unreasonable noise in section 16 of the RMA.



9

Financial contributions

This section outlines when and how financial contributions may be applied.

- Purpose
- Determining a financial contribution

9 Financial contributions

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.

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 Maori land within the meaning of Te Ture Whenua Maori 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 offset 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 which follow reflect the requirements of the Act and set out:

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

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:

- providing for public access through or around the area to which the consent applies; or
- 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 mitigate 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 or offset adverse effects of an activity on recreational amenity values in the coastal marine area by creating or improving:

- recreational opportunities;

- facilities; or
- 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 or offset the adverse effects of damage, destruction or erosion of coastal habitats, by:

- enhancing or restoring habitat on the site, or
- 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 or offset the adverse effects of erection or placement of a structure and/or disturbance of the foreshore or seabed by:

- landscaping or planting of the area to reduce loss of visual amenity; or
- 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 or cultural importance

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

- providing for works that protect, maintain or restore the affected site; or

- contribute to protection, maintenance or restoration of some alternative historic or cultural site in the same general locality.

9.1.6 Protection, restoration or enhancement of seabed and foreshore

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

- maintenance and planting of vegetation;
- sediment replenishment;
- erosion protection works;
- fencing; and
- 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:

- 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

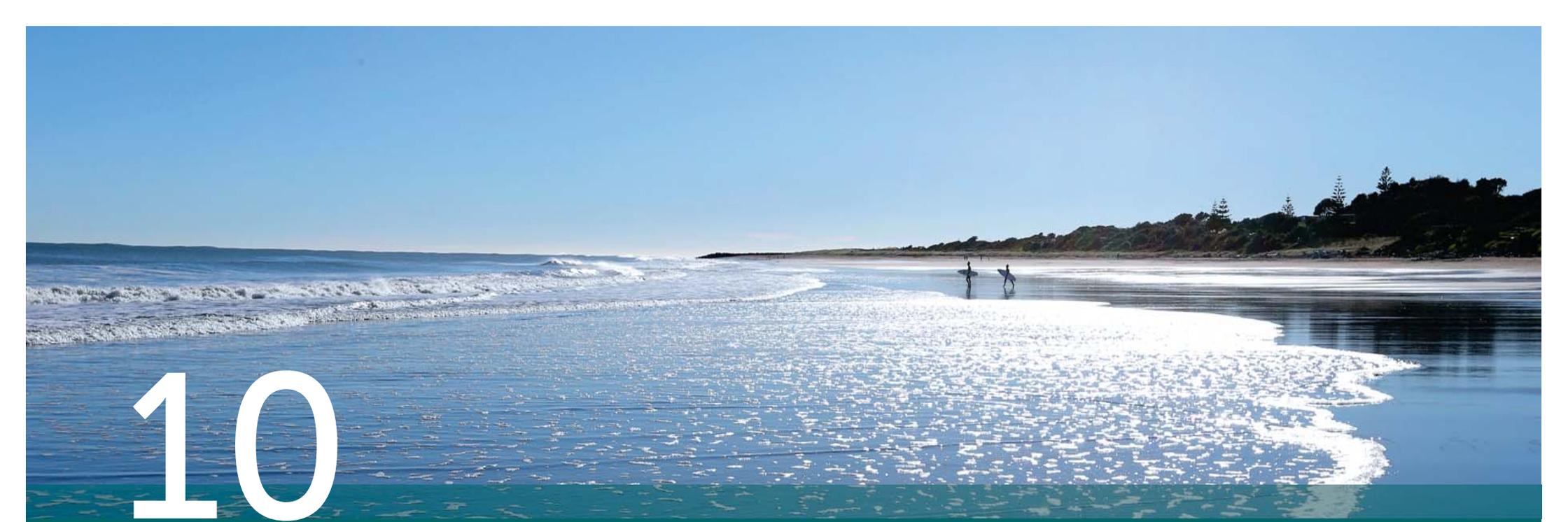
The amount of contribution will be determined on a case-by-case basis by the Taranaki Regional Council with reference to the matters set out in section 9.2.1 and will provide for such projects or works reasonably necessary to avoid, remedy or mitigate the adverse effects of the activity. They will be used to provide positive offsetting 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, mitigate, offset or compensate the community or environment for adverse 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. The Taranaki Regional Council does not intend that adverse environmental effects will be fully mitigated or fully compensated in every case by way of financial contributions.
7. Any financial contribution required will be reasonable, consistent with the purpose of the RMA and with 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.

