

# Section 32 Evaluation Report

## Proposed Coastal Plan for Taranaki

Taranaki Regional Council

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# 1 Introduction

*This section outlines the scope and structure of the report.*

## 1.1 Purpose

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

The report helps the reader to understand how the Proposed Plan was developed by:

- summarising the review and consultation process to date
- assessing the extent to which the objectives of the Proposed Plan being evaluated are the most appropriate way to achieve the purpose of the RMA
- assessing the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions in the Proposed Plan.

## 1.2 Scope and background

The purpose of the Coastal Plan is to promote the sustainable management of natural and physical resources in relation to the coastal marine area. The coastal marine area (the CMA) refers to area whose landward boundary is the mean high water mark and extends seaward to 12 nautical miles (or 22 kilometres).<sup>1</sup>

Many of the current Coastal Plan provisions have over time been demonstrated to be efficient and effective. However, since the adoption of the current Coastal Plan there have been significant changes to the planning framework relating to the coast. In particular, the Council must give effect to the *New Zealand Coastal Policy Statement 2010* (NZCPS) and a revised *Regional Policy Statement for Taranaki 2010* (RPS). Further changes are proposed to build on and improve on the environmental gains to date.

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<sup>1</sup> Beyond this is the Exclusive Economic Zone, which is managed by the Environmental Protection Authority, based in Wellington.

The Council has subsequently commenced its review of the current Coastal Plan and pursuant to Section 32 of the RMA has undertaken this evaluation.

## 1.3 Section 32 evaluation requirements

Section 32(1) to (5A) of the RMA sets out the requirements for preparing and publishing evaluation reports for proposed regional plans and reads as follows:

- (1) *An evaluation report required under this Act must—*
  - (a) *examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and*
  - (b) *examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by—*
    - (i) *identifying other reasonably practicable options for achieving the objectives; and*
    - (ii) *assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*
    - (iii) *summarising the reasons for deciding on the provisions; and*
  - (c) *contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.*
- (2) *An assessment under subsection (1)(b)(ii) must—*
  - (a) *identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—*
    - (i) *economic growth that are anticipated to be provided or reduced; and*
    - (ii) *employment that are anticipated to be provided or reduced; and*
  - (b) *if practicable, quantify the benefits and costs referred to in paragraph (a); and*
  - (c) *assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.*

- (3) *If the proposal (an amending proposal) will amend a standard, statement, regulation, plan, or change that is already proposed or that already exists (an existing proposal), the examination under subsection (1)(b) must relate to—*
- (a) *the provisions and objectives of the amending proposal; and*
  - (b) *the objectives of the existing proposal to the extent that those objectives—*
    - (i) *are relevant to the objectives of the amending proposal; and*
    - (ii) *would remain if the amending proposal were to take effect.*
- (4) *If the proposal will impose a greater prohibition or restriction on an activity to which a national environmental standard applies than the existing prohibitions or restrictions in that standard, the evaluation report must examine whether the prohibition or restriction is justified in the circumstances of each region or district in which the prohibition or restriction would have effect.*
- (4A) *If the proposal is a proposed policy statement, plan, or change prepared in accordance with any of the processes provided for in Schedule 1, the evaluation report must—*
- (a) *summarise all advice concerning the proposal received from iwi authorities under the relevant provisions of Schedule 1; and*
  - (b) *summarise the response to the advice, including any provisions of the proposal that are intended to give effect to the advice.*
- (5) *The person who must have particular regard to the evaluation report must make the report available for public inspection—*
- (a) *as soon as practicable after the proposal is made (in the case of a standard or regulation); or*
  - (b) *at the same time as the proposal is notified.*

## 1.4 Other relevant documents

This report should be read in conjunction with the following documents:

- *Proposed Coastal Plan for Taranaki 2018*
- *Regional Coastal Plan for Taranaki (operative October 1997)*
- *Taranaki as One – State of the Environment Report 2015*
- *Effectiveness and Efficiency of the Regional Coastal Plan for Taranaki (October 2009).*

## 1.5 Structure

The report has nine sections.

Section 1 introduces the report, including its purpose, scope and structure.

Section 2 outlines the statutory and planning context for the Coastal Plan review.

Section 3 sets the scene in relation to state of the Taranaki coast, the issues and environmental drivers for change.

Section 4 outlines the Coastal Plan review process to date, including early engagement, the preparation or commissioning of technical reports and research, and consultation on a draft Proposed Coastal Plan.

Section 5 outlines the methodology for evaluating the benefits and costs of proposed changes to the current Plan. A summary of the key proposed changes is also provided.

Section 6 assesses the appropriateness of the objectives set out in the Proposed Plan.

Section 7 assesses the efficiency and effectiveness of the policies and methods in the Proposed Plan, including the consideration of alternatives, and an evaluation of the benefits and costs of the proposed provisions.

Section 8 reviews the proposed provisions in terms of their impacts on economic growth in the Taranaki region, as required by Section 32(2)(a), and assesses the risks of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.

Section 9 provides a summary of the key findings and conclusions of this report.

A glossary of terms and acronyms, references used in this report, and appendices are presented at the back of the report.

Appendix 1 sets out a summary of stakeholder engagement undertaken as part of this review.

Appendix II provides a summary of advice received from Iwi authorities on the review, including the Council's response to that advice.

Appendix III provides an analysis of options for allowing the temporary occupation of the foreshore and seabed for community, recreational or sporting activities.

## 2 Statutory and planning framework

This section outlines the statutory and planning context for the Coastal Plan review. As indicated in Figure 1 there is a plethora of regulatory planning documents making up the national framework for the coastal environment.

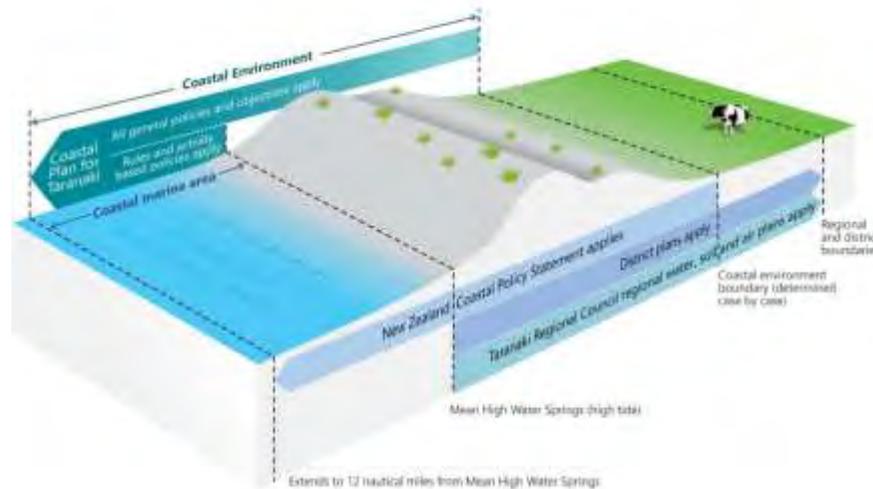


Figure 1: Planning framework for the coastal and marine environments

## 2.1 Legal background

Statutes and regulation of particular relevance to the review of the Coastal Plan are as follows.

### 2.1.1 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 review of the Coastal Plan addresses the sustainable management of the coastal environment in the Taranaki region. It assists the Council in carrying out its RMA functions relating to the coast. When providing for the sustainable management of the coastal environment the Council must 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.

Part 3 of the RMA sets out restrictions to control the adverse effects of certain activities on the environment. In relation to this Plan review, the following RMA restrictions apply:

- (i) restrictions on use of the coastal marine area (Section 12 of the RMA) 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 of the RMA);
- (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 of the RMA); and
- (d) duty to avoid unreasonable noise (Section 16 of the RMA).

Activities covered by sections 12, 14, 15, 15A and 15B of the RMA 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 also prescribe the noise standards for those activities (Section 16 of the RMA).

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

- any national policy statement;
- any New Zealand coastal policy statement (refer to Section 2.2.1 of this report); and
- any regional policy statement (refer to Section 2.2.3 of this report).

## 2.1.2 Marine and Coastal Area (Takutai Moana) Act

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

Under the Act, neither the Crown nor any other person owns the common marine and coastal area. However, an iwi, hapū or whānau group may have their customary rights in the marine and coastal area 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).

All eight iwi o Taranaki share cultural, spiritual, historical and traditional associations with the coastal environment. Seven of Taranaki's eight iwi rohe extend to and along the coastline (refer Figure 2 overleaf). At the time of writing this report, all seven of these iwi (and others) are in the process of applying for protected customary rights and/or customary marine title in the common marine and coastal area.



Figure 2: Iwi rohe in the Taranaki region

### 2.1.3 Resource Management (Marine Pollution) Regulations

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

- dumping of waste or other matter in the CMA 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 CMA.

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

### 2.1.4 Other legislation

All persons responsible for activities in the CMA must also ensure that they comply with all relevant legislation, regulations and bylaws. Other legislation relating to the CMA 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 and Local Government Act 2002*
- *Conservation Act 1987.*

## 2.2 Planning documents

Planning documents of particular relevance to the Coastal Plan review are as follows.

### 2.2.1 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:

- the extent and characteristics of the coastal environment
- the Treaty of Waitangi, tangata whenua and Māori heritage
- adopting a precautionary approach where there is uncertainty
- providing for the integrated management of natural and physical resources
- consideration of effects on land or water in the coastal environment that is managed under other Acts
- development and other activities
- 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
- identification and management of coastal hazards.

### 2.2.2 National policy statements and environmental standards

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 four 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 (refer to discussion in Section 2.2.1 above)
- *National Policy Statement on Urban Development Capacity 2016*, which sets out the objectives and policies for providing for urban development capacity
- *National Policy Statement for Renewable Electricity Generation 2011*, which sets out objectives and policies for managing renewable energy generation
- *National Policy Statement on Electricity Transmission 2008*, which sets out objectives and policies for managing the electricity transmission network.

National environmental standards (NES) are regulations issued under sections 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 six 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 Standards for Plantation Forestry*
- *National Environmental Standard for Electricity Transmission Activities*
- *National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health.*

### 2.2.3 Regional Policy Statement for Taranaki

The *Regional Policy Statement for Taranaki* (the RPS) became operative on 1 January 2010. It is the second RPS to be prepared by the Council.

The RPS is one of the most important planning tools for Taranaki. Although the RPS does not contain rules, it directs the integrated management of our resources (land, water, air, soil, minerals, and energy). This means setting out how our natural and physical resources should be managed into the future – from the mountain to the sea.

The stated purpose of the RPS is to “... *promote the sustainable management of natural and physical resources in the Taranaki region by:*

- *providing an overview of the resource management issues of the Taranaki region*
- *identifying policies and methods to achieve integrated management of the natural and physical resources of the whole region.”*

The RPS contains 33 objectives and 92 policies addressing the resource management issues of importance to the region.

The RPS’s regionally significant issues have been broadly grouped into four resource management issues of significance to iwi authorities (refer Table 1) and a further 26 resource management issues (refer Table 2 overleaf) that generally apply. The RPS contains a larger number of sub-issues that address in more detail some of the broader issues and themes.

Of particular relevance to the review of the Coastal Plan are the RPS provisions relating to coastal issues. However, the other RPS provisions are also relevant particularly those relating to use and development, air, indigenous biodiversity, natural features and landscapes, historic heritage and amenity values, natural hazards, waste management, minerals, energy, the built environment and resource management issues of significance to iwi authorities. RPS methods include the maintenance of a coastal plan and the application of regional rules.

**Table 1: Summary of significant resource management issues to iwi authorities in the RPS**

Significant resource management issues to iwi
1. Taking into account the principles of the Treaty of Waitangi
2. Recognising kaitiakiatanga
3. Recognising and providing for the relationship of <b>Māori</b> with ancestral lands, water, sites, waahi tapu and other taonga
4. Recognising cultural and spiritual values of tangata whenua in resource management processes

Table 2: Summary of significant resource management issues in the RPS

Significant resource management issues of the Taranaki region	
Resource use and development	1. Recognising the role of resource use and development in the Taranaki region
Land and soil	2. Protecting our soil from accelerated erosion 3. Maintaining healthy soils 4. Managing the effects of hazardous substances and contaminated sites
Fresh water	5. Sustainable allocation of surface water resources 6. Maintaining and enhancing the quality of water in our rivers, streams, lakes, and wetlands 7. Maintaining groundwater flows and quality 8. Protecting the natural character of our wetlands 9. Managing land drainage and other diversions of water 10. Managing effects associated with the use of river and lake beds 11. Maintaining and enhancing public access to and along rivers and lakes
Air	12. Maintaining our excellent air quality 13. Responding to the effects of climate change
Coast	14. Protecting the natural character of our coast 15. Maintaining and enhancing coastal water quality 16. Maintaining and enhancing public access to and along the coast
Indigenous biodiversity	17. Maintaining and enhancing our indigenous biodiversity
Natural features and landscapes, historic heritage and amenity values	18. Protecting our outstanding and important natural features and landscapes 19. Protecting our historic heritage 20. Maintaining and enhancing amenity values
Natural hazards	21. Reducing the risks to the community from natural hazards
Waste management	22. Minimising waste and managing its disposal
Minerals	23. Recognising and providing for appropriate use and development of minerals
Energy	24. Sustainably managing energy
Built environment	25. Promoting sustainable urban development 26. Providing for regionally significant infrastructure

## 2.2.4 Iwi environmental management plans

Iwi environmental management plans are planning documents recognised by an iwi authority (the authority that represents an iwi and that is recognised by that iwi as having authority to do so). Pursuant to Section 66 of the RMA the Council, when preparing or changing a regional plan, must take into account any relevant planning document recognised by an iwi authority.

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

- *Ngaa Rauru Kītahi Puutaiao Management Plan*
- *Ngati Ruanui Environmental Management Plan 2012.*

The main management policies and methods raised in iwi planning documents regarding the coast include but are not limited to:

### Te Kaahui o Rauru

- working collaboratively with local and central government agencies to achieve an integrated management framework for the coastal environment
- in conjunction with relevant local and central government agencies develop processes to support Ngaa Rauru Kītahi participation in the on-going management, condition setting and monitoring of resources in the coastal environment.
- Te Kaahui o Rauru will work with local authorities to develop a process which ensures we are considered an affected party to all resource and building consent applications in the coastal environment.
- through the GIS waahi tapu/waahi tuupuna database Te Kaahui o Rauru will work to ensure all waahi tapu/waahi tuupuna are recorded to avoid further damage and loss of these sites.

### Te Runanga o Ngāti Ruānui

- seek and obtain feedback from hapū and uri in relation to the health of the coastal and marine environment and assist hapū to respond to resource consent conditions
- preparation of cultural impact assessments prior to providing written approval to a significant resource consent application
- consider the use of maitaitai reserves, rahui and taiapure to protect ecosystems

- engage with policy makers and regulators on all significant issues relating to the coastal and marine area
- promote and enhance partnerships between Te Runanga o Ngāti Ruanui and central government, regional and district councils
- prepare and make submissions to central government, regional and district councils.

## 2.2.5 Statutory acknowledgements

Statutory acknowledgements are statements in Treaty of Waitangi settlements between Crown and tangata whenua (generally iwi) that are intended to recognise the mana of tangata whenua groups in relation to identified sites and areas.

Statutory acknowledgements are an acknowledgement by the Crown of the particular cultural, spiritual, historic, and traditional association of an iwi with each statutory site and area.

Text for statutory acknowledgements is included in the schedules to each relevant Claims Settlement Act. The locations for statutory acknowledgement areas are shown on Survey Office (SO) plans. While these plans do not indicate the precise boundaries of the statutory acknowledgement area, they do indicate the location as nearly as possible.

Statutory acknowledgements are only over Crown land and may apply to land, rivers, lakes, wetlands, a landscape feature, or a particular part of the coastal marine area. Where a statutory acknowledgement relates to a river, lake, wetland or coastal area, it only applies to that part of the bed in Crown ownership or control.

While the only legal requirement with regards to statutory acknowledgements in the preparation of plans is to attach them to the plan, they provide a clear statement of the interests of tangata whenua that has been used to inform the preparation and content of the Proposed Plan. For example, the statutory acknowledgements have been used in Plan development to:

- create a starting point for consultation
- assist in drafting plan provisions
- identify areas of importance to an iwi, or where consultation with iwi is to be encouraged through their incorporation into planning maps, or alert layers within GIS.

In terms of RMA processes, the main implication for statutory acknowledgements is for resource consent application processes. When implementing the Coastal Plan, statutory acknowledgements can be used to identify activities/circumstances in which the iwi authority may consider waiving its right to receive summaries of applications, for example, where particular activities are not considered to affect the associations identified in the statutory acknowledgement. They can also be used to determine activity status for activities at a location or of a type or magnitude that may result in adverse effects on particular sites or issues of concern identified in the statutory acknowledgement.

## 2.2.6 Further reading

For further information on statutes and regulations please refer to:

<http://www.legislation.govt.nz/>.

For further information on Council RMA planning documents please refer to:

<https://www.trc.govt.nz/council/plans-and-reports/strategy-policy-and-plans/>.

### 3 The Taranaki context

*This section sets the scene in relation to state of the Taranaki coast and potential drivers for change.*

#### 3.1 The Taranaki coast

The Taranaki coastline (Figure 3) is exposed to the west, and as a consequence, high energy wave and wind conditions dominate the coastal environment. There are few areas of sheltered water beyond the estuaries, such as those of Tongaporutu, Waitara and Pātea rivers, and the confines of Port Taranaki.

Almost the entire Taranaki coastline is subject to varying rates of natural erosion – from waves and wind. This has resulted in a predominantly cliffed coastline (approximately 90% of the coastline being comprised of coastal cliffs), with the western coast characterised by boulder cliffs and off shore reefs derived from erosion of lahar and other volcanic material. In north and south Taranaki, erosion of marine sediment has resulted in a coastline of almost continuous papa cliffs and the famous black sand beaches.

The coastline extends for some 299 km from Waihi Stream in the north, situated immediately south of the Mokau River, to Waiinu located near Waitōtara at the southern extent of the region.

Inland, on the landward side of the coastal environment, the coastal environment consists of two distinctive types of geology – the laharic coast of the volcanic ring plain terrace and, both north and south of the ring plain, the sedimentary coast of the uplifted marine terraces. The surface of both the laharic and marine terraces generally comprises flat to easy undulating contours.

Urban settlements adjacent to the open coastline include New Plymouth, Oākura and Opunake with other coastal settlements such as Urenui, Waitara, and Pātea occurring in and around estuaries.

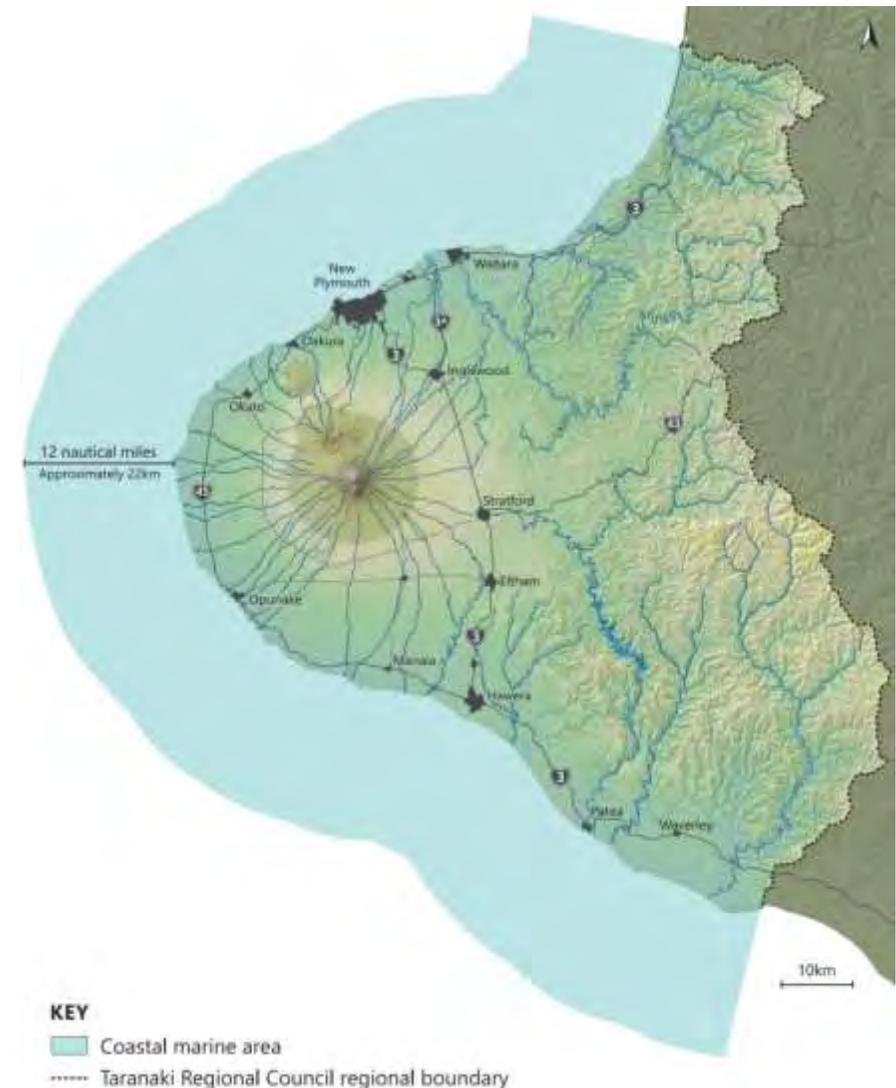


Figure 3: The Taranaki coastal marine area

## 3.2 Coastal values and characteristics

Taranaki may be synonymous with its mountain but the coast is equally treasured by those who live here.

Our coastline is a physically rugged and special environment that is rich in cultural history and prized for the recreational opportunities it offers, with surf breaks second to none. The coast is also the home to many unique and special species, and the scene of important economic activity. It is valued by everyone.

### 3.2.1 Use and development

Port Taranaki is New Zealand's only deep water seaport on the North Island's west coast. It is the transport hub for moving significant amount of goods in and out of the region, including overseas.

The Taranaki basin is currently New Zealand's only commercial hydrocarbon producing area. Offshore significant reservoirs of oil and gas are being produced from the Maui, Kupe, Pohokura, Pateke, Amokura, Tui, Toru and Maari fields. The presence of oil and gas in the region has given rise to further 'downstream' industries involved in the processing, distribution, use and export of hydrocarbons.

By world standard, however, Taranaki is under-explored and there is considered to be potential for very large oil and gas reserves in deep water further off the Taranaki coast. Other forms of extractive industries to emerge in recent times (but outside Taranaki's territorial waters) are sand mining, which has recently been approved by the Environmental Protection Agency.

Other activities and structures may also occur in the CMA such as the placement of structures that provide public access, promote public safety, and or provide recreational opportunities. Regionally significant infrastructure and assets such as Port Taranaki, production platforms, pipelines, and telecommunications also criss-cross the CMA to contribute to Taranaki's (and New Zealand's) economic and social wellbeing.

The level of use and development occurring within the Taranaki CMA is relatively low. Over the life of the current Coastal Plan, 420 coastal consents have been granted or varied.

The number of new coastal consents granted in any year varies. However, following a peak in 2006/2007, the number of new coastal consents granted in any given year has been in the order of three to eight new consents per annum.<sup>2</sup>

Over the life of the current Coastal Plan, some consents have expired or have been surrendered. As at 30 October 2017, there are 263 active (current) coastal consents (refer Figure 4). This represents a small but steady increase in the total number of active consented activities in the CMA.<sup>3</sup>



Figure 4: Number of coastal consents in the Taranaki region 2001 to 2017

The greatest proportion (70%) of active coastal consents in Taranaki is for structures. Examples of consented coastal structures include hard protection structures, boat ramps, jetties, wharfs and pipelines. Other consented activities in the CMA are for water discharges (15%), air discharges (0.4%), deposition of materials in or on the foreshore and seabed (2.3%), extraction of materials in or on the foreshore and seabed (1.5%), occupation of the foreshore and seabed (3%), and the taking or use of coastal water (2.3%). Refer Figure 5 overleaf.

<sup>2</sup> Since 2007/2008, Council has granted, on average, five new coastal consents per annum.

<sup>3</sup> Coastal consents make up 5.3% of the Council's total number of active resource consents granted.

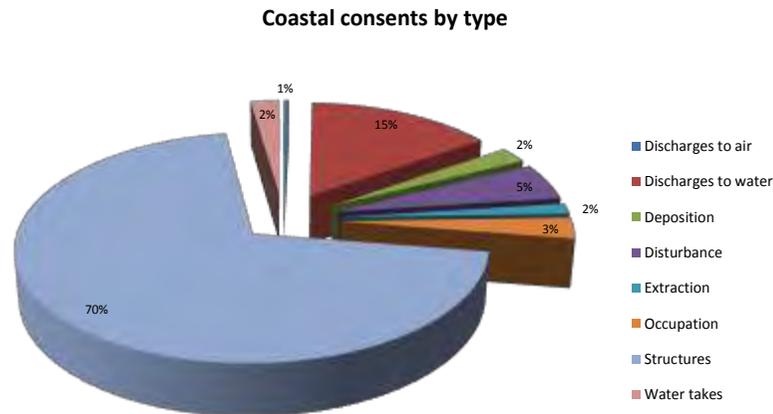


Figure 5: Active coastal consents by type, as at October 2017<sup>4</sup>

### 3.2.2 Natural character and water quality

Taranaki has high coastal natural character. Through the current Coastal Plan, and this review, significant stretches of the coast have been identified as having outstanding natural character or being outstanding natural features and landscapes. These include Paritutu, Ngā Motu (Sugar Loaf Islands), parts of the coastline and cliffs of north and south Taranaki, and some river mouths and estuaries. Outstanding marine-scapes include the North and South Traps.

Other sites and places along the coast may also have natural attributes or features that make them regionally important for other reasons such as for fishing, surfing and/or for their cultural, spiritual and historical associations.

Since the 1970s, the number of coastal point source (outfall) discharges has decreased significantly in Taranaki. Where once there were around 25 major dairy factories, industrial and

municipal waste discharges to the coast, today there are only three. These are to coastal waters located well off Waitara, New Plymouth, and Hāwera. Each is carefully monitored and a high level of environmental performance is expected.

In some cases, the standard of waste treatment has also improved significantly. For example, wastewater from Waitara previously underwent only primary treatment and disinfection before being discharged. It is now piped to New Plymouth's upgraded wastewater treatment plant where it undergoes primary, secondary and tertiary treatment before being discharged to sea.

Taranaki's natural environment—an exposed coastline with strong currents and high-energy waves—in combination with very few point source discharges and advances in wastewater treatment, means the quality of marine waters in Taranaki has continued to improve over the past 35 years. Notwithstanding that, localised coastal water quality issues can occur in and near urban wastewater discharges or where rivers and streams - containing sediments, urban stormwater or agricultural run-off - flow to the sea.

Over the past few years, there has been an increase in urban growth and subdivision along the coast. Correspondingly, sea walls and other structures that are designed to protect against erosion have been built, potentially changing the character of the coastline. All of these activities must be managed.

Key findings from state of the environment monitoring include:

- overall Taranaki's water quality is good
- the main influence on coastal water quality is from rivers and streams discharging sediment and other contaminants to the coast, particularly after heavy rainfall
- in the past six years, 95% of sites sampled at popular swimming spots were within Ministry for the Environment guidelines for swimming (refer Figure 6 overleaf)
- sand accumulation through natural processes has a major effect on intertidal rocky shore ecology
- survey results from state of the environment monitoring sites between 2008 – 2014 showed concentrations of metals and faecal coliform in shellfish to be well within the Australia and New Zealand Food Standard guidelines.

<sup>4</sup> As recorded on the Taranaki Regional Council Consents database. Document number: 1975692.



Figure 6: Taranaki's coastal water quality is high overall as demonstrated by beach bathing water quality monitoring results between 2008 and 2014

### 3.2.3 Coastal biodiversity

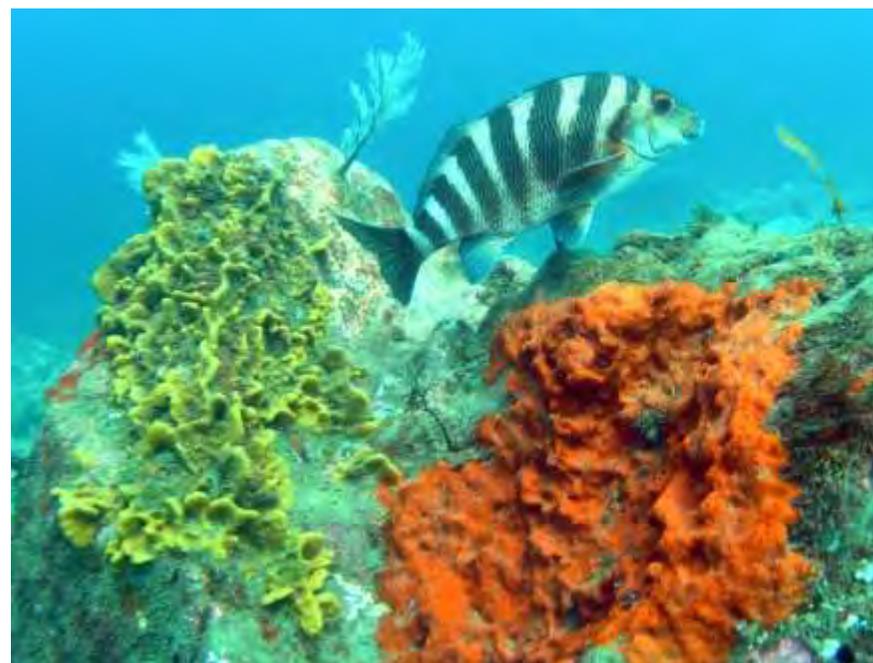
The Taranaki coast contains a wide range of habitats. Onshore and nearshore they include intertidal and subtidal reefs, estuaries and mudflats, coastal cliffs, sandy beaches and sand dunes. Further offshore there are less well known but nevertheless significant marine habitats. Together they are home for a range of species, including the blue whale, and Maui dolphin.

There are three main marine protected areas within the Taranaki coastal marine area – the Parininihi Marine Reserve, Ngā Motu (Sugar Loaf Islands) Marine Protected Area, and Tapuae Marine Reserve. In the North Taranaki Bight area there is also a specialised marine mammal sanctuary, which forms part of the West Coastal North Island Marine Mammal Sanctuary to protect the critically endangered Māui dolphin.

In terms of coastal birdlife, 19 species, including the grey-faced petrels, the little blue penguins and the New Zealand dotterel, are known to use the Taranaki coastline and waters.

Coastal and marine habitats can be vulnerable to use and development activities. Marine habitats of particular value for their uniqueness and/or richness and diversity of coastal indigenous biodiversity values include estuaries, reefs and other sensitive benthic habitats.

Onshore sand dunes and coastal herb fields are also very important. Rare and threatened coastal herb fields are present along the cliffs of south Taranaki and represent a historically rare ecosystem. Sand dunes now cover only 12% of their original extent.



Taranaki has a large number of intertidal rocky reefs. The organisms that live on these reefs form a significant component of the region's marine biodiversity and provide an important food source for humans, birds and fish.

### 3.2.4 Historic heritage

Historic heritage refers to the wide range of archaeological, architectural, cultural or scientific resources that contribute to an understanding or appreciation of Taranaki history and culture. It includes sites of significance to Māori.

Taranaki has a long history stretching back to early Polynesian settlement and the subsequent arrival of Europeans. Much of our early history was centred in or near the coast. Many pre-European archaeological sites include middens, ovens, village or pā sites and urupā (burial grounds). Reminders of early European history include historic buildings and structures such as wharves, pillboxes and shipwrecks. However, historic heritage also includes other archaeological<sup>5</sup> sites and places with a special historic and cultural connection, including, wāhi tapu sites.

Use and development activities that can impact on heritage values include coastal subdivision, disturbance, and the placement or extension of structures in and along the coast. To what degree the impact affects the historic heritage depends on the values and the scale and location of the activity.

One of the challenges of managing historic heritage values is the lack of information and knowledge about important sites or values. Many archaeological sites, particularly Māori sites of interest (e.g. taonga or wāhi tapu sites) have not been recorded or clearly identified.

### 3.2.5 Cultural heritage

Wāhi tapu, sites or places of cultural significance, and customary resources are integral to the identity, well-being and cultural integrity of tangata whenua.

Māori perceive natural and physical resources such as land, air, water and the coast as a taonga – an invaluable treasure – which has been gifted by their tipuna (ancestors) for the benefit and use of the descendants. This gift imposes a responsibility on the tangata whenua, as kaitiaki, to ensure that the resource is conserved and handed on to future generations in a similar condition.

Taranaki's coast is particularly significant for local iwi and hapū as kaitiaki or guardians of the coast. As kaitiaki of their traditional fishing grounds and reefs, tangata whenua have 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. Contamination or degradation of the coast and resources (e.g. mahinga kai) has the effect of diminishing its mouri and wairua thereby resulting in a subsequent loss of mana for the kaitiaki.

Some coastal sites and places are of added cultural, spiritual, historical, and traditional significance to iwi and hapū. They include wāhi tapu, urupā (burial sites) and battlegrounds, tauranga waka (ancestral canoe landing and launching sites), toko taunga ika (rocks marking fishing grounds), and landscape features signifying iwi and hapū boundaries. In giving effect to its resource management responsibilities, the Council will give particular consideration to the special relationship that tangata whenua have with the coastal environment, as expressed through tikanga.

### 3.2.6 Public amenity and enjoyment

The Taranaki coast is important for its amenity and recreational values. Amenity values are those natural and physical qualities and characteristics that contribute to people's appreciation and enjoyment of the environment. Taranaki residents and visitors enjoy very high levels of amenity values, characterised by the region's quiet, pleasant environment and the relative absence of noise, odours and dust.

