

Preface

This is the first regional coastal plan prepared by the Taranaki Regional Council under the Resource Management Act 1991. The passage of that Act brought about a major reform of the way in which the coastline and coastal waters of New Zealand are managed. The Taranaki Regional Council's responsibilities have been extended from its water quality management role to include such functions as control of structure placement, reclamation and foreshore works, noise emission control and air quality management. The Taranaki Regional Council is required by law to carry out coastal management through this Regional Coastal Plan for Taranaki.

The Regional Coastal Plan for Taranaki has one overriding purpose: to promote the sustainable management of natural and physical resources in relation to the coastal marine area. This means enabling people to use the coast to provide for their social, cultural and economic needs, and for their health and safety, while at the same time ensuring that the natural coastal environment remains capable of supporting marine life, retains its natural character and is able to meet the needs of future generations.

Many activities take place in the coastal marine area of Taranaki. These range from major ventures such as petroleum exploration, and the continuing development of Port Taranaki, to simple activities such as swimming, walking along the foreshore or children building sand castles against the incoming tide. The Taranaki coastline ranges from the spectacular White cliffs and river estuaries of north Taranaki, to the harsh, seawall clad foreshore of central New Plymouth, to the wide, unspoilt beaches at Waiinu in the far south of the region. The coast and seas of our region fulfil many of our recreational, cultural and economic needs.

The Regional Coastal Plan for Taranaki develops policy for the management of our coast in order to meet our needs, while continuing to be able to enjoy its natural character and unspoilt nature.

On behalf of the Taranaki Regional Council I would like to thank all those who have participated in the preparation of the Regional Coastal Plan for Taranaki. I look forward to working with you to promote the sustainable management of the coastal marine area of Taranaki.

Ross Allen
CHAIRPERSON

Users' Guide

How the Plan works

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

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

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

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

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

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

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

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

- areas of outstanding coastal value;
- estuaries (other than those in areas of outstanding coastal value);
- the open coast; and
- Port Taranaki¹.

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

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

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

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

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

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

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

Guide to consent applicants

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

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

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

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

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

In addition, does the activity involve:

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

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

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

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

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

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

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

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

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

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

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

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

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

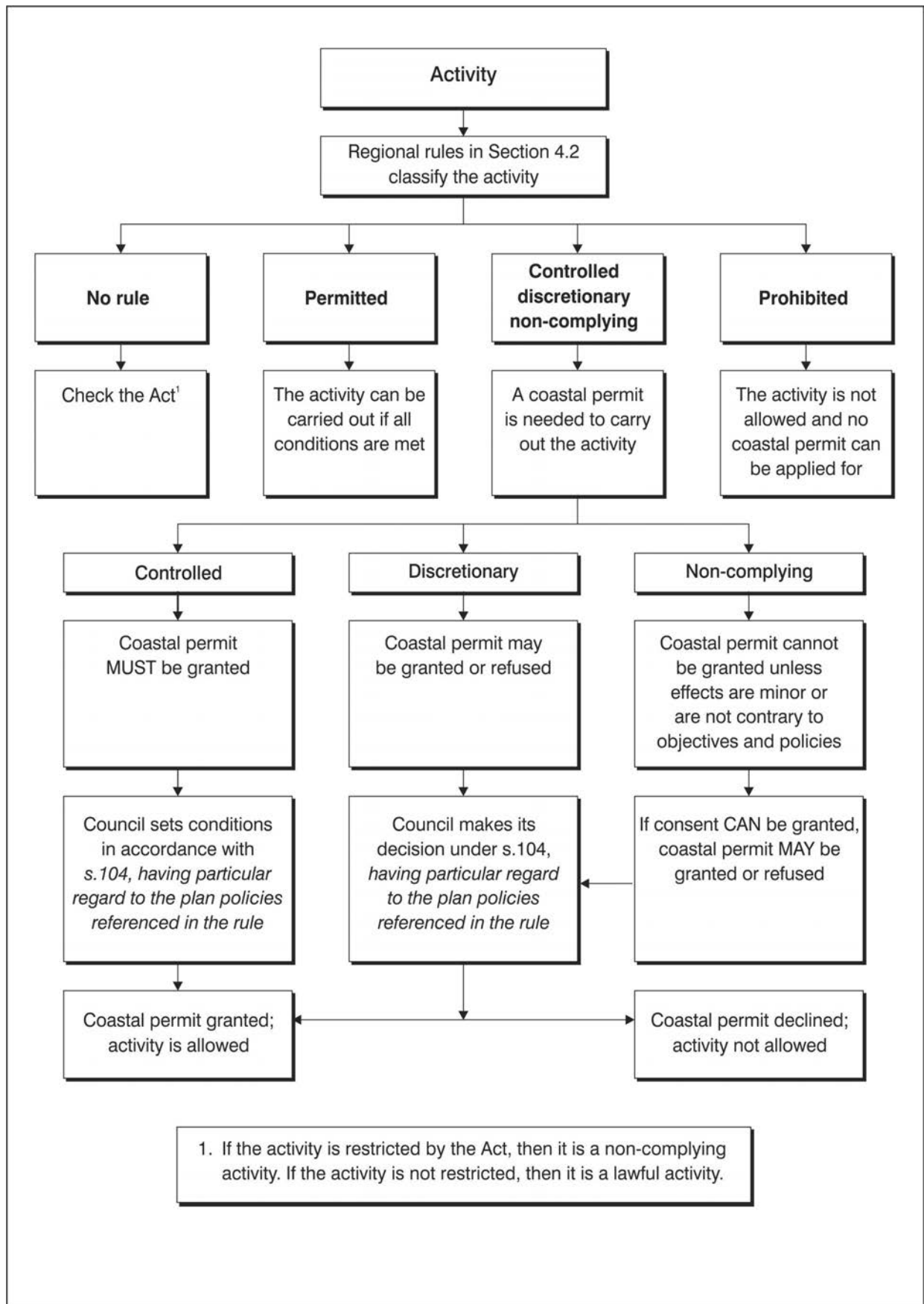


Figure 1: Activity Classifications

1. Introduction

1.1 Title

This regional coastal plan is known as the Regional Coastal Plan for Taranaki.