DRAFT NO LEGAL EFFECT



10

Monitoring and review of the Plan

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

- Monitoring the efficiency and effectiveness of the Plan
- Review of 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.
 - continuation of water quality monitoring at bathing beaches, and
 - 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.
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 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.

DRAFT NO LEGAL EFFECT



Definitions and acronyms

Definitions and acronyms

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

Where a word is followed by an asterisk '*', the meaning which 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 deposition of sediments.

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

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.

Appropriate means that which is or may be appropriate as determined by the Taranaki Regional Council or its officers acting under delegated authority or, in relation to a decision on a restricted coastal activity, the Minister of Conservation.

Archaeological site means any place in New Zealand, including any building or structure (or part of a building or structure), that:

- (a) either:
 - (i) is a site of the 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 reduces 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.

Biofoul 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 areas 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 the navigation channel 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 5.

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.

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 this Act.

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 106⁶ of the RMA applies; or
 - (ii) section 55(2) of the *Marine and Coastal Area (Takutai Moana) Act 2011* applies; and
- (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.

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

⁶ S106 does not apply to regional consents.

- (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 means the Coastal Management Area identified in Schedule 1 of the Plan, as the Patea, Waiwhakairo or Waitara estuaries, and which are surrounded by urban, extensively modified, environments.

Estuary unmodified refers to estuaries identified in Schedule 1 of the Plan, that are permanently open to tidal movements and characteristically are largely unmodified.

Exotic means not indigenous to New Zealand.

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.

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 whanau (families) 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 provided 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 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 means any cultural, traditional, aesthetic or other value of 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; andsurroundings 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 parts 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 means 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 Maori descent.

Iwi authority* means the authority which 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 Maori in relation to natural and physical resources; and includes the ethic of stewardship.

Land* includes land covered by water and the air space above land.

Local authority* means a regional council or territorial authority.

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

Maintenance in relation to structures, includes activities which retain 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. Excludes the extension or reconstruction of structures or assets, or change in location.

Marine and coastal area:

- (a) 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
- (b) includes the beds of rivers that are part of the coastal marine area (within the meaning of the RMA; and
- (c) includes the airspace above, and the water space (but not the water) above, the areas described in paragraphs (a) and (b); and
- (d) includes the subsoil, bedrock, and other matter under the areas described in paragraphs (a) and (b).

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

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.

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

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

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.

Mouri kohatu (stones imbued with spiritual significance). Many of these stones were carved with petroglyphs in spiral form. They were located in accessible areas areas, within pa earthworks and open country. However most of them were nestled in the reef on the seashore alongside Tauranga waka, Tauranga ika, puaha river mouths) and below or adjacent to well-known pa sites.

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.

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).

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.

Natural state in relation to receiving water means the state of that water before the discharge was released.

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.

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

Ngamotu Beach refer Appendix 5 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.

Outfall structure, where referred to in a regional rule, means any outfall structure other than a culvert, unless that culvert is part of an urban stormwater system.

Outstanding value means those areas that have been identified in a regional policy statement or regional plan as having outstanding natural character or that are 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:

- (a) any naturally occurring hydrocarbon (other than coal) whether in a gaseous, liquid or solid state;
- (b) any naturally occurring mixture of hydrocarbons (other than coal) whether in a gaseous, liquid or solid state; or
- (c) 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 means the Coastal Management Area identified in Schedule 1 of the Plan.

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.

Reasonable mixing in the coastal marine area is determined on a case by case basis. Conductivity of no less than 4450 mS/cm @ 20 degrees C would be expected in a reasonably mixed zone.

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
- (c) 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 identified in Schedule 6A of this Plan as locally significant to the Taranaki Region in terms of its population uniqueness, health and wellbeing, irrespective of their national threat status.

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.

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

Reverse sensitivity refers to the effects of sensitive activities on other lawfully established activities 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.

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 6B 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 toilets, urinals and WC scuppers;
- (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 11 of the Plan

Standards and terms means statements of the measurements, times, rates or other information that are 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.

Sufficient means that which is sufficient as determined by the Taranaki Regional Council or relevant territorial authority or their officers acting under delegated authority.

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.

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 wellbeing 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 a synthetic base fluid 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 hapu, that holds mana whenua over the area.

Taonga means treasure, 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.

Nationally Significant Surfing Area means the area identified in Schedule 4B 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, 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 national critical, national 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 mean a place that is sacred to Maori in a traditional, spiritual, religious, ritual or mythological sense.

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 that affect its ability to sustain community values and uses.

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.

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.

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