The Taranaki coastline has maintained much of its natural character and features well maintained and accessible parks, reserves and walkways; outstanding landscape features; and community and recreational facilities. These, in turn contribute to high coastal recreation values including fishing and diving, boating and swimming, board sports such as surfing and kitesurfing, and walking.

Boating, fishing and surfing occur at a number of locations on the coast. There are a number of public boat ramps in the region and three boat ramps where permits are required to occupy the coastal marine area—Middleton Bay, Bayly Road and Warea. An increase in the number of surfers in the region has resulted in increased pressure for infrastructure at popular surf breaks. In many cases, access to these areas requires landowner permission.

<sup>5</sup> Archaeological sites (places in New Zealand associated with human activity that occurred before 1900). These sites have some protection under the Heritage New Zealand Pouhere Taonga Act. There are also many other important historic heritage places, buildings, or features that date from 1900.

Walking and cycling are increasingly popular activities along Taranaki's coastline, especially with the development of the Coastal Walkway in New Plymouth. The Coastal Walkway currently extends 12.7 kilometres, with further development planned.

Development activity can adversely affect amenity and recreational experiences on the coast. For example, development in remote areas can affect walkers seeking solitude or the 'wilderness' effect. In some cases, development may lead to a gradual loss of the scenic and natural character of that part of the coast, reducing its amenity value.

Access to beaches and other coastal sites and places is one of the key factors influencing recreational habits. Access along the coast can be physically constrained by natural features. In such areas, the provision of public access may not be practicable or appropriate and the relevant agencies may wish to discourage public access because of public health and safety considerations. In areas that are ecologically or culturally sensitive (such as marine protected areas or heritage sites) public access needs to be managed and, in some cases, restricted. Generally, there is very good public access to most parts of the coast.<sup>6</sup>



New Plymouth's coastal walkway looking towards the Port.

### 3.2.7 Further reading

For further information on Taranaki coastal values and characteristics, please refer to:

<https://www.trc.govt.nz/assets/Documents/Environment/SOE2015/SOE2009.pdf>

<https://www.trc.govt.nz/council/plans-and-reports/environmental/state-of-the-environment-report-2015/>

<https://www.trc.govt.nz/assets/Documents/Environment/Coast/reg-landscape-study-of-naki-coastal-enviro.pdf>

<https://www.trc.govt.nz/assets/Documents/Plans-policies/RPS/rps-full-web.pdf>

<https://www.trc.govt.nz/assets/Documents/Plans-policies/CoastalPlanReview/SensitiveHabitats.PDF>

<https://www.trc.govt.nz/assets/Documents/Environment/Coast/ArchaeologicalScopingStudyJune2013w.pdf>

Taranaki Regional Council, 2004: *Inventory of Coastal Areas of Local or Regional Significance in the Taranaki Region*.

Taranaki Regional Council, 2004: *Inventory of Coastal Areas of Local or Regional Significance in the Taranaki Region – Summary and Discussion*.

<sup>6</sup> Taranaki Regional Council, 2004: *Inventory of Coastal Areas of Local or Regional Significance in the Taranaki Region – Summary and Discussion*.

## 4 How the Plan was developed

*This section outlines the Coastal Plan review process to date.*

*The Proposed Plan has been prepared as a result of a full review of the current Coastal Plan under Section 79 and Schedule 1 of the RMA<sup>7</sup>, which has involved the following component parts.*

### 4.1 Early engagement

In accordance with Schedule 1 of the RMA, the Council has sought and considered comments from iwi authorities, the Department of Conservation, Heritage New Zealand, New Plymouth District Council, South Taranaki District Council, and other stakeholders in preparing to formally review the Proposed Coastal Plan.

This engagement has involved a combination of information provision, two-way consultation, and iwi and stakeholder exchanges that have assisted in the identification of key issues and community aspirations, plus the development of a draft Coastal Plan (refer Section 4.3 below) and a Proposed Coastal Plan (refer Section 4.5 below) and the refinement of Plan provisions.

For further information on the consultation and engagement process to date, please refer to **Appendix I** of this report.

In accordance with Section 4A of the RMA, this report must also summarise all advice received from iwi authorities concerning the Proposed Coastal Plan, including any provisions of the proposal in response to that advice. **Appendix II** of this report gives effect to that requirement.

### 4.2 Technical reports and research

The technical reports, working papers, research, policy development and public consultation that contributed to the development of the current Coastal Plan are still relevant. However, as part of this Plan review, a suite of additional discussion documents and technical papers were prepared or commissioned to further inform Council's policy position on future coastal management. They included:

- State of the environment monitoring reports (2003, 2009, 2015)
- *Efficiency and effectiveness of the Regional Coastal Plan for Taranaki* (2002, 2009)<sup>8</sup>
- *Taranaki Region Coastal Plan Review – Archaeological Scoping Study* (December 2012)
- *Taranaki Regional Council – Offshore Seismic Data Acquisition Permitted Activity Review* (May 2015)
- *Taranaki Regional Council – Offshore Petroleum Drilling Review* (August 2015)
- *Petroleum Drilling Activities; Buffer Distances from Outstanding Areas and Substrate Types Requiring Protection* (October 2015)
- *Regional Landscape Study of the Taranaki Coastal Environment* (November 2015)
- *Taranaki Surf breaks of National Significance* (May 2016)
- *Sensitive Habitats and Threatened Species in the Taranaki Coastal Marine Area* (August 2016)
- *Regional Significance Criteria for the Assessment of Surf Breaks* (July 2017)
- *Online Wave Survey Data Analysis and Proposed Regionally Significant Surf Breaks* (October 2017).

<sup>7</sup> Since the adoption of the current Coastal Plan, there have been a number of developments or change factors that have occurred and which have been taken into account when drafting the provisions of the revised Plan. They include: state of the environment trends and monitoring; Council and resource users experiences in implementing the plans and the usefulness, relevance and effectiveness of Plan provisions; changing community attitudes and priorities, which have flagged some issues for ongoing or heightened attention; changing industry best practices; and changes to the law, including the promulgation of the NZCPS.

<sup>8</sup> These five-yearly reports on the efficiency and effectiveness of the current Coastal Plan, and which included feedback from stakeholders, concluded that the current Plan remained relevant and efficient and effective. While the reports did not find that there was an urgent and immediate need to change the Coastal Plan, they did highlight issues that have subsequently been addressed as part of this review.

### 4.3 Consultation on a draft Coastal Plan

On 2 September 2016, to facilitate comments on specific proposed changes to the current Coastal Plan, the Council released a draft Proposed Coastal Plan to iwi authorities,<sup>9</sup> stakeholders and the wider public for their comment and input. This was an extra non statutory step to inform the development of Plan provisions. See <https://www.trc.govt.nz/council/plans-and-reports/strategy-policy-and-plans/regional-coastal-plan/coastal-plan-review/draft-coastal-plan/> for further details.

The draft Coastal Plan set out the findings and outcomes of the engagement and technical investigations undertaken at that time. It largely proposed continuing the existing regime set out in the current Plan subject to a number of important changes. The proposed changes sought to build on the success of the past and continue the decades-long process of incrementally and systematically improving on the maintenance and enhancement of coast values and uses while providing for appropriate use and development.

Other changes were also proposed to give effect to recent national directives such as the NZCPS, and take into account changing environmental practices and community aspirations, plus our experiences and lessons learned from the implementation of the current Coastal Plan.

As part of this engagement, around 120 stakeholders consisting of iwi authorities, Department of Conservation, district councils, major consent holders, the oil and gas sector groups, government departments, Royal Forest and Bird, and other non-government organisations with an interest in coastal issues were invited to provide feedback on the draft Coastal Plan. The Council also made the draft Coastal Plan available on its website for any member of the public wishing to comment.

The deadline for feedback on the draft Coastal Plan was 26 November 2016. The Council received 101 responses on the draft Coastal Pan from interested parties and individuals.

In general, many respondents appreciated the opportunity for early input and requested continued involvement throughout the planning process. There was considerable support for the draft Coastal Plan in terms of its content and draft provisions with many requesting that certain provisions be retained. However, there were also requests for changes.

Key themes to emerge from feedback seeking change or further work were as follows:

- minor amendments to Plan provisions sought to improve their readability and/or other

changes for the purposes of certainty and clarity

- more substantive changes to Plan provisions to support or restrict use and development in the CMA
- Ngati Ruanui, Ngāruahine, and Ngaa Rauru Kiiitahi highlighted issues and/or suggested changes to Plan provisions to improve the integration of cultural values and principles and to identify sites of high cultural significance in the coastal marine area
- opposition to a proposed rule for the temporary occupation of the common marine and coastal area for community, recreational or sporting activity as a permitted activity.

Other comments submitted related to minor changes or correcting drafting errors or sought further clarification on issues of interest.

Council officers conducted workshops and held additional meetings and hui with respondents during and following that process to clarify and discuss issues and options. This included meeting with iwi authorities, interested hapū, New Plymouth District Council, industry, and sector groups. A revised draft Coastal Plan showing Council responses to feedback was circulated to respondents in August 2017 with further opportunity for input.

The draft Coastal Plan provided an early opportunity for interested parties and individuals to directly comment on proposed provisions.



<sup>9</sup> The RMA requires the Council to consult with iwi authorities of which there are eight. Section 4A of the First Schedule of the RMA further requires the Council to provide a copy of a draft proposed plan to iwi authorities before notifying the Plan. This draft Coastal Plan gave effect to that requirement.

## 4.4 Engagement with iwi authorities

Section 32(4A) of the RMA requires this evaluation report to summarise all advice concerning the Coastal Plan review received from Iwi authorities under the relevant provisions of Schedule 1 of the Act, including the Council's response.

As outlined in sections 4.1 to 4.3 above, the Council has sought to engage with iwi authorities throughout the Plan review process. Consultation and collaborative effort with Iwi o Taranaki has informed the Plan review process, including changes to the current Plan.

Set out in **Appendix II** of this report is a summary of the advice received from iwi authorities, including the Council's response to date.

## 4.5 Schedule 1 review process for the Proposed Plan

In conjunction with the preparation of this report, the Council publicly notified the Proposed Plan on 24 February 2018 in accordance with Schedule 1 of the RMA. This represents the formal public consultation on the Coastal Plan review. It involves the public notification of a Proposal, and the receipt and consideration of public submissions.

Assessment of those submissions will be undertaken immediately following the last date for their receipt. A summary of submissions will be notified and any cross-submissions (or 'further submissions') called for.

The Council will provide an opportunity for every person who makes a submission and who requests to present their views in person to a Hearings Committee, to be so heard. Decisions and recommendations on the matters raised (in the submissions) will be publicly notified after the Hearing Committee has considered all matters.

If any person who makes a submission on the Proposed Plan is dissatisfied with the subsequent decision of the Council, he or she may refer the decision to the Environment Court, which in turn would hold a public hearing into the matter. The Environment Court may direct the Council to make amendments to the Proposed Plan.

Once finally approved by the Council (taking into account any directives from the Environment Court), the Proposed Plan becomes operative on a date that is publicly notified.

Figure 7 below provides an overview of the Coastal Plan review process, including where "we are at" in terms of the process.

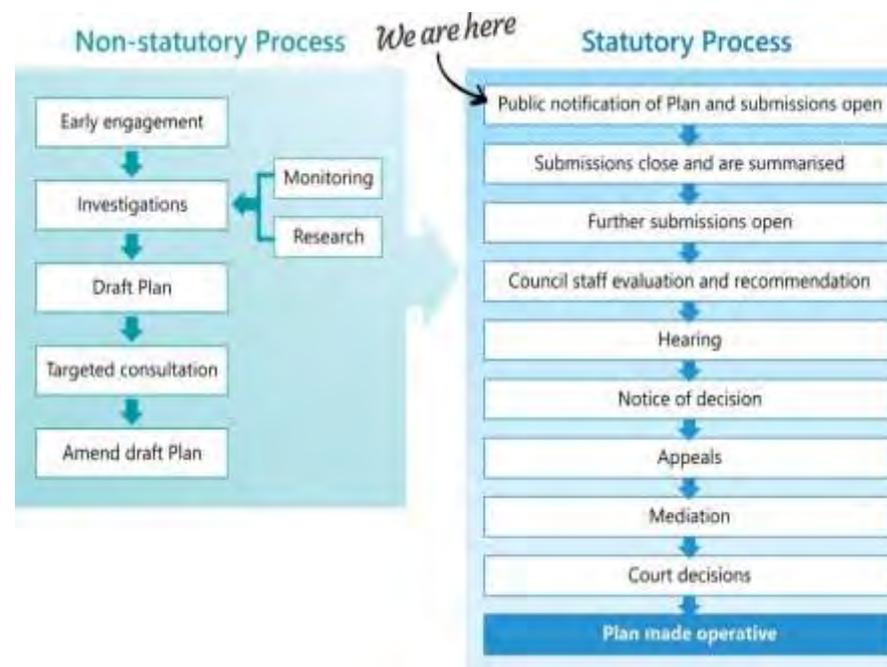


Figure 7: Coastal plan review process

## 4.6 Further reading

For further information on the Plan preparation and review process please refer to:

<https://www.trc.govt.nz/council/plans-and-reports/strategy-policy-and-plans/regional-coastal-plan/coastal-plan-review/>

Port Taranaki is New Zealand's only deep water seaport on the North Island's west coast. It is one of five coastal management areas identified in the Proposed Coastal Plan.



## 5 Section 32 methodology (and proposed changes)

*This section outlines the methodology for evaluating the appropriateness, efficiency and effectiveness of proposed changes to the current Coastal Plan.*

### 5.1 Proposed amendments

The Proposed Plan builds on the current Coastal Plan, which has been confirmed through interim reviews and state of the environment monitoring to be generally effective and efficient in promoting the sustainable management of natural and physical resources in the CMA.

Notwithstanding that, inevitably changes are required over time to update the Coastal Plan to ensure it remains relevant and to ensure Plan provisions are appropriate, efficient and effective. The majority of proposed changes to the current Coastal Plan are relatively minor and technical in nature to improve the readability and workability of the Plan. They include minor corrections of inconsistencies, omissions, and drafting improvements to Plan provisions. However, several significant changes are proposed to the current Coastal Plan that are considered to be more substantive in their effect. They include:

- **A streamlined Plan**

The Proposed Plan significantly streamlines the structure and provisions of the current Coastal Plan. Objectives, policies and rules have been bundled where appropriate to improve the readability and interpretation of Plan provisions. Some optional content matter such as the description of the issues and the explanations of the objectives and policies are no longer included. Together, the changes reflect best planning practices with second generation plans and are not for the purpose of changing the policy intent of the current Coastal Plan.

Where possible, and where it is appropriate to do so, some changes in the wording of Plan provisions have also been made to promote alignment with equivalent provisions in the NZCPS, RPS and other plans.

- **Greater recognition of cross-boundary effects from activities undertaken in the CMA on the landward side of the coastal environment**

The Proposed Plan recognises that natural and physical resources across the coastal environment consist of interconnected systems. Activities within the CMA (that part of the coast that Council has jurisdictional responsibilities for) can have an impact on values and uses above mean high water springs. Accordingly, while proposed rules apply only to the CMA, for the purposes of improved integrated management, Plan objectives, policies, and non-regulatory methods may apply to the wider coastal environment (i.e. the landward part) involving regional and district planning.

- **Amendments to coastal management areas**

The current Coastal Plan already adopts a zoning approach that recognises that some coastal 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. The Proposed Plan has fine-tuned this approach by dividing the CMA into five coastal management areas (currently there are four) to better target the policies and rules. The five coastal management areas, which are identified in Schedule 1 of the Proposed Plan, are: Outstanding value; Estuaries unmodified; Estuaries modified; Port Taranaki; and Open coast.

- **Additional coastal areas of outstanding value**

Both the current and proposed coastal plans identify coastal areas of outstanding value. These are areas that are outstanding in their natural character or which have been identified as an outstanding natural feature or landscape. These areas contain values and attributes that are exceptional because of their characteristics including landforms, land cover, cultural and heritage associations and visual qualities.

The Proposed Plan identifies seven new coastal areas of outstanding value. As part of the Plan review, all coastal areas of outstanding value have been mapped to recognise values on the inland component of the coastal environment. These areas are afforded the highest level of protection through proposed policies and rules. Coastal areas of outstanding value are identified in Schedule 2 of the Proposed Plan.

- **Increased restrictions on discharges of wastewater containing human sewage**

The Proposed Plan aligns with the NZCPS and prohibits the discharge of untreated human sewage directly to the CMA. New treated wastewater discharges containing human sewage will only be allowed to Coastal Management Area - Open Coast (subject to getting a consent) and not allowed in the other four coastal management areas.

Existing treated wastewater discharges containing human sewage will be allowed to continue, including the discharge associated with the Pātea Estuary. However a new Policy applies requiring the adoption of the best practicable option to be used to improve the quality of discharges and reduce the quantity of discharges (this will be given effect to through the consent process). The Policy also requires that existing wastewater overflows, following extreme rainfall events, will be reduced and eliminated over the life of the Plan. Coastal areas of where Council are seeking the restoration of coastal water quality are identified in Schedule 3 of the Proposed Plan.

- **Enhancement of degraded coastal water quality**

A new Policy 12 gives effect to Policy 21 of the NZCPS, which requires Council to give priority to improving coastal water quality where that quality has deteriorated to the extent that there are significant adverse effects on ecosystems, natural habitats, or water based recreational activities, or it is restricting existing uses, such as shellfish gathering and cultural activities. Schedule 3 of the Proposed Plan identifies three areas (Waiwhakaiho river mouth to the Mangati stream mouth, the Waitara embayment and Waihi Stream to the Tangahoe River) where in providing for consented coastal municipal discharges there has been localised degradation of water quality resulting in restrictions to shellfish gathering and recreational bathing.

- **Increased protection for indigenous biodiversity**

Policy 11 of the NZCPS contains explicit requirements relating to the protection of indigenous biodiversity that the Council must give effect to. Accordingly, the Proposed Plan includes supporting policies and standards, terms and conditions in the rules that seek to protect significant indigenous biodiversity.

Schedules in the Proposed Plan identify significant coastal biodiversity. Schedule 4A includes a table identifying coastal indigenous flora and fauna species identified as threatened or at risk of extinction and another table identifying naturally rare and uncommon ecosystem types found on the Taranaki coast. Schedule 4B identifies sensitive marine benthic habitats.

- **Increased recognition and protection of historic heritage and tangata whenua values, including sites of significance to Māori**

The Proposed Plan includes a new Policy that provides a higher level of protection for historic heritage values and includes the avoidance of significant adverse effects on scheduled sites of significance to Māori. Archaeological sites of significance are identified in Schedule 5A of the Proposed Plan. Known sites and place with special

cultural, spiritual, historical and traditional associations located within the CMA are identified in Schedule 5B of the Proposed Plan.

Tangata whenua principles and values have also been integrated throughout the Proposed Plan provisions (rather than being in a separate stand-alone chapter). This reflects feedback from tangata whenua and recognises that while some values and concepts may be expressed as distinctly Māori, their meaning and intent already align with values and concepts shared by wider New Zealand culture, i.e. sustainable management.

- **Increased protection for surf breaks**

The Taranaki region boasts 140 named surf breaks. Eighty-one named surf breaks are currently identified as regionally significant in the *Regional Policy Statement for Taranaki*. Four of these surf breaks have also been identified as nationally significant in the NZCPS.

The Proposed Plan seeks to protect not only the four surf breaks identified by the NZCPS as being of national significance but also the other surf breaks. A tiered approach is adopted whereby the highest level of protection is afforded not only to the nationally significant surf breaks but also all of the surf breaks between Kaihihi Road and Cape Road (referred to as the 'Significant Surfing Area' in the Proposed Plan). Other regionally and locally important surf breaks are afforded a lower but still high level of protection.

Nationally, regionally and locally significant surf breaks, including the Significant Surfing Area, are identified in Schedule 7 of the Proposed Plan with supporting policies and standards, terms and conditions in the rules to protect these areas.

- **Increased recognition and provision for regionally significant infrastructure and activities subject to appropriately managing adverse effects**

Some activities are regionally and nationally significant in terms of contributing to social and economic outcomes, e.g. Port Taranaki, telecommunications, flood protection works. Policies in the Proposed Plan seek to explicitly recognise and provide for these activities subject to avoiding, remedying and mitigating adverse effects. Other policies seek to avoid reverse sensitivity impacts on established operations and activities, recognising that some industries and activities are dependent on the use of coastal resources and/or location within the CMA. Of note the Port Coastal Management Area has been slightly extended to factor in potential future developments.

- **Bundling of activities within rules to streamline regulatory requirements and ensuring the fuller consideration of effects**

Unnecessary duplication of rules has been avoided by, first, bundling rules to take into account coastal management areas and, second, to capture within a rule associated but often incidental activities, e.g. maintenance of a structure in the CMA not only involves occupation of the CMA but associated activities such as disturbance, deposition and discharges. The effect of bundling has been to significantly streamline the Proposed Plan compared with the current Coastal Plan.

- **More explicit recognition of sites of significance and development of a mapping portal**

Significant work has also been undertaken and incorporated into the schedules to identify and map (where possible) coastal management units, coastal areas of outstanding value, coastal sites with significant amenity values, significant surf breaks, significant indigenous biodiversity, and historic heritage, including iwi cultural values and sites of significance.

As part of the development of a revised Coastal Plan, Council has developed a mapping portal to show Plan users relevant GIS layers relating to the implementation of the Plan.

- **Hard protection structures**

Policy 25 of the NZCPS requires the use of hard protection structures to be discouraged. Accordingly, the Proposed Plan includes policies that support this approach but also acknowledge that hard protection structures may be the only practical means to protect nationally and regionally important infrastructure located along the high energy Taranaki coastline.

A number of amendments have also been made to the policies and rules in the current plan to reflect the changes made to the RMA<sup>10</sup> and other requirements of the NZCPS and to provide greater clarity and operability for the Plan users. Current rules that are now redundant because they are addressed under the *Resource Management (Marine Pollution) Regulations 1998* were also removed.

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<sup>10</sup> They include deletion of Plan provisions addressing hazardous substances, which is no longer addressed pursuant to amendments to the RMA.

<sup>11</sup> Objectives are statements of what is aimed for in resolving a particular resource management issue. They describe the community's aspirations on how the environment should look, or how a particular resource should be managed in order to achieve sustainable management of natural resources. It is important that Plan objectives are considered in their entirety. They are intended to work together and there is a high degree of interconnectedness between the objectives in terms of the outcomes they seek to achieve.

## 5.2 Evaluating objectives

To give effect to Section 32(1)(a) of the RMA, this report evaluates the appropriateness of each objective<sup>11</sup> to achieve the purpose of the RMA.

Section 6 of this report sets out:

- An explanation of the objective taking into consideration the problem definition or resource management issue
- An evaluation and determination of the extent to which the objective is the most appropriate means to achieve the purpose of the RMA having regard to the following criteria:
  1. **Relevance** – Does the objective address the resource management issue? Will it achieve the purpose of the RMA, does it assist the Council to carry out its Section 30 functions, and does it give effect to objectives in the NZCPS, RPS or other planning documents?
  2. **Usefulness** – Will the objective guide decision making? Does it meet sound principles for writing objectives?
  3. **Achievability** – can the objective be achieved with the tools and resources available, or likely to be available, to the Council?

For the purposes of this report, the following rating system is applied summarising the relevance, usefulness and achievability of each objective:

- “*high*” rating indicates that the objective scores highly for its relevance, usefulness and achievability
- “*moderate*” rating indicates that the objective scores highly across most but not all of the criteria
- “*low*” rating indicates that the objective scores poorly across most of the criteria.

## 5.3 Evaluating policies, rules and other methods

To give effect to Section 32(1)(b) and (2) of the RMA, Section 7 of this report documents the appropriateness of the Proposed Plan provisions (policies and rules) having particular regards to the **efficiency** and **effectiveness** of the provisions to achieve the objectives, including the reasons for deciding on the preferred option / Plan provisions.<sup>12</sup>

For the purposes of this report, assessments of whether Proposed Plan provisions are the most appropriate way to achieve the Plan objectives are grouped around key topics and issues identified in the Plan.<sup>13</sup> In relation to each key topic or issue, Section 7 of this report sets out:

- relevant Plan provisions
- an explanation of the policy intent of the proposed provisions and the reasons for deciding on the provisions, including key changes from the current Coastal Plan
- other reasonable practicable options to the proposed provisions for achieving the Plan objectives. Given this is a review of the current Coastal Plan, in most cases, the most reasonable practical option is to keep with the *status quo*, i.e. no change to the current Coastal Plan with a continuation of existing policies and rules
- the benefits and costs of the proposals (and other reasonably practicable options) to the region with a focus on the Council, resource users, iwi, and/or wider community and environment.

The benefit/cost assessments are informed, as appropriate, by supporting technical reports and research, the experiences and learning identified by Council over the life of the current Coastal Plan, and through engagement and consultation to date in the development of the Proposed Plan. In terms of benefits and costs of the proposed provisions to the region, the following rating system is applied:

- *“high”* rating indicates significant, clear and obvious environmental, economic, social and cultural benefits or, conversely, significant clear and obvious implementation and transitional costs to particular parties

- *“medium”* rating indicates a mixture of benefits and costs with some but less obvious net benefits/costs to particular parties
- *“low”* rating indicates no or poor environmental, economic, social and cultural benefits or, conversely, no or minimal implementation and transitional cost to particular parties.

### Benefits and costs

The assessment of the costs and benefits of the policies and rules (and other methods), many intangible and non-monetary, involves the consideration of the following broad range of values:

- *Environmental* – environmental benefits and costs fall upon ecosystems and natural and physical resources.
- *Economic* – Economic benefits and costs are those that accrue to the productive economy and are based around economic wellbeing and efficiency considerations and anticipated effects, including opportunities for economic growth and employment.
- *Social* – Social benefits and costs are those that fall on people and the community. Often these impacts relate to changes in environmental and economic conditions and fall in the locality where water is taken from and used. Amenity values of the coast such as swimming, surfing, fishing, and other recreational experiences are included under social benefits and costs.
- *Cultural* – Cultural benefits and costs are those that relate to historic heritage and the customs, values and beliefs of people and communities. These considerations can be specific or holistic in nature. They often relate to changes in environmental, economic or spiritual conditions.

<sup>12</sup> Throughout the development of Plan provisions, the Council considered a wide range of policy and technical options. However for the purposes of this report, only the general “reasonable and practicable” options have been documented.

<sup>13</sup> Policies and rules are evaluated in groups where they contain common processes or elements to address issues, which can be subject to a common evaluation, or where the evaluation of their appropriateness in achieving the relevant objective(s) is assisted by grouping them.

## 5.4 Quantifying benefits and costs

An assessment must in accordance with Section 32(2)(c) of the RMA, if practicable, quantify the benefits and costs of the proposed provisions to achieve the Proposed Plan objectives.

For the purposes of this report, the Council has necessarily undertaken a largely qualitative analysis. Carrying out an in-depth cost-benefit analysis that quantified the benefits and costs of key changes was not considered appropriate given:

- the majority of proposed changes are relatively minor (for the purposes of improving transparency, certainty and clarity around policy intent) and build on or are a refinement of existing provisions that state of the environment monitoring and interim reviews of the current Coastal Plan have confirmed to be efficient and effective
- many of the more substantive changes are a result of aligning and/or giving effect to national directions such as the NZCPS
- the relatively low levels of use and development activities occurring in the CMA means that the monetarised impacts of proposed Plan provisions on resource users is likely to be relatively small.<sup>14</sup> While there may be considerable variation in the cost for individual coastal consents, on average the cost of obtaining a consent from the Council is around \$2,000. This means that the total monetarised costs of any increased or decreased consenting requirements resulting from the Proposed Plan is likely to be in the order of thousands of dollars rather than millions of dollars
- the environmental benefits of increased protection of natural character, indigenous biodiversity, tangata whenua principles and values, historic heritage, public use and enjoyment are extremely difficult to quantify let alone monetarise.

A degree of uncertainty regarding the benefits and costs of most policies is unavoidable. Social, cultural and environmental effects are typically difficult to monetise because there are no agreed methodologies, data is difficult and expensive to obtain, and there is no clear direction from the Courts that they have found monetisation to add value to decision-making. However, where possible, quantification has been undertaken to inform understanding of the magnitude of the effect.

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<sup>14</sup> Since 2007/2008, Council grants, on average, five new coastal consents per annum (refer Section 3.2.1 of this report). In 2015/2016, the average cost of a resource applicant to obtain a resource consent from Council was \$2,020. Refer Ministry for the Environment, 2017.

## 5.5 Evaluating impacts on economic growth and the risks of acting or not acting

To give effect to Section 32(2)(a) and (c) of the RMA, Section 8 of this report documents:

- the opportunities for economic growth and employment that are anticipated to be provided or reduced (refer Section 8.1 below)
- the risks of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions (refer Section 8.2. below).





Fitzroy Beach

## 6 Appropriateness of objectives

*Thirteen objectives are proposed for managing Taranaki's coastal environment.*

This section evaluates the appropriateness of the following Plan objectives:

- Integrated management
- Appropriate use and development
- Reverse sensitivity
- Life supporting capacity and mauri
- Coastal water quality
- Natural character
- Natural features and landscapes
- Indigenous biodiversity
- Relationship with tangata whenua with the coastal environment
- Treaty of Waitangi
- Historic heritage
- Public use and enjoyment
- Coastal hazard risks and public health and safety.

Of note many of the objectives are not new and any changes from the current Coastal Plan are relatively minor and/or do not change the policy intent. However, the Proposed Plan does include a number of new objectives (refer sections 6.1, 6.2, 6.3, 6.4, and 6.9 of this report), most of which have been included to promote alignment with other planning instruments such as the NZCPS and RPS.

In determining the appropriateness of individual objectives, qualitative assessments have been made based of the relevance, usefulness and achievability of the objectives taking into account the Council's statutory and planning requirements, change factors, state of the environment

monitoring information relating to the coast, and any other relevant investigations and monitoring, including the results of the interim reviews of the current Coastal Plan.



Kaimoana gathering.

## 6.1 Objective 1: Integrated management

### Proposed objective (New objective)

*Management of the coastal environment, including the effects of use and development on land, air and freshwater is carried out in a sustainable manner.*

### Explanation and evaluation

Objective 1 is relevant as it implements the Council's Section 30 functions. Pursuant to Section 30(1)(a) of the RMA regional council functions include "...the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the natural and physical resources of the region".

The objective explicitly addresses Issue 1<sup>15</sup> of the Proposed Plan and gives effect to policy directions in the NZCPS and RPS. Policy 4 of the NZCPS requires councils to provide for integrated management of the coast and the activities that fall within the coast while Section 17.1 of the RPS sets out integrated management and cross boundary processes.

Objective 1 is useful for Council and resource users in that it underpins a policy and management framework that addresses wider resource management issues, including those in the coastal environment and not just the CMA. While the proposed rules apply only to the CMA, for the purposes of improved integrated management, Plan objectives, policies (particularly general policies 1 to 20), and other methods recognise and take into account uses and values across the wider coastal environment (i.e. both the seaward and landward parts of the coast).

The objective explicitly recognises the interconnectedness of the coastal environment (and other environmental domains) as part of managing coastal activities. Through the Plan and associated consenting processes, wider considerations can be addressed, particularly in situations where coastal uses and values cross jurisdictional boundaries, e.g. the protection of outstanding natural character, landscapes and features, indigenous biodiversity, amenity values, and sites and places with cultural, spiritual and historical associations.

Objective 1 is achievable in that the Council and Plan users should be able to consider the interconnectedness of the coastal environment as part of managing any adverse effects from coastal activities. Any activities or effects that fall within one part of the coastal environment should be managed through the Plan and associated consenting processes to avoid, remedy or mitigate adverse effects on other parts of the environment irrespective of where different jurisdictional responsibilities lie under the RMA or other relevant legislation.

Whether the objective is achieved is not always under the control of the Council and is dependent upon other parties (such as the district councils, Department of Conservation and Ministry for Primary Industries). Of note this Council and district councils already work effectively together on many coastal matters as demonstrated by transfer agreements for noise and coastal structures.

### Extent to which Objective 1 [Integrated management] is appropriate

Criteria	Score	Explanation
Relevant	High	Addresses the Council's Section 30(1)(a) functions in relation to achieving integrated management of natural and physical resources Addresses Issue 1 of the Coastal Plan Gives effect to Policy 4 of the NZCPS Gives effect to Section 17.1 of the RPS
Useful	High	Provides a policy framework for the consideration of the adverse effects of coastal activities across jurisdictional boundaries and environmental domains within the coastal environment Particularly useful in situations where coastal uses and values cross jurisdictional boundaries, e.g. protection of outstanding natural character, landscapes and features, and sites and places with important indigenous biodiversity, amenity, historic or cultural values
Achievable	High - medium	Plan provisions and associated consenting processes can recognise and promote integrated coastal management. However, achievement of the objective is also dependent upon the actions of others
Conclusion		Objective 1 is considered the most appropriate way to achieve the purpose of the RMA. It is part of a suite of Plan provisions that together promote integrated management of the coastal environment.

<sup>15</sup> For the purposes of this report, "issues" refer to the seven coastal resource management matters identified in Section 3.2 of the Proposed Plan. These issues/matters are addressed in the Plan's objectives, policies and methods. Preliminary consultation during the development of the draft Coastal Plan identified some stakeholder concerns with these matters being identified in the Plan as "issues" because of the negative connotation.

## 6.2 Objective 2: Appropriate use and development

### Proposed objective (New objective)

*Natural and physical resources of the coastal environment are used efficiently, and activities that depend on the use and development of these resources are provided for in appropriate locations.*

### Explanation and evaluation

Objective 2 is a new objective. The objective is relevant as it implements the Section 5 purpose of the RMA to promote sustainable management. Broadly sustainable management is defined as enabling people and communities to provide for their social, economic and cultural well-being through use, development and protection of natural and physical resources. The objective also addresses RMA matters of national importance, namely the efficient use and development of natural and physical resources [Section 7(b)], the efficiency of the end use of energy [Section 7(ba)], and the benefits to be derived from the use and development of renewable energy [Section 7(j)].