1.2 Purpose

The purpose of the regional coastal plan is to promote the sustainable management of natural and physical resources in relation to the coastal marine area of Taranaki.

1.3 Effect of document

This document is a statutory regional coastal plan prepared by the Taranaki Regional Council in accordance with the requirements of the Resource Management Act 1991 ('the Act').

The provisions in this plan have legal force under the Act. In particular, the plan contains regional rules which have the force and effect of a regulation under the Act. Section 84 of the Act states:

'(1) While a policy statement or plan is operative, the regional council or territorial authority concerned, and every consent authority, shall observe and, to the extent of its authority, enforce the observance of the policy statement or plan.

(2) No purported grant of a resource consent, and no waiver or sufferance or departure from a policy statement or plan, whether written or otherwise, shall, unless authorised by this Act, have effect in so far as it is contrary to subsection (1).'

1.4 Commencement

The Regional Coastal Plan for Taranaki was approved by the Minister of Conservation on August 6, 1997, and became operative on 1 October 1997.

1.5 Area of jurisdiction

This regional coastal plan has effect over the coastal marine area of the Taranaki Region.

The Taranaki Region is shown on SO Plan No. 13043 deposited with the Chief Surveyor of the Taranaki Land District. The coastal marine area is that part of the Taranaki Region which is bounded:

- seaward, by the outer limit of the Territorial Sea of New Zealand; and
- landward, by the line of Mean High Water Springs, except where that line crosses a river, in which case the boundary is as described in Section 1.5.1;
- in the north, by a line extending from the Mokau River mouth at 273° true compass bearing;

- in the south, by a line extending from east of Waiinu Beach at 195° true compass bearing.

1.5.1 Coastal marine area boundary at rivers

The boundary of the coastal marine area at rivers (as agreed pursuant to Section 2 of the Act) is as described below.

- (a) In the case of any river not referred to in (b) below, the river mouth is at the continuation of the line of mean high water springs of the coast across the river. The boundary of the coastal marine area is then a distance upstream equal to the lesser of one kilometre or five times the width of the mouth; or
- (b) In the case of any river referred to below, the boundary of the coastal marine area is as described in Appendix II. The rivers to which this applies are:
- | | |
|---------------------|---------------------|
| • Mohakatino River | • Te Henui Stream |
| • Tongaporutu River | • Huatoki Stream |
| • Mimi River | • Oakura River |
| • Urenui River | • Kaupokonui Stream |
| • Onaero River | • Tangahoe River |
| • Waitara River | • Manawapou River |
| • Waiongana River | • Patea River |
| • Waiwhakaiho River | • Whenuakura River |
| | • Waitotara River |

These rivers are shown in Map 1. These rivers are also shown on the planning maps in Section 4.0, with the exceptions of Te Henui and Huatoki Streams.

1.6 Statutory restrictions on activities

The Resource Management Act 1991 restricts certain activities under sections 12 (Restrictions on use of coastal marine area), 14 (Restrictions relating to water) and 15 (Discharge of contaminants into environment). Those restrictions are outlined here for the benefit of plan users.

Section 12 Restrictions on use of coastal marine area

- (1) *No person may, in the coastal marine area,-*
- Reclaim or drain any foreshore or seabed; or*
 - Erect, reconstruct, place, alter, extend, remove, or demolish any structure or any part of a structure that is fixed in, on, under, or over any foreshore or seabed; or*
 - Disturb any foreshore or seabed (including by excavating, drilling, or tunnelling) in a manner that has or is likely to have an adverse effect on the foreshore or seabed (other than for the purpose of lawfully harvesting any plant or animal); or*
 - Deposit in, on, or under any foreshore or seabed any substance in a manner that has or is likely to have an adverse effect on the foreshore or seabed; or*

- (e) *Destroy, damage, or disturb any foreshore or seabed (other than for the purpose of lawfully harvesting any plant or animal) in a manner that has or is likely to have an adverse effect on plants or animals or their habitat; or*
 - (f) *Introduce or plant any exotic or introduced plant in, on, or under the foreshore or seabed - unless expressly allowed by a rule in a regional coastal plan and in any relevant proposed regional coastal plan or a resource consent.*
- (2) *No person may, in relation to land of the Crown in the coastal marine area, or land in the coastal marine area vested in the regional council,-*
- (a) *Occupy the land and any related part of the coastal marine area; or*
 - (b) *Remove any sand, shingle, shell, or other natural material from the land - unless expressly allowed by a rule in a regional coastal plan and in any relevant proposed regional coastal plan or by a resource consent.*

Section 14 Restrictions relating to water

- (1) *No person may, take, use, dam or divert any -*
- (a) *Water (other than open coastal water); or*
 - (b) *Heat or energy from water (other than open coastal water) ... unless the taking, use, damming or diversion is allowed by subsection (3).*
- (3) *A person is not prohibited by subsection (1) from taking, using, damming or diverting any water, heat or energy if -*
- (a) *The taking, use, damming or diversion is expressly allowed by a rule in a regional plan and in any relevant proposed regional plan or a resource consent; or*
 - (d) *In the case of coastal water (other than open coastal water), the water, heat or energy is required for an individual's reasonable domestic or recreational needs and the taking, use or diversion does not, or is not likely to, have an adverse effect on the environment; or*
 - (e) *The water is required to be taken or used for fire-fighting purposes.*

Section 15 Discharge of contaminants into environment

- (1) *No person may discharge any -*
- (a) *Contaminant or water into water; or*
 - (b) *Contaminant onto or into land in circumstances which may result in that contaminant (or any other contaminant emanating as a result of natural processes from that contaminant) entering water; or*
 - (c) *Contaminant from any industrial or trade premises into air; or*

(d) Contaminant from any industrial or trade premises onto or into land -

unless the discharge is expressly allowed by a rule in a regional plan and in any relevant proposed regional plan, a resource consent, or regulations.

These restrictions apply in the absence of a relevant rule in this plan. Certain rules in this plan make reference to Sections 12(1), 12(2), 14 and 15 above.

1.7 Structure

The structure of this plan is based upon the requirements for a regional plan that are set out in Section 67(1) of the Resource Management Act.

Section 2.0 contains the definitions of terms used in this plan.

Section 3.0 states the **issues** that are addressed by this plan. It further explains the **objectives** to be achieved by this plan in order to address those issues, and explains the **policies** in respect of those issues and objectives. It states the **methods** to be used to implement the policies, along with the principal reasons for adopting those methods. Finally, it states the anticipated environmental results.

Section 4.0 contains the detail of **regional rules** which are used to give effect to the policies in Section 3.0.

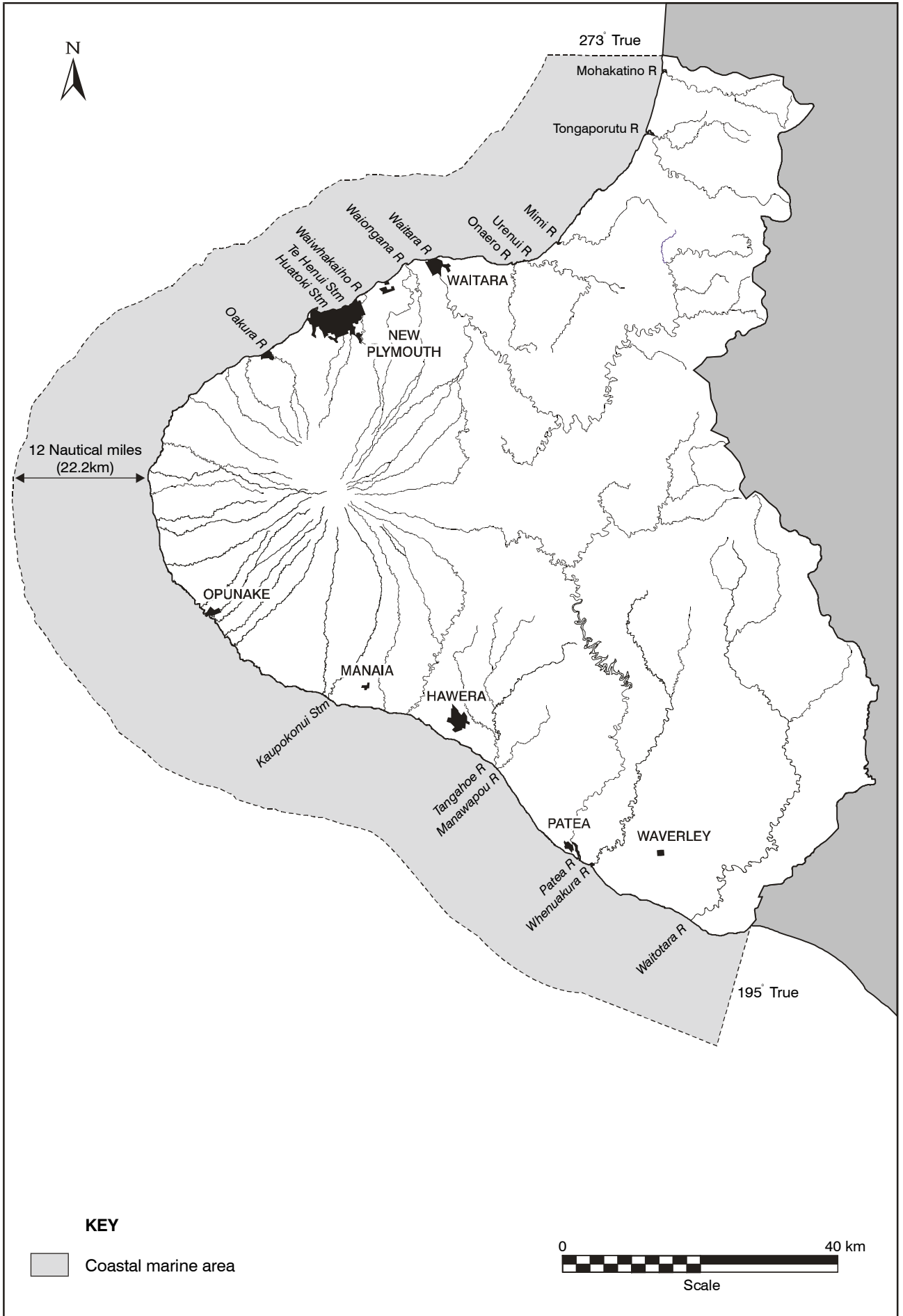
Section 5.0 sets out the information to be submitted with an application for coastal permits for land (foreshore and seabed) use, discharges to air or water, and abstractions of water. Section 5.0 also explains the requirements for an assessment of environmental effects and the circumstances in which the Taranaki Regional Council may require further information on a proposed activity in the coastal marine area.

Section 6.0 sets out the circumstances in which a financial contribution may be required, the method for determining the amount of that contribution and the general purposes for which the contribution may be used.

Section 7.0 of this plan sets out administrative procedures for dealing with cross-boundary issues, for monitoring the effectiveness of the plan, and for reviewing the plan.

1.8 Agency jurisdiction

The Taranaki Regional Council is the agency responsible for implementing the policies and methods of this plan at all times.



Map 1 Rivers with mouth by special agreement

2. Definitions

This section provides the meanings of words used in this plan and in the Resource Management Act 1991. Where a word is followed by an asterisk '*', the meaning which follows is the meaning provided in the interpretation section of the Act. Where a term is defined by the Act, the definition for the time being is repeated in this glossary simply for the purpose of assistance. In the case of any inconsistency or amendment of the definition the statutory definition prevails.

Accelerated coastal erosion means intensification of the rate of erosion of the land surface (including soil, regolith and bedrock), induced by human activity.

Accretion means the seaward extension of land as a result of the deposition of sediments.

Act* means the Resource Management Act 1991.

Air means the mixture of gases enveloping the earth and forming the atmosphere.