Objective 2 also implements the Council's Section 30 functions. Pursuant to Section 30(1)(c)(iii) and (iii), (d), and (fb) regional council functions include the control of the use of land for the maintenance of coastal water quality, the maintenance and enhancement of ecosystems in coastal water, the control of the coastal marine area, and the establishment of rules in a regional coastal plan.

Objective 2 explicitly addresses Issue 3 of the Proposed Plan relating to recognising and providing for appropriate use and development and gives effect to the NZCPS and RPS. Objective 6 of the NZCPS requires councils to enable people and communities to provide for their social, economic and cultural well-being, and their health and safety, subdivision, use, and development. Section 4.1 of the RPS contains similar objectives and policies.

Objective 2 is useful for Council and resource users in that Objective 2 (in conjunction with other objectives and general policies 1 to 21) ensures that the policy framework recognises and provides for use and development opportunities in the coastal environment. Some infrastructure and activities such as Port Taranaki, production platforms, pipelines,

telecommunications, boat ramps, flood protection structures criss-cross the CMA and make a significant contribution to Taranaki's economic and social wellbeing.

There is currently a low level of use and development in the CMA compared to other environmental domains (e.g. freshwater, land and air). Nevertheless it is still appropriate to provide for economic, social and cultural opportunities by ensuring Coastal Plan provisions and consenting processes are administratively efficient and effective. The 'appropriateness' of the use and development is subject to the weighing of locational matters including environmental values and uses covered more fully under other Plan objectives and policies. Of note the objective aligns the revised Plan with other Council and second generation plans, which explicitly recognise use and development as a stand-alone issue.

Objective 2 is achievable. Interim reviews of the current Coastal Plan have not identified any issues with the administrative efficiency and effectiveness of coastal processes and/or the environmental outcomes being achieved over the life of the current Plan.

### Extent to which Objective 2 [Appropriate use and development] is appropriate

Criteria	Score	Explanation
Relevant	High	Explicitly addresses Section 5 of the RMA and the Council's Section 30(1)(c)(iii) and (iii), (d), and (fb) functions in relation to the coast Addresses Issue 3 of the Coastal Plan Gives effect to Objective 6 of the NZCPS Gives effect to Section 4.1 of the RPS
Useful	High	Part of a policy framework that recognises and provides for appropriate coastal use and development subject to environmental considerations
Achievable	High	Interim reviews of the current Coastal Plan have not identified any issues so far with providing for appropriate coastal use and development
Conclusion		Objective 2 is considered the most appropriate way to achieve the purpose of the RMA. It is part of a suite of objectives, that together, ensures use and development aspects of sustainable management are considered alongside protection aspects.

## 6.3 Objective 3: Protection of regionally important infrastructure

### Proposed objective (New objective)

*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.*

### Explanation and evaluation

Objective 3 is related to Issue 4 of the Proposed Plan. It supports Objective 2 [Use and development] by protecting regionally important infrastructure and activities in the coastal environment, including those recognised and provided for by national policy statements and standards, from reverse sensitivity effects. Reverse sensitivity effects occur when new activities emerge and impact, impinge and or constrain the ongoing operation, maintenance and development of already established activities present in the area.

Objective 3 is relevant as it implements the Section 5 purpose of the RMA to promote sustainable management. The objective also addresses RMA matters of national importance, namely the efficient use and development of natural and physical resources [Section 7(b)], and the benefits to be derived from the use and development of renewable energy [Section 7(j)].

Objective 3 further gives effect to the NZCPS, NESs, and RPS provisions. Objective 6 of the NZCPS requires councils to enable people and communities to provide for their social, economic and cultural well-being, and their health and safety, subdivision, use, and development. Section 15.2 of the RPS includes similar objectives and policies. The objective also recognises and provides for matters covered by the *NES for Telecommunication Facilities* and *NES for Electricity Transmission Activities*.

Objective 3 is useful for Council and resource users in that it underpins a policy framework for protecting the safe and efficient operation of lawfully established coastal infrastructure and activities such as Port Taranaki and telecommunications and electricity transmission lines. The objective and supporting policies will ensure that Council and resource users consider the impacts of new or encroaching activities and take action to ensure any potential reverse sensitivity effects are appropriately managed. It is also useful in that it further promotes the alignment of provisions between the RPS and other regional plans.

Objective 3 is achievable through appropriate planning (e.g. the adoption of coastal management areas and supporting Plan provisions) and consenting processes, conditions can be imposed to avoid or mitigate reverse sensitivity effects. The objective does not have a timeframe. Instead it is on-going for the life of the Plan.

### Extent to which Objective 3 [Protection of regionally significant infrastructure] is appropriate

Criteria	Score	Explanation
Relevant	High	Addresses sections 5, 7(b) and 7(j) of the RMA Addresses Issue 4 of the Coastal Plan Gives effect to Objective 6 of the NZCPS, <i>NES for Telecommunication Facilities</i> and <i>NES for Electricity Transmission Activities</i> and Section 4.1 of the RPS
Useful	High	Provides a policy framework for ensuring that the impacts of new or encroaching activities on the safe and efficient operation of lawfully established infrastructure and activities are appropriately managed through planning and consenting processes Promotes alignment between RPS and Coastal Plan provisions
Achievable	High	Interim reviews of the current Coastal Plan have not identified any issues so far with the protection of nationally and regionally important coastal infrastructure
Conclusion		Objective 3 is considered the most appropriate way to achieve the purpose of the RMA. It is part of a suite of objectives, that together, ensures the protection of nationally and regionally significant coastal infrastructure and provides for the management of reverse sensitivity effects.

## 6.4 Objective 4: Life-supporting capacity and mouri

### Proposed objective (New objective)

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

### Explanation and evaluation

Objective 4 contributes to addressing all the issues/matters in the Proposed Plan. However, it is particularly relevant to Issues 2 and 4 of the Proposed Plan, which relate to the importance of maintaining Taranaki’s generally high coastal water quality and protecting natural heritage values and processes to ensure the continuation of health and functioning coastal ecosystems.

The objective is relevant in that it gives effect to the purpose of the RMA to safeguard the life-supporting capacity of air, water, soil and ecosystems plus Section 7(d) and (f) matters relating to the intrinsic values of ecosystems and the maintenance and enhancement of the quality of the environment. It also captures the Māori world view of mouri, which refers to the essential life force or principle inherent in all things, both animate and inanimate.

The objective is further relevant in that it gives effect to Objective 1 of the NZCPS, which requires councils to safeguard the integrity, form and functioning and resilience of the coastal environment.

Objective 4 is useful for Council in that it is part of a management framework addressing its Section 30 functions, particularly Section 30(1)(c)(ii), (iii) and (iia), (d) and (fb) functions relating to the control of the use of land for the purpose of the maintenance and enhancement of coastal water quality, coastal water quantity, and the ecosystems in coastal water, plus other controls in the CMA. Objective 4 (in conjunction with other objectives and general policies 1 to 21) recognises the interconnectedness of the coastal environment whereby use and development activities may cause or contribute (through cumulative effects) to adverse effects on the various ecological, social and cultural components that contribute to the life-supporting capacity and mouri of coastal land, water and air.

The objective is also useful in that it aligns the revised Coastal Plan with other national and regional planning documents relevant to the coast plus other Council and second generation plans, which explicitly recognise life supporting capacity and mouri as a stand-alone issue.

Objective 4 is achievable. Interim reviews of the current Coastal Plan and state of the environment monitoring have not identified any issues with the life-supporting capacity and mouri of coastal processes and/or the environmental outcomes being achieved over the life of the current Plan. Currently pressures on the life supporting capacity and mouri are localised due to relatively low levels of use and development in the CMA compared to other regions. Nevertheless, into the future, it is important that existing and new coastal activities occur at a scale, at a location, and in a manner that maintains the life-supporting capacity and mouri of coastal water, land and air.

### Extent to which Objective 4 [Life supporting capacity and mouri] is appropriate

Criteria	Score	Explanation
Relevant	High	Contributes to all issues in the Coastal Plan – particularly Issues 2 and 4 Addresses sections 5, 7(d) and 7(f) of the RMA Gives effect to Objective 1 of the NZCPS
Useful	High	Addresses <b>the Council's</b> Section 30 functions in relation to the coast Ensures the Plan recognises and manages the cumulative effects of coastal use and development activities in a manner that avoids or mitigates impacts on the life supporting capacity and mouri of coastal land, air and water
Achievable	High	Interim reviews of the current Coastal Plan and state of the environment monitoring have not identified any issues so far
Conclusion		Objective 4 is considered the most appropriate way to achieve the purpose of the RMA. It is part of a suite of objectives, that together, ensures the life supporting capacity and mouri of <b>Taranaki's coastal environment is maintained.</b>

## 6.5 Objective 5: Coastal water quality

### Proposed objective (No or little change)

*Water quality in the coastal environment is maintained and enhanced.*

### Explanation and evaluation

Objective 5 is rewording of an existing objective in the current Coastal Plan that does not change the policy intent. Minor word changes have been made to make the objective read as per the other Plan objectives.

The objective continues to be relevant as it directly addresses Issue 2 of the Proposed Coastal Plan relating to maintaining and enhancing Taranaki’s coastal water quality. Coastal water quality in Taranaki is generally high although there are places where local water quality can be degraded from discharges such as outfall pipes or from land based diffuse source discharges of nutrients and sediment in and around river mouths. Contaminants in coastal water have flow on effects to marine ecosystems and human health. For example, suspended sediments can reduce water clarity, can smother the sea floor while microbiological contaminants can render shellfish unsuitable for human consumption and waters unsuitable for contact recreation.

The objective implements the purpose of the RMA to safeguard the life-supporting capacity of air, water, soil and ecosystems plus Section 7(f) matters relating to the maintenance and enhancement of the quality of the environment. The objective is also relevant in that it gives effect to Objective 1 of the NZCPS, which requires councils to maintain coastal water quality and enhance it where it has deteriorated from its natural conditions.

Objective 5 is useful for Council in that it is part of a management framework addressing its Section 30 functions, particularly Section 30(1)(c)(ii) and (iii), (d)(iv) and (iva), and (fb)(iv) relating to the control of the use of land for the purpose of the maintenance and enhancement of coastal water quality and the ecosystems in coastal water, plus controls in the CMA relating to discharges.

Objective 5 is useful for Council and resource users in that it (in conjunction with other objectives and general policies 1 to 21) recognises Taranaki’s generally high coastal water quality and will guide consenting process when assessing the impact of discharges on coastal water quality.

The relationship of tangata whenua with the coastal environment must also be considered when determining the significance of both existing degraded water quality and future discharges. Māori place great spiritual significance on the sea and it is valued for mahinga kai. The mouri or life force of the sea can be compromised by the discharge of pollutants, especially the discharge of human sewage. Tangata whenua generally prefer such discharges to be undertaken to land, or to sea only after passing through land.

Objective 5 is achievable. Interim reviews of the current Coastal Plan and state of the environment monitoring confirm that Taranaki has high overall coastal water quality. Notwithstanding that there are localised issues where discharges have resulted in restrictions on the gathering of mahinga kai or made water unsuitable for contact recreation. To address this, new policies are proposed to promote the improvement in wastewater systems and the quality of discharges.

### Extent to which Objective 5 [Coastal water quality] is appropriate

Criteria	Score	Explanation
Relevant	High	Addresses Issue 2 of the Coastal Plan Addresses sections 5 and 7(f) of the RMA Gives effect to Objective 1 of the NZCPS
Useful	High	<b>Addresses the Council's</b> Section 30 functions in relation to coastal water quality Ensures the Plan recognises and manages the cumulative effects of coastal use and development activities in a manner that avoids or mitigates impacts on the life supporting capacity and mouri of coastal land, air and water
Achievable	High	Interim reviews of the current Coastal Plan and state of the environment monitoring confirms that Taranaki has generally high coastal water quality
Conclusion		Objective 5 is considered the most appropriate way to achieve the purpose of the RMA. It is part of a suite of objectives that together ensures that <b>Taranaki’s generally high coastal water quality is maintained and enhanced.</b>

## 6.6 Objectives 6 and 7: Natural character and natural features and landscapes

### Proposed objectives (No or little change)

*The natural character of the coastal environment is preserved and protected from inappropriate use and development and is restored where appropriate.*

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

### Explanation and evaluation

Objectives 6 and 7 are a rewording of an existing objective in the current Coastal Plan that does not change the policy intent. Minor word changes have been made to make the objective read as per the other Plan objectives plus, in response to feedback on the Draft Coastal Plan, the current objective has been split into two in order to separate the general natural character within the coastal environment from those that relate to natural features and landscapes.

The objectives continue to be relevant as they directly address Issue 4 of the Proposed Plan relating to the protection of significant natural and historic heritage and natural processes. Features that can contribute to this natural character include natural coastal processes, marine life and ecosystems, coastal landscapes and seascapes, surf breaks, areas of natural vegetation, open space and farmland.

The objectives implement the Section 5 purpose of the RMA plus sections 6(a) and (b) matters relating to the preservation of the natural character of the coastal environment and the protection of outstanding natural features and landscapes from inappropriate use and development. The objectives are also relevant in that they gives effect to Objective 2 of the NZCPS, which requires the preservation of the natural character of the coast and the protection of natural features and landscape values.

The objectives are useful for Council and resource users in that they are part of a policy and management framework that ensures coastal use and development activities take into account Taranaki's generally high natural character (in conjunction with other objectives and general policies 1 to 21). Objective 6 requires the preservation of coastal natural character and its protection from use and development. The objective also refers to restoring natural character

where appropriate. Objective 7 similarly requires the protection of natural features and landscapes within the coastal environment from inappropriate use and development. The 'appropriateness' of use and development is largely determined on a case-by-case basis through the consenting process.

Objective 6 is achievable. Interim reviews of the current Coastal Plan and state of the environment monitoring have not identified significant issues with preserving the natural character of the coast and/or protecting natural features and landscape values. The rugged nature of Taranaki's coastal environment means that much of the coast has retained its distinctive natural character. Notwithstanding that, ongoing management is required to ensure coastal subdivision, use and development such as in and around New Plymouth and Oākura avoid, remedy or mitigate impacts on natural character over time.

### Extent to which Objectives 6 and 7 (Natural character, features and landscapes] are appropriate

Criteria	Score	Explanation
Relevant	High	Addresses Issue 4 of the Coastal Plan Addresses sections 5 and 6(a) and 6(b) of the RMA Gives effect to Objective 2 of the NZCPS
Useful	High	Future proofs the Plan to ensure cumulative effects of use and development activities are recognised and managed in a manner that avoids or mitigates impacts on the natural character of the coast
Achievable	High	Interim reviews of the current Coastal Plan and state of the environment monitoring have not identified any issues so far
Conclusion		Objectives 6 and 7 are considered the most appropriate way to achieve the purpose of the RMA. They are part of a suite of objectives that together ensure the natural character of Taranaki's coastal environment, including natural features and landscapes, is maintained.

## 6.7 Objective 8: Indigenous biodiversity

### Proposed objective (No or little change)

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

### Explanation and evaluation

Objective 8 is rewording of an existing objective in the current Coastal Plan that does not change the policy intent. Minor word changes have been made to make the objective read as per the other Plan objectives. Of note the objective seeks not just to maintain indigenous biodiversity but also enhance it where we are able.

Objective 8 continues to be relevant as it directly addresses Issue 4 of the Proposed Plan, which relates to the protection of significant natural heritage and processes. The objective implements the Section 5 purpose of the RMA, plus sections 6(a) and (c) matters of national importance relating to the preservation of the natural character of the coastal environment and the protection of significant indigenous vegetation and habitats of indigenous fauna.

The objective is also relevant in that it gives effect to Objective 1 of the NZCPS, which requires the protection of representative or significant natural ecosystems and sites of biodiversity importance and the maintenance of the diversity of indigenous coastal flora and fauna. Section 9 of the RPS includes a similar objective.

Objective 8 is useful for Council in that it is part of a policy framework addressing its Section 30 functions – particularly those relating to the establishment, implementation and review of objectives, policies, and methods for maintaining indigenous biodiversity (Section 30(1)(ga)).

The objective is also useful for Council and resource users in that it is part of a policy and management framework that will guide consenting process to ensure it occurs at a scale, location or in a manner that avoids, remedies, or mitigates adverse effects on coastal indigenous biodiversity.

Objective 8 is achievable in that the Council can ensure that use and development activities in the CMA occur at a scale, location or in a manner that contributes to maintaining and enhancing indigenous biodiversity values in the coastal environment. However, the revised

Plan, and indeed RMA processes by themselves may be insufficient to arrest the decline in indigenous biodiversity that is occurring across New Zealand. Other parties and legislative processes have a bearing on whether the objective will be achieved. For example, the Department of Conservation (DOC) have legislative responsibilities for the management of New Zealand's indigenous flora and fauna, the Ministry for Primary Industries (MPI) have legislative responsibilities for biosecurity and fishing quotas, while district councils have RMA responsibilities for the management of indigenous biodiversity on the landward part of the coastal environment. Through the implementation of its biodiversity and biosecurity programmes and activities set out in other plans and strategies, the Council aims to work closely with other key players to maintain and enhance coastal biodiversity in Taranaki.

### Extent to which Objective 8 [Indigenous biodiversity] is appropriate

Criteria	Score	Explanation
Relevant	High	Addresses Issue 4 of the Coastal Plan Explicitly addresses sections 5 and 6(a) and (b) of the RMA Gives effect to Objective 2 of the NZCPS and Section 9 of the RPS
Useful	High	<b>Addresses the Council's</b> Section 30 functions relating to coastal indigenous biodiversity Part of a policy framework for ensuring cumulative effects of use and development activities on aspects of indigenous biodiversity particularly vulnerable or at risk are appropriately managed to avoid, remedy or mitigate their impacts
Achievable	Medium	Plan provisions and associated consenting processes can protect aspects of coastal biodiversity from use and development activities. However, achievement of the objective and reversing the overall decline of biodiversity across New Zealand will depend upon the actions of others such as MPI, DOC and district councils and the effectiveness of other legislative/conservation processes
Conclusion		Objective 8 is considered the most appropriate way to achieve the purpose of the RMA. It is part of a suite of objectives, policies and methods that together will contribute to maintaining <b>Taranaki's coastal</b> indigenous biodiversity.

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

### Proposed objective (No or little change)

*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.*

### Explanation and evaluation

Objective 9 is rewording of an existing objective in the current Coastal Plan that does not change the policy intent. Minor word changes have been made to make the objective read as per the other Plan objectives.

Objective 9 continues to be relevant as it directly addresses Issue 5 of the Proposed Plan relating to recognising and providing for traditional and continuing relationships of tangata whenua with the coastal environment.

The objective gives effect to RMA matters of national importance, which requires all those exercising functions and powers under the RMA to: recognise and provide for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga (Section 6(e)) and the protection of protected customary rights (Section 6(g)); have particular regard to kaitiakitanga (Section 7(a)); and take into account the principles of the Treaty of Waitangi (Section 8). The objective also gives effect to Objective 3 of the NZCPS and sections 16.2 and 16.3 of the RPS. Both documents contain similar objectives requiring the recognition and provision for traditional and continuing relationships of tangata whenua with, amongst other things, the coastal environment.

Objective 9 is useful for Council, iwi and hapū, and resource users in that it is part of a policy and management framework that recognises the kaitiaki role of tangata whenua within the coastal environment. The objective (in conjunction with other relevant Plan provisions) will guide consenting process when assessing the impacts of activities and measures to protect traditional and continuing uses and values. For example, the relationship of tangata whenua with the coastal environment must be considered when determining the significance of both existing degraded water quality and future discharges. Māori place great spiritual significance on the sea and it is valued for mahinga kai. The mouri or life force of the sea can be

compromised by the discharge of pollutants, especially the discharge of human sewage. Tangata whenua generally prefer such discharges to be undertaken to land, or to sea only after passing through land. Through the consenting process, effective Māori involvement and engagement can be promoted.

Objective 9 is achievable. The proposed objective represents only a minor change to the current Coastal Plan and consenting systems and processes are already in place to give effect to the objective. However, the Proposed Plan contains a number of supporting provisions that should better recognise and provide for tangata whenua's special relationship with the coast. Of particular note are policies, rules and a schedule to protect sites and places with significant historic and/or cultural values. The Proposed Plan also contains new methods to recognise and provide for tangata whenua's role as kaitiaki, including Māori representation on Council's policy and consents and regulatory committees, and the development of memorandums of understanding.

### Extent to which Objective 9 [Tangata whenua] is appropriate

Criteria	Score	Explanation
Relevant	High	Addresses Issue 5 of the Coastal Plan Addresses sections 5, 6(e) and (g), 7(a) and 8 of the RMA Gives effect to Objective 3 of the NZCPS Gives effect to sections 16.2 and 16.3 of the RPS
Useful	High	Ensures coastal activities are managed in a manner that recognises and provides for traditional and continuing relationships of tangata whenua in the coastal environment
Achievable	High	Builds on the current Coastal Plan and is supported by Plan methods
Conclusion		Objective 9 is considered the most appropriate way to achieve the purpose of the RMA. It is part of a suite of objectives that together support iwi planning documents and ensure traditional and continuing relationships of tangata whenua in the coastal environment are recognised and provided for.

## 6.9 Objective 10: Treaty of Waitangi

### Proposed objective (New objective)

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

### Explanation and evaluation

Objective 10 is a new objective to explicitly incorporate the principles of the Treaty of Waitangi into the proposed coastal planning framework. The Treaty principles include:

- kāwanatanga – Crown’s right to govern and delegate resource management decision-making powers to local authorities
- rangatiratanga – iwi rights to control, manage and use tribal resources according to their cultural preferences
- partnership –relationship between iwi and central and local government based on the concepts of good faith, mutual respect, reasonable cooperation and compromise
- active participation and resource development – facilitation of iwi participation in coastal management and resource development
- spiritual recognition – recognition of the spiritual relationship that tangata whenua have with the environment.

Objective 10 is relevant as (in conjunction with Objective 9 – refer previous discussion) it contributes to addressing Issue 5 of the Proposed Plan relating to recognising and providing for traditional and continuing relationships of tangata whenua with the coastal environment.

The objective gives effect to RMA matters of national importance, which requires all those exercising functions and powers under the RMA to take into account the principles of the Treaty of Waitangi (Section 8). The objective also gives effect to Objective 3 of the NZCPS and Section 16.1 of the RPS, which include similar type objectives.

Objective 10 is useful for Council, iwi and hapū, and resource users in that it is part of a policy and management framework for recognising and facilitating the special relationship between

the Crown and tangata whenua (relative to other resource users) as established by the Treaty of Waitangi. It will ensure planning and consenting process take into account the principles of the Treaty of Waitangi in the management of the coastal environment. Facilitating this special relationship has a broader application than just the Coastal Plan.

Objective 10 is achievable. Coastal planning and consenting systems and processes are already in place to give effect to the objective and the Council will be seeking to build on those processes. The Proposed Plan includes a number of new methods to improve on mechanisms recognising and providing for tangata whenua’s special relationship including Māori representation on Council’s policy and consents and regulatory committees, and the development of memorandums of understanding.

### Extent to which Objective 10 [Treaty of Waitangi] is appropriate

Criteria	Score	Explanation
Relevant	High	Addresses Issue 5 of the Coastal Plan Addresses sections 5, 6(e) and (f), 7(a) and 8 of the RMA Gives effect to Objective 1 of the NZCPS Gives effect to Section 16.1 of the RPS
Useful	High	Future proofs the Plan to ensure coastal activities are managed in a manner that recognises the special relationship between the Crown and tangata whenua as established by the Treaty of Waitangi
Achievable	High	Builds on the current RPS and Coastal Plan but will need to be supported by methods
Conclusion		Objective 10 is considered the most appropriate way to achieve the purpose of the RMA. It is part of a suite of objectives that together recognises the special relationship between the Crown and tangata whenua as established by the Treaty of Waitangi. Supports methods in iwi planning documents.

## 6.10 Objective 11: Historic heritage

### Proposed objective (No or little change)

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

### Explanation and evaluation

The RMA defines historic heritage as 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: archaeological; architectural; cultural; historic; scientific; technological; and includes historic sites, structures, places, and areas; archaeological sites; sites of significance to Māori, including wāhi tapu; and surroundings associated with the natural and physical resources.

Objective 11 is rewording of an existing objective in the current Coastal Plan that does not change the policy intent. Minor word changes have been made to directly align the objective with equivalent provisions in the NZCPS.

The objective continues to be relevant as it directly addresses Issues 4 and 5 of the Proposed Plan which address the protection of historic heritage and recognising and providing for the relationship of tangata whenua. Of note the RMA definition of historic heritage includes sites of significance to Māori, including wāhi tapu.

Objective 11 implements the Section 5 purpose of the RMA plus matters of national importance, which requires all those exercising functions and powers under the RMA to: recognise and provide for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga (Section 6(e)); and the protection of historic heritage (Section 6(f)).

The objective is also relevant in that it gives effect to Section 10.2 of the RPS, which requires the protection of historic heritage values. It builds on Objective 6 of the NZCPS, which refers to recognising historic heritage in the coastal environment.

Objective 11 is useful for Council and resource users in that it is part of a policy framework that will guide consenting processes when assessing the potential impact of use and development activities in the CMA on historic heritage, including the identification of avoidance, remedying or mitigating measures to address those impacts. It recognises that historic heritage in

Taranaki's coastal environment is subject to pressures from both development and from coastal erosion. Once lost, historic heritage is irreplaceable.

Objective 11 is achievable in that, through appropriate planning (e.g. the scheduling and mapping of historic heritage and supporting Plan provisions) and consenting processes, adverse effects from use and development activities on historic heritage in the CMA can be avoided or mitigated. The objective deliberately does not address historic heritage loss from natural coastal processes.

Achieving the protection of historic resources first requires their identification but there is often a lack of information concerning historic resources, particularly in the CMA. Accordingly as part of this Plan review, Council carried out an identification and assessment exercise of historic heritage in the CMA. This coupled with engagement to date has informed the identification of historic heritage.

### Extent to which Objective 11 [Historic heritage] is appropriate

Criteria	Score	Explanation
Relevant	High	Addresses issues 4 and 5 of the Coastal Plan Addresses sections 5 and 6(e) and (f) of the RMA Gives effect to Objective 6 of the NZCPS Gives effect to Section 10.2 of the RPS
Useful	High	Part of a policy framework for ensuring cumulative effects of use and development activities on aspects of historic heritage are appropriately managed to avoid, remedy or mitigate their impacts
Achievable	High	Plan provisions and associated consenting processes can protect aspects of historic heritage within the coastal environment from use and development activities
Conclusion		Objective 11 is considered the most appropriate way to achieve the purpose of the RMA. It is part of a suite of objectives, policies and methods that together will contribute to <b>maintaining Taranaki's coastal historic heritage.</b>

## 6.11 Objective 12: Public use and enjoyment

### Proposed objective (No or little change)

*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.*

### Explanation and evaluation

Objective 12 is rewording of an existing objective in the current Coastal Plan that does not change the policy intent. Minor word changes have been made to make the objective read as per other Plan objectives.

Objective 12 continues to be relevant as it directly addresses Issue 6 of the Proposed Plan relating to ensuring that people can continue to access, use and enjoy the Taranaki coast. Objective 6 implements the purpose of the RMA plus matters of national importance, which requires Council when exercising its Section 30 functions under the RMA to: recognise and provide for the preservation of the natural character of the coast (Section 6(a)); the maintenance and enhancement of public access to the CMA (Section 6(d)); and have regard to the maintenance and enhancement of amenity values (Section 7(c)); intrinsic values of ecosystems (Section 7 (d)); and the maintenance and enhancement of the quality of the environment (Section 7(f)).

The objective is also relevant in that it gives effect to sections 8 and 10 of the RPS and Objective 4 of the NZCPS, which requires the maintenance and enhancement of public open space qualities and recreational opportunities of the coastal environment.

Objective 12 is useful for Council and resource users in that it is part of a policy and management framework that will guide consenting process when assessing the impact of use and development activities in the CMA with the potential to impact on people's use and enjoyment of the coast. There are two aspects to this. Firstly, it recognises the need for use and development activities to avoid, remedy or mitigate potential impact on coastal recreational and amenity values, including fishing, diving, swimming, surfing, windsurfing, walking and boating. Secondly, it recognises the importance of public access and opportunities for use and development to enhance public access and recreational experiences associated with the coastline.

Objective 12 is achievable in that the Council can manage the adverse effects of use and development activities in the CMA to protect public use and enjoyment across the wider coastal environment. Through its rules and other methods the Council will particularly focus on coastal sites and places identified as having significant amenity values such as surf breaks, reefs and beaches. However, achievement of the objective, particularly in relation to the maintenance and enhancement of public access to and along the coast is dependent upon other parties (such as the district councils). Where appropriate, the Council will work with district councils and others to address any cross boundary effects on public use and enjoyment, including coastal access.

### Extent to which Objective 12 [Public use and enjoyment] is appropriate

Criteria	Score	Explanation
Relevant	High	Addresses Issue 6 of the Coastal Plan Addresses sections 5 and 6(a) and (d), and 7(c), (d) and (f) of the RMA Gives effect to Objective 4 of the NZCPS Gives effect to sections 8 and 10 of the RPS
Useful	High	Part of a policy framework to ensure cumulative effects of use and development activities in the CMA on <b>people's use and enjoyment</b> in the coastal environment are appropriately managed to avoid, remedy or mitigate their impacts
Achievable	High - medium	Plan provisions and associated consenting processes can manage <b>effects on people's use and enjoyment in the coastal environment</b> . However, achievement of the objective is also dependent upon the actions of others, including district councils
Conclusion		Objective 12 is considered the most appropriate way to achieve the purpose of the RMA. The objective recognises the importance given to coastal public use and enjoyment in the RMA, RPS, NZCPS and the Proposed Plan. It is part of a suite of objectives, policies and methods that together will contribute to maintaining <b>people's use and enjoyment</b> of the coastal environment.

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

### Proposed objective (No or little change)

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

### Explanation and evaluation

Objective 13 is rewording of an existing objectives in the current Coastal Plan that does not change the policy intent. Minor word changes have been made to make the objective read as per other Plan objectives.

Objective 13 continues to be relevant as it directly addresses Issue 7 of the Proposed Plan relating to coastal natural hazard risk. The objective implements the Section 5 purpose of the RMA plus Section 6(h) matters relating to the management of significant risks from natural hazards.

The objective is also relevant in that it gives effect to Objective 5 of the NZCPS, which requires that the management of coastal hazard risks take into account climate change. Section 11 of the RPS includes a similar objective.

In Taranaki, and elsewhere across New Zealand, there is an increasing demand to locate subdivision, use, and development as near as possible to the CMA. Conflicts arise between allowing natural processes to occur (thereby protecting natural character, amenity values, beach profiles, coastal access etc) and protecting private property, public property or infrastructure (e.g. by coastal hazard protection works). Objective 13 is useful for Council and resource users in that it is part of a policy and management framework that will guide consenting process when assessing the impact of activities in the CMA and ensuring that those activities do not exacerbate coastal hazard risks and or have adverse impacts on social, cultural, environmental or economic values. It recognise that the coastal environment is particularly susceptible to coastal hazard risks in areas where buildings, roads and other infrastructure are located close to the CMA.

Objective 13 is achievable in that the Council can manage use and development activities to ensure they are of a form, or scale, and or in a location that they do not exacerbate coastal hazard risks within the CMA to protect public health and safety. However, achievement of the objective across the coastal environment is dependent upon other parties (such as the district councils). Where appropriate, the Council will work with district councils and others to address any cross boundary effects on coastal hazard risk and public health and safety.

### Extent to which Objective 13 [Coastal hazard risks] is appropriate

Criteria	Score	Explanation
Relevant	High	Addresses Issue 7 of the Coastal Plan Explicitly addresses sections 5 and 6(h) of the RMA Gives effect Objective 5 of the NZCPS Gives effect to Section 11 of the RPS
Useful	High	Provides a policy framework for ensuring cumulative effects of use and development activities in the CMA do not exacerbate coastal hazard risks
Achievable	High - medium	Council anticipates that the current erosion trends and the potential for flooding and storm damage will become more severe over time due to climate change Plan provisions provide a framework for managing coastal hazard risks in the coastal environment. However, achievement of the objective is also dependent upon the actions of others
Conclusion		Objective 13 is considered the most appropriate way to achieve the purpose of the RMA and give effect to the RPS, NZCPS and the Proposed Plan. The objective is part of a suite of objectives, policies and methods that together recognises the impacts of climate change and the need to manage increased coastal hazard risks over time.



Lee Breakwater at Port Taranaki – the design and placement of coastal structures need to take into account climate change, sea level rise and the likelihood of increasingly severe storm events

## 7 Efficiency and effectiveness of Plan provisions

*In addition to the 13 Proposed Plan objectives, 49 policies and 66 rules are also proposed for managing Taranaki's coastal environment. This section evaluates the efficiency and effectiveness of the proposed policies and rules, including an assessment of the benefits and costs.*



Changes to the Plan propose increased protection for Taranaki surf breaks.

The assessment of Plan provisions (objectives, policies and rules) are grouped around the following topics/issues:

### Coastal values and uses

- Coastal management
- Use and development
- Natural character
- Coastal water and air quality
- Indigenous biodiversity
- Cultural and historic heritage
- Relationship with tangata whenua
- Public use and enjoyment
- Coastal hazards and public health and safety.

### Activity-specific policies and rules

- Discharges (to coastal water and air)
- Structures and occupation
- Disturbance, deposition and extraction
- Reclamation or drainage
- Taking or use of coastal water, heat or energy
- Noise.

The assessments are based on information provided through Council investigations and monitoring, through information provided through comments on the draft Coastal Plan, industry, stakeholders, consultants, and other information obtained as part of the Section 32 evaluation.