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

Area of outstanding coastal value, a synonym for coastal management area A, means any of the following areas:

- (a) the area from Pariokariwa Point to Waihi Stream (Map 3), bounded:
 - (i) landward by the landward boundary of the coastal marine area between Pariokariwa Point and the southern bank of Waihi Stream mouth; and
 - (ii) in the north, by a line extending 1.852 kilometres at a bearing of 270° true from the southern bank of the Waihi Stream mouth;
 - (iii) in the south, by a line extending 1.3 kilometres at a bearing of 320° true from Pariokariwa Point;
 - (iv) seaward, by the line joining the seaward ends of the lines described in (ii) and (iii) above while remaining parallel to mean high water springs; or
- (b) the estuary of the Mimi River (Map 4); or
- (c) the Protected Area of the Sugar Loaf Islands Marine Protected Area, as defined in the Sugar Loaf Islands Marine Protected Area Act 1991 (Map 7); or
- (d) the estuary of the Whenuakura River (Map 11); or
- (e) that area that falls within the area that is shown on Map 11 and that has the following dimensions:
 - (i) as to the ends, circles with a radius of 0.5 kilometres each, with the centre of the circle being the centre of each of the North and South Traps (as shown at positions 174°31' east, 39°51.8' South and 174°32.6' East, 39°52.5' South on Hydrographic Chart NZ45); and
 - (ii) as to the middle of the area, such area as is bounded by a rectangle that has a side length equal to a straight line between the centre of the two above mentioned circles and an end length equal to 1 kilometre calculated on a line perpendicular to the line between the centre of the two circles, such that the centre of each circle bisects each end line.
- (f) the coastal marine area adjacent to Waverley Beach settlement (Map 12), bounded:

- (i) landward, by the landward boundary of the coastal marine area between grid reference Q22: 498-513 (Infomap 260-Q22, Patea) and a point 1.3 kilometres south-east of that grid reference;
 - (ii) from the north-western point by a line extending 850 metres at a bearing of 184° grid reference Q22: 498-513;
 - (iii) from the south-eastern point by a line extending 400 metres at a bearing of 180°;
 - (iv) seaward, by the straight line joining the seaward ends of the lines described in (ii) and (iii) above; or
- (g) the estuary of the Waitotara River (Map 13); or
- (h) the coastal marine area in the vicinity of Waiinu Beach settlement (Map 13), bounded:
- (i) landward, by the landward boundary of the coastal marine area between a point at grid reference R22: 593-472 (Infomap 260-R22, Wanganu(i) and a point on the foreshore that is 8.4 kilometres east of that point;
 - (ii) from the western point, by a line extending 1.0 kilometre at a bearing of 180° true from grid reference R22: 593-472;
 - (iii) from the eastern point, by a line extending 1.0 kilometre at a bearing of 180° true;
 - (iv) seaward, by a line that joins the seaward ends of the lines in (ii) and (iii) above while remaining parallel to mean high water springs.

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

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.

Biodegradable means capable of being decomposed by bacteria or other biological means.

Biodiversity¹ means the variability among living organisms from all sources including *inter alia* terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are a part; this includes diversity within species, between species and of ecosystems.

Clean ballast* means:

- (a) ballast carried in a tank which, since it was last used to carry a cargo containing a noxious liquid substance, has been thoroughly cleaned and the residues resulting from the cleaning have been discharged and the tank emptied; and

¹

United Nations Convention on Biological Diversity 1992

- (b) ballast carried in a tank which, since it was last used to carry oil, has been so cleaned that the effluent from the tank, if it were discharged from a ship which is stationary into clean, calm water on a clear day, would not produce visible traces of oil on the surface of the water or on adjoining shorelines or cause a sludge or emulsion to be deposited beneath the surface of the water or upon adjoining shorelines.

Coastal marine area* means that area of the foreshore and seabed:

- (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 shall 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 fresh water component; and
- (b) seawater in estuaries, fiords, inlets, harbours or embayments.

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

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

Construction, maintenance and demolition work (as it relates to noise standards) includes petroleum exploration, drilling and production.

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.

Dangerous goods² means goods of any of the kinds specified in the Schedule to the Dangerous Goods Act 1974 and amendments up to 29 June 1994.

Deposition means the entrapment and/or settling out of sediment in one location, leading to accretion.

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

Discharge* includes emit, deposit and allow to escape.

² *The Dangerous Goods Act 1974 will be repealed once the Hazardous Substances and New Organisms Act comes into force. When that Act does come into force the term 'Hazardous substance(s)' will be more appropriate than 'Dangerous good(s)'.*

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

District rule* means a rule made as part of a district plan in accordance with Section 76 of the Act.

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

Ecosystem³ means a dynamic complex of plant, animal and micro-organism communities and their non-living environment interacting as a functional unit.

Effect* includes:

- (a) any positive or adverse effect; and
- (b) any temporary or permanent effect; and
- (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; and
- (b) all natural and physical resources; and
- (c) amenity values; and
- (d) the social, economic, aesthetic, and cultural conditions which affect the matters stated in (a) to (c) of this definition or which are affected by those matters.

Environmental results anticipated means the expected or foreseen result or outcome on the environment as a consequence of implementing the policy or policies and methods of implementation. The environmental results anticipated provide a means of assessing the success of the objectives, policies and methods but may not always be measurable or achievable within the operative life of the plan.

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 means in relation to a river:

- (a) for the purpose of regional rules applying to coastal management areas A and B, that part of the coastal marine area that is bounded:
 - upstream, by the landward boundary of the coastal marine area; and
 - downstream, by the line of mean high water springs that could reasonably be expected to exist if the river was not identified on 1:50,000 topographical maps in the Infomap 260 series.
- (b) when used as a synonym for coastal management area B, any area described in (a) above that is not located in coastal management area A (any area of outstanding coastal value).

Exotic means not indigenous to New Zealand.

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

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

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

Habitat⁴ means the place or type of site where an organism or population naturally occurs.

Hapu⁵ means sub-tribe, usually a number of whanau with a common ancestor.

Harbour includes any harbour properly so called, whether natural or artificial, and any haven, dock, pier, jetty and work in or at which ships do or can obtain shelter or ship or unship goods or passengers.

Harbour works includes any structure, reclamation of land from the coastal marine area or any excavation, deepening or widening of any channel, basin or other works that are a part of a harbour.

Harmful substance includes:

- (a) any oil or substances containing oil;
- (b) noxious liquid substances such as specified in the Second Schedule of the marine pollution regulations, and includes any mixtures including such substances;
- (c) sewage; and
- (d) garbage.

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) of this definition.

Heritage values means any cultural, traditional, aesthetic or other value of the past.

Integrated management means managing (ie, 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 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

⁴ *United National Convention on Biological Diversity, 1992.*

⁵ *Ministry for the Environment (1991), Consultation with tangata whenua. Ministry for the Environment, Wellington.*

- 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
- the integration of management systems within agencies to ensure that other legislative or administrative actions are consistent with promoting sustainable management of natural and physical resources.

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

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

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

Iwi means tribe or grouping of people of Maori descent.

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

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

Kaitiakitanga* means the exercise of guardianship; and in relation to a resource, includes the ethic of guardianship and stewardship based on the nature of the resource itself.

Kaimoana means seafood.

Kawanatanga⁶ means governorship or government.

L₁₀ means the noise level, in A-weighted decibels, that is equalled or exceeded 10% of the time when measured in accordance with New Zealand Standard *NZS 6801:1991 Measurement of Sound*.

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

Local authority* means a regional council or territorial authority.

Maintenance of a structure means activities, including reconstruction and alteration of a structure, which:

- are for the purpose of keeping a structure in good repair; and
- do not result in any increase in the area of foreshore or seabed allowed to be occupied by the structure; and
- do not change the character, scale and intensity of any effects of the structure on the environment (except to reduce any adverse effects or increase any positive effects).

⁶

Parliamentary Commissioner for the Environment (1992) Proposed Guidelines for local authority consultation with tangata whenua. Parliamentary Commissioner for the Environment, Wellington.

Mana Moana means customary authority exercise by iwi, hapu or whanau over the sea area within their rohe or tribal area.

Marine life means life which lives in the sea and includes freshwater species including native species, which use both marine and freshwater as part of their life cycle.

M_taitai* means food resources from the sea and **Mahinga m_taitai** means the areas from which these resources are gathered.

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

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

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

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

(b) as declared by the Planning Tribunal under Section 310 upon application made by the Minister of Conservation, the regional council, or the territorial authority prior to the plan becoming operative.

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 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 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* means a statement issued under Section 57 of the Act.

Ngamotu Beach means that area of foreshore that, on 29 June 1994, was bounded:

- (a) in the east, by the westernmost edge of the area authorised for reclamation under the Taranaki Harbours Board Reclamation and Empowering Act 1988; and
- (b) in the west, by the line of the Blyde reclamation.

Noise* includes vibration.

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

Occupy means occupy the land and any related part of the coastal marine area necessary for another activity:

- (a) to the exclusion of other persons who do not have a right of occupation to the space by a resource consent or under a rule in a regional coastal plan; and
- (b) for a period of time and in a way that, but for the rule in the 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;

and 'occupation' has a corresponding meaning.

Offshore installation* includes any artificial structure (including Jack up rigs and any 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 or outfall structure.

Original size, for the purpose of a rule authorising maintenance, means:

- (a) in the case of a structure that is authorised by a coastal permit (including a coastal permit under Section 384), the maximum dimensions specified in that coastal permit or implied by reference to or incorporation of supporting documentation; or
- (b) in the case of any other lawful structure, its size as shown in the Taranaki coastal survey photographic record held at the Taranaki Regional Council;

excluding those additions to the structure since its construction, other than additions made in accordance with a properly obtained resource consent.

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.

Papakāinga means settlement and is also a general term for Maori housing complexes on Maori land and marae.

Petroleum means:

- (a) any naturally occurring hydrocarbon (other than coal) whether in a gaseous, liquid or solid state; or
- (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.

Petroleum product means a substance that is produced as a result of refining or physical treatment of petroleum, or as a result of a chemical process in which petroleum is a reagent.

Pipeline means a pipeline constructed or used to convey any matter or substance; and includes all necessary incidental equipment, including compressor stations.

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 Air Zone is a zone within coastal management area D (otherwise referred to as Port Taranak(i), within which discharges to air are regulated⁷. The zone is shown in Map 14, and is that part of the coastal marine area enclosed:

- (a) landward, by the landward boundary of the coastal marine area from a point 50 metres north-west of the Main Breakwater, to a point on the south-eastern side of Blyde Wharf and 50 metres seaward (NE) of Ngamotu Beach;
- (b) Seaward:
 - (i) by extending a line parallel to and 50 metres north-west of the Main Breakwater until intersected by the top, most seaward boundary described in (iii);
 - (ii) by a line extending parallel to and 50 metres both south-east from Blyde Wharf and 50 metres seaward (or north-east) from Ngamotu Beach; and
 - (iii) the two boundary lines explained in (i) and (ii) are intersected by this third, most seaward boundary (ie, enclosing Motunui and Newton King Wharves) by extending a line parallel to the seaward end of Blyde Wharf at a distance of 200 metres perpendicular to the seaward end of Blyde Wharf;
- (c) and, a line parallel to and 50 metres seaward to the front edge of the Eastern Reclamation and a line 50 metres and parallel to the eastern side of the Eastern Reclamation to the point where the line meets the coastal marine area landward boundary.