## 7.1 Coastal management

### Proposed provisions (Major changes)

Proposed provisions relating to coastal management	
Objectives	Objectives 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13
Policies	Pol 1: Coastal management areas Pol 2: Integrated management Pol 3: Precautionary approach Pol 4: Extent and characteristics of the coastal environment
Rules	Rules 1 - 65

### Explanation and evaluation

#### Policy intent

Policies 1 to 5 establish the coastal management framework. Together they contribute to all thirteen of the Proposed Plan's objectives.

Policy 1 recognises that the coastal environment is not uniform in either the natural processes that exist within it, or in respect of the levels of use, or types of values associated with it. Pursuant to Section 5 of the RMA, the Council must manage use, development and protection of natural and physical resources in the CMA. Policy 1 therefore goes on to establish a zonal approach for coastal management involving the following five coastal management areas:

- *Outstanding Value* – coastal areas identified as exceptional in relation to their landforms, land cover, cultural and heritage associations and visual qualities (also referred to in this report as outstanding coastal value)
- *Estuaries Unmodified* – estuaries largely unmodified and which are regionally significant for their indigenous biodiversity and amenity values
- *Estuaries Modified* – the Pātea, Waiwhakaiho and Waitara estuaries that though modified still contain significant indigenous biodiversity values and high amenity values

- *Port Taranaki* - highly modified environment with nationally and regionally important infrastructure that contributes to the region's economic wellbeing
- *Open Coast* - parts of the CMA not covered by the other management areas.

The five coastal management areas (refer Figure 8 overleaf) are based on their shared values, characteristics, uses, vulnerability or sensitivity, and different management needs). Zones 'bundle' compatible activities or effects of these activities together and restrict activities or effects which are incompatible. A zone enables some activities, and prevents other activities.

Policy 2 provides direction and guidance for promoting integrated management and managing cross boundary effects within the coastal environment (either side of the mean high water mark).

Policy 3 provides guidance on circumstances where a precautionary approach to decision making in the coastal environment is appropriate. It acknowledges there are knowledge gaps in relation to coastal information and enables some use and development activities to proceed in a carefully managed manner.

Policy 4 provides direction on those matters that will be considered when determining the extent of the coastal environment.

Rules 1 – 65 control use and development activities in the CMA and provide a tiered level of management that reflect the coastal management areas where the activity occurs in. The 'weighing' between use and development versus protection in the different management areas reflects the key activities, uses and values associated with that part of the coast. Rules are increasingly restrictive in unmodified areas (e.g. outstanding coastal areas) and more permissive in modified environments such as the Port. Of note within any coastal management area there may be specific sites and places with regionally significant ecological, historical, cultural and amenity values, including beaches and surf breaks.

#### Key changes from current Coastal Plan

The aforementioned approach is the Council's preferred management option. It represents a refinement of the coastal management framework set up in the current Coastal Plan, which have proven to be successful to date in terms of public acceptance and achievement of desired environmental outcomes.

Key changes include:

- Policy 1 proposes an increase in the number of coastal management areas (from four to five) to better reflect the differing levels of use or values associated with estuaries

based upon whether they are modified or unmodified

- Policies 2, 3 and 4 are new supporting policies that explicitly recognise and give effect to Policy 1 [Extent and characteristics of the coastal environment], Policy 3 [Precautionary approach], Policy 4 [Integration], Policy 5 [Land or waters managed under other acts], Policy 7 [Strategic planning], and Policy 9 [Ports] of the NZCPS
- bundling of policies and rules in the Coastal Plan to streamline decision making considerations and improve alignment across the Plan and with other planning documents such as the NZCPS and RPS
- standards, terms and conditions protecting coastal values identified or described in the Proposed Plan schedules
- identification of coastal sites and places of significance for their natural, historic and amenity values in the Proposed Plan schedules where coastal use and development activities are more likely to be restricted.

#### Reasonable practicable options

Some refinement of current coastal management framework, which, in turn has implications for the application of Coastal Plan policies and rules, is considered appropriate. The changes are relatively minor but allow the Council to better target the management of adverse effects arising from use and development in the CMA, particularly cumulative effects in coastal management areas with outstanding or high natural character (i.e. outstanding coastal areas, estuaries-unmodified and estuaries-modified).

The alternative to the proposed provisions is the *status quo*, i.e. do nothing further to the current operative provisions. However, an assessment of the benefits and costs of the two options show that benefits of the proposed changes outweigh the costs (refer Table overleaf) and are the most appropriate way of achieving the Plan objectives.

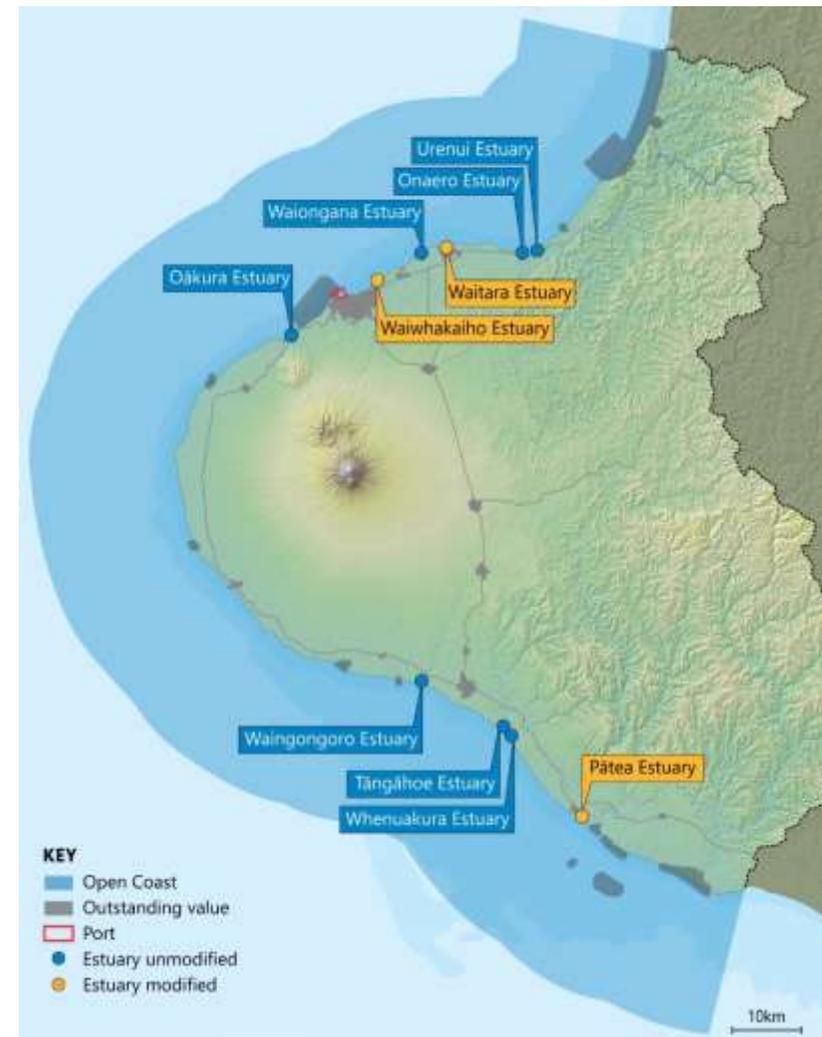


Figure 8: Coastal management areas of the Taranaki region

## Assessment of benefits and costs

Policy options	Effectiveness and efficiency			
	Parties	Costs	Benefits	Discussion
<p>Option 1: Make key changes to the Coastal Plan including:</p> <ul style="list-style-type: none"> <li>increasing the number of coastal management areas from 4 to 5 zones</li> <li>new policies that align and give effect to the NZCPS</li> </ul>	Council	<i>Low</i>	<i>High</i>	<p>Efficient as revised Plan provisions ensure the Section 5 purpose of the RMA is met</p> <p>Efficient as revised policies align with and give effect to NZCPS</p> <p>Efficient by revised Plan provisions provide flexibility for consenting processes to take into account differing values and uses across the coastal environment</p> <p>Efficient as Proposed Plan bundles rules to streamline Plan provisions and consenting process</p> <p>Efficient as Proposed Plan avoids duplicating district council efforts identifying landward extent of coastal environment (and the risk of misalignment)</p>
	Resource users	<i>Low</i>	<i>High</i>	<p>Efficient as revised policies provide direction and guidance on effects that may need to be managed to protect wider coastal uses and values</p> <p>Efficient as proposed policy provides for a precautionary approach to be adopted that would allow use and development activities to proceed in a carefully managed manner where they might otherwise be restricted due to knowledge gaps</p> <p>May be some additional localised costs on resource users arising from the need to take into account cross boundary effects</p>
	Community and environment	<i>Low</i>	<i>High</i>	<p>Effective and efficient as Proposed Plan promotes integrated management of coastal uses and values</p> <p>Effective as Proposed Plan takes into account and seeks to manage cross boundary effects on the landward part of the coastal environment</p> <p>Efficient as the Proposed Plan avoids costs associated with duplicating district council efforts to identify extent of coastal environment</p>
Option 2: <i>Status quo</i>	Council	<i>High</i>	<i>Low</i>	Less aligned with the NZCPS
	Resource users	<i>Medium</i>	<i>Low</i>	May unnecessarily constrain activities (where use and development is appropriate) by failing to take into account differing values and uses across the coastal environment
	Community and environment	<i>High</i>	<i>Low</i>	Limited and patchy consideration of cross boundary issues that traverse environmental domains and/or jurisdictional boundaries within the coastal environment
Conclusion	<p>Option 1 is considered the most appropriate way to achieve Plan objectives with the benefits outweighing the costs.</p> <p>Option 1 is efficient and effective in that it represents a refinement of the coastal management framework set up in the current Coastal Plan, which have proven to be successful to date in terms of public acceptance and achievement of desired environmental outcomes. Key changes however better align the Proposed Plan with the NZCPS and propose areas of improvement to take into account Council experiences with the implementation of the current Coastal Plan plus other change factors.</p> <p>A variation of Option 1 would have been to also map the extent of the coastal environment. However, this work is being undertaken by district councils through their own planning processes and to do so would have been duplicating their efforts and imposed additional costs on ratepayers with the potential risks of misalignment between regional and district council planning maps of the coastal environment. Notwithstanding the Council has been liaising with and working closely with district councils to map outstanding natural character, features and landscapes in coastal areas to promote alignment between our respective plans.</p>			

## 7.2 Coastal use and development

### Proposed provisions (Major changes)

Proposed provisions relating to coastal use and development	
Objectives	Obj 2: Use and development Obj 3: Reverse sensitivity
Policies	Pol 5: Appropriate use and development of the coastal environment Pol 6: Activities important to the well-being of people and communities Pol 7: Impacts on established operations and activities
Rules	Rules 1 - 65



### Explanation and evaluation

#### Policy intent

To effectively implement Objectives 2 and 3 relating to use and development, three new policies are proposed similar in kind to those in the RPS and other regional plans.<sup>16</sup> Together the proposed policies gives effect to Council’s RMA functions relating to the use and development of the coastal marine area, particularly in relation to sections 30(1)(c)(iii) and (iiiia), (d), and (fb).

Policy 5 generally recognises the benefits of and opportunities for ‘appropriate’ resource use and development in the coastal environment, including aquaculture. These activities may make a significant contribution to Taranaki’s economic and social wellbeing. However, Policy 5 also provides guidance on what is appropriate use and development by setting out consideration matters for ensuring it occurs in places, in forms and within limits consistent with sustainable management.

Policy 6 recognises that some coastal use and development activities are of national or regionally importance and states that they will generally be provided for. Examples identified in the definition for “*regionally significant infrastructure*” include Port Taranaki, major infrastructure and activities associated with energy, minerals and telecommunications, defence facilities and training, flood protection works, state highways and the New Plymouth airport. The Policy is conditional on any new and existing infrastructure of regional importance being undertaken in a manner that addresses the appropriate management of adverse environmental effects.

Policy 7 ensures that any adverse effects of use and development on the safe and efficient operation of lawfully established activities are avoided, remedied or mitigated (i.e. reverse sensitivity impacts).

Together the aforementioned policies give effect to policies 6, 8 and 10 of the NZCPS and sections 4.1 and 15.2 of the RPS, plus NESs relating to nationally significant infrastructure such as the *NES for Telecommunication Facilities* and the *NES for Electricity Transmission Activities*.

Rules 1 – 65 control use and development activities in the CMA subject to standard, terms and conditions. Rules are generally more permissive in more modified environments such as the Port with increasing levels of control and protections for the open coast, estuaries – modified, estuaries – unmodified, and outstanding coastal areas (and in that order). A number of new

<sup>16</sup> The current Coastal Plan does not explicitly address use and development although it is implicitly provided for throughout the Plan.

rules have been included to permit activities that previously may have been required to get a resource consent, yet are known to have little or no adverse environmental effects.

### Key changes from current Coastal Plan

The aforementioned approach is the Council's preferred management option. It represents a refinement of the coastal management framework set up in the current Coastal Plan but does include some major changes. Key changes include:

- the inclusion of new objectives and policies explicitly addressing use and development within the coastal environment, including regionally significant infrastructure (Policy 6 and definition of term), and the management of reverse sensitivity effects on lawfully established activities in the CMA (Policy 7)
- the updating of Coastal Plan objectives and policies to align with similar type provisions included in the RPS and other regional plans
- new rules to permit activities that previously may have been required to get a resource consent yet are known to have little or no adverse effect. New permitted activity rules have been provided for the erection or placement of mooring structures for monitoring or sampling equipment and maritime navigation aid, bathymetric testing, collection of benthic grab samples, burial of dead animals, and minor beach or seabed disturbance and removal
- bundling of policies and rules in the Coastal Plan to streamline decision making considerations and improve alignment across the Plan and with other planning documents such as the NZCPS and RPS
- the inclusion of standards, terms and conditions to protect coastal values, including scheduled values (relating to natural character, coastal water quality, indigenous biodiversity, historic heritage and amenity values) identified in the Proposed Plan.

### Reasonable practicable options

As noted in Section 3.2.1 of this report, the level of use and development occurring within the CMA is relatively low. Since 1 July 1997, there have been 420 coastal consents granted or varied. Since a peak in 2006/2007, the number of new coastal consents granted in any given year has been in the order of three to eight new consents per annum.<sup>17</sup> Recognising that some consents expire or are surrendered over time, over the life of the current Coastal Plan there has been a small but steady increase in the total number of active (current) consented activities in

<sup>17</sup> Since 2007/2008, Council has granted, on average, five new coastal consents per annum.

the CMA. As at 30 June 2017, there are 263 active (current) coastal consents – representing 5.3% of the total number of active (current) resource consents granted by the Council.

Table 3 below summarises a desktop analysis of the 420 coastal consents granted over the life of the current Coastal Plan. The analysis shows that approximately 70% of consented activities have occurred in coastal management areas – Open Coast and Port, with the remainder being in outstanding areas and/or estuaries. The types of activities being carried out in the different coastal management areas varies considerably with a largest suite of different activity types occurring in the open coast. Consented Port activities are predominantly associated with providing for safe and efficient port operations, while most consented activities in outstanding areas and estuaries are for coastal and/or erosion protection activities.

Some refinement of current Coastal Plan policies and rules is considered appropriate so that Council can better recognise and provide for appropriate use and development in the CMA, while also managing any associated adverse effects.

The alternative to the proposed provisions is to allow continuation of the *status quo*, i.e. do nothing further to the current operative provisions. However, an assessment of the benefits and costs of the two options show that benefits of the proposed changes outweigh the costs (refer Table overleaf) and are the most appropriate way of achieving the Plan objectives.

Table 3: Coastal consents for use and development, by coastal management area, 1997 – 2017

Coastal management areas		Coastal consents	
		No.	%
A	Outstanding value	59	14.0%
B	Estuaries unmodified	28	6.7%
C	Estuaries modified	29	6.9%
D	Open coast	244	58.1%
E	Port	50	11.9%
Coastal consents across one or more coastal management areas		10	2.4%
Total		420	100%

## Assessment of benefits and costs

Policy options	Effectiveness and efficiency			
	Parties	Costs	Benefits	Discussion
<p>Option 1: Make key changes to the Coastal Plan including:</p> <ul style="list-style-type: none"> <li>explicit Plan provisions addressing coastal use and development</li> <li>bundling of policies and rules</li> </ul>	Council	<i>Low</i>	<i>High</i>	<p>Efficient as revised Plan provisions provide direction and guidance to the Council when giving effect to its Section 30(1)(c)(iii) and (iia), (d), and (fb) functions in relation to the coast</p> <p>Efficient as revised policies align with and gives effect to NZCPS, RPS and NESs</p> <p>Efficient as Proposed Plan bundles rules to streamline Plan and consenting process</p>
	Resource users	<i>Low</i>	<i>High</i>	<p>Efficient as revised Plan provisions provide for appropriate use and development in the coastal environment, including provision for regionally significant infrastructure and activities (Policy 6)</p> <p>Efficient by increasing certainty for resource users on limits to be met</p> <p>Efficient as new Policy 7 protects existing use and development from subsequent use and development (improved recognition of reverse sensitivity impacts)</p> <p>Efficient as activities having no or only minor adverse effects are permitted activities resulting in reduced consenting and compliance costs</p>
	Community and environment	<i>Low</i>	<i>High</i>	<p>Effective as Proposed Plan promotes sustainable management of the wider coastal environment</p> <p>Effective as Proposed Plan explicitly recognises and provides for coastal <b>activities and structures that contribute to Taranaki's economic</b> and social wellbeing, e.g. network utilities, employment, boat ramps, coastal access and infrastructure</p> <p>Part of framework for ensuring consenting processes consider and weigh up economic, social, environmental and cultural values</p>
Option 2: <i>Status quo</i>	Council	<i>High</i>	<i>Low</i>	<p>Fails to give effect to NZCPS, RPS and NESs</p> <p>Unnecessary arguments during consenting processes when weighing up economic and social values against environmental and cultural values</p>
	Resource users	<i>High</i>	<i>Low</i>	<p>Risk of unnecessarily constraining activities</p> <p>Poorer recognition and direction relating to the management of reverse sensitivity effects</p>
	Community and environment	<i>Low - medium</i>	<i>Low - medium</i>	<p>Appropriate use and development is already implicitly provided for via the current Coastal Plan but the risk exists that some use and development activities may be unnecessarily restricted because they have not been explicitly recognised and provided for via the policy framework</p>
Conclusion	<p>Option 1 is considered the most appropriate way to achieve Plan objectives with the benefits outweighing the costs.</p> <p>Option 1 builds on the current Coastal Plan framework to provide guidance on appropriate use and development. It is not a major change in that the current Coastal Plan implicitly provided for coastal use and development. Accordingly the change is unlikely to result in more or less use and development activities in the CMA. The change is more about improving transparency in policy and planning processes to ensure use and development is considered alongside the protection aspects of the CMA. The benefits of this are difficult to quantify but considered significant. The new provisions are also based upon equivalent provisions in the RPS and give effect to NZCPS and NES requirements.</p>			

## 7.3 Natural character

### Proposed provisions (Major changes)

Proposed provisions relating to coastal management	
Objectives	Obj 6: Natural character Obj 7: Natural features and landscapes
Policies	Pol 8: Areas of outstanding value Pol 9: Natural character and natural features and landscapes Pol 10: Restoration of natural character
Rules	Rules 1 - 65



Whitecliffs, north Taranaki – changes suggested to the Plan propose giving the highest level of protection to more coastal areas of outstanding value.

## Explanation and evaluation

### Policy intent

The implementation of Objectives 6 and 7 requires the protection of the natural character, features and landscapes in the coastal environment from inappropriate use and development. Policies 8, 9 and 10 of the Proposed Plan give effect to those objectives plus reinforce national directions on protecting the integrity and functioning of natural character as derived from Section 6(a) of the RMA and Objective 2 and Policies 13, 14 and 15 of the NZCPS.

As part of the Coastal Plan review the Council undertook a landscape assessment and consulted on a position paper identifying coastal areas of outstanding natural character, features and landscapes.<sup>18</sup> These areas are identified in Schedule 2 of the Proposed Plan as having outstanding (exceptional) value.

Policy 8 requires a high level of protection for coastal areas of outstanding value. The Policy has two aspects. First, activities must avoid (or not allow) any adverse effects on the values that make an area outstanding as identified in Schedule 2 of the Proposed Plan (activities with minor or transitory effects may occur where avoidance is not necessary or relevant to preserve the values that make the area outstanding).<sup>19</sup> Second, activities must maintain significant seascapes and visual corridors associated with the outstanding coastal area. Coastal areas of outstanding value cover a combined area of approximately 67.2 km (or 22.5%) of the Taranaki coastline.

Policy 9 recognises that other coastal natural features and landscapes are of value and require activities to avoid significant effects on the natural character and natural features and landscapes. Not all adverse effects must be avoided only significant adverse effects. Policy 9 provides matters for consideration in determining how to avoid significant adverse effects.

Policy 10 recognises that the natural character of parts of the coastal environment may be degraded. The Policy seeks to provide for the restoration or rehabilitation of degraded character where this is appropriate, particularly in relation to sensitive or vulnerable coastal habitat types such as sand dunes, estuaries, and coastal wetlands.

Rules 1 – 65 identify control use and development activities in those areas. Rules are particularly restrictive in areas identified as having outstanding coastal values in order to protect their values.

<sup>18</sup> Taranaki Regional Council, November 2015.

<sup>19</sup> The Policy gives effect to an NZCPS requirement that adverse effects on outstanding values be avoided. The King Salmon Supreme Court decision has determined that there is little flexibility to depart from this requirement.

### Key changes from current Coastal Plan

The aforementioned approach is the Council's preferred management option. It represents a refinement of the coastal management framework set up in the current Coastal Plan but does include some major changes. Key changes include:

- seven new areas are identified through the Plan review process as being outstanding with one area being deleted.<sup>20</sup> The new areas identified as outstanding are Parininihi, Hangatahua (Stony) river mouth, Oaonui (Sandy Bay), Kaupokonui river mouth, Kapuni river mouth, Waipipi Dunes and the Project Reef. In total 17 areas (or sub-areas) are identified as outstanding for their natural character, features or landscapes
- existing Outstanding Coastal Areas have been expanded and mapped to incorporate the buffer distances from the current Coastal Plan and capture the wider landscape and seascape components of the area<sup>21</sup>
- new avoidance policies for outstanding coastal areas and new standards, terms and conditions to protect high natural character
- bundling of policies and rules in the Coastal Plan to streamline decision making considerations and improve alignment across the Plan
- other changes were made to the policies to align then with the wording of the NZCPS.

### Reasonable practicable options

Table 3 (refer Section 7.2 above) summarises a desktop analysis of the 420 coastal consents granted over the life of the current Coastal Plan. The analysis shows that around 30% of coastal consents granted over the life of the current Coastal Plan has been to authorise activities in outstanding coastal areas, estuaries-unmodified and estuaries-modified. In relation to the 59 coastal consents granted in outstanding coastal areas it is noted that 53 related to structures (predominantly coastal and/or erosion protection structures).

Some refinement of current Coastal Plan policies and rules is considered appropriate so that Council can better manage the adverse effects of use and development on natural character in the CMA, including cumulative effects, particularly in relation to coastal management areas

<sup>20</sup> The Waiinu Reef is identified in the current Coastal Plan as having outstanding coastal value. However, through this Plan review, the values and characteristics associated with Waiinu Reef were similar in kind to many other reefs and did not meet the 'outstanding' criterion. Notwithstanding that all reef, are regionally significant for a broad range of ecological, biodiversity, cultural and amenity values. Accordingly, Waiinu Reef will continue to have a high level of protection through Plan provisions that protect all reef systems.

<sup>21</sup> The Proposed Plan schedules identify sites, places and other values that exist or are confined to the CMA. However, for the purposes of better integrated management and to assist in the application of 'avoidance' policies, the schedules relating to outstanding areas and indigenous biodiversity recognise values within the wider coastal environment.

with outstanding or high natural character (i.e. outstanding coastal areas, estuaries-unmodified and estuaries-modified).

The alternative to the proposed provisions is to allow continuation of the *status quo*, i.e. do nothing further to the current operative provisions. However, an assessment of the benefits and costs of the two options show that benefits of the proposed changes outweigh the costs (refer Table overleaf) and are the most appropriate way of achieving the Plan objectives.



Oaonui (Sandy Bay) – one of the new areas identified in the Proposed Plan as being an outstanding natural feature or landscape.

## Assessment of benefits and costs

Policy options	Effectiveness and efficiency			
	Parties	Costs	Benefits	Discussion
<p>Option 1: Make key changes to the Coastal Plan including:</p> <ul style="list-style-type: none"> <li>outstanding areas expanded and mapped to capture the wider landscape and seascape components of the area</li> <li>new avoidance policies for outstanding coastal areas and new standards, terms and conditions to protect high natural character</li> </ul>	Council	<i>Low</i>	<i>High</i>	<p>Efficient as revised policies and rules ensure that the purpose of the RMA is met</p> <p>Efficient as revised policies align with the NZCPS and district council planning processes (in relation to the landward component of the CMA)</p> <p>Efficient as the Proposed Plan provides direction and guidance on managing coastal activities in a manner that identifies differing levels of natural character along the coastline. <b>Of note the 'avoidance' policies relating to outstanding natural areas gives effect to recent case law</b></p> <p>Efficient as the Proposed Plan bundles rules to streamline Plan and consenting process</p>
	Resource users	<i>Medium</i>	<i>Medium</i>	<p>Efficient as the revised policies and schedules provide increased certainty and clarity for resource users on areas important for the protection of natural character and matters contributing to natural character</p> <p>Substantial use and development interest in coastal management areas identified as outstanding coastal areas, estuaries unmodified or estuaries modified (almost 30% of coastal consents granted to date)</p> <p>May curtail or modify development aspirations through the identification and protection of components of natural character, particularly in relation to Outstanding Coastal Areas. However, of note, in recent times, on average, only 5 coastal consents are applied for per annum across the whole of Taranaki CMA</p>
	Community and environment	<i>Low</i>	<i>High</i>	<p>Effective as the revised policies, rules and schedules protect more areas of outstanding natural character and outstanding natural features and landscapes</p> <p>Effective as Proposed Plan provides for <b>Taranaki's high overall</b> natural character to be preserved</p> <p>Effective as it protects the visual qualities, natural character, features and landscapes for significant parts (approximately 22.5%) of the Taranaki coast line identified as outstanding, including marine parks and reserves offshore</p> <p>Effective as it protects associated values in areas with outstanding coastal values (e.g. biodiversity, historic heritage, cultural and amenity)</p>
Option 2: <i>Status quo</i>	Council	<i>High</i>	<i>Low</i>	Fails to give full effect to NZCPS
	Resource users	<i>Low</i>	<i>Medium</i>	Risk of allowing use and development activities, in some localities, of a scale or type that degrades natural character in the coast environment
	Community and environment	<i>High</i>	<i>Low</i>	Does not protect some areas recently identified as having outstanding or high natural character
Conclusion	<p>Option 1 is considered the most appropriate way to achieve Plan objectives with the benefits outweighing the costs.</p> <p>Option 1 is effective in that the policies better align with NZCPS provisions and take into account Council experiences and change factors identified through the Coastal Plan review. The change is unlikely to result in more or less use and development activities in the CMA. Appropriate use and development will still be allowed but there may be more restrictions on some activities in areas identified as having outstanding or very high natural character where they are of a type, scale or location likely to have more than minor adverse effects.</p>			

## 7.4 Coastal water and air quality

### Proposed provisions (Major changes)

Proposed provisions relating to coastal management	
Objectives	Obj 4: Life-supporting capacity and mouri Obj 5: Coastal water quality
Policies	Pol 11: Coastal water quality Pol 12: Restoration of coastal water quality Pol 13: Coastal air quality
Rules	Rules 1 - 65



Changes to the Plan propose improvements in the quality of existing waste water discharges to not only maintain Taranaki's overall high coastal water quality but also to enhance it

### Explanation and evaluation

#### Policy intent

Taranaki's coastal water quality is influenced by the high-energy wave environment and by the numerous river discharges to the sea. The high-energy wave environment means visual clarity is low and causes suspension of sediments in inshore waters. The discharges of rivers carry with them the cumulative effects of natural processes and man-made activities in their catchment. Objective 5 requires the water quality in the coastal environment to be maintained or improved over time. Maintenance of Taranaki's generally high coastal water and quality also contributes to the maintenance of the life supporting capacity and mouri of the coast (Objective 4).

To effectively implement Objective 5, Policy 11 provides guidance to Council when implementing Section 15, 15A and 15 of the RMA, plus resource users, on the constituent parts of coastal water quality to be maintained or enhanced.

Policy 11 requires use and development activities to avoid, remedy or mitigate adverse effects on the life supporting capacity of coastal water, the mouri and wairua of coastal water, the integrity and functioning of natural coastal processes, and the ability of the coastal water to provide for community uses. Other discharge policies apply whereby maintenance of coastal water quality is considered to mean that water quality is protected from the adverse effects of discharges after reasonable mixing.

Policy 12 gives effect to Policy 21 of the NZCPS, which requires Council to give priority to improving coastal water quality where that quality has deteriorated to the extent that there are significant adverse effects on ecosystems, natural habitats, or water based recreational activities, or it is restricting existing uses, such as shellfish gathering and cultural activities. Schedule 3 of the Proposed Plan identifies three areas (Waiwhakaiho river mouth to the Mangati stream mouth, the Waitara embayment and Waihi Stream to the Tangahoe River) where in providing for consented coastal municipal discharges there has been localised degradation of water quality resulting in restrictions to shellfish gathering and recreational bathing.<sup>22</sup>

Policy 13 provides guidance and direction to maintain and enhance Taranaki's high coastal air quality.

Together Policies 11, 12 and 13 support and complement activity-specific discharge policies (refer Policies 22 to 30 of the Proposed Plan). The discharge policies provide additional and

<sup>22</sup> Coastal water quality issues may also occur in other areas of the coast as a result of natural degradation of water quality, including fouling by bird colonies. Unauthorised discharges may also be an issue from time to time.

specific direction and guidance on best practice for discharges to the CMA to ensure values associated with having high coastal water and air quality are maintained and improved. Policies 23 to 26 relate to wastewater and are particularly pertinent in relation to improving coastal water quality in those areas identified in Schedule 3 of the Plan (refer Section 7.10 below).

Rules 1 – 65 control use and development activities in the CMA with potential adverse effects on coastal water and air quality. Standard, terms and conditions in rules ensure adverse effects on coastal water quality and air quality are appropriately managed. The discharge policies (Rules 1 – 17) are particularly relevant. However, rules relating to other use and development activities in the CMA may also apply.

### Key changes from current Coastal Plan

The aforementioned approach is the Council's preferred management option and represents a significant change to the current Coastal Plan. Key changes include:

- three new policies (Policies 11, 12 and 13) explicitly recognising and providing for the maintenance of good coastal water and coastal air quality alongside other recognised values such as use and development, natural character, indigenous biodiversity, historic heritage, public use and enjoyment, and public health and safety
- Policy 12 seeking the enhancement of coastal water quality in that part of the CMA identified in Schedule 3 of the Proposed Plan where there has been localised degradation of water quality resulting in restrictions to shellfish gathering and recreational bathing

- bundling of policies and rules in the Coastal Plan to streamline decision making considerations and improve alignment across the Plan and with other planning documents such as the NZCPS and RPS
- identification of coastal sites and places of significance for their natural, historic and amenity values in the Proposed Plan schedules where coastal discharge activities are more likely to be restricted
- identification of parts of the CMA in Schedule 3 of the Proposed Plan where enhancement of degraded coastal water quality will be sought
- deletion of a number of discharge rules in the current Coastal Plan as per requirements in the Marine Pollution Regulations.

### Reasonable practicable options

The alternative to the proposed provisions is to allow continuation of the *status quo*, i.e. do nothing further to the current operative provisions. The current Coastal Plan does not have standalone policies relating to coastal water quality and air quality. Instead these values were addressed as part of its discharge policies.

However, an assessment of the benefits and costs of the two options show that benefits of the proposed changes outweigh the costs (refer Table overleaf) and are the most appropriate way of achieving the Plan objectives. Consultation undertaken prior to the public notification of the Proposed Plan has highlighted concerns around localised degradation of water quality resulting in restrictions to shellfish gathering and recreational bathing and this has been acted on.

## Assessment of benefits and costs

Policy options	Effectiveness and efficiency			
	Parties	Costs	Benefits	Discussion
<p>Option 1: Make key changes to the Coastal Plan including:</p> <ul style="list-style-type: none"> <li>three new policies for coastal water and air quality</li> <li>new schedule identifying areas for prioritising the enhancement of coastal water quality</li> </ul>	Council	<i>Low</i>	<i>High</i>	<p>Efficient as Proposed Plan ensures the purpose of the RMA is met</p> <p>Efficient as revised policies align Coastal Plan policies with similar policies in the NZCPS and RPS</p> <p>Efficient as revised policies provide direction and guidance to the Council when implementing sections 15, 15A and 16 RMA restrictions</p> <p>Efficient as Proposed Plan bundles policies and rules to streamline Plan and consenting process</p>
	Resource users	<i>Low - medium</i>	<i>Medium - high</i>	<p>Efficient by increasing certainty for resource users on limits to be met</p> <p>May prevent or limit some discharge activities and/or impose higher costs on applicants to manage adverse effects associated with their discharges, particularly municipal discharges. However, the new policies by themselves do not impose new or additional restrictions as the current Coastal Plan already contains discharge policies and rules managing effects to coastal water and air quality</p>
	Community and environment	<i>Low</i>	<i>High</i>	<p>Effective as Proposed Plan recognises and promotes the maintenance and enhancement of <b>Taranaki's</b> high quality coastal and air quality</p> <p>Effective as revised policies avoids local deterioration in the quality of coastal water and air and provides greater protection for non-consumptive users of high quality coastal water, including customary uses, contact recreation, and surfers</p> <p>Effective as Policy 12 (and Schedule 3) seeks enhancement of coastal water quality in areas where there has been localised degradation of coastal water quality due to human induced activities</p> <p>Effective as Proposed Plan protects associative coastal values that depend upon good coastal water quality and air quality (e.g. ecological processes, indigenous flora and fauna, customary uses, and recreational experiences)</p>
Option 2: <i>Status quo</i>	Council	<i>High</i>	<i>Low</i>	<p>Fails to aligns Plan policies on coastal water and air quality with equivalent Plan policies addressing other coastal values</p> <p>Fails to give effect to NZCPS and RPS</p>
	Resource users	<i>Low - medium</i>	<i>Low - medium</i>	<p>The new policies by themselves do not impose new or additional restrictions as the current Coastal Plan already contains discharge policies and rules managing effects to coastal water and air quality</p> <p>Localised impacts of some use and development activities may be high, which in turn, may constrain other coastal values such as customary uses, mahinga kai, surfing, and fishing</p>
	Community and environment	<i>Medium - high</i>	<i>Low</i>	<p>Does not seek improvements in areas where there localised degradation of coastal water quality has arisen from human induced activities</p> <p>Less effective management of activities other than discharges that may impact on coastal water and air quality</p>
Conclusion	<p>Option 1 is considered the most appropriate way to achieve Plan objectives with the benefits outweighing the costs.</p> <p>Option 1 improves on the current Coastal Plan framework by streamlining decision making considerations (through bundled policies and rules) and improving the alignment across the Plan and with other planning documents such as the NZCPS and RPS. The proposed changes are not anticipated to increase the number of consents required in the CMA but are likely to impose added costs on already consented discharges – particularly those discharges contributing to localised degradation of coastal water quality resulting in restrictions to shellfish gathering and recreational bathing.</p>			

## 7.5 Indigenous biodiversity

### Proposed provisions (Major changes)

Proposed provisions relating to coastal management	
Objectives	Obj 4: Life-supporting capacity and mauri Obj 8: Indigenous biodiversity
Policies	Pol 14: Indigenous biodiversity
Rules	Rules 1 - 65



Southern right whale off the South Taranaki Bight. Changes to the Plan propose greater protection of indigenous biodiversity values

### Explanation and evaluation

#### Policy intent

The implementation of Objective 8 requires the protection of indigenous biodiversity in the coastal environment. The protection of indigenous biodiversity also contributes to the maintenance of the life supporting capacity and mauri of the coast (Objective 4).

To effectively implement Objective 7, Policy 14 provides guidance and direction on protecting the constituent parts of indigenous biodiversity and the appropriate management responses to them. Approximately 9.5 kilometres (or 3.2%) of the Taranaki coastline is protected in marine reserves and parks – these being the Tapuae and Parininihi marine reserves and the Ngā Motu (Sugar Loaf Islands) Marine Protected Area. However, important indigenous biodiversity may occur across the full extent of the coastal environment. Offshore, in the North Taranaki Bight area, there is also a specialised marine mammal sanctuary, which forms part of the West Coastal North Island Marine Mammal Sanctuary to protect the critically endangered Māui dolphin. The coastal environment also includes intertidal and subtidal reefs, estuaries and mudflats, coastal cliffs, sandy beaches, sand dunes and marine environments that are home for a range indigenous flora and fauna species – many of which are now nationally rare and threatened such as the Māui dolphin.

Coastal indigenous biodiversity is under pressure from use and development. Policy 14 requires a high level of protection for indigenous biodiversity in the coastal environment. The Policy adopts a two tiered level of protection for coastal indigenous biodiversity based upon the sensitivity and vulnerability of the different indigenous ecosystems, habitats and species present.

The first tier (Policy 14(a)) provides the highest level of protection for significant elements of coastal indigenous biodiversity that are scheduled in the Plan and which are most at risk of irreversible loss (i.e. nationally threatened) or which are otherwise valued (i.e. regionally distinctive) in this region. The appropriate management response is the avoidance (or not allow) of any adverse effects on the values identified in that part of the policy (activities with minor or transitory effects may occur where avoidance is not necessary or relevant to preserve the indigenous biodiversity values of the area). This approach strongly aligns with Policy 11 of the NZCPS.

The second tier provides a lower but still high level of protection for aspects of coastal biodiversity that are more common or less at risk from imminent loss. For those coastal areas, habitats and ecosystems identified in Policy 14(b), use and development activities must avoid significant adverse effects. Lesser effects must be avoided, remedied or mitigated.

Rules 1 – 65 control use and development activities in the CMA. Activities likely to impact on indigenous biodiversity are either a discretionary or non-complying activity.

Even small scale activities at the wrong time of the year or in the wrong location can have a disproportionate impact on indigenous biodiversity. Therefore permitted and controlled activity rules have a general standard, term and condition that requires resource users not to have an impact on those constituent parts of indigenous biodiversity that are particularly sensitive or vulnerable to coastal use and development. Resource users must not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4A [significant species and ecosystems] the protection of indigenous biodiversity.

Of note Rule 9 addresses marine biosecurity risks that may occur from the sampling, and/or cleaning of biofouling from ships and other objects.

#### Key changes from current Coastal Plan

The aforementioned approach is the Council's preferred management option. It represents a refinement of the coastal management framework set up in the current Coastal Plan but does include some major changes. Key changes include:

- seven new outstanding coastal areas (refer Section 7.3 above) that are also regionally significant for their indigenous biodiversity values have been identified and given a high level of protection through the Plan review process The new areas identified as outstanding are Parininihi, Hangatahua (Stony) river mouth, Oaonui (Sandy Bay), Kaupokonui river mouth, Kapuni river mouth, Waipipi Dunes and the Project Reef
- new Policy 14 that requires the avoidance of any adverse effects on elements of coastal indigenous biodiversity that are scheduled in the Plan and which are most at risk of irreversible loss (i.e. nationally threatened) or which are otherwise valued (i.e. regionally distinctive) in this region. Other elements of indigenous biodiversity also afforded a high level of protection
- identification of coastal sites and species of significance for their indigenous biodiversity values in Schedule 6 of the Proposed Plan
- rules include standards, terms and conditions that require activities to avoid or mitigate effects on sensitive benthic habitats, reefs, and species listed in the Plan schedules as nationally threatened or regionally distinctive
- other changes were made to the policies to align then with the wording of the NZCPS.

#### Reasonable practicable options

The alternative to the proposed provisions is the *status quo*, i.e. do nothing further to the current operative provisions. However, this would fail to give effect to the NZCPS and RPS. An assessment of the benefits and costs of the two options show that benefits of the proposed changes outweigh the costs (refer Table overleaf) and are the most appropriate way of achieving the Plan objectives.

An alternative option included mapping all regionally significant habitats of threatened or regionally distinctive species in the coastal environment, including marine. The costs of implementing such an option given the number and types (includes flora, vertebrates and invertebrates) of threatened and regionally distinctive species to be considered and the paucity of accurate habitat information available was considered disproportionate to the benefits anticipated. The gathering of such information would be better addressed through the consenting process.



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## Assessment of benefits and costs

Policy options	Effectiveness and efficiency			
	Parties	Costs	Benefits	Discussion
<p>Option 1: Make key changes including:</p> <ul style="list-style-type: none"> <li>a tiered and higher level of protection for indigenous biodiversity</li> <li>schedule elements of biodiversity to be prioritised for protection</li> </ul>	Council	<i>Low</i>	<i>High</i>	<p>Efficient as Proposed Plan ensures purpose of the RMA is met and that Section 6(a) and (c) matters of national importance are preserved</p> <p>Efficient as Policy 14 aligns with NZCPS</p> <p>Efficient as revised policies and rules provide direction and guidance relating to the protection of coastal indigenous biodiversity and appropriate management responses</p>
	Resource users	<i>Medium</i>	<i>Medium-high</i>	<p>Efficient as Proposed Plan provides resource users with greater clarity around those aspects of indigenous biodiversity that must be protected and preserved</p> <p>Allows for some adverse effects on indigenous biodiversity where effects are less than minor or on those aspects of indigenous biodiversity not at risk or vulnerable to use and development activities</p> <p>May impose opportunity costs by curtailing or modifying development aspirations in or near places having significant indigenous biodiversity values</p> <p>May impose additional costs on resource users to avoid, remedy or mitigate adverse effects on indigenous biodiversity, including requirements to obtain environmental impact assessments</p>
	Community and environment	<i>Low</i>	<i>High</i>	<p>Effective as revised Policy avoids biodiversity loss and/or decline, particularly in relation to those species or habitats particularly vulnerable to coastal use and development</p> <p>Effective as Policy 14 (and Schedule 6) seeks greater protection of coastal indigenous biodiversity, particularly aspects most at risk or vulnerable to use and development activities</p> <p>Effective as Proposed Plan protects sensitive benthic habitats and reefs and associative coastal values (e.g. ecological processes, customary uses, fishing and other recreational experiences)</p>
Option 2: <i>Status quo</i>	Council	<i>High</i>	<i>Low</i>	Fails to give full effect to NZCPS
	Resource users	<i>Medium</i>	<i>Medium</i>	<p>Less clarity for resource users around those aspects of indigenous biodiversity that must be protected and preserved</p> <p>May unnecessarily constrain activities</p>
	Community and environment	<i>High</i>	<i>Low</i>	Does not adequately protect aspects of coastal indigenous biodiversity most at risk or vulnerable to use and development activities
Conclusion	<p>Option 1 is considered the most appropriate way to achieve Plan objectives with the benefits outweighing the costs.</p> <p>Option 1 improves on the current Coastal Plan framework by strengthening relevant provisions to better protect coastal indigenous biodiversity. In so doing, the Proposed Plan strongly aligns with policy directions in the NZCPS and RPS. The proposed changes are unlikely to result in more or less use and development activities in the CMA. Appropriate use and development will still be allowed but there may be added costs on some coastal consent applications to ensure biodiversity considerations are adequately addressed. The added costs are considered reasonable for the benefits anticipated.</p>			

## 7.6 Historic and cultural heritage

### Proposed provisions (Major changes)

Proposed provisions relating to coastal cultural and historic heritage	
Objectives	Obj 11: Historic heritage
Policies	Pol 15: Historic heritage
Rules	Rules 1 – 65



Gairloch on the rocks at Oākura, 1903 ('Sir George Grey Special Collections, Auckland Libraries, 589-88'). Sites of cultural or historical importance to be given greater protection through the Proposed Plan.

### Explanation and evaluation

#### Policy intent

Objective 11 requires the protection of historic heritage. Historic heritage has a broad definition under Section 2 of the RMA and includes sites of significance to Māori. Section 2 definition of "historic heritage" reads as follows:

*"...historic heritage means:*

- (a) *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; and*
  - (ii) *archaeological sites, and*
  - (iii) *sites of significance to Māori, including wāhi tapu, and*
  - (iv) *surroundings associated with the natural and physical resources."*

To effectively implement Objective 11, Policy 15 provides guidance and direction on protecting the constituent parts of historic heritage from the adverse effects of use and development in the CMA.

Policy 15 requires a high level of protection for coastal historic heritage values. The complete protection of all historic heritage sites from use and development would unnecessarily restrict use and development in the coastal environment to an extent incompatible with the purpose of the RMA. Accordingly, Policy 15(a), (b) and (c) adopts a tiered level of protection for historic heritage that takes into account the 'significance' and degree of threat to the different sites and places with coastal historic heritage.

Policy 15(a) provides the first and highest level of protection for historic heritage that targets Category A archaeological sites identified in Schedule 5A of the Proposed Plan. The Category A archaeological sites are the equivalent of Category 1 items under the *Heritage New Zealand Pouhere Taonga Act 2014* and are considered to be of 'outstanding value' in contributing to an

understanding and appreciation of New Zealand's history and cultures. As part of the Coastal Plan review an investigation<sup>23</sup> was carried out in relation to identifying archaeological sites of significance in the CMA. At the time of publically notifying the Proposed Plan only one shipwreck structure – the Tasmanian Maid – has been identified as a Category A site. The appropriate management response is the avoidance of all adverse effects on the values (activities with minor or transitory effects may occur where avoidance is not necessary or relevant to preserve the values).

The second tier (Policy 15(b)) provides a lesser but still very high level of protection for historic heritage. Policy 15(b) requires use and development activities to avoid significant adverse effects on known and scheduled sites and places of significance to Māori in the CMA. Policy 15(b) also requires the avoidance, remedying or mitigation of any residual adverse effects on the scheduled sites. Significant historic and cultural heritage sites and places are identified in schedules 5A and 5B of the Proposed Plan. Schedule 5A identified a small number of publicly recorded archaeological sites that were also sites of significance to Māori. Schedule 5B identifies other sites with special cultural, spiritual, historical and traditional associations located within the CMA as identified by iwi and hapū.<sup>24</sup>

The third tier (Policy 15(c)) requires the avoidance, remedying or mitigation of adverse effects on the values associated with all other historic heritage sites, including those identified in Schedule 5 and those identified by New Zealand Archaeological Association's ArchSite (Archaeological Site Recording Scheme).

The remainder of the Policy (i.e. Policy 15(d) and (e)) sets out assessment criteria which is applied when considering coastal permits, including the relative importance of the historic heritage and the significance of adverse effects on those values.

Rules 1 – 65 control use and development activities in the CMA. Activities with the potential to impact on historic heritage and significant cultural sites and places are either a discretionary or non-complying activity or have standards, terms and conditions that require the protection of associated values. For example, coastal development may damage or reduce access to wāhi tapu, urupā or kaimoana. Water quality is often degraded near human settlement and there is a need to ensure that Māori values are recognised in relation to discharges.

### Key changes from current Coastal Plan

The aforementioned approach is the Council's preferred management option and represents a significant change to the current Coastal Plan. Key changes include:

- new Policy 15 requires the avoidance of any adverse effects on Category A archaeological sites and the avoidance of significant adverse effects on known and scheduled sites and places of significance to Māori in the CMA
- identification of archaeological sites in the CMA in Schedule 5A of the Proposed Plan that are to be protected through planning and consenting processes
- identification of sites and places of significance to Māori (where these have been made known) in Schedule 5B of the Proposed Plan that are to be protected through planning and consenting processes
- rules include standards, terms and conditions that require activities to avoid or mitigate effects on the values associated with historic heritage sites and places identified in Schedule 5A and 5B of the Proposed Plan.

### Reasonable practicable options

The preferred management approach is stronger protection for historic heritage. This is essentially a variation on the current approach where Council specifically provide for protection of historic heritage. However, it involves the adoption of a policy framework and a tightening of the rules that, as far as is practicable, better protects, identifies, and maps historic heritage, including sites of significance to Māori. The approach is generally consistent with that recommended by Heritage New Zealand in its *Model Rules for RMA Regional and District Plans (historic buildings)* and that sought by tangata whenua in relation to identifying and protecting sites of cultural significance.

The alternative to the proposed provisions is the *status quo*, i.e. do nothing further to the current operative provisions and do not identify sites of cultural significance. However, an assessment of the benefits and costs of the two options show that benefits of the proposed changes outweigh the costs (refer Table overleaf) and are the most appropriate way of achieving the Plan objectives.

<sup>23</sup> Archaeological Scoping Study, December 2012. Document number 1186056.

<sup>24</sup> The Council has worked directly with iwi o Taranaki to identify all culturally significant sites that are located within the CMA, not just those already known through public records. Not all historic heritage is known and it may be that the list is added to over time as new discoveries are made and/or new information is received.

## Assessment of benefits and costs

Policy options	Effectiveness and efficiency			
	Parties	Costs	Benefits	Discussion
<p>Option 1: Make key changes to the Coastal Plan including:</p> <ul style="list-style-type: none"> <li>a tiered and higher level of protection for historic heritage</li> <li>schedule known historic and cultural heritage sites and places in the Plan</li> </ul>	Council	Medium	High	<p>Efficient as Proposed Plan ensures the purpose of the RMA is met and that Section 6(e), (f) and (g) and sections 7(a) and 8 matters of national importance are preserved</p> <p>Efficient as Policy 15 aligns with similar policies in the NZCPS</p> <p>Efficient as Proposed Plan provides significant new direction and guidance when managing adverse effects on historical heritage values</p> <p>Additional costs associated with identifying and mapping <u>known</u> coastal cultural and historical heritage sites and places. Not all historic heritage sites of importance are known</p>
	Resource users	Low - Medium	High	<p>Efficient as Schedule 5A and 5B provides resource users with greater clarity around appropriate management responses to protect historic heritage sites and places in the CMA, including the affected parties</p> <p>May impose opportunity costs by curtailing or modifying development aspirations in or near areas with cultural and historic heritage values</p> <p>May impose additional costs on resource users to avoid, remedy or mitigate adverse effects on coastal cultural and historic heritage values, including requirements to obtain historic heritage or cultural impact assessments</p>
	Community and environment	Low	High	<p>Effective as Proposed Plan provides for greater protection for identified archaeological sites in the CMA</p> <p>Effective as Proposed Plan provides greater protection for sites and places in the CMA identified to have significant cultural heritage values</p> <p>Efficient as Proposed Plan allows for some adverse effects on coastal historical heritage values subject to appropriate management of adverse effects</p>
Option 2: <i>Status quo</i>	Council	High	Low	<p>Fails to give full effect to NZCPS</p>
	Resource users	Medium	Medium	<p>May allow some inappropriate use and development activities to impact on historic and cultural values</p> <p>Less certainty on managing adverse effects with coastal sites and places with historic and cultural heritage values not being explicitly identified or mapped</p>
	Community and environment	High	Low	<p>Does not adequately protect aspects of coastal historic heritage, particularly cultural sites and places of significance values, vulnerable to use and development activities</p> <p>Once lost, historic heritage is irreplaceable</p>
Conclusion	<p>Option 1 is considered the most appropriate way to achieve Plan objectives with the benefits outweighing the costs.</p> <p>Option 1 improves on the current Coastal Plan framework by strengthening relevant provisions to better protect cultural and historic heritage values. In so doing, the Proposed Plan strongly aligns with policy directions in the NZCPS and provides increased certainty and clarity to Council, tangata whenua, and resource users in relation to the scheduling and mapping of historic heritage sites and values to be protected. The proposed changes are unlikely to result in more or less use and development activities in the CMA. Appropriate use and development will still be allowed but there may be added costs on some coastal consent applications to ensure historic heritage considerations are adequately addressed. The added costs are considered reasonable for the benefits anticipated.</p>			

## 7.7 Relationship of tangata whenua

### Proposed provisions (Major changes)

Proposed provisions relating to relationship with tangata whenua	
Objectives	Obj 9: Relationship of tangata whenua with the coastal environment Obj 10: Treaty of Waitangi
Policies	Pol 16: Relationship of tangata whenua
Rules	Rules 1 - 65



Increased recognition of Māori role as kaitiaki.

### Explanation and evaluation

#### Policy intent

The implementation of Objectives 9 and 10 requires the protection of tangata whenua relationships with the coastal environment and for the principles of the Treaty of Waitangi to be taken into account in coastal management.

To effectively implement Objectives 9 and 10, Policy 16 provides guidance and direction on providing for the effective participation of tangata whenua in coastal resource management processes.

Policy 16 acknowledges that Māori, through their role as kaitiaki, have particular interests and concerns in relation to the coastal environment. Kaitiakitanga must be given particular regard to under Section 7(a) of the RMA.

The Policy sets out direction to ensure that Council recognises and facilitates the special relationship between the Crown and tangata whenua (relative to other resource users) as established by the Treaty of Waitangi. The Policy assists to give effect to Section 8 of the RMA, which requires that the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) be taken into account. These principles have not been defined in legislation, although the Courts and the Waitangi Tribunal have endeavoured to extrapolate the practical implications of the “principles” in relation to the factual circumstances of the particular proceedings and claims before them. RMA case law has further clarified that Section 8 encourages active participation of, and consultation with, tangata whenua in resource management decision-making.

The Policy identifies resource management processes and procedures for involving tangata whenua. They include:

- taking into account any relevant iwi planning documents, memorandums of understanding, Treaty settlements, including, statements of association, protection principles and statutory acknowledgement<sup>25</sup>
- providing for active participation of tangata whenua in resource management decision-making through Māori representation on the Council’s Policy Committee and Consents and Regulatory Committee
- responding to requests for Mana Whakahono a Rohe to formalise the opportunities for iwi input to policy and consents

<sup>25</sup> Refer section 2.2.5 [Statutory acknowledgements and iwi/hapū management plans] of this report for discussion on statutory acknowledgements

- providing for tikanga Māori, marae prehearing meetings and hearings in planning and consenting processes
- recognising the importance of mātauranga Māori, customary, traditional and intergenerational knowledge
- requiring cultural assessments and tangata whenua involvement in resource management processes, and
- involving tangata whenua in the development of consent conditions, compliance monitoring plans and/or enforcement procedures where appropriate.

Rules 1 – 65 control use and development activities in the CMA. Through the consenting process, Policy 16 is triggered to ensure resource management processes explicitly recognise and provide for the effective participation of tangata whenua in coastal resource management decision making.

#### Key changes from current Coastal Plan

The aforementioned approach is the Council's preferred management option. It builds on existing provisions recognising the relationship of tangata whenua within the CMA. While the changes in the objectives and policies are relatively minor, there are two significant changes:

- integration of tangata whenua principles and values throughout the Plan provisions (rather than being in a separate stand-alone chapter). This reflects early feedback from tangata whenua and recognises that while some values and concepts may be expressed as distinctly Māori, their meaning and intent already align with values and concepts shared by wider New Zealand culture, i.e. sustainable management

- inclusion of new methods to give effect to Policy 16. In particular, providing for Māori representation on Council committees and the development of memorandums of understanding to increase Iwi resource management capacity
- new Policy 15 requires the avoidance of any adverse effects on Category A archaeological sites and the avoidance of significant adverse effects on known and scheduled sites and places of significance to Māori in the CMA
- identification of archaeological sites in the CMA in Schedule 5A of the Proposed Plan that are to be protected through planning and consenting processes
- identification of sites and places of significance to Māori (where these have been made known) in Schedule 5B of the Proposed Plan that are to be protected through planning and consenting processes
- rules include standards, terms and conditions require activities to avoid or mitigate effects on the values associated with historic heritage sites and places identified in Schedule 5A and 5B of the Proposed Plan.

#### Reasonable practicable options

The alternative to the proposed provisions is the *status quo*, which includes having a separate stand-alone chapter for tangata whenua principles and values. However, in the tangata whenua consultation to date, there was a strong preference to integrate tangata whenua values and principles throughout the Plan recognising that some issues are distinctly Māori such as recognising tangata whenua's special relationship with the coastal environment and taking into account the principles of the Treaty of Waitangi. An assessment of the benefits and costs of the two options show that benefits of the proposed changes outweigh the costs (refer Table overleaf) and are the most appropriate way of achieving the Plan objectives.

## Assessment of benefits and costs

Policy options	Effectiveness and efficiency			
	Parties	Costs	Benefits	Discussion
<p>Option 1: Make key changes to the Coastal Plan including:</p> <ul style="list-style-type: none"> <li>• integration of tangata whenua principles and values throughout the Plan</li> <li>• stand-alone objectives, policies and methods recognising and facilitating <b>tangata whenua's role as kaitiaki</b> in coastal management</li> </ul>	Council	<i>Low</i>	<i>High</i>	<p>Efficient as Proposed Plan ensures Section 6(e), (f) and (g) and sections 7(a) and 8 matters of national importance are preserved</p> <p>Efficient as Policy 16 provides direction and guidance on facilitating <b>tangata whenua's role as kaitiaki in coastal management</b></p> <p>Marginal increased costs with setting up planning and consenting processes to recognise tangata whenua's interests and concerns in the CMA</p>
	Iwi and hapū	<i>Low</i>	<i>High</i>	<p>Efficient and effective as Proposed Plan provides for more effective participation in resource management processes</p> <p>Efficient and effective as Proposed Plan increases recognition of the special relationship between the Crown and tangata whenua as established by the Treaty of Waitangi</p> <p>Efficient as Proposed Plan gives effect to the results of iwi engagement, which identified a preference to reshape Plan provisions to better integrate tangata whenua principles and values throughout the Plan</p>
	Resource users	<i>Medium</i>	<i>Low to medium</i>	<p>May impose additional costs on consent applicants in recognising <b>tangata whenua's role as kaitiaki</b> and addressing any concerns</p> <p>Conversely, over time, marginal costs may reduce over time as relationships and resource management processes improve</p>
	Community and environment	<i>Low</i>	<i>High</i>	<p>Effective as Proposed Plan provides for greater protection of sites and values in the CMA with significant spiritual, cultural and historical associations to tangata whenua</p> <p>Efficient as Proposed Plan allows for appropriate use and development subject to management of adverse effects on cultural and historical heritage</p>
Option 2: <i>Status quo</i>	Council	<i>Medium</i>	<i>Low</i>	<p>Fails to address the results of iwi engagement, which identified a preference to reshape Plan provisions to better integrate tangata whenua principles and values throughout the Plan</p> <p>Fails to address the results of iwi engagement, which identified a preference to reshape Plan provisions to better integrate tangata whenua principles and values throughout the Plan</p>
	Iwi and hapū	<i>High</i>	<i>Low</i>	
	Resource users	<i>Low</i>	<i>Low</i>	
	Community and environment	<i>Low</i>	<i>Low</i>	
Conclusion	<p>Option 1 is considered the most appropriate way to achieve Plan objectives with the benefits outweighing the costs.</p> <p>Option 1 gives effect to the results of iwi engagement, which identified a preference to reshape Plan provisions to better integrate tangata whenua principles and values throughout the Plan and to ensure processes are in place to recognise <b>tangata whenua's role as kaitiaki in coastal management</b> and to recognise their special relationship with the Crown (relative to other resource users) as established by the Treaty of Waitangi. The proposed changes are unlikely to result in more or less use and development activities in the CMA. Appropriate use and development will still be allowed but there may be added costs on some coastal consent applications when engaging with tangata whenua and to address their concerns. The added costs are considered reasonable for the benefits anticipated.</p>			

## 7.8 Public use and enjoyment

### Proposed provisions (Major changes)

Proposed provisions relating to public use and enjoyment	
Objectives	Obj 12: Public use and enjoyment
Policies	Pol 17: Public access Pol 18: Amenity values Pol 19: Surf breaks
Rules	Rules 1 - 65

### Explanation and evaluation

#### Policy intent

The implementation of Objective 12 requires that people's use and enjoyment within the coastal environment be maintained and enhanced. To effectively implement Objective 12, Policies 17, 18 and 19 apply.

Policy 17 provides guidance on the maintenance and enhancement of coastal access. It contains two elements. First, Policy 17(a) and (b) seeks to avoid, remedy or mitigate the adverse effects of activities on public access and indeed, promote public access to and along the coast where it is appropriate to do so. Second, Policy 17(c) recognises the limited circumstances when public access is not appropriate or desirable, e.g. to avoid degradation of cultural sites of significance, to protect indigenous biodiversity values, and/or for public health and safety considerations.

Policy 18 also provides guidance and direction on the maintenance and enhancement of significant coastal amenity values associated with sites and places identified and scheduled in the Proposed Plan, e.g. outstanding coastal areas, beaches, reefs, estuaries and river mouths,

surf breaks, sites of geological significance, and sites of historic heritage. The coast is especially important to Taranaki for its recreational experiences and opportunities. In Taranaki more people participate in sport and active recreation at the beach or in, on or near the sea, relative to the rest of New Zealand.<sup>26</sup>

Taranaki's coastline is unique for its numerous high quality surf breaks. Surf breaks are a finite resource and the source of recreation for a diverse and increasingly large range of participants. It is estimated that approximately 7% (310,000) of New Zealanders 'surf' on a regular basis.<sup>27</sup>

In Taranaki, surf breaks are an important resource contributing to tourism, economic development and amenity values as well as being recreational assets. Policy 16 of the NZCPS requires the protection of surf breaks of 'national significance' listed in its Schedule 1. Taranaki has four of the 19 nationally significant surf breaks listed in the NZCPS – Waiwhakaiho, Stent Road, Backdoor Stent and Farmhouse Stent. Surf breaks are also protected through the RPS. The RPS broke new ground nationally in resource management by identifying and protecting 80 'high quality or high value surf breaks' within the statutory document.

As part of the Coastal Plan review, the Council commissioned MetOcean Solutions Ltd to examine and identify the key attributes that contribute to a surf break's quality plus the type of activities that occur in the CMA that can adversely impact on and, in severe cases, destroy surf breaks and their qualities.<sup>28</sup>

The MetOcean Solutions report (2016) identified six attributes to surf breaks that can be used to inform guidelines for their protection seabed morphology. They are:

- coastal structures and coastal processes
- surfer access
- wind
- wave energy attenuation and wave crest distortion
- water quality.

The MetOcean Solutions report identified (in no order of importance) dredging and mining, sea walls, pipelines, groyne, breakwater and jetties, occupation of the foreshore and seabed (disruption of access), windfarms, offshore structures, sewage discharges and river discharges

<sup>26</sup> Findings from the 2013/2014 active New Zealand survey showed that 55% of respondents had participated in sport or recreation at a beach or by the sea over 12 months (compared with 36% nationally) and that 41% had participated in or on the sea (compared to 29% nationally).

<sup>27</sup> Perryman B, April 2011.

<sup>28</sup> McComb P, April 2016.

as examples of activities occurring in the CMA with the potential to impact on the attributes of surf breaks. The report further noted that it is not considered appropriate to prescribe magnitude thresholds or identify areas of influence, within rules, to indicate when activities are likely to have an adverse effect on a surf break. The impacts of different coastal activities on a surf break will depend upon the type, scale, location and any measures to avoid, remedy or mitigate impacts of that activity. This requires each activity to be considered on a case-by-case basis. The activities that present the most risk to surf breaks require resource consents.

Also as part of the Coastal Plan review, the Council ran a series of workshops, which resulted in the identification of 140 surf breaks in Taranaki.<sup>29</sup>

To further inform its decision making around surf breaks and their relative significance, the Council commissioned Waterlink Ltd to identify regional significance criteria for the assessment of surf breaks. The Waterlink report<sup>30</sup> identified ten attributes as contributing to a surf break being considered important: Rarity; Wave quality; Wave consistency; Uniqueness of the surf break in favourable conditions; Naturalness; Wilderness values; Amenity values; Level of use; Economic value to the community; and Historic, heritage, and cultural associations.

Based on the 'regional significance' attributes identified within Waterlink report and the findings of the online Wave Survey<sup>31</sup>, the Proposed Plan includes a schedule of 81 surf breaks determined to be regional significant (i.e. of elevated importance or a superior example).

Through Policy 19 of the Proposed Plan a tiered management approach has been adopted that reflects the findings of the regional survey on the differing qualities, attributes and importance of the 140 identified surf breaks in the region.

The first tier provides the highest level of protection for four nationally significant surf breaks identified in the NZCPS plus a stretch of surf breaks from Kaihihi Road to Cape Road (the 'Significant Surfing Area') that within Taranaki is considered extraordinary in terms of the number and quality of the surf breaks present. The appropriate management response is the avoidance of all adverse effects on the surf breaks (activities with minor or transitory effects may occur where avoidance is not necessary or relevant to the surfing values).

The second tier provides a lower but still very high level of protection for other surf breaks identified as regionally significant. The appropriate management response is for any use and development activities to avoid significant adverse effect unless it is to provide for regionally important infrastructure.

<sup>29</sup> Taranaki Regional Council, October 2017.

<sup>30</sup> Waterlink, July 2017.

<sup>31</sup> Based on the Waterlink report's findings, the Council designed and undertook an online Wave Survey targeting the local surfing community to obtain information and their views on individual surf breaks, including their attributes and importance.

The third tier provides for the avoidance, remedy or mitigation of adverse effects on other surf breaks that though not regionally significant are still considered locally important.

Rules 1 – 65 control use and development activities in the CMA. Activities with the potential to impact on sites and places with significant amenity values are either a discretionary or non-complying activity or have standards, terms and conditions that require the protection of associated values. For example, the placement of coastal structures, dredging and mining, disruption of access, wind farming, offshore structures and wastewater discharges can have a significant impact on public use and enjoyment in the coastal environment.

### Key changes from current Coastal Plan

The aforementioned approach includes significant change from the current Coastal Plan. Key changes include:

- new Policy 19(a) requires the avoidance of any adverse effects on nationally significant surf breaks and surf breaks within the designated Significant Surfing Area
- new Policy 19(b) requires the avoidance of significant adverse effects on regionally significant surf breaks
- identification of sites and places in the CMA with outstanding natural character, features and landscapes (Schedule 2), significant amenity values (Schedule 6), and surfing values that are to be protected through planning and consenting processes
- rules include new standards, terms and conditions that require activities to avoid or mitigate effects on sites and places identified in the Plan schedules as having significant amenity values.

### Reasonable practicable options

The alternative to the proposed provisions is the *status quo*, i.e. do nothing further to the current Plan provisions. This option removes the higher level of protection proposed for surf breaks and, in the absence of scheduled sites, relies on consenting processes to identify coastal sites and places with significant amenity values, including surf breaks. However, an assessment of the benefits and costs of the two options show that benefits of the proposed changes outweigh the costs (refer Table overleaf) and are the most appropriate way of achieving the Plan objectives.