Port Taranaki, when used as a synonym for coastal management area D, means the area shown in map 7 of this plan and means that part of the coastal marine area enclosed:

- (a) landward, by the landward boundary of the coastal marine area between a point 200 metres east of the Lee Breakwater (as at 29 June 1994) and the point of the north-eastern landward boundary of the Protected Area (within the meaning of the Sugar Loaf Islands Marine Protected Area Act 1991); and
- (b) seaward:
 - (i) by a line extending parallel to, and 200 metres seaward of, the Lee Breakwater, said line beginning at the foreshore and ending after a distance equal to the length of the Lee Breakwater;
 - (ii) by a line connecting lines in (i) above and (iii) below;
 - (iii) by a line commencing at the point on the south-eastern boundary of the protected area that is 200 metres perpendicular distance from mean high water springs of the North Island, said line extending parallel to mean high water springs to the point where the line is 200 metres distant from (and parallel to) the intersection of land with the Main Breakwater; said line continuing 200 metres parallel to, and seaward of, the Main Breakwater, for a distance equal to the length of the Main Breakwater plus 200 metres;
 - (iv) by the line of the south-eastern boundary of the Protected Area between the landward boundary of the protected area and the point on the south-eastern boundary that is 200 metres perpendicular distance from mean high water springs of the North Island.

Public facilities means those facilities that are available for public use free of charge, and that were constructed predominantly for that purpose.

Raft* means any moored floating platform which is not self-propelled; and includes platforms that provide buoyancy support for the surfaces on which fish or marine vegetation are cultivated or for any cage or other device used to contain or restrain fish or marine vegetation.

Region* means in relation to a regional council, the region of the regional council as determined in accordance with the Local Government Act 1974.

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This does not include discharges to air from vessels, which will be controlled by the rules in the general section concerning discharges from ships and offshore installations.

Regional coastal plan* means an operative plan approved by the Minister of Conservation under the First Schedule of the Act, and includes all operative changes to such a plan (whether arising from a review or otherwise).

Regional council* means a regional council specified in Part I of the First Schedule of the Local Government Act 1974.

Regional plan* means an operative plan (including a regional coastal plan) approved by a regional council or the Minister of Conservation under the First Schedule of the Act; and includes all operative changes to such a plan (whether arising from a review or otherwise).

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

Remove any sand, shell, shingle or other natural material means to take any of that material in such quantities or in such circumstances that, but for the rule in the regional coastal plan or the holding of a resource consent, a licence or *profit à prendre* to do so would be necessary.

Rohe⁸ means a territory or boundary which defines the area within which a tangata whenua group claims traditional association and mana whenua.

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 adverse effect means an adverse effect that is of a type or of a magnitude that is greater than the level of effects that would normally result from the ordinary daily functioning of an activity.

Social and cultural values includes heritage values.

Solid waste means primarily solid substances for which disposal by discharge into the environment is intended, or for which disposal by discharge into the environment would be necessary if other processes such as reduction of resource use, re-use, recycling or recovery cannot be applied.

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.

Storage means storage in a structure specifically designed for that purpose; but does not mean storage in a pipeline.

Stormwater means runoff water (excluding water in a river) that is diverted through channels or pipes for discharge into the coastal marine area or into a water body.

Structure means any building, equipment, device or other facility made by people and which is fixed to land; and includes any raft but does not include any ship or offshore installation.

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

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.

Taiao means the natural world or environment.

Tai_pure means a tai_pure-local fishery declared under the Maori Fisheries Act 1989, Part IIIA.

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

Taonga⁹ 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 Maori (the Maori language), wahi tapu, waterways, fishing grounds and mountains.

Tapu means under spiritual protection or restriction.

Tauranga waka* means canoe landing or launching sites.

Te Putahitanga o Taranaki refers to the standing committee of the Taranaki Regional Council comprising of representatives from each of the eight iwi in the Taranaki region. Putahitanga means amalgamation or joining together.

Te reo Maori means the Maori language.

Territorial authority¹⁰ 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.

Tikanga Maori* means Maori customary values and practices.

⁹ *Parliamentary Commissioner for the Environment, op. cit.*

¹⁰ *Local Government Act 1974, section 2(1).*

Tino rangatiratanga¹¹ means chiefly authority, chieftainship, full tribal authority and refers to tribal self-management - to manage and control in accordance with the preferences of the owner.

Toko taunga ika refers to rock marking iwi, hapu or whanau fishing grounds.

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.

Wahi tapu means places or things which are sacred or spiritually endowed.

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.

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.

¹¹

Parliamentary Commissioner for the Environment, op. cit.

ISSUE ONE: RECOGNITION OF DIFFERING COASTAL PROCESSES, NATURAL VALUES AND USES OF THE COASTAL MARINE AREA

The coastal marine area in Taranaki consists of two basic types of landform: an open coast exposed to a westerly wave environment and sheltered estuaries formed by the region's largest rivers. Within those two basic types are three subtypes: rocky shore, soft shore and artificial shore. Management of the coastal marine area must recognise the different physical and biological processes that affect, and are affected by, those landforms. The natural values of the coastal marine area include the biological processes, physical processes and natural character of the area. These values are addressed in this Issue and also in Issues two and three of the plan.

Different levels and types of use occur in the coastal marine area. For example, Port Taranaki is an artificial environment that is accepted as an area of development to contribute to the economic wellbeing of the region. The coastal marine area is also used for defence purposes such as temporary military training, telecommunications and radio communications and other network utilities. The Sugar Loaf Islands Marine Protected Area and some other areas are relatively unmodified areas that it is desirable to retain in their present state due to their conservation values. Management of the coastal marine area must recognise the different levels and types of use that the community applies to the coastal marine area.

Objectives

- OBJ 1(a) To manage the coastal marine area in a way that promotes the sustainable management of natural and physical resources, by recognising and providing for different coastal processes, natural values and uses of the coastal marine area.
- OBJ 1(b) To recognise and provide for the preservation of the natural character of the coastal marine area, to protect that character from inappropriate use and development of the coastal marine area and to restore or rehabilitate the natural character of the coastal marine area where practicable.