## Assessment of benefits and costs

Policy options	Effectiveness and efficiency			
	Parties	Costs	Benefits	Discussion
<p>Option 1: Make key changes to the Coastal Plan including:</p> <ul style="list-style-type: none"> <li>a tiered and higher level of protection for surf breaks</li> <li>schedule known sites and places in the CMA with significant amenity values, including surf breaks</li> </ul>	Council	Low	High	<p>Efficient as Proposed Plan ensures that the purpose of the RMA is met and that sections 6(a), and (d) and 7(c), (d) and (f) matters of national importance are preserved</p> <p>Efficient as Policy 19(a) aligns with and gives effect to Policies 16, 18, 19 and 20 of the NZCPS</p> <p>Efficient as Proposed Plan provides direction and guidance on managing activities impacting on coastal public access and amenity values, including surfing</p>
	Resource users	Low	Medium - high	<p>Efficient as Proposed Plan provides resource users with greater clarity around the identification and protection of areas special for their amenity and/or surfing values and appropriate management responses</p> <p>May curtail or modify development aspirations in or near areas with surfing and other significant amenity values</p> <p>May impose additional costs on resource users to avoid, remedy or mitigate adverse effects on amenities/surfing values although in most localities this should not be an issue</p>
	Community and environment	Low	High	<p>Effective as Proposed Plan provides greater protection of significant amenity values in the coastal environment, ranging from bird watch, walking, horse riding and scenic to swimming, surf casting, white baiting, surf lifesaving, windsurfing, paddle boarding and surfing</p> <p>Effective as Proposed Plan recognises <b>Taranaki's coastline is unique for its numerous high</b> quality surf breaks and provides the highest level of protection to the four nationally significant surf breaks and stretch of surf breaks from Kaihihi Road to Cape Road</p> <p>Effective as Proposed Plan providing protection for associated social, economic, cultural, biodiversity and historic heritage benefits</p> <p>Efficient as Proposed Plan identifies areas special for their surfing values with opportunities for inter-agency cooperation to promote public access and amenities to ensure surfing and other recreational experiences are enhanced</p>
Option 2: <i>Status quo</i>	Council	High	Low	Fails to give full effect to Policies 16, 18, 19 and 20 of the NZCPS and the results of recent stakeholder engagement on surf breaks
	Resource users	Low	Low	Risk of allowing use and development activities, in some localities, of a scale or type that has adverse effects on surf breaks
	Community and environment	High	Low	Does not adequately protect some surf breaks recently identified as being nationally and/or regionally significant. Historically there have been relatively few pressures on surf breaks however there are several cases around New Zealand that illustrate the risk that development can pose to surf breaks
Conclusion	<p>Option 1 is considered the most appropriate way to achieve Plan objectives with the benefits outweighing the costs.</p> <p>Option 1 improves on the current Coastal Plan framework by strengthening relevant provisions to better protect coastal amenity values. In so doing, the Proposed Plan strongly aligns with policy directions in the NZCPS and RPS. The proposed changes are unlikely to result in more or less use and development activities in the CMA. Appropriate use and development will still be allowed but there may be added costs on some coastal consent applications to ensure public amenity considerations are adequately addressed, particularly in relation to surf break protection. The added costs are considered reasonable for the benefits anticipated.</p>			

## 7.9 Coastal hazard risks

### Proposed provisions (Minor changes)

Proposed provisions relating to coastal hazard risk	
Objectives	Obj 13: Coastal hazard risk
Policies	Pol 20: Avoidance of increase hazard risk Pol 21: Natural hazard defences
Rules	Rules 1 - 65



### Explanation and evaluation

#### Policy intent

The implementation of Objective 13 requires use and development activities to be managed in a manner that does not increase coastal hazard risks.

In Taranaki, and elsewhere across New Zealand, there is an increasing demand to locate subdivision, use, and development as near as possible to the coast. Significant sections of Taranaki's coastline is protected by cliffs but are prone to erosion from waves, and westerly wind, and inundation due to storm surge and sea-level rise. The CDEM Group Plan for Taranaki 2018 identified river mouth, estuary areas, and Port Taranaki as particularly at risk of inundation from storm surges and tsunami hazards.<sup>32</sup>

To effectively implement Objective 13, Policies 20 and 21 apply.

Policy 20 requires use and development activities to avoid exacerbating the risk of social, environmental and economic harm from coastal hazards and/or posing a risk to public health and safety. The Policy has two elements.

Firstly, Policy 20(a) sets out direction on avoiding effects that increase coastal hazard risks, including the consideration of expected effects on climate change and sea level rises (refer Table 4 overleaf). It gives effect to Policy 25 [...coastal hazard risks] of the NZCPS and sections 7 [...climate change] and 11 [Natural hazards] of the RPS by recognising that the current coastal erosion trends and the potential for flooding and storm damage to become more severe over time.<sup>33</sup> In addressing the expected effects of climate change, Policy 20(a)(i) requires the assessment of the expected effects of tsunami, climate change and sea level rise over a 100 year time frame when authorising the design, placement and use of structures, reclamations and other works in the CMA.

Secondly, Policy 20(b) sets out direction and guidance to avoid threats to public health and safety in the coastal environment, including aircraft or navigation safety.

Policy 21 is the continuation of an existing policy that recognises the importance of natural features and systems and their value as a natural defence from coastal hazards. The Policy seeks to address conflicts that often arise between allowing natural processes to occur (thereby protecting natural character, amenity values, beach profiles, access etc) and protecting private

<sup>32</sup> Taranaki Emergency Management Draft Civil Defence Emergency Management Group Plan for Taranaki 2018-2013. 2018. Document number 1980028.

<sup>33</sup> Historical coastal erosion studies showed that the entire Taranaki coastline is eroding at long term average rates between 0.05 m/year and 1.89 m/year with exceptions at the Pātea and Hangatahua (Stony) river mouths where the coast was accreting. Refer Taranaki Regional Council, November 2009.

property, buildings or infrastructure (e.g. by coastal hazard protection works). It directly aligns with and gives effect to Policy 26 [Natural defences against coastal hazards] of the NZCPS and also addresses the expected effects on climate change and sea level rises.

Rules 1 – 65 control use and development activities in the CMA. Together with the policies, they seek to ensure coastal areas in the Taranaki region are, as far as is practicable, resilient to climate change and coastal hazards (recognising the ongoing and increasing demand by people to locate subdivision, use, and development as near as possible to the CMA). While the effects of climate change will vary in different areas, Council anticipates that the current erosion trends and potential coastal hazard risks will become more severe over time.

### Key changes from current Coastal Plan

The aforementioned approach represents a relatively minor change to the current Plan in terms of coastal hazard management. Key changes include:

- a suite of five policies in the current Coastal Plan have been bundled into two policies to focus more clearly on the fundamental components of coastal hazard management
- Policies 20 and 21 align with NZCPS policies and how other Plan policies read
- Policy 20 requires the design, placement and operation of coastal structures, reclamations and other works to take into account coastal hazard risks over a 100 year planning timeframe.

Also refer to Section 7.11 for key changes relating to authorising coastal structures and occupation that contribute to coastal hazard risk avoidance or mitigation.

### Reasonable practicable options

The alternative to the proposed provisions is to allow continuation of the *status quo*, i.e. do nothing further to the current operative provisions. However, an assessment of the benefits and costs of the two options show that benefits of the proposed changes outweigh the costs (refer Table overleaf) and are the most appropriate way of achieving the Plan objectives.

Table 4: Summary of climate change projections for the Taranaki CMA<sup>34</sup>

Climate change	Projections*
Temperature	Compared to 1995, air temperatures are likely to be 0.7°C to 3.1°C warmer by 2090
Wind	The frequency of extremely windy days in Taranaki is not likely to change significantly. There may be an increase in westerly wind flow during winter, and north-easterly wind flow during summer
Storms	Future changes in the frequency of storms are likely to be small compared to natural inter-annual variability. Some increase in storm intensity, local wind extremes and thunderstorms is likely to occur.
Sea level rise	New Zealand tide records show an average rise in relative mean sea level of 1.7 mm per year over the 20th century. Globally, the rate of rise has increased, and further rise is expected in the future
What does it mean for Taranaki? There could be increased risk to coastal roads and infrastructure from coastal erosion and inundation, increased storminess and sea-level rise, threatening vulnerable beaches and low-lying areas. Warmer, wetter conditions could increase biosecurity risks over time.	

\* Projected changes are relative to 1995 levels.

<sup>34</sup> As summarized from <http://www.mfe.govt.nz/climate-change/how-climate-change-affects-nz/how-might-climate-change-affect-my-region/taranaki>.

## Assessment of benefits and costs

Policy options	Effectiveness and efficiency			
	Parties	Costs	Benefits	Discussion
<p>Option 1: Make key changes to the Coastal Plan including:</p> <ul style="list-style-type: none"> <li>new and bundled policies addressing coastal hazard risks</li> <li>requirement for new consented coastal structures to take into account coastal hazard risks over a 100 year planning timeframe</li> </ul>	Council	<i>Low</i>	<i>Medium-High</i>	<p>Efficient as Proposed Plan ensures the purpose of the RMA is met and that sections 6(h), and 7(i) matters of national importance are preserved</p> <p>Efficient as Policies 20 and 21 align with and giving effect to sections 7 and 11 of the RPS and Policies 25 and 26 of the NZCPS</p> <p>Efficient through improved more streamlined direction and guidance on the management of coastal hazard risks in the coastal environment while recognising <b>the impacts of climate change and the susceptibility of Taranaki's coastline to coastal erosion processes and sea level rises</b></p>
	Resource users	<i>Low</i>	<i>High</i>	<p>Efficient as Policies 20 and 21 clarify planning measures to mitigate coastal hazard risks in the coastal environment</p> <p>Efficient by avoiding unplanned costs to resource users through inappropriate location in or near coastal hazard areas</p> <p>Efficient by avoiding ongoing public or private investment in inappropriate coastal protection works</p> <p>May curtail or modify some use and development activities in or near areas at risk from coastal hazards</p> <p>In some localities, investment in coastal protection work may be lost or degraded over time due to natural coastal hazards and sea level rise</p>
	Community and environment	<i>Low</i>	<i>High</i>	<p>Effective as Proposed Plan seeks to avoid environmental harm resulting from coastal hazard risks</p> <p>Effective as Proposed Plan recognises that while there is a significant amount of settlement located near the coast, the use of hard protection structures should not be regarded as the only solution. Other values such as amenity, natural character and public access should also be addressed</p> <p>Effective as revised policies recognise the important role that natural features can play in protecting landward areas from the effects of coastal processes</p>
Option 2: <i>Status quo</i>	Council	<i>Low</i>	<i>Low</i>	<p>Gives less effect to sections 7 and 11 of the RPS and Policies 25 and 26 of the NZCPS</p> <p>Provides outdated direction and guidance on the management of coastal hazard areas in the coastal environment</p>
	Resource users	<i>Medium - high</i>	<i>Low</i>	Risk of allowing use and development activities, in some localities, with exposed coastal hazard risks
	Community and environment	<i>Low - medium</i>	<i>Low - medium</i>	<p>Increased environmental harm in some localities resulting from the inappropriate siting of structures contributing to coastal hazard risks</p> <p>Less resilience to predicted climate change and rising sea levels</p>
Conclusion	<p>Option 1 is considered the most appropriate way to achieve Plan objectives with the benefits outweighing the costs although the differences between the two options are not too dissimilar.</p> <p>Option 1 is a refinement of the current Coastal Plan's framework but includes some additional planning considerations that avoid the design and placement of structures and other in the CMA that exacerbate coastal hazard risks and which take into account climate change and expected sea level rises. It also better aligns with equivalent provisions in the RPS and NZCPS. The proposed changes may impose some added costs on some coastal consent applications to address climate change considerations.</p>			

## 7.10 Discharges to the CMA

### Proposed provisions (Major changes)

Proposed provisions relating to discharges to the CMA	
Objectives	Obj 4 [Life supporting capacity] Obj 5 [Coastal water quality] Also contributes to Objectives 1, 2, 3, 6, 7, 8, 9, 10, 11, 12, and 13
Policies*	Policy 22: Discharge of water or contaminants to coastal water Policy 23: Discharge of untreated human sewage Policy 24: Discharge of treated wastewater containing human sewage Policy 25: New discharge of wastewater containing human sewage Policy 26: Improving existing wastewater discharge Policy 27: Discharge of stormwater Policy 28: Harmful aquatic organisms Policy 29: Accidental discharge from offshore petroleum drilling and production Policy 30: Discharge of contaminants to air
Rules	Rules 1 - 17

\* These policies apply specifically to discharge activities. They are in addition to the General Policies 1-21 – refer previous discussions – which also apply.

## Explanation and evaluation

### Policy intent

Some discharges of contaminants to water in the CMA are necessary to allow people and communities to provide for their social, economic and cultural well-being. Due to its exposed wild nature and relatively few point source discharges, Taranaki has excellent overall coastal water quality. Since 1975 there has been a sharp decline in the number of point source discharges to the CMA – decreased from 25 major dairy factory and industrial and municipal discharges in 1975 to just seven major (municipal or industrial) discharges today (refer Figure 9 below).

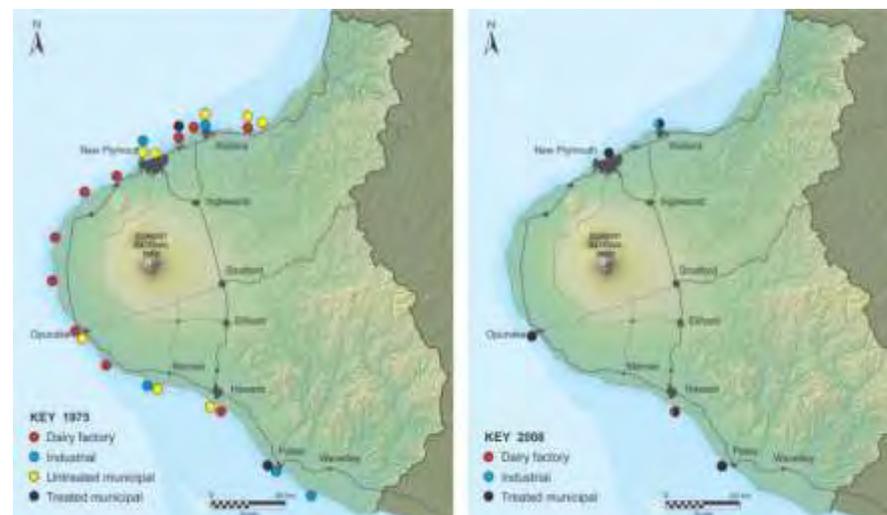


Figure 9: Major point source discharges to the coast in 1975 compared to today

As at October 2017, there were 40 coastal discharge consents (38 to water, two to air) representing 15.2% of the total number of coastal permits. As shown in Table 5 below, most consented discharges to the CMA (47.5%) relate to stormwater and/or washdown water.

In addition to General Policies 1 to 20 (all of which apply), Policies 22 to 23 specifically address discharges to the coast and air in the CMA. Together with Rules 1 -17, the policies contribute to all of the Proposed Plan's objectives.

Table 5: Consented discharges in the Taranaki CMA

Discharge type	No. of consents	% of consented discharges
Stormwater and/or washdown water	19	47.5%
Municipal or industrial sewage <sup>35</sup>	7	17.5%
Water and/or sediment	6	15.0%
Air	2	5.0%
Other	6	15.0%
Total	40	100%

Policy 22: Discharge to coastal waters

Policy 22 provides direction and guidance on matters to be considered in the management of any discharges to the CMA. The Policy aligns with and gives effect to Policy 23 [Discharge of contaminants] of the NZCPS and Section 8.2 of the RPS.

The Policy requires discharges to be of an acceptable quality having regard to the nature and type of the discharge, the sensitivity of that part of the coast, and/or particular values and uses associated with the locality. Other requirements relate to the avoidance of the persistent toxic contaminants in the receiving environment, the adoption of the best practicable options to mitigate or avoid adverse effects, a defined work programme to reduce effects over time, and the use of the smallest mixing zone necessary.

Policies 23 – 26: Discharge of human sewage

Policies 23, 24, 25 and 26 provide additional direction and guidance relating to discharges containing human sewage and the management of associated effects on coastal water quality, and amenity and cultural values.

Policy 23 gives effect to the NZCPS and prohibits the discharge of untreated human sewage into the CMA. Māori cultural and spiritual values can be particularly affected if wastewater containing human sewage is discharged directly to water.

Policy 24 recognises that there are circumstances when **treated** discharges of wastewater containing human sewage may be appropriate (most cities in New Zealand discharge wastewater either directly or indirectly to the CMA). The Policy only allows such discharges to the open coast and only following careful evaluation of alternatives to discharging (including land disposal and wetland treatment) and consultation with tangata whenua and the community generally.<sup>36</sup>

Policy 25 prohibits new discharges of treated wastewater containing human sewage in coastal management areas: Outstanding; Estuaries-unmodified, Estuaries-modified, and Port Taranaki.

Policy 26 provides direction and guidance so that existing wastewater discharges minimise their adverse effects over time. Policy 26(a) directs that existing discharges from wastewater treatment plants adopt the best practicable option to improve the quality of discharges and reduce the quantity of discharges over time. In Taranaki, there are three authorised municipal wastewater discharges to the CMA – these being through the New Plymouth, Pātea and Hawera outfalls. Policy 26(b) also seeks that existing wastewater overflows<sup>37</sup> (which may contain untreated human sewage following extreme rainfall events) to progressively reduce the frequency and/or volume of wastewater overflows. Policy 23(b) further notes that no new consents will be granted for wastewater overflows into the future.

Policy 27: Discharge of stormwater

Policy 27 specifically addresses stormwater discharges and provides additional direction and guidance about managing adverse effects associated with stormwater discharges.

Most discharges in the CMA relate to discharges of stormwater, which can be a major contributor to degraded coastal water quality and substrate contamination in some localities, particularly in and around urban areas. Policy 27 provides direction and guidance on avoiding, remedying or mitigating adverse effects associated with stormwater discharges into the CMA, including consideration of the nature of activities (and type of substances stored or used) within the contributing catchment, avoidance and mitigation measures, and avoiding cross contamination of sewage and stormwater systems.

Policy 28: Harmful aquatic organisms

Policy 28 recognise that the movement of ships and offshore installations to Taranaki from overseas and other regions, and associated discharges to water (e.g. ballast water discharges

<sup>35</sup> Of note, this number includes the Methanex Waitara Valley plant, which no longer exercises the consent following the installation of an onsite sewage treatment and disposal facility.

<sup>36</sup> Since 2014, there has been an end to treated sewage discharges to coastal waters from the Waitara outfall with the New Plymouth District Council diverting Waitara wastewater to the upgraded New Plymouth Wastewater Treatment Plant.

<sup>37</sup> These being at Waitara, Opunake, and Pātea.

and discharges from the cleaning and maintenance of craft) poses biosecurity risks with potential adverse effects on shellfisheries, fisheries, marine ecosystems, human health and indigenous and amenity values. It is not possible to completely avoid biosecurity risks. However, Policy 28 seeks to ensure that RMA consenting processes within the CMA target high risk activities and ensure biosecurity risks are appropriately managed. It aligns with and gives effect to Policy 12 [Harmful aquatic organisms] of the NZCPS.

#### Policy 29: Accidental discharges from offshore petroleum drilling and production

Policy 29 sets out guidance and direction on managing petroleum drilling and production activities to ensure adverse effects arising from any accidental discharges are appropriately avoided, remedied or mitigated. It recognises that Taranaki contains New Zealand's only oil and gas producing reservoirs. The Policy contains requirements to avoid any discharges to the CMA from wells unless specifically authorised, adopt best industry practices, and comply with relevant recognised standards, codes of practice, and regulations.

#### Policy 30: Discharge of contaminants to air

Some discharges of contaminants to air within the CMA are necessary to allow people and communities to provide for their social, economic and cultural well-being. Due to its exposed wild nature and relatively few point source discharges, Taranaki has excellent overall coastal air quality. However, coastal air discharge activities can have significant localised effects particularly in and around Port Taranaki where there may be nuisance effects on nearby areas associated with particulate discharges and odour and the potential release of toxic emissions into the air. Accordingly, Policy 30 requires air discharges to be of an acceptable quality having regard to the volume, and the adoption of the best practicable option to mitigate or avoid adverse environmental effects.

#### Rules 1 to 17

Rules 1 – 17 control discharge activities in the CMA. Supported by the general and activity specific policies, they seek to ensure discharges are regulated to maintain and enhance Taranaki's high coastal water and air quality. The rules may allow the activity as a permitted activity (does not need a resource consent) or subject to obtaining a resource consent, or may prohibit the activity outright.

The rules adopt a tiered approach based on discharge type and toxicity and where the discharge occurs (i.e. the coastal management area). Rules are increasingly restrictive in unmodified areas (e.g. outstanding coastal areas) and more permissive in the highly modified environments like the Port.

#### **Key changes from current Coastal Plan**

The aforementioned approach builds on existing provisions managing the effects of discharges to water and air within the CMA. Key changes include:

- Policies 24, 25 and 26 require existing wastewater discharges to progressively improve the quality of discharges and reduce the quantity of discharge over time.
- bundling of policies and rules in the Coastal Plan to streamline decision making considerations and improve alignment across the Plan and with other planning documents such as the NZCPS and RPS
- standards, terms and conditions protecting coastal values identified or described in the Proposed Plan schedules
- identification of coastal sites and places of significance for their natural, historic and amenity values in the Proposed Plan schedules where coastal discharge activities are more likely to be restricted
- identification of parts of the CMA in the Proposed Plan schedules where maintenance and restoration of coastal water quality will be sought
- amendment to the permitted activity rule for stormwater in the current Coastal Plan to allow discharges from industrial or trade premises that cover a total area of two hectares or more (and do not use or store hazardous substances). Examples of such premises might include dairies, cafes, and surf clubs in coastal localities, which are generally small in scale and for which adverse effects are no different from those that might be associated with residential premises
- the deletion of a number of discharge rules in the current Coastal Plan as per requirements in the Marine Pollution Regulations
- inclusion of policies and schedule seeking the restoration of coastal water quality where consented discharges have resulted in localised degradation of coastal water quality resulting in restrictions to shellfish gathering and recreational bathing ((i.e. offshore at Waiwhakaiho, the Waitara embayment and Waihi).

#### **Reasonable practicable options**

The alternative to the proposed provisions is to allow continuation of the *status quo*, i.e. do nothing further to the current operative provisions. However, an assessment of the benefits and costs of the two options show that benefits of the proposed changes outweigh the costs (refer Table overleaf) and are the most appropriate way of achieving the Plan objectives.

## Assessment of benefits and costs

Policy options	Effectiveness and efficiency			
	Parties	Costs	Benefits	Discussion
<p>Option 1: Make key changes to the Coastal Plan including:</p> <ul style="list-style-type: none"> <li>streamlined Plan provisions</li> <li>stronger requirements to manage adverse effects from wastewater discharges</li> <li>deletion of rules now covered by the Marine Pollution Regulations</li> </ul>	Council	<i>Low</i>	<i>High</i>	<p>Efficient as revised policies and schedules provide direction and guidance to Council on permitting, controlling or prohibiting discharge activities within the CMA restricted by Section 12(f) and sections 15, 15A and 15B of the RMA. Discharges make up approximately 15% of all coastal consents</p> <p>Efficient as revised policies align with and give effect to NZCPS and RPS</p> <p>Efficient as Proposed Plan bundles rules to streamline Plan and consenting process</p>
	Resource users	<i>Medium</i>	<i>High</i>	<p>Efficient as Proposed Plan continues to provide for discharges in the CMA otherwise restricted by Section 12(f) and sections 15, 15A and 15B of the RMA</p> <p>Efficient as Proposed Plan increases certainty for resource users on coastal water quality limits and need for improvements in treatment</p> <p>Efficient as small scale discharges having no or only minor adverse effects are permitted activities resulting in reduced consenting and compliance costs</p> <p>Higher consenting and compliance costs incurred to improve quality of discharges over time, particularly in relation to wastewater infrastructure investments associated with the New Plymouth, <b>Pātea</b> and Hawera outfalls</p>
	Community and environment	<i>Low</i>	<i>High</i>	<p>Effective as Proposed Plan <b>maintains Taranaki's high overall coastal water and air quality</b></p> <p>Effective as Proposed Plan encourages biofouling practices to minimise biosecurity risks</p> <p>Effective as Proposed Plan seeks to progressively improve water quality in and around the New Plymouth, <b>Pātea</b> and Hawera outfalls</p> <p>Effective as Proposed Plan enhances coastal values in and around wastewater discharges, particularly those associated with nearby reefs, cultural sites and places, and amenity values</p>
Option 2: <i>Status quo</i>	Council	<i>High</i>	<i>Low</i>	<p>Fails to give effect to the NZCPS provisions relating to wastewater</p> <p>Fails to realise opportunities to improve and update planning and consenting processes and considerations</p>
	Resource users	<i>Low</i>	<i>Low</i>	<p>May allow some discharge activities at a scale, type or location that adverse impacts on historic and cultural values and amenity values</p> <p>Less certainty as to where amenity, historic and cultural heritage values lie in the CMA</p>
	Community and environment	<i>High</i>	<i>Low</i>	<p>Degraded coastal water quality in and around wastewater discharges is not improved over time</p> <p>Ongoing degradation of coastal values in and around wastewater discharges, particularly those associated with nearby reefs, cultural sites and places, and amenity values</p>
Conclusion	<p>Option 1 is considered the most appropriate way to achieve Plan objectives with the benefits outweighing the costs.</p> <p>Option 1 improves on the current Coastal Plan framework by streamlining decision making considerations (through bundled policies and rules) and improving the alignment across the Plan and with other planning documents such as the NZCPS and RPS. The proposed changes are not anticipated to increase the number of consents required in the CMA but are likely to impose added costs on already consented discharges involving the adoption over time of best practicable options to reduce the quantity of wastewater and to improve the quality of the wastewater (for net environmental gain).</p>			

## 7.11 Coastal structures and occupation of space in the CMA

### Proposed provisions (Major changes)

Proposed provisions relating to structures and occupation in the CMA	
Objectives	Obj 12 [Public use and enjoyment] Obj 13 [Coastal hazard risk] Also contributes to Objectives 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11
Policies*	Policy 31: Structures promoting public access or environmental outcomes Policy 32: Placement of structures Policy 33: Hard protection structures in outstanding coastal areas Policy 34: Appropriateness of hard protection structures Policy 35: Temporary hard protection structures Policy 36: Maintenance and upgrade of existing structures Policy 37: Alteration or extension of existing structures Policy 38: Removal of structures Policy 39: Occupation
Rules	Rules 18 – 50 General Standards 8.6.1, 8.6.2, and 8.6.3

\* These policies apply to coastal structures and occupation of land in the CMA. They are in addition to the General Policies 1-21 – refer previous discussions – which also apply.



### Explanation and evaluation

#### Policy intent

The majority of coastal permits issued in the CMA are for structures. As at October 2017, there were 186 coastal permits for structures representing 70.5% of the total number of coastal permits. The consented coastal structures provide for various private and public uses within the CMA. As shown in Table 6 below, most structures (63%) are for the purpose of coastal protection. The purpose of other consented coastal structures include structures associated with public access, including boat ramps and bridges, wastewater and stormwater outlets, pipelines, wharves and marinas, telecommunications, and navigational aids.

Table 6: Consented structures in the Taranaki CMA

Structure type	No. of consents	% of consented structures
Public access, including boat ramps	13	7.0%
Bridges	4	2.2%
Wastewater outfalls	7	3.8%
Pipelines	6	3.2%
Coastal protection structures	118	63.3%
Stormwater outlets	10	5.4%
Wharf, marina or jetty	13	7.0%
Other (e.g. telecommunications, well casings, navigational aids)	15	8.1%
Total	186	100%

Often associated with the placement of structures, is the occupation of space in the CMA. Issues associated with the occupation of space in the CMA are often considered (and authorised) as part of the consenting process for associated structures. However, on occasion occupation of the foreshore or seabed may be separately authorised. As at October 2017, there were 9 coastal permits specific to the occupation of space in the CMA – principally related to

the Port, and pipeline and telecommunication corridors (refer Table 7 below). Coastal occupation represents 3.4% of the total number of coastal permits.

**Table 7: Consented coastal occupation in the Taranaki CMA**

Occupation purpose/type	No. of consents	% of consented structures
Seawall/boat ramp occupation	3	33.3%
Recreation/commercial	2	22.2%
Exclusion zone for regionally significant infrastructure (Port, telecommunications and pipelines)	4	44.5%
Total	9	100%

In addition to General Policies 1 to 20 (all of which apply), Policies 31 to 39 specifically address the placement, construction, alteration or demolition of structures and the occupation of land in the CMA. Together with Rules 18 -50, and General Standards 8.6.1, 8.6.2 and 8.6.3, they contribute to all of the Proposed Plan's objectives.

**Policies 31 to 35: Structures**

The CMA is held by the Crown on behalf of all New Zealanders. This status should be recognised when considering the location of any coastal structures, to ensure that any private gains do not compromise public use and enjoyment in the coastal environment.

Policy 31 provides for the location and placement of structures in the CMA where they provide a public good by way of promoting public access, protecting public health and safety, contribute to science or research, or is necessary for the efficient operation of nationally and regionally significant infrastructure. In effect, the Policy recognises that there is a "functional need" (refer Policy 32 below) to be in the CMA. However, they are still subject to the appropriate management of any adverse effects.

Policy 32 sets out direction and guidance on the placement, construction and management of all structures in the CMA. The Policy seeks to limit the placement and effects of structures by

generally restricting new structures to those that have a functional need to be in the CMA, requiring them to be located outside marine protected areas, and for Council to consider the sensitivity of that part of the coast, and/or ensure they are designed, located and managed to address coastal hazard risks, including climate change, and or avoid remedy or mitigate adverse effects on values and uses associated with the locality.

Coastal protection structures (usually seawalls) are a common response when coastal development is at risk of damage from natural coastal processes. Hard protection structures include seawalls, rock revetments, groynes, breakwaters, stopbanks, retaining walls and other structures that have the primary purpose or effect of protecting an activity from coastal hazard, including erosion.

Historically hard protection structures have been established to protect assets in areas where development has occurred close to the eroding coast. However, their construction and placement are capable of having significant adverse effects on natural character, amenity values (e.g. causing loss of beach sand and foreshore) and public access to and along the CMA. Policies 33 to 35 therefore provide guidance on the planning and decision-making for such structures.

Policy 33 requires hard protection structures to avoid adverse effects on the values and characteristics of outstanding coastal areas identified in Schedule 2 of the Proposed Plan.

Policy 34 relates to coastal protection structures and has two aspects.

Firstly, the Policy seeks to generally discourage the use of hard protection structures in the CMA while recognising that they may be the only practicable option for protecting regionally important infrastructure (such as the port or network utilities) from coastal hazards. The Council recognises that climate change (in particular sea level rise and an increase in storms of a greater intensity) is likely to increase demand for more protection of the built environment. However, through the Policy, the Council is seeking to manage the risk of hard protection works becoming more prevalent along the Taranaki coastline with associated risks that coastal natural character, amenity values and public access is degraded over time.<sup>38</sup>

Secondly, the Policy sets out consideration matters for determining the 'appropriateness' of coastal protection structures that include consideration of 'the location and purpose of the structure, soft<sup>39</sup> protection options, as well as climate change trends and the public costs and

<sup>38</sup> As at October 2017, most consented coastal protection structures were located in and around estuaries such as Patea, Onaero, Oākura, Tongaporutu, Waitara, Waiwhakaiho, and Urenui, and the New Plymouth foreshore. Refer Taranaki Regional Council, October 2017.

<sup>39</sup> Soft protection includes the use of natural features and material, e.g. re-establishment of dunes along Fitzroy Beach

benefits. The Policy requires an assessment to of coastal hazard risks over a 100 year planning timeframe as part of taking into account climate change.

Policy 35 provides for temporary (less than five years) hard protection works.

#### Policies 36 to 38: Maintenance, repair, upgrade or removal of structures

Policy 36 recognises that coastal structures from time to time need to be maintained, repaired, replaced or upgraded to ensure compliance with improved standards and codes, to maintain their structural integrity or efficiencies, and to address any health and safety issues. The Policy states that the Council will generally provide for relatively minor maintenance and improvement works for lawfully established structures in the CMA subject to the appropriate management of any adverse effects arising from that work. Minor works should not significantly alter the footprint of the structure in relation to the CMA. To assist in the interpretation of this Policy (and other relevant provisions “*maintenance*” is defined in the Proposed Plan’s definition of terms to mean:

*“...activities which restore a structure or asset to its original authorised standard and purpose, and where the character, intensity and scale of the structure, asset or site remains the same or similar. Excludes the extension or repair of structures or assets, or change in location.”*

Likewise Policy 37 states that the Council will also generally provide for the extension of lawfully established structures, including extending the footprint of the structure in the CMA, subject to the activity having no significant adverse effects on any other uses and values and where it results in greater more efficient or multiple uses of the structure for marine activities or where it reduces the need for new structures elsewhere on the coast.

Policy 38 requires new structures in the CMA, through the consenting process, plan, to plan for their eventual decommissioning and removal as part of their initial design and installation. This has not always been the case for some existing structures and is considered necessary to avoid the proliferation of unnecessary structures in the CMA over time. However, exceptions to that requirement exist and are listed in the Policy. Exceptions include where the removal of a structure would have a greater environmental impact than leaving it in place or where the structure has become over time an integral and valued part of the social, cultural and coastal landscape, and/or it has reuse value.

#### Policy 39: Coastal occupation

Policy 39 sets out guidance that activities and structures that occupy space within the CMA be undertaken in a manner that does not unnecessarily restrict other users of the CMA and to avoid areas where they will have significant effects on public use. This reflects the popularity of

the coast for multiple values and the potential for conflicting uses and values to occur, at some localities, on some occasion. Of note the Policy may allow exceptions in appropriate circumstances such as where the effects can be demonstrated to be temporal or where the structure or activity is providing a greater public good.

#### Rules 18 to 50

Rules 18 – 51 control activities relating to coastal structures and occupation in the CMA. Supported by the general and activity specific policies, the rules seek to provide for coastal structures and occupation recognising their public and private benefits in terms of managing coastal hazards and providing for appropriate use and development, including promoting coastal access.

Rules 18 to 21, 31, 35, 39, 44, 47 and 48 allow the smaller and/or temporary activities as a permitted activity (does not need a resource consent) subject to the activity meeting standards, terms and conditions to avoid, remedy or mitigate any adverse effects on other coastal uses and values. Other rules provide for larger and/or more permanent activities, plus activities not able to comply with all the standards, terms and conditions of the permitted activity rules, subject to obtaining a resource consent.

The rules adopt a tiered approach based on type, scale and significance of the activity and where the activity occurs (i.e. the coastal management area). Rules are increasingly restrictive in unmodified areas (e.g. outstanding coastal areas) and more permissive in modified environments like the Port. The erection and placement of structures in outstanding coastal areas and estuaries – unmodified are often non complying activities. Some structures such as whitebait stands are prohibited outright in the CMA.

#### **Key changes from current Coastal Plan**

The aforementioned approach builds on existing provisions managing the effects of coastal structures and occupation. Key changes include:

- increased guidance and direction in Policies 31 to 38 on the appropriateness of structures in the CMA, particularly hard protection structures, and planning for their decommissioning and removal as part of the consenting process
- new coastal structure policies to promote alignment with the NZCPS and the RPS
- new standards, terms and conditions in Rules 18 to 50 protecting coastal values identified or described in the Plan schedules

- revised standard, term and condition in Rule 47 to allow community, recreational or sporting events to occur without a resource consent subject to not restricting public access or the public for longer than four consecutive days (previously two days) and meeting other standards, terms and conditions<sup>40</sup>
- new rules permitting coastal structures that deliver public benefits such as navigation and safety (Rule 21), network utilities (Rule 22), temporary military training (Rule 31) and structure decommissioning (Rule 38)
- identification of coastal sites and places of significance for their natural, historic and amenity values in the Proposed Plan schedules where coastal occupation and structure are more likely to be restricted.

### Reasonable practicable options

Some refinement of current Coastal Plan policies and rules is considered appropriate so that Council can better recognise and provide for appropriate use and development in the CMA, while also managing associated adverse effects.

The alternative to the proposed provisions is to allow continuation of the *status quo*, i.e. do nothing further to the current operative provisions. However, an assessment of the benefits and costs of the two options show that benefits of the proposed changes outweigh the costs (refer Table overleaf) and are the most appropriate way of achieving the Plan objectives.

Of note, while most of the changes proposed are relatively minor, one change – relating to providing for temporary occupation of the foreshore and seabed for the purpose of community, recreational or sporting activities (Rule 47) - generated significant feedback on the draft Coastal Plan. In particular there were diverging views as to what constitutes a suitable period of time to permit the temporary occupation of the foreshore and seabed for the purpose of community, recreational or sporting activities. Views expressed varied from no temporary occupation should be permitted to allowing for seven days.

Council undertook a desktop analysis into the duration of various types of coastal sporting activities that occur locally and around New Zealand. Based upon that analysis it is proposed that Rule 47 permit community, recreational or sporting events that do not exclude the public for a period of four consecutive days. Four day or more events in the CMA would require a coastal consent. Refer **Appendix III** of this report for a summary of key findings of that analysis.



Black sands and solitude.

<sup>40</sup> Significant feedback was received on the draft Coastal Plan relating to what constitutes a suitable period of time to permit the temporary occupation of the foreshore and seabed for the purpose of community, recreational or sporting activities. Based upon a review into the duration of various types of coastal sporting activities that occur locally and around New Zealand, plus other coastal plan, it was determined that four days would be appropriate for most community, recreational or sporting events without unnecessarily imposing resource consent costs (refer Appendix III of this report).

## Assessment of benefits and costs

Policy options	Effectiveness and efficiency			
	Parties	Costs	Benefits	Discussion
<p>Option 1: Make key changes to the Coastal Plan including:</p> <ul style="list-style-type: none"> <li>stronger policies for managing hard protection structures</li> <li>revised rule to permit community, recreational or sporting events (up to four consecutive days)</li> <li>new rules permitting coastal structures that deliver public benefits</li> </ul>	Council	<i>Low</i>	<i>High</i>	<p>Efficient as revised policies and schedules provide direction and guidance to Council on permitting or controlling coastal structures and occupation restricted by Section 12(1)(b) and 12(2)(a) of the RMA. Coastal structures and occupation make up 74% of all coastal consents</p> <p>Efficient as revised policies align with and give effect to NZCPS and RPS</p> <p>Efficient as Proposed Plan bundles rules to streamline Plan and consenting process</p>
	Resource users	<i>Low</i>	<i>High</i>	<p>Efficient as Proposed Plan continues to provide for coastal structures and occupation in the CMA otherwise restricted by the RMA</p> <p>Efficient as Proposed Plan increases certainty for resource users on environmental standards to be met over the life of coastal structures, including the need to adopt proactive planning to avoid, remedy or mitigate adverse effects <b>over the life of the asset and to 'future proof' the asset</b> to take into account impacts of sea level rise (climate change)</p> <p>Efficient in that coastal structures and occupation with public benefits have reduced consenting and compliance costs, subject to the appropriate management of adverse effects</p> <p>May be some opportunity costs associated with restrictions on hard protection structures that impact on the development aspirations of some adjacent land owners and/or their ability to mitigate coastal hazard risks or temporary restrictions on CMA users</p>
	Community and environment	<i>Low</i>	<i>High</i>	<p>Effective as Proposed Plan maintains <b>Taranaki's high overall</b> natural character and avoids the proliferation of unused structures over time</p> <p>Effective as revised policies promote the protection and restoration of natural coastal barriers and coastal access (where appropriate) plus <b>people's use and enjoyment in the CMA</b></p> <p>Effective as revised policies seek to avoid significant on going public and private costs associated with maintaining hard protection structures</p> <p>Effective as Proposed Plan provides direction and guidance on managing the effects of sea level rise over time and promotes the adoption of measures to mitigate coastal hazard risks to people and communities</p>
Option 2: <i>Status quo</i>	Council	<i>High</i>	<i>Low</i>	<p>Fails to give effect to the NZCPS provisions relating to hard protection structures</p> <p>Fails to realise opportunities to improve and update consenting processes and considerations</p>
	Resource users	<i>Low</i>	<i>Low</i>	<p>May unnecessarily be restricting coastal structures and occupation delivering public benefits, including community events</p> <p>Less certainty for resource users on environmental standards to be met over the life of coastal structures</p>
	Community and environment	<i>High</i>	<i>Low</i>	<p>May lead to loss of natural character in parts of the CMA through proliferation or maintenance of inappropriate hard protection structures</p> <p>Does not adequately recognise the potential impacts of climate change and sea level rise on coastal development</p>
Conclusion	<p>Option 1 is considered the most appropriate way to achieve Plan objectives with the benefits outweighing the costs.</p> <p>Option 1 improves on the current Coastal Plan framework by streamlining decision making considerations (through bundled policies and rules) and improving the alignment across the Plan with the NZCPS and RPS. The proposed changes are not anticipated to increase the number of consents required in the CMA but there may be higher but acceptable increases in consenting costs associated with the placement of hard protection structures and/or in managing coastal hazard risks and adverse effects on natural, historic heritage, and amenity values scheduled in the Plan.</p>			

## 7.12 Coastal disturbance, deposition and extraction

### Proposed provisions (Major changes)

Proposed provisions relating to disturbance in the CMA	
Objectives	Objectives 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13
Policies*	Policy 40: Disturbance in protected marine areas Policy 41: Disturbance activities providing public or environmental benefit Policy 42: Disturbance of the foreshore and seabed Policy 43: Port dredging Policy 44: Extraction or deposition of material on the foreshore or seabed
Rules	Rules 51 – 61 General Standards 8.6.2 and 8.6.3

\* These policies apply to disturbance (including deposition and extraction) activities in the CMA. They are in addition to the General Policies 1 - 21 – refer previous discussions – which also apply.

### Explanation and evaluation

#### Policy intent

In Taranaki, most disturbance, deposition and extraction activities on the foreshore or seabed tend to be very minor. However, the disturbances, deposition and extraction of material in the CMA may be in a location or of a scale that can have significant adverse effects on the site for a long time. Adverse effects associated with disturbance of the foreshore and seabed include changes to the bathymetry of the seabed, removal of subtidal organisms, and re-mobilisation of contaminants if they are present.

As at October 2017, there were 23 coastal permits for disturbance, deposition and extraction activities on the foreshore or seabed representing 8.7% of the total number of coastal permits. Coastal consents for disturbance activities were for a broad range of activities. The purpose for consented activities included providing for the safe and efficient operation of Port Taranaki and/or safe navigation, and allowing foreshore re-contouring for protect beach fronts or coastal protection structure (refer Table 8 below).

In addition to General Policies 1 to 21 (all of which apply), Policies 40 to 44 specifically address disturbance, deposition and extraction activities on the foreshore or seabed. Together with Rules 51 -61, they contribute to all 13 of the Proposed Plan’s objectives. Disturbance of the foreshore and seabed includes Port dredging, riverbed realignment, mining and dredging.

Table 8: Consented disturbance, deposition and extraction activities in the Taranaki CMA

Disturbance activity	Purpose	No.
Deposition	Port dredging	4
	Sand replenishment	1
Disturbance of foreshore and seabed	Provision of public access / safe navigation	3
	Other – e.g. coastal protection placement of utilities, monitoring	11
Extraction	Provision of safe navigation	2
	Other – e.g. coastal protection works, iron sand investigations	2
Total		23

#### Policies 40 to 42: Coastal disturbance

Policy 40 does not generally allow any disturbance of, deposition on, or extraction from parts of the foreshore or seabed that are legally protected. These being the Paraninihi Marine Reserve, Ngā Motu (Sugar Loaf Islands) Marine Protected Area and the Tapuae Marine Reserve (and which make up approximately 3.2% of the Taranaki coastline). The only exceptions in the Policy are those listed in (a) to (c), which cover very minor activities that provide public benefits and are not anticipated to have more than minor adverse effects, i.e. recreational activities, scientific or educational study or research, and the placement and maintenance of boundary marker buoys.

In other parts of the CMA, Policy 41 recognises and provides for disturbance activities associated with the protection and maintenance of regionally important infrastructure, or which provides public benefits. They include the maintenance of navigation channels for Port Taranaki, flood or erosion protection works, restoration of natural or cultural heritage values, sand replenishment, and scientific or educational study and research. Allowing such activities contributes to the economic, social and cultural well-being of the region but they are still subject to the appropriate management of adverse effects.

Policy 42 sets out guidance and direction for managing adverse effects associated with disturbance activities of the foreshore and seabed. The Policy directs that the activity have regard to the sensitivity of site specific values, avoid significant adverse effects caused by the release of contaminants, avoid, remedy or mitigate other adverse effects, and, as far as is practicable, reinstate the area.

#### Policy 43: Port dredging

Policy 43 sets out direction on maintenance and capital dredging activities in the CMA. Maintenance and capital dredging activities, including spoil deposition, are essential for the efficient and safe operation of Port Taranaki but must be undertaken in a manner that mitigates effects on natural littoral sediment processes, uses the best practicable methods, and avoids, remedies or mitigates adverse environmental effects.

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

Policy 44 provides for the controlled extraction or deposition of material on the foreshore and seabed not provided for in Policies 40, 41 and 43. The Policy involves a general expectation that the activity not occur in outstanding coastal areas and estuaries<sup>41</sup> plus consideration of the values and sensitivity of area and impacts upon natural coastal processes.

#### Rules 52 to 62

Rules 51 – 61 control activities relating to disturbances of the foreshore and seabed, including the extraction and deposition of material in the CMA. Supported by the general and activity specific policies, the rules seek to provide for the activity subject to scale and significance of the activity and the values and sensitivity of the receiving environment.

The rules generally allow the smaller scale disturbance activities with less than minor adverse effects, and/or those providing public benefits, to be undertaken as a permitted activity (does not need a resource consent). This includes clearance of outfalls and culverts. This is subject to standards, terms and conditions addressing any adverse effects on other coastal uses and values. Other rules provide for larger scale activities such as dredging, plus activities not able to comply with all the standards, terms and conditions of the permitted activity rules, subject to obtaining a resource consent.<sup>42</sup>

The rules adopt a tiered approach based on type, scale and significance of the activity and where the activity occurs (i.e. the coastal management area). Rules are increasingly restrictive in

unmodified areas (e.g. outstanding coastal areas) and more permissive in modified environments like the Port.

#### **Key changes from current Coastal Plan**

The aforementioned approach builds on existing provisions managing the effects of coastal disturbance activities. Key changes are:

- new rules permitting disturbance activities with less than minor adverse effects such as extraction of small quantities of sand from the foreshore for non-commercial purposes, e.g. for the sandpit (Rule 53), and the burial of marine mammals (Rule 54)
- bundling of rules to streamline the Plan and simplify resource consenting processes where disturbance is an associated activity or where other effects (such as coastal occupation and noise) also need to be managed
- new standards, terms and conditions in rules protecting coastal values identified or described in the Proposed Plan schedules
- new schedules identifying sites in the CMA important for their natural, historic and amenity values and potentially sensitive or vulnerable to disturbance activities
- the deletion of a number of deposition rules in the current Coastal Plan as per requirements in the Marine Pollution Regulations.

#### **Reasonable practicable options**

The alternative to the proposed provisions is to allow continuation of the *status quo*, i.e. do nothing further to the current operative provisions. However, an assessment of the benefits and costs of the two options show that benefits of the proposed changes outweigh the costs (refer Table overleaf) and are the most appropriate way of achieving the Plan objectives.

<sup>41</sup> Over the life of the current Coastal Plan only four coastal consents have been granted for the extraction or deposition of material on the foreshore or seabed in outstanding coastal areas and estuaries.

<sup>42</sup> As at October 2017, there were five coastal permits for sand and/or dredged material on the seafloor and sea bed. Four of these related to providing for the safe and efficient operation of Port Taranaki, with the one relating to sand replenishment at Opunake Beach. Refer Taranaki Regional Council, October 2017.

## Assessment of benefits and costs

Policy options	Effectiveness and efficiency			
	Parties	Costs	Benefits	Discussion
Option 1: Make key changes to the Coastal Plan including: <ul style="list-style-type: none"> <li>• more streamlined Plan provisions</li> <li>• two new rules allowing for minor extraction activities for non-commercial purposes and for burial of marine mammals</li> </ul>	Council	<i>Low</i>	<i>High</i>	Efficient as Proposed Plan provides direction and guidance on permitting, controlling or prohibiting disturbance, deposition and extraction activities in the CMA restricted by Section 12(1)(c) and (d) of the RMA. These activities make up 9% of all coastal permits Efficient as Proposed Plan bundles rules to streamline Plan and consenting processes
	Resource users	<i>Low</i>	<i>High</i>	Efficient as Proposed Plan allows minor disturbance activities with less than minor adverse effects to proceed without resource consent such as non-commercial extraction of small quantities of sand and burial of marine mammals Efficient as Proposed Plan continues to provide for disturbance, deposition and extraction activities in the CMA otherwise restricted by Section 12(1)(c) and (d) of the RMA Efficient in that coastal disturbance and temporary occupation activities with public benefits have reduced consenting and compliance costs, subject to the appropriate management of adverse effects Efficient as Proposed Plan bundles rules and streamlines consenting processes
	Community and environment	<i>Low</i>	<i>High</i>	Effective as Proposed Plan maintains <b>Taranaki's high overall natural character</b> and coastal water quality Effective as Proposed Plan protects and restores coastal natural, historic, cultural and social values and minimising adverse impacts on <b>people's use and enjoyment in the CMA</b> Effective in providing greater protection of coastal indigenous biodiversity, particularly aspects most at risk or vulnerable to coastal disturbance and deposition activities Allows for some dredging and other activities that provide for the safe and efficient operation of Port Taranaki
Option 2: <i>Status quo</i>	Council	<i>Medium</i>	<i>Low</i>	Fails to allow minor disturbance activities with less than minor adverse effects to proceed without resource consent such as non-commercial extraction of small quantities of sand and burial of marine mammals
	Resource users	<i>High</i>	<i>Low</i>	May unnecessarily be restricting coastal disturbance activities delivering public benefits Fails to allow minor disturbance activities with less than minor adverse effects to proceed without resource consent such as non-commercial extraction of small quantities of sand
	Community and environment	<i>Medium - high</i>	<i>Low</i>	May preclude activities in the CMA delivering public benefits and which in turn may contribute to the protection and restoration of coastal <b>values and minimising adverse impacts on people's use and enjoyment in the CMA</b>
Conclusion	Option 1 is considered the most appropriate way to achieve Plan objectives with the benefits outweighing the costs. Option 1 builds on the current Coastal Plan framework to provide guidance on disturbance activities in the CMA. However, Plan provisions have been streamlined to promote efficiencies and transparency. The proposed changes are not anticipated to increase the number of consents required in the CMA. Indeed compliance costs should be reduced through the bundling of rules and the inclusion of two new rules to allow non-commercial extraction of small quantities of sand and burial of marine mammals to be undertaken as a permitted activity, subject to the appropriate management of any environmental effects.			

## 7.13 Coastal reclamation, drainage, take and use, and noise

### Proposed provisions (Minor changes)

Proposed provisions relating to reclamation and drainage in the CMA	
Objectives	Objectives 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13
Policies*	Policy 45: Appropriateness of reclamation or drainage Policy 46: Design of reclamation Policy 47: Taking and use of coastal water or heat or energy from coastal water Policy 48: Damming or diversion of coastal water Policy 49: Noise and vibration
Rules	Rules 62 – 66 General Standard 8.6.3

\* These policies apply to reclamation and drainage in the CMA, the taking or use of water, heat or energy in the CMA, and noise and vibration activities in the CMA. They are in addition to the General Policies 1-21 – refer previous discussions – which also apply.

### Explanation and evaluation

#### Policy intent

Activities in the CMA involving reclamation, drainage, the taking, damming and diversion of water, taking or use of heat or energy, and noise (including vibrations) are generally restricted by sections 12(1)(a), 14(2) and 16 of the RMA. Outside the eastern reclamation at Port Taranaki, there has been no interest in Taranaki for coastal reclamations and drainage to date. There is also little demand relating to the taking, damming and diversion of water, taking or use of heat or energy, and noise – most of these activities are small scale and are permitted without the need for a resource consent subject to appropriate management of adverse effects.<sup>43</sup> As at October 2017, there are six consents (or 2.3% of total active coastal consents) relating to the taking of produced water and associated heat in the CMA – all of which related to hydrocarbon exploration activities (refer Table 9 below).

In addition to General Policies 1 to 20 (all of which apply), Policies 45 to 49 provide specific guidance and direction on managing adverse effects associated with these activities. Together with Rules 63 -67 and General Standard 8.6.3, they contribute to all 13 of the Proposed Plan’s objectives.

Table 9: Other consented activities in the Taranaki CMA

Other consented activities	No. of consents	% of consented discharges
Taking of produced water and associated heat in the CMA	6	100%

#### Policies 45 and 46: Coastal reclamation and drainage

Reclamations (and drainage) can have significant adverse effects on the environment and on public use and enjoyment in the CMA. Through Policy 45 reclamation and drainage of land in the CMA will generally not be allowed unless Council can be satisfied that the consideration matters listed in the Policy can be met. The consideration matters relate to locational constraints landward of the CMA line, lack of practicable options, and provision for significant public benefits.

<sup>43</sup> Most of these activities tend to be infrequent or auxiliary to other activities being undertaken in the CMA. However, standards, terms and conditions still apply as they may be in a location or of a scale that they can have significant adverse effects, e.g. reclamations resulting in the destruction of inter-tidal habitat or sites and places with historic heritage values, and seismic testing with potential impacts on marine mammals

Policy 46 sets out additional guidance and direction on the design and form of any reclamation of land in the CMA. The Policy requires consideration of the potential effects of climate change, including sea level rise, over 100 years, public access and connectivity along the coast, and being undertaken in a manner and location that has regard to the value and sensitivity of the area being affected.

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

Policy 47 generally allows the taking and use of coastal water, heat and energy in recognition that coastal water is abundant and that no conceivable level of abstraction will significantly alter coastal water levels amount. The policy is however subject to the activity not being of a quantity or rate that it would have adverse environmental effects. Rules that give effect to the policy differentiate between the open coastal waters and estuaries, which often provide nursery areas, spawning area, and nutrients for aquatic life and which maybe more sensitive and vulnerable to the adverse effects from the taking and use of coastal water, heat or energy.

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

Policy 48 recognises that the damming and diversion of coastal water (most likely in and around estuaries) may occur subject to not causing adverse environmental effects.

#### Policy 49: Noise and vibration

Some activities undertaken in the CMA such as construction work, industrial operations on port wharves, flaring or noisy coastal structures or vessels cause noise or vibrations that can have impacts on coastal values and people's use and enjoyment of the coast. Policy 49 requires such activities to manage any noise or vibration in a manner that minimises such effects.

#### Rules 62 to 66 and General Standard 8.6.3

Rules 62 – 66 control activities relating to coastal reclamation, drainage, take and use, and noise and vibration in the CMA. Supported by the general and activity specific policies, the rules adopt a tiered approach based on type, scale and significance of the activity and where the activity occurs (i.e. the coastal management area). Rules are increasingly restrictive in unmodified areas (e.g. outstanding coastal areas) and more permissive in the highly modified environments like the Port.

Rules 62 to 64 provide for reclamation or drainage activities in the CMA. The rules are generally restrictive in accordance with the Plan's policy direction – ranging from discretionary activities in the Port, Open Coast and Estuaries Modified to being prohibited activities in Outstanding Coastal Value areas and Estuaries Unmodified (and where the work is not for erosion or flood control purposes).

Rule 65 generally allows the taking and use of coastal water or any heat or energy from coastal water, excluding water in estuaries and where the activity would adversely affect regionally and nationally significant surf breaks (Schedule 7A), historic heritage (Schedule 5), and indigenous biodiversity (Schedule 4A).

Rule 66 provides for the taking and use of coastal water or any heat or energy from coastal water not provided for by Rule 65 as a discretionary activity.

General Standard 8.6.3 covers noise within the CMA whereby noise limits cannot exceed a permitted noise limit level. The specified noise limits target port activities, construction, maintenance or demolition activities, temporary activities and other activities. The noise limits align with those for adjoining land in the relevant district plan.

#### **Key changes from current Coastal Plan**

The aforementioned approach builds on existing provisions managing the effects of reclamation, drainage, the taking, damming and diversion of water, taking or use of heat or energy, and noise within the CMA. Key changes include:

- bundling of policies and rules in the Coastal Plan to streamline decision making considerations and improve alignment across the Plan
- revised noise limits set out in General Standard 8.6.3 to align with New Plymouth and South Taranaki district council requirements for similar activities
- standards, terms and conditions protecting coastal values identified or described in the Proposed Plan schedules
- identification of coastal sites and places of significance for their natural, historic and amenity values in the Proposed Plan schedules where activities are more likely to be restricted.

#### **Reasonable practicable options**

The alternative to the proposed provisions is to allow continuation of the *status quo*, i.e. do nothing further to the current operative provisions. However, an assessment of the benefits and costs of the two options show that benefits of the proposed changes outweigh the costs (refer Table overleaf) and are the most appropriate way of achieving the Plan objectives.

## Assessment of benefits and costs

Policy options	Effectiveness and efficiency			
	Parties	Costs	Benefits	Discussion
Option 1: Make key changes to the Coastal Plan including <ul style="list-style-type: none"> <li>streamlined Plan provisions</li> </ul>	Council	<i>Low</i>	<i>High</i>	Efficient as Proposed Plan provides direction and guidance on managing reclamation, drainage, water takes and noise activities in the CMA otherwise restricted by sections 12(1)(a), 14(2) and 16 of the RMA. These activities make up approximately 2% of all coastal consents Efficient as Proposed Plan bundles rules to streamline Plan and consenting process
	Resource users	<i>Low</i>	<i>High</i>	Efficient as Proposed Plan continues to provide for reclamation, drainage, water takes and noise activities in the CMA otherwise restricted by sections 12(1)(a), 14(2) and 16 of the RMA Efficient as Rule 65 and General Standard 8.6.3 allow minor coastal water takes and noise activities to proceed without resource consent, subject to the appropriate management of adverse effects Efficient as revised policies provides clearer direction and guidance on undertaking reclamation, taking and noise activities in the CMA Allows for some adverse effects on coastal values
	Community and environment	<i>Low</i>	<i>High</i>	<b>Effective in maintaining Taranaki's high overall natural character</b> Effective in promoting <b>the protection and restoration of coastal values and minimising adverse impacts on people's use and enjoyment in the CMA</b> Effective in providing greater protection of coastal indigenous biodiversity, particularly aspects most at risk or vulnerable to use and development activities
Option 2: <i>Status quo</i>	Council	<i>Medium</i>	<i>Low</i>	Fails to allow minor reclamation, taking and noise activities in the CMA with less than minor adverse effects to proceed without resource consent
	Resource users	<i>High</i>	<i>Low</i>	May unnecessarily be restricting coastal reclamation, taking and noise activities Fails to allow minor reclamation, taking and noise activities with less than minor adverse effects to proceed without resource consent such as minor takes of water for boat cleaning purposes
	Community and environment	<i>Medium - high</i>	<i>Low</i>	May preclude activities in the CMA delivering public benefits and which in turn may contribute to the protection and restoration of coastal <b>values and minimising adverse impacts on people's use and enjoyment in the CMA</b>
Conclusion	Option 1 is considered the most appropriate way to achieve Plan objectives with the benefits outweighing the costs. Option 1 builds on the current Coastal Plan framework to provide guidance on reclamation, water take and noise activities in the CMA. However, Plan provisions have been streamlined to promote efficiencies and transparency. The proposed changes are not anticipated to increase the number of consents or consenting and compliance costs required in the CMA.			



## 8 Assessment of economic impacts and risk of acting or not acting

### 8.1 Impacts on economic growth and employment

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

Establishing the link between some of the likely economic impacts, for example, cost to resource user, and GDP and employment is tenuous in many cases. However, overall the proposed changes to the Coastal Plan are anticipated to support economic growth and employment in the region.

The proposed changes largely build on the current Coastal Plan, which has been efficient and effective in providing for appropriate use and development in the CMA while maintaining environmental values. The effects of the proposed changes to the Coastal Plan are therefore generally considered to be limited and, in some cases, beneficial.

Proposed changes to the current Coastal Plan are anticipated to promote economic growth and employment by:

- the expansion of the Coastal Management Area – Port to provide for safe and efficient operations of Port Taranaki
- recognising and providing for other regionally important infrastructure that contributes to the economic wellbeing of the region, including oil and gas facilities and arterial pipelines, the national electricity grid, and strategic telecommunications and radio communication facilities
- minimising consenting processes where it is appropriate to do so and through the bundling of rules relating to specific activities

- increased business certainty around consenting requirements (and environmental limits to be met)
- providing for the management of reverse sensitivity effects on existing uses and values
- protecting and promoting those aspects of the coastal environment that make Taranaki a unique and special place to live and visit, including enhanced recreational and tourism opportunities associated with the protection of Taranaki's high quality surf breaks.

In addition to the proposed changes, existing provisions and policies in the current Coastal Plan are expected to continue to contribute to economic growth and employment in the region. Use and development activity occurring in the CMA is dominated by Port Taranaki.

Port Taranaki is the second biggest seaport in New Zealand for export volumes, with 3.6 million tonnes, or \$1.46 billion, exported. Port Taranaki is fifth biggest for total trade volumes with 4.2 million tonnes.

The port's operation, and flow on effects, are estimated to generate \$28 million gross domestic product (GDP) or value added for the 2016/2017 financial year and provide 319 full time equivalent jobs (FTEs). Total export volumes from Port Taranaki accounted for 9.1% of all port exports nationally. The two main exports were methanol and logs (51%) and mineral fuels and oils (41%).

Port users and associated service industries with the port are expected to generate \$353 million GDP for the current year, and 929 FTEs.

A Business and Economic Research Ltd (BERL) report<sup>44</sup> on the economic impacts of Port Taranaki confirmed that Port Taranaki continues to play a vital role in the regional economy and employment. Overall, the Port and its associated activities would total just under \$400 million GDP and almost 1250 FTEs in the current year. To put these figures into context, BERL's local authority database indicates that Taranaki's GDP in the year ending March 2016 was \$8,743 million and employment in the region was 51,911 FTEs.

Some of proposed changes to the current Coastal Plan may constrain some economic growth and employment. However, any constraints are likely to be limited given the relatively low level of use and development occurring within the CMA (i.e. 263 active coastal consents) and that the number of new coastal consents granted in any given year has been in the order of three

<sup>44</sup> Business and Economic Research Ltd, 2017: *Making Sense of the Numbers – Assessment of the Impact of Port Taranaki*. Document number 1977555.

to eight new consents per annum. Potential impacts on economic growth and development arising from the proposed changes include:

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

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



The Proposed Plan recognises Port Taranaki as regionally important infrastructure and provides a policy framework for safe and efficient operations.

## 8.2 Risk of acting or not acting

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

For most matters relating to coastal management, including use and development within the CMA, the Council has sufficient information arising from its interim reviews, state of the environment monitoring and feedback on the draft Plan provisions, which did not raise any fundamental issues with acting in the manner proposed. Therefore, there is a low risk of acting in the manner proposed.

For most matters relating to natural character, features and landscapes, and in relation to coastal water and air quality, the Council has sufficient information to determine the appropriateness, efficiency and effectiveness of Plan provisions. The Proposed Plan provisions are based on state of the environment reporting and a position paper that examined more

detailed information about the values of the natural features and landscapes in the coastal environment. In addition, feedback on the draft provisions has informed the development of Proposed Plan provisions. The Council undertakes significant state of the environment monitoring of coastal water and air quality. Proposed Plan provisions take into account the high coastal water and air quality and are seeking to maintain and improve on that. Feedback on the draft provisions did not raise any fundamental issues with acting in the manner proposed although differing expectations relating to the management of treated wastewater were noted. Therefore, there is a low to medium risk of acting in the manner proposed however it is noted that Proposed Coastal Plan provisions build on existing Coastal Plan provisions and strongly align with national directions set out in the NZCPS.

In relation to coastal indigenous biodiversity, there is sufficient information for identifying those elements of indigenous biodiversity that are regionally significant. However, there is considerable variability and gaps in information identifying significant habitats of native species, particularly marine. Mapping all coastal and marine sites and places in the CMA would have been prohibitively expensive and unlikely to be a complete and/or be an accurate record. Accordingly, for the purposes of this review, the Council prepared a descriptive schedule to identify coastal and marine habitat types and species of significance. Proposed rules apply whereby consents are required for activities in the CMA impacting on these habitat types and species. As part of the consenting process, applicants will be required to clearly identify and adopt measures to protect those values (decisions will be informed through Council biodiversity datasets and GIS systems that will be regularly updated over time by, amongst other things, new information identified as part of consenting assessments of environmental effects). Of note permitted activities are not generally of a type, scale and/or location to adversely impact on indigenous biodiversity within the coastal environment. Feedback on the draft Coastal Plan provisions identified broad but not universal acceptance for the proposed approach. Therefore, there is a low to medium risk of acting in the manner proposed.

The Council has a much more comprehensive picture identifying sites of historic heritage significance. Through this Plan review process, the Council has identified and/or mapped all known coastal historic heritage sites in the CMA, including iwi sites of significance. It is recognised that relevant schedules may need to be expanded upon over time as there is a likelihood of other unrecorded sites being discovered over time. However, the benefits of proceeding with the Proposed Plan changes are that they provide certainty and clarity for resource users on the need to manage adverse effects on known historic heritage sites and values and ensures appropriate measures can be adopted to protect those values, including any newly recorded sites identified over time.

Not all iwi were prepared to share their information on sites of significance. The Te Kotahitanga o Te Atiawa Trust declined to identify sites of significance other than those already publicly recorded as their statutory acknowledgements areas. Te Atiawa are not prepared to share additional information until, in their view, a process has been set up that empowers their hapū to actively participate in Council's policy and plan development. Not all hapū and whanau supported the Iwi's position but any shift in that position and/or inclusion of additional sites will now need to be tested through the formal statutory Plan review process. The risk of incomplete knowledge or awareness of the location of sites of significance in a revised Coastal Plan is that use and development activities might inadvertently damage or degraded associated values.

Through this Plan review process, the Council has also identified and mapped all known surf breaks and carried out an assessment of their 'significance'. The benefits of proceeding with the proposed Plan changes is that it establishes a policy framework for ensuring consents are required for activities in the CMA impacting on 140 known surf breaks and ensuring appropriate measures are adopted to protect those values.

Coastal processes are natural processes that give rise to hazards when they impact on buildings and infrastructure. While the effects of climate change will vary in different areas, it is anticipated that the current erosion trends and the potential for flooding and storm damage will become more severe. At the same time there is an increasing demand to locate subdivision, use, and development as near as possible to the coastal marine area. Conflicts arise between allowing natural processes to occur (thereby protecting natural character, amenity values, beach profiles, access etc) and protecting private property, public property or infrastructure (e.g. by coastal hazard protection works) are required by the NZCPS. Therefore, there is a low risk of acting in the manner proposed.

There can be uncertainty regarding the discharge effects of contaminants on coastal ecosystems. However, most risks can be adequately assessed on a case-by-case basis through the resource consenting process and associated monitoring.

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

The underwater world of the Tapuare Marine Reserve



## 9 Summary and conclusions

This Coastal Plan review confirms that many of the current Coastal Plan provisions have over time been efficient and effective. However, since the adoption of the current Coastal Plan, there have been a number of change factors or developments that have occurred and which have been taken into account as part of this review and the development of a revised Plan. These include:

The Proposed Plan builds on the current Coastal Plan, which has been confirmed through interim reviews and state of the environment monitoring to be generally effective and efficient in promoting the sustainable management of natural and physical resources in the CMA.

Notwithstanding that, inevitably changes are required over time to update the Coastal Plan to ensure it remains relevant and to ensure Plan provisions are appropriate, efficient and effective. For example, coastal state of the environment trends and monitoring have flagged some issues for ongoing or heightened attention. There is also an opportunity to update Plan provisions to take into account Council and resource users' experiences in implementing the Plan plus change factors such as amendments to the RMA, the adoption of a revised RPS, and the promulgation of the NZCPS and other legislation.