Policies

- POL 1.1 *Management of the coastal marine area will be carried out in a way that recognises that:*
- (a) *areas of outstanding coastal value exist in the coastal marine area, and that each of those areas includes one or more of the following values:*
 - (i) *it includes, or borders on, outstanding natural features and landscapes in the coastal environment; or*
 - (ii) *it is a significant habitat of indigenous marine flora, fauna or birdlife, or makes a significant contribution to maintaining local and regional ecosystem viability and biodiversity; or*
 - (iii) *it is an area with significant natural character or intrinsic value; or*
 - (iv) *it includes, or borders on, a protected area; or*
 - (v) *it contains features of historic significance; or*
 - (vi) *it contains an important estuary, wetland or coastal lagoon.*
 - (b) *Estuaries within the coastal marine area that are permanently open to tidal movements (in particular, those estuaries which derive from catchments based in the eastern Taranaki hill country or the uplifted marine terraces of north Taranaki and south Taranaki):*
 - (i) *have significantly different and more complex natural processes than the open coast, because they exist at the interface between river and coastal*

- processes;*
 - (ii) *provide habitats, migrating paths, breeding areas and nursery areas for marine life and birdlife;*
 - (iii) *are a pathway for nutrients and sediment to move from land to the coastal marine area;*
 - (iv) *provide natural focal points for human activity and, in some cases, are surrounded by urban or extensively modified environments;*
 - (v) *will be the subject of pressure for use and development, and for protection, and that an appropriate balance will need to be found between these pressures to achieve the purpose of the Act;*
 - (vi) *in some cases, have outstanding coastal value.*
- (c) *Port Taranaki is a highly modified environment:*
- (i) *that enables people and communities to provide for their economic wellbeing;*
 - (ii) *that has a low level of natural character;*
 - (iii) *that provides some natural habitat and supports some marine species which, however, are generally less significant than the amount of similar habitat, and populations of such species, found outside Port Taranaki;*
 - (iv) *within which port development and port-related activities are, from the Crown perspective as land owner, appropriate uses of the coastal marine area;*
 - (v) *that can have significant effects on areas outside of the Port, including contributing to coastal erosion along New Plymouth foreshore;*
 - (vi) *that is valued for recreation;*
 - (vii) *within which occupation rights to the foreshore and seabed are held until the year 2026;*
 - (viii) *within which a 'Port Air Zone' is defined to regulate discharges to air that result from port-related activities.*
- (d) *The open coastline:*
- (i) *is subject to a high energy westerly wave environment and the coastal land behind the foreshore is generally eroding;*
 - (ii) *includes areas that are valued for recreation, particularly the beaches adjacent to urban areas or to which vehicle access exists;*
 - (iii) *includes reef systems that provide habitat to marine life, and are valued by Maori for kaimoana gathering;*
 - (iv) *includes a large proportion of the total foreshore area, which is mostly unmodified by human activity except in the vicinity of the New Plymouth urban area, and generally is under no significant pressure for use, development or protection;*
 - (v) *includes some areas of outstanding coastal value;*
 - (vi) *contains fisheries that are both recreationally and commercially valuable;*
 - (vii) *is utilised for defence purposes in accordance with the Defence Act 1991.*

POL 1.2 *In the management of the coastal marine area, recognition will be given to the restoration or rehabilitation of the natural character of the coastal marine area where appropriate.*

POL 1.3 *The Taranaki Regional Council will (subject to the provisions of the Act) use the objectives and policies in this plan as criteria to determine the acceptability of effects of activities on the environment, and:*

- (a) *where those effects are acceptable, allow the activity; or*
- (b) *where those effects are not acceptable, either decline to grant the consent or where practicable, require those effects to be avoided, remedied or mitigated until they are acceptable.*

POL 1.4 *The Taranaki Regional Council will use Policies One and Two of Section 3.5.1 of the Regional Policy Statement for Taranaki (1994) to assist Council decisions regarding the extent of natural character of the coastal environment and how it would be affected by use or development of the coastal marine area.*

Explanation

The coastal marine area is not uniform in either the natural processes that exist within it, or in respect of the levels of use, or types of use, that the community makes of the area. To achieve the purpose of the Act, and to give appropriate effect to the matters in Sections 6 and 7 of the Act, the Taranaki Regional Council considers it necessary to recognise, and manage the coastal marine area in accordance with, those different roles. The Taranaki Regional Council considers that the objective is desirable to achieve the purpose of the Act.

Policy 1.1 provides a statement of the processes and use types and intensities that exist in different parts of the coastal marine area. In combination with the other policies in this plan, Policy 1.1 provides guidance to the Taranaki Regional Council in its functions of preparing and implementing regional rules, making coastal permit decisions and setting conditions on coastal permits. The policy provides detail on the different uses and processes in areas of the coastal marine area and is a desirable means of achieving the objective.

Policy 1.2 recognises that the natural character of parts of the coastal marine area may be degraded. The policy provides for the restoration or rehabilitation of degraded natural character where this is appropriate. This will depend on a number of factors including the degree of degradation or loss of natural character, the reasons for such loss and the appropriateness or practicality of restoration or rehabilitation in any particular case. Other policies in this plan will also provide guidance on the implementation of this policy. This policy reflects Policy 1.1.5 of the New Zealand Coastal Policy Statement.

Policy 1.3 states explicitly the way in which the Taranaki Regional Council will use the policies in this plan to manage the use, development and protection of the natural and physical resources of the coastal marine area. Policy 1.3 is a policy on management processes, describing the Taranaki Regional Council's course of action regarding the use of other policies in this plan.

Policy 1.4 provides guidance on the matters the Taranaki Regional Council will consider when determining the extent of natural character by identifying criteria, among others, that the Taranaki Regional Council will apply when considering the appropriateness of activities.

Methods of implementation

The Taranaki Regional Council will use the following methods to implement the policies above:

METH 1 **Adoption** of a coastal management system that divides the coastal marine area into **four coastal management areas** on the basis of the characteristics identified in Policy 1.1. The areas are:

- (a) coastal management area A: areas of outstanding coastal value;
- (b) coastal management area B: estuaries (excluding estuaries that are areas of outstanding coastal value);
- (c) coastal management area C: the open coast; and
- (d) coastal management area D: Port Taranaki (includes the Port Air Zone).

The areas are shown on maps 3 to 14 on pages 75 to 85 of this plan.

Note also, that coastal management area D (referred to in this plan as "Port Taranaki") is larger than the area commonly called Port Taranaki. See planning map 7 (Section 4.2 of the plan) for detail of coastal management area D, and map 14 for detail of the Port Air Zone.