Through this review the Council is proposing a number of changes to the current Coastal Plan. Most of the changes proposed are relatively minor but nevertheless will improve the effectiveness and efficiency of Plan implementation. These changes include:

- streamlined Plan to improve the readability and interpretation of Plan provisions
- minor inconsequential changes to update the Plan to address promulgation or amendments to legislation and to align with other planning documents such as the NZCPS and RPS
- integration of tangata whenua principles and values throughout the Proposed Plan provisions (reflecting feedback from tangata whenua not to have a separate stand-alone chapter)
- Plan objectives, general policies, and non-regulatory methods that recognise cross-boundary effects from activities undertaken in the CMA on the landward side of the coastal environment
- explicit recognition and provision for regionally important infrastructure, including Port Taranaki, telecommunications, and flood protection works

- bundling of activities within rules to streamline regulatory requirements and ensuring the fuller consideration of effects.

Other changes incorporated into the Proposed Plan are more substantial and represent a shift in the level of protection afforded to coastal uses and values. They include:

- new coastal areas of outstanding value identified
- all coastal areas of outstanding value mapped to recognise values on the inland component of the coastal environment.
- enhancement of coastal water quality in that part of the CMA identified in Schedule 3 of the Proposed Plan where there has been localised degradation of water quality resulting in restrictions to shellfish gathering and recreational bathing
- increased restrictions on discharges of wastewater containing human sewage
- increased restrictions on hard protection structures
- increased protection for coastal indigenous biodiversity
- increased protection of historic heritage, including sites of significance to Māori
- increased protection for surf breaks, including very high level of protection for the 'Significant Surfing Area'
- identification and mapping (where practicable) of sites of significance, including coastal management units, coastal areas of outstanding value, significant indigenous biodiversity, historic heritage (including iwi sites of significance), coastal areas targeted for enhanced water quality, and significant amenity values, including surf breaks.

To give effect to Section 32(1)(a) of the RMA, this report evaluates the appropriateness of each objective in the Proposed Plan to achieve the purpose of the RMA. Section 6 of this report confirms that the proposed objectives are the most appropriate way to achieve the purpose of the RMA.

To give effect to Section 32(1)(b) and (2) of the RMA, Section 7 of this report documents the appropriateness of the Proposed Plan's policies and rules having particular regard to the efficiency and effectiveness of the provisions, including the benefits and costs of the proposals (and other reasonably practicable options) to the region.

The benefit/cost assessments involved largely subjective assessments taking into account supporting planning documents, technical reports and research, the experiences and learning

identified by Council over the life of the current Coastal Plan, and through engagement and consultation to date in the development of the Proposed Plan. This report confirms that the Proposed Plan policies and rules are the most appropriate way to achieve the objectives and that the anticipated benefits of the proposal outweigh the costs. Furthermore the impacts of the Plan on economic growth are, in the main, considered to be limited and, in some cases, beneficial. By its very nature, the Plan does impose regulatory constraints on use and development activities in the CMA. However, in all cases these constraints are considered justifiable and appropriate having regard to environmental, social and cultural benefits anticipated.

As previously noted, this report has necessarily summarised assessments of the appropriateness, benefits and costs of Proposed Plan provisions. For further information and reading on Council planning documents, technical reports and research that informed this review please refer to the reference section of this report.



# Glossary of terms or acronyms

*This section provides the meanings of words defined in the Proposed Plan and used in this report, including acronyms.*

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

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

**Archaeological site** means 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.

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

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

**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 marine area** or **CMA** 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 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 106<sup>45</sup> 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.

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

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

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

**District plan** means an operative plan approved by a territorial authority under the First Schedule (of the RMA); 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.

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<sup>45</sup> Section 106 of the RMA does not apply to regional consents.

**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 Pātea, Waiwhakaiho or Waitara estuaries, and which are surrounded by urban, extensively modified, environments.

**Estuary unmodified** means the Coastal Management Area 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.

**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** mean 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; and
  - iv. surroundings associated with the natural and physical resources.

### 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 Māori 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 Māori 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.

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

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

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

- (a) as agreed and set between the Minister of Conservation, the regional council, and the appropriate territorial authority in the period between consultation on, and notification of, the proposed regional coastal plan; or
- (b) as declared by the Environment Court under Section 310 upon application made by the Minister of Conservation, the regional council, or the territorial authority prior to the plan becoming operative,

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

**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.

**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.

**Proposal** means a proposed standard, statement, national planning standard, regulation, plan, or change for which an evaluation report must be prepared under the *Resource Management Act 1991*.

**Provisions** means,—

- (a) for a proposed plan or change, the policies, rules, or other methods that implement, or give effect to, the objectives of the proposed plan or change; and
- (b) for all other proposals, the policies or provisions of the proposal that implement, or give effect to, the objectives of the proposal.

**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 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 4A 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.

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

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

**Regional 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.

**Repair** means reconstruction.

**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 4B of the Plan where there is a low tolerance of the habitat to damage from an external factor and where the time taken for its subsequent recovery from damage sustained is significant.

**Sewage** means:

- (a) drainage and other wastes from any form of 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.

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

**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.

**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.

**Tangata whenua** in relation to a particular area, means the iwi, or hapū, 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.

**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*.

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

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

**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 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.



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## Appendix I: Summary of stakeholder engagement

Key stakeholder engagement informing Coastal Plan review				
	What	When	Who	Description of engagement
Preliminary engagement	Iwi thinkers group	26 October 2012	Interested Iwi and <b>hapū</b> representatives	Pan-iwi hui to discuss review of RMA plans, including Coastal Plan, and identify resource management issues of significance to tangata whenua issues and their expression in plans
	Iwi thinkers group	20 March 2013	Interested Iwi and <b>hapū</b> representatives	Pan iwi hui to discuss options for identifying resource management issues of significance to tangata whenua issues and the scheduling of significant sites in RMA plans
	Coastal archaeological report	Early to mid-2013	Iwi authorities	Draft coastal archaeological report distributed to Taranaki Iwi 26 February 2013 Hui with Taranaki Iwi on identification of historic and cultural heritage sites 15 March 2013 Prepared and distributed coastal archaeological report seeking feedback and input Seven hui (25 March to 16 May 2013) with interested iwi to discuss Coastal Plan review and outcomes of the coastal archaeological report
	Further iwi engagement	Mid to late 2013	Iwi authorities	Six hui with interested iwi to update on Coastal Plan review process, including overview of proposed major changes and presentation of <b>Māori</b> values in the Plan
	Draft coastal policy framework	Early to mid-2014	Iwi authorities	Prepared and distributed initial draft issues, objectives and policies for inclusion in a Coastal Plan seeking feedback on 6 May 2014 Six hui with iwi to discuss draft issues, objectives and policies and any feedback (31 January, 14 July, 15 July, 21 July, 22 July, 29 July, 31 July 2014)
	Further iwi engagement	Mid to late 2014	Iwi authorities and Te Atiawa <b>hapū</b>	Emailed updates on Coastal Plan review process with request to meet to discuss review 6 August and 10 October Hui with <b>Ngāti Mutunga</b> , 17 September 2014 Hui with Manukorihi <b>hapū</b> , 13 November 2014
	Coastal areas with outstanding natural character, features and landscapes	Early to late 2015	Department of Conservation, iwi, district councils, non-government organisations, Port Taranaki, recreational groups	Prepared and distributed position paper on the identification of coastal areas with outstanding natural character, features and landscapes seeking feedback, 1 August 2015 Deadline for comments October 2015. Feedback received from four respondents - <b>Surfing Taranaki, Ngāruahine Iwi, South Taranaki District Council</b> and the Department of Conservation
	Further iwi engagement	Mid to late 2014	Iwi authorities	Four hui with interested individual iwi updating on Coastal Plan review process, including overview of proposed major changes and presentation of <b>Māori</b> values in Draft Plan (8 June, 8 July, 12 July, 27 July 2014)

Key stakeholder engagement informing Coastal Plan review				
What	When	Who	Description of engagement	
Targeted consultation on Draft Plan	Draft Coastal Plan	1 August to 18 November 2016	Major coastal consent holders, consultants, energy and mining companies, infrastructure companies, iwi and <b>hapū</b> , district councils, non-government organisations, Port Taranaki, recreational groups, research companies	Draft Plan released for targeted consultation 1 August Feedback sought from 166 iwi, <b>hapū</b> and stakeholder contacts plus other interested parties on draft Plan Online submission forms and Draft Plan placed on Council website seeking feedback 101 responses received providing feedback on the draft Plan Factsheets prepared and distributed summarising key changes and issues addressed in the Coastal Plan review
	Face-to face meetings on Draft Coastal Plan provisions	Mid to late 2016	Coastal board riders, local <b>hapū</b>	One public meeting held at Rahotu relating to surfing provisions
			Industry and major stakeholder groups	Meeting and workshop to identify and discuss RPS and Coastal Plan issues - 25 July 2016
			Non-government organisations and community groups	Meeting and workshop to identify and discuss RPS and Coastal Plan issues - 3 August 2016
			Department of Conservation	Meeting and workshop to identify and discuss RPS and Coastal Plan issues - 9 August 2016
			Ngati Mutanga	Meeting and workshop to identify and discuss RPS and Coastal Plan issues - 9 August 2016
			Taranaki and Te Atiawa iwi	Hui to identify and discuss Coastal Plan and other planning matters - 10 August 2016
			Heritage New Zealand	Meeting and workshop to identify and discuss RPS and Coastal Plan issues - 12 August 2016
			Taranaki District Health Board	Meeting and workshop to identify and discuss RPS and Coastal Plan issues - 18 August 2016

Key stakeholder engagement informing Coastal Plan review				
What	When	Who	Description of engagement	
Post Draft Plan	Revised Draft Coastal Plan	4 August 2017	All respondents to the Draft Coastal Plan	Track change version of revised Coastal Plan incorporating feedback from consultation circulated to all respondents
	Further iwi engagement	7 December 2016 to 24 December 2017	Te Atiawa	Hui to discuss Coastal Plan review process, including mechanisms for improved iwi engagement - 7 December 2016 Hui, correspondence and workshops to identify iwi sites of significance – 7 December 2016, and 12 May, 7 September, 12 October, 10 November 2017
			Nga Mahanga a Tairi hapū	Hui at Puniho Marae to identify and discuss RPS and Coastal Plan issues - 22 January 2017 Correspondence and meeting to discuss draft Plan – 23 August 2017
			Ngāruahine	Hui to discuss Iwi feedback on draft Plan - 31 January, 15 June 2017 Correspondence to identify iwi sites of significance
			Puketapu hapū	Hui at Puketapu Marae to discuss Coastal Plan review process, including mechanisms for improved iwi and hapū engagement - 7 May 2017
			Ngaa Rauru	Hui to discuss Iwi feedback on draft Plan – 18 May 2017 Hui, correspondence and workshop to identify iwi sites of significance - 20 July 2017
			Taranaki	Hui, correspondence and workshop to identify iwi sites of significance – 7 December 2016, and 12 May, 7 September, 12 October, 9 November 2017
			Ngati Mutanga	Hui, correspondence and workshop to identify iwi sites of significance – 7 September, 12 October, 31 October 2017
			Ngati Ruanui	Hui to discuss Iwi feedback on draft Plan – 8 June 2017 Further comments received on draft Plan. Correspondence and teleconference to discuss feedback and identify iwi sites of significance – 16 November 2017
			Other engagement	Mid 2017
	Mid 2017	New Plymouth Surf Riders Club		Meeting to discuss feedback and changes to the draft Plan
	Early 2017	Port Taranaki		Meeting to discuss feedback and changes to the draft Plan
	25 July 2017	Royal Forest and Bird Protection Society		Teleconference meeting to discuss feedback and changes to the draft Plan
	27 July 2017	District councils		Meeting with New Plymouth and South Taranaki district councils to discuss feedback and changes to the draft Plan
	Surfing survey	28 April to	Surfing community	Input into a study identifying surf breaks of value to the community and the attributes that make them important

Key stakeholder engagement informing Coastal Plan review				
	What	When	Who	Description of engagement
Proposed Coastal Plan	Public notification of Proposed Coastal Plan	2017/2018	General public, tangata whenua, stakeholders	Proposed Plan released for public consultation pursuant to Schedule 1 process under the RMA - early 2018 Submissions sought from tangata whenua and stakeholder contacts plus the wider public on the Proposed Coastal Plan Online submission forms and Proposed Plan placed on Council website seeking feedback Section 32 Report, supporting technical reports and position papers, and additional and revised factsheets prepared and distributed summarising key changes and issues addressed in the Coastal Plan review Hearing of submissions.

## Appendix II: Summary of advice received from iwi authorities

Section 32(4A) of the RMA requires this evaluation report to summarise all advice concerning the Coastal Plan review received from Iwi authorities, including the Council's response and Proposed Plan provisions that give effect to that advice.

This appendix summarises the advice received from iwi authorities (and other tangata whenua) within the Taranaki region during the different stages of the Coastal Plan review, including Council's response to that advice and any changes to the current Plan. Consultation with iwi authorities for the period of October 2012 to February 2018 and the notification of the Proposed Coastal Plan has informed the Plan review process. Consultation with iwi authorities will continue to occur through the Schedule 1 Plan review process.

Summary of advice received from iwi authorities informing Coastal Plan review				
Who	What	When	Advice	Council response*
Preliminary engagement (26 October 2012 - 1 August 2016)				
Iwi thinkers group	Plan review overview	26 October 2012 20 March 2013	Support early on going engagement. Develop a Coastal Plan which incorporates tangata whenua principles and values throughout the Plan (rather than in a stand-alone section)	Council prepared a Proposed Plan that incorporates tangata whenua principles and values throughout the Plan (rather than in a stand-alone section). Objectives, policies and schedules <b>addressing matters specific to Māori remain but are integrated</b> throughout the Plan
All iwi authorities	Coastal archaeological report forwarded	Early to mid-2013	No advice provided. Outcomes of the coastal archaeological report noted	No action required
	Coastal Plan review update	Mid to late 2013	No advice provided	Council provided an update on the Coastal Plan review process, including overview of proposed <b>major changes and presentation of Māori values in the Plan</b> (six hui with individual iwi – 9 April, 16 May, 4 July, 28 August, 13 September, 4 October 2013) No action required
	Draft coastal policy framework forwarded	Early to mid-2014	<b>Ngāruahine questioned the identification of 'issues' in the draft Plan</b> with the view that they infer there is a problem, e.g. when recognising and providing for tangata whenua values No other advice provided	Council prepared and distributed initial draft issues, objectives and policies for inclusion in a Coastal Plan seeking feedback on 6 May 2014. Around the mountain hui with 6 individual iwi to discuss draft issues, objectives and policies and any feedback (31 January, 14 July, 15 July, 21 July, 22 July, 29 July, 31 July 2014) Council amended the draft Plan to identify and use the term <b>"matters to be addressed in the objectives, policies, rules and methods" (rather than the term "issues")</b> . No other action required
	Position paper on outstanding coastal areas forwarded	1 August 2015	<b>Comments provided by Ngāruahine supporting the recognition of cultural values</b> but questioned how cultural assessments relate to the different coastal units	<b>Council advised Ngāruahine that the focus of the position paper on outstanding natural areas</b> was deliberately on natural character and that sites of cultural significance will be separately addressed in the Plan. No other action required

Summary of advice received from iwi authorities informing Coastal Plan review

Who	What	When	Advice	Council response*
Targeted consultation on Draft Coastal Plan (1 August 2016 – 18 November 2016)				
Taranaki	Draft Coastal Plan forwarded	1 August to 18 November 2016	Taranaki questioned adequacy of engagement for Iwi and <b>hapū</b> on Coastal Plan review Sought that Council adopt a similar engagement process to that run by New Plymouth District Council to inform District Plan review	Council met with Iwi and noted that the Council has undertaken considerable consultation with <b>iwi and interested hapū (refer Appendix I)</b> Council further noted that issues raised have a broader application than just the Coastal Plan review or Taranaki Iwi. Iwi have been advised that, as a parallel process, the Council will engage with all Iwi o Taranaki to investigate mechanisms under LGA processes for delivering more efficient and effective tangata whenua engagement and to address iwi capacity issues Council continued to liaise with Taranaki Iwi to identify cultural sites of significance in the CMA, which were subsequently included in the Proposed Plan
Te Atiawa	Draft Coastal Plan forwarded	1 August to 18 November 2016	Te Atiawa questioned adequacy of engagement for Iwi and <b>hapū</b> on Coastal Plan review Sought that Council adopt a similar engagement process to that run by New Plymouth District Council to inform District Plan review	Comments as per above Council continued to liaise with Te Atiawa to identify cultural sites of significance in the CMA. <b>However Council was subsequently advised by Iwi that hapū were not prepared to identify their sites of significance until the issue of hapū engagement was addressed in accordance with the New Plymouth District Council model.</b> There was interim agreement to include sites already recognised as statutory acknowledgement areas in the Proposed Plan but no additional areas were identified by Te Atiawa  Of note, <b>Council received subsequent advice from some Te Atiawa hapū and whanau adopting a different position (refer discussion below)</b>

Summary of advice received from iwi authorities informing Coastal Plan review

Who	What	When	Advice	Council response*
Ngaa Rauru Kaitahi	Draft Coastal Plan forwarded	1 August to 18 November 2016	<p>Ngaa Rauru sought amendments to the draft Plan:</p> <ul style="list-style-type: none"> <li>• to highlight tangata whenua's special status as a Treaty partner</li> <li>• to identify south Taranaki Bight's reef system as area of outstanding value</li> <li>• on policies 1, 2, 4, 5, 8, 11, 13, 19 to 22, 24, 31, 34, 35, 46 and 52 to reference iwi values and aspirations</li> <li>• on methods 11, 17, 19 and 24</li> <li>• on rules 17, 25 and 58</li> <li>• clarify financial contributions for iwi interests</li> </ul>	<p>Council made key changes to the draft Plan which have been incorporated into the Proposed Plan, including:</p> <ul style="list-style-type: none"> <li>• amendments to, policies 2, 4, 5, and 31</li> <li>• amendments to rules 1 and 30</li> <li>• streamlined activity-specific policies to avoid unintended duplication (and gaps) in relation to avoiding, remedying and/or mitigating adverse effects on coastal values</li> <li>• amended Method 17 to refer to tangata whenua</li> <li>• amended rules 57 and 58 to include standards, terms and conditions protecting scheduled historic heritage values and/or iwi notification requirements</li> <li>• amended Schedule 1 and 2 to identified Project Reef as an Outstanding Value Coastal management Area</li> </ul> <p>Council circulated revised draft showing track changes to Ngaa Rauru and held face-to-face hui <b>to clarify issues, discuss iwi feedback, and the Council's response</b></p> <p>Council continued to liaise with Ngaa Rauru to identify cultural sites of significance in the CMA, which were subsequently included in Schedule 5B of the Proposed Plan</p>
Ngāruahine	Draft Coastal Plan forwarded	1 August to 18 November 2016	<p><b>Ngāruahine questioned development and inclusion of tangata whenua principles and values in the draft Plan</b></p> <p>Commended Council on efforts to incorporate tangata whenua principles in the draft Plan</p>	<p>Council amended the draft Plan to delete inclusion of tangata whenua principles and values with agreement that it be a tangata whenua-led process be developed as part of the RPS review process</p> <p>Council revised <b>draft Plan showing track changes in response to respondents' feedback. Council undertook face-to-face hui to clarify issues, discuss iwi feedback, and the Council's response</b></p> <p><b>Council liaised with Ngāruahine to identify cultural sites of significance in the CMA, which were subsequently included in Schedule 5B of the Proposed Plan</b></p>

Summary of advice received from iwi authorities informing Coastal Plan review

Who	What	When	Advice	Council response*
Ngati Ruanui	Draft Coastal Plan forwarded	1 August to 18 November 2016	<p>Ngati Ruanui sought amendments to the draft Plan:</p> <ul style="list-style-type: none"> <li>to recognise MACA</li> <li>on the description of the coastal environment</li> <li>on Objectives 8, 9, 10 , and 11 to reflect Iwi values and aspirations</li> <li><b>to identify Tangahoe, Pātea, Manawapou and Waingongoro River estuaries, eel migratory paths, and South Taranaki Bight's Reef System as areas of outstanding value</b></li> <li>on policies 1, 2, 4, 9, 12, 13, 17, 19, 22 to 30, 32, 34, 37, 40 to 46 to reference iwi values and aspirations</li> <li>to include new policies promoting co governance</li> <li>on rules 1, 6, 7, 23, 30,43, 51, 64 to change rule classifications, and to address iwi values/concerns or notification requirements</li> <li>to include a rule for maintenance of lawful coastal <b>structures within the Pātea mouth and estuary</b></li> </ul>	<p>Key changes to the draft Plan in response to Ngati Ruanui advice were:</p> <ul style="list-style-type: none"> <li>amendment to Section 3.2 of the draft Plan to include social values amongst tangata whenua values</li> <li>amended policies 22 to 52 (and other consequential changes) to clarify that all activity-specific policies should be read in conjunction with the general policies, including tangata whenua values</li> <li>amended to rules 1, 18, and 31 to include standards, terms and conditions addressing historic heritage and sites of significance</li> <li>amended Schedule 1 to identify and protect Waingongoro Estuary as Estuary Unmodified Coastal Management Area</li> <li>amended Schedule 1 and 2 to identify Project reef as Outstanding Value Coastal Management Area</li> </ul> <p>Revised draft showing track changes circulated to Iwi. Face-to-face hui to clarify issues, discuss <b>iwi feedback, and the Council's response</b>, including explanation of reliefs in kind or reliefs already provided for in the draft Plan provisions</p>
Ngāti Mutunga	Draft Coastal Plan forwarded	1 August to 18 November 2016	<p><b>Ngāti Mutunga</b> provided information on cultural sites of significance in the CMA</p>	<p>Council worked with <b>Ngāti Mutunga</b> to identify cultural sites of significance in the CMA for inclusion in the Proposed Coastal Plan</p> <p>Council continued to keep Iwi advised on issues and responses being raised through the Coastal Plan review process, including circulation of the revised draft Plan showing track changes in response to feedback</p>
Ngati Tama	Draft Coastal Plan forwarded	1 August to 18 November 2016	No advice received	<p>Council has identified sites of significance to Ngati Tama based upon sites and places in or overlapping the CMA that have been identified as statutory management area</p> <p>Council has continued to provide updates to Ngati Tama on the Coastal Plan review process</p>

Summary of advice received from iwi authorities (and tangata whenua) informing Coastal Plan review

Who	What	When	Advice	Council response*
Further engagement (18 November 2016 – 17 February (notification of Proposed Plan))				
Te Atiawa	Coastal Plan review process	7 December 2016	Te Atiawa discussed Coastal Plan review process, including mechanisms for improved iwi engagement	Council met with Iwi and noted that the issues raised have a broader application than just the Coastal Plan review or Te Atiawa Iwi  Iwi have been advised that, as a parallel process, the Council will engage with all Iwi o Taranaki to investigate mechanisms for delivering more efficient and effective tangata whenua engagement and to address iwi capacity issues
	Identification of sites of significance	12 May, 7 September, 12 October, 10 November 2017	Te Atiawa sought additional time initially to provide feedback on the draft Plan provisions, and then to identify sites of significance. Identification of sites of significance was subject to agreement on iwi having affected party status in relation to these sites  Te Atiawa initially provided information on cultural sites of significance in the CMA but subsequently advised that <b>hapū were not prepared to identify their</b> sites of significance <b>until the issue of hapū engagement was addressed in</b> accordance with the New Plymouth District Council model. They sought that the Proposed Plan include only those sites already recognised as statutory acknowledgement areas in the Proposed Plan	Council deferred public notification of the Proposed Plan twice, initially to allow Te Atiawa additional time to provide feedback on the draft Plan provisions and then in response to a joint request from Te Atiawa, Taranaki, and <b>Ngāti Mutunga</b> to allow the iwi further opportunity to identify sites of significance  Agreement that iwi would have affected party status in relation to sites of significance  Council liaised with Te Atiawai to identify cultural sites of significance in the CMA. Developed a mapping portal and a process with Te Atiawa to identify sites of significance. Upon receipt of advice <u>not</u> to include some sites the Council amended Schedule 5B of the Proposed Plan accordingly. Thirteen sites of significance identified in the Proposed Plan (not including those identified by Ngati Hine whanau)
		November 2017	Council received subsequent advice from Ngati Hine whanau adopting a different position to that of the Iwi authority and seeking that their sites of significance be identified in the Proposed Plan	<b>Given Te Atiawa has indicated their preference for hapū driven engagement, Council amended</b> Schedule 5B of the Proposed Plan to identify six additional sites of significance in response to the request from Ngati Hine whanau. Time constraints precluded being able to accurately map additional sites of significance overlapping but on the landward part of the CMA. Accordingly, Ngati Hine whanau was advised that Council will continue to work with them and address any additional sites through and in conjunction with the Schedule 1 process
<b>Nga Mahanga a Tairi hapū</b>	Coastal Plan review process	22 January 2017	Hui at Puniho Marae to identify and discuss RPS and Coastal Plan issues. Raised concerns around wastewater discharges	Council provided an update and noted amendments to Coastal Plan provisions requiring continual improvements to wastewater discharges. Noted some issues were identified as matters of compliance. These concerns were passed onto Inspectorate and Science Services.

Summary of advice received from iwi authorities (and tangata whenua) informing Coastal Plan review

Who	What	When	Advice	Council response*
Ngāruahine	Coastal plan provisions	31 January 2017	Hui to discuss Iwi feedback on draft Plan	Council <b>met with Ngāruahine to discuss their comments on the draft Plan and the Council's preliminary response</b> , including proposed amendments to the draft Plan Council forwarded a revised draft Plan showing track changes in response to <b>Ngāruahine</b> feedback
	Identification of sites of significance	Late 2017	<b>Ngāruahine provided information on cultural sites of significance in the CMA</b>	<b>Council liaised with Ngāruahine to identify cultural sites of significance in the CMA.</b> Developed a mapping portal and a process <b>with Ngāruahine to identify 21 sites of significance in the Proposed Plan</b>
Puketapu hapū	Coastal Plan review process	7 May 2017	Hui at Puketapu Marae to discuss Coastal Plan review process, including mechanisms for improved iwi engagement Plan	Council met with <b>hapū</b> (and their Iwi) and noted that the issues raised have a broader application than just the Coastal Plan review or Te Atiawai Iwi have been advised that, as a parallel process, the Council will engage with all Iwi o Taranaki to investigate mechanisms for delivering more efficient and effective tangata whenua engagement and to address iwi capacity issues
Ngaa Rauru Kiihahi	Coastal plan provisions	18 May 2017	Hui to discuss Iwi feedback on draft Plan	Council met with Ngaa Rauru to discuss their comments on the <b>draft Plan and the Council's preliminary response</b> , including proposed amendments to the draft Plan Council forwarded a revised Draft Plan showing track changes in response to Ngaa Rauru. In response to further feedback, Council made some subsequent amendments to the Proposed Plan to include iwi notification requirements or guidance notes to rules 20, 21, 31, 38, and 54 of the Proposed Plan. Council has progressed development of an online notification system relating to the aforementioned rules
	Identification of sites of significance	Mid to late 2017	Ngaa Rauru provided information on cultural sites of significance in the CMA	Council liaised with Ngaa Rauru Kiihahi to identify cultural sites of significance in the CMA Developed a mapping portal and a process with Ngaa Rauru Kiihahi to identify 5 sites of significance in Schedule 5B of the Proposed Plan. Agreed that further sites of significance may be identified through the Schedule 1 process

Summary of advice received from iwi authorities (and tangata whenua) informing Coastal Plan review

Who	What	When	Advice	Council response*
Ngāti Ruanui	Coastal Plan provisions	8 June 2017 16 November 2017	Hui and teleconference to discuss Iwi feedback on draft Plan	<b>Council met with Ngāti Ruanui to discuss their comments on the draft Plan and the Council's preliminary response, including proposed amendments to the draft Plan</b> <b>Council forwarded a revised Draft Plan showing track changes in response to Ngāti Ruanui.</b> In response to further feedback, Council made some subsequent amendments to Policy 13 and methods in the Proposed Plan
	Identification of sites of significance	Late 2017	<b>Ngāti Ruanui provided information on cultural sites of significance in the CMA</b>	<b>Council liaised with Ngāti Ruanui to identify cultural sites of significance in the CMA</b> Developed a mapping portal and a process with Ngāti Ruanui to identify 3 sites of significance in Schedule 5B of the Proposed Plan. Agreed that further sites of significance may be identified through the Schedule 1 process
Ngāti Mutunga	Identification of sites of significance	Late 2017	<b>Ngāti Mutunga</b> sought additional time to identify sites of significance. Identification of sites of significance was subject to agreement on iwi having affected party status in relation to these sites <b>Ngāti Mutunga</b> provided information on cultural sites of significance in the CMA	In response to a joint request from Te Atiawa, Taranaki, and <b>Ngāti Mutunga</b> , Council deferred public notification of the Proposed Plan to allow the iwi further opportunity to identify sites of significance Agreement that iwi would have affected party status in relation to sites of significance Council liaised with <b>Ngāti Mutunga</b> to identify cultural sites of significance in the CMA. Developed a mapping portal and a process with <b>Ngāti Mutunga</b> to identify 40 sites of significance in Schedule 5B of the Proposed Plan. Agreed that further sites of significance may be identified through the Schedule 1 process
Taranaki	Identification of sites of significance	Late 2017	Taranaki sought additional time to identify sites of significance. Identification of sites of significance was subject to agreement on iwi having affected party status in relation to these sites Taranaki provided information on cultural sites of significance in the CMA	In response to a joint request from Te Atiawa, Taranaki, and <b>Ngāti Mutunga</b> , Council deferred public notification of the Proposed Plan to allow further time for the Council and iwi to reach agreement on the identification of sites of significance Agreement that iwi would have affected party status in relation to sites of significance Council liaised with Taranaki to identify cultural sites of significance in the CMA. Developed a mapping portal and a process with Taranaki to identify 146 sites of significance in Schedule 5B of the Proposed Plan. Agreed that further sites of significance may be identified through the Schedule 1 process

\* Unless the context indicates otherwise, reference to Plan provisions relate to that version of the draft Proposed Coastal Plan relevant to that point of time.

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# Appendix III: Proposed rule 47 – analysis of options for permitting community, recreational or sporting activities that may restrict or exclude public access and use

## Rationale

No person may occupy any part of the CMA unless expressly allowed by, in this case, a rule in the Coastal Plan, or by a resource consent (Section 12(2)(a) RMA).

The proposed Rule 47 seeks to allow as many community, recreational or sporting events to occur as possible, without the need for resource consent. Community, sporting and recreational events are generally considered to have minimal environmental impact and provide many benefits to the community. Local and regional events provide recreational opportunities for local residents and larger national and international events contribute to the vibrancy of the region and provide economic benefits. However, the temporary occupation of parts of the CMA for community, recreational or sporting events can preclude others from using that area, e.g. 'locking up' stretches of the coast.

The proposed rule includes a number of standards, terms and conditions (all of which must be complied with) to avoid, remedy or mitigate adverse effects of temporary exclusive occupation in the CMA, including disruptions to other coastal users.

Of particular interest are the standards, terms and conditions that set thresholds relating to what constitutes "temporary" and/or what is reasonable in terms of public exclusion. The standards, terms and conditions address the duration of the event and the area of occupation (other standards, terms and conditions relate to notification requirements, the management of adverse effects, and exclusion from sites and places where it impacts on scheduled indigenous biodiversity values and historic heritage.

Activities that cannot comply with all the conditions will require a resource consent.

Refer to sections 3.2.6, 6.11, 7.8 and 7.11 of this report for further discussion on the issues and the Council's proposed management approach for addressing public use and enjoyment in the CMA.

### Duration of sporting event

In terms of potential 'demand'/need for temporary occupation of the CMA for sporting events, a review was carried out. The table below summaries the duration of various types of coastal sporting activities that occur locally and around New Zealand. Most events (excluding some international and bigger national events) would be provided for by allowing temporary occupation in the CMA over three to four days.

Duration of coastal sporting events – locally and around New Zealand		
Event		Duration
Sailing	P Class National	7
	Zephyr National	5
	Junior north island champs	3
	Local events	1
Surf Life Saving	Local carnival	1
	Regional Championship	2
	National Championship	4
Triathlon	International event	1
Surfing	Local event	2
	Raglan Pro (National)	3
	Ripcurl Grom Search (National) New Plymouth	2
	International event	9
Swimming	Flannigan Cup	1

### Comparison with other Councils

In terms of how other councils have dealt with similar issues a review was carried out of other coastal plans around New Zealand. The table below summaries similar rules included within other regional or unitary plans. Of note, a wide range of occupation periods are allowed for by other councils, ranging from 3 days to unlimited.

Temporary coastal occupation rules for community / sporting events – comparison with other coastal plans			
Region	Time Frame	Area of occupation	Rule Classification
Otago	3 days in 12 month period	0.5 ha or less	Permitted
Manawatu Wanganui	3 days	No condition/standard/term	Permitted
Hawkes Bay	No condition/standard/term	No condition/standard/term	Permitted
Bay of Plenty	14 days in 12 months	No condition/standard/term	Permitted
West Coast	3 days in 6 month period	No condition/standard/term	Permitted
Wellington	7 days in 12 month period (excluding Lambton Harbour)	1.0 ha	Permitted
Gisborne	14 days in 12 month period	No condition/standard/term (but must provide to council a statement of consultation undertaken and the response made to issues raised during the consultation)	Permitted
Auckland	Up to 21 consecutive days, Centre City and Metropolitan Centres	No condition/standard/term	Permitted
	Up to 14 consecutive days in a six-month period, outside Centre City and Metropolitan Centres		Permitted
Taranaki (proposed)	No longer than four consecutive days	No more than 300 m along or parallel to the line of mean high water spring at any time	Permitted