METH 2 **Application** of **regional rules** listed in Section 4.0 of this plan. The rules are organised as follows:

- (a) five sets of rules exist: one set of rules each for coastal management areas A to D and one set of general rules that applies to the entire coastal marine area;
- (b) each set of rules for coastal management areas A to D regulates the following activities within each area: **activities involving structures; discharges of contaminants** (excluding those from ships and offshore installations); **disturbances of and deposits to the foreshore and seabed**, and **reclamation**. Port Taranaki (area D) includes specific rules relating to **occupation**, in recognition of the existing occupation of the Port.
- (c) the set of general rules regulates the following activities throughout the coastal marine area: **occupation of space; introduction of exotic plants; discharges of contaminants from ships and offshore installations¹; taking, use, damming and diversion of water, temporary military training** and **deposits from ships** to the coastal marine area.

¹ The general rules controlling discharges from ships and offshore installations may be overridden if they are inconsistent with any marine pollution regulations, as are being developed under section 15B of the Resource Management Amendment Act 1994. For further explanation, see section 4.2.5.

METH 3 **Application** of the **policies** in this plan as the **primary assessment criteria** (subject to the provisions of the Act) when:

- (a) considering the conditions to set on coastal permits for controlled, discretionary or non-complying activities; and
- (b) considering whether or not to grant a coastal permit for a discretionary or non-complying activity.

METH 4 **Application** of Policies One and Two, Section 3.5.1 of the Regional Policy Statement for Taranaki, to guide decisions on effects on natural character (see Appendix I of the plan), when considering applications for coastal permits.

Reasons

Methods 1, 2 and 3 are closely linked and must be considered together. Policy 1.1 provides for management that recognises different processes and uses within the coastal marine area. Recognising this, an activity may have greater or lesser effects on the environment depending on where it is located within the coastal marine area. Division of the coastal marine area into four types of sub-area serves two purposes:

- (i) it allows clear identification of each type of area referred to in Policy 1.1, which is desirable to provide certainty for management; and
- (ii) it allows an individual type of activity to be regulated at a level that is appropriate to the management area within which it occurs.

Method 2 provides for some activities to be managed in accordance with the management area within which they occur, while other activities receive the same management no matter where they occur. Those latter activities are managed uniformly because they (and their effects) are either very uncommon, or have the same effect wherever they occur, or (in the case of discharges from ships and offshore installations) management by area type is largely impractical.

Method 3 states clearly how Policy 1.3 links the plan policies to the regional rules. This method has been adopted to make the link explicit, and is desirable to ensure that Policy 1.3 is implemented.

Method 4 gives effect to Policy 1.4. This method has been adopted to make specific the implementation of Policy 1.4.

Environmental results anticipated

ER 1 Recognition of, and provision made for:

- estuarine and open coastal natural processes;
- differing natural values; and
- different levels and types of use across the coastal marine area;

in a manner that promotes sustainable management of natural and physical resources.

ISSUE TWO: PROTECTION OF ECOLOGICAL VALUES

In accordance with the purpose of the Act, sustainable management includes safeguarding the life-supporting capacity of water and ecosystems. Activities within the coastal marine area may have a wide range of effects on ecosystems, ranging from virtually nil to major functional disruption. The time that an effect lasts for can also vary. The significance of effects of activities also varies with location and activity type.

Objectives

- OBJ 2(a) To maintain biodiversity and protect ecologically viable populations of species of indigenous marine and diadromous aquatic life and birdlife.
- OBJ 2(b) To maintain a representation of each of the existing types of marine habitat found in the Taranaki coastal marine area.

Policies

- POL 2.1 *Use or development of all estuaries (areas A and B) should:*
- (a) *avoid adverse effects on areas or habitats of nationally vulnerable species.*
 - (b) *avoid or remedy adverse effects on:*
 - (i) *spawning habitats or aquatic life at spawning times;*
 - (ii) *passage of diadromous species through estuaries, including the movement of juveniles and adults up and down river catchments during their life cycles;*
 - (iii) *waterfowl, particularly wading and migratory birds.*
 - (c) *avoid, remedy or mitigate adverse effects on:*
 - (i) *flushing of estuaries by seawater and freshwater inflows;*
 - (ii) *nutrient flows through estuaries;*
 - (iii) *vegetation communities;*
 - (iv) *salt marsh communities.*
- POL 2.2 *Use, development and protection of open coastal areas (area C) should avoid, remedy or mitigate adverse effects on:*
- (a) *known fish spawning areas, and in particular the snapper-trevally spawning area in the North Taranaki Bight; or*
 - (b) *hard rock habitat in parts of the coastal marine area where the seabed is predominantly sandy; or*
 - (c) *marine mammal breeding and haul-out sites; or*
 - (d) *areas where seabirds congregate to feed or breed.*
- POL 2.3 *Use, development and protection of all parts of the coastal marine area (areas A, B, C and D) should:*
- (a) *safeguard the life-supporting capacity of coastal ecosystems by:*
 - (i) *avoiding the release of contaminants that have significant adverse effects on marine life;*
 - (ii) *where it is not practicable to avoid the discharge of contaminants, remedying or mitigating the effects of that discharge;*

- (iii) *avoiding the release of hazardous substances;*
 - (iv) *avoiding, remedying or mitigating smothering of marine ecosystems, such as reef systems, that are not adapted to frequent or large-scale sediment disturbance;*
 - (v) *avoiding, remedying or mitigating long-term or significant short-term adverse effects on spawning and nursery areas of marine life, feeding and roosting areas of birdlife, and seal haul-out areas;*
 - (vi) *ensuring that where an area of any particular habitat type is under pressure from resource use and development, appropriate areas of such habitat remain undisturbed elsewhere in the region;*
 - (vii) *maintaining natural biodiversity.*
- (b) *not (either on its own or in combination with other uses and developments of the coastal marine area):*
- (i) *risk a significant regional or national decline of an indigenous species by adversely affecting populations (particularly breeding populations) of that species; nor*
 - (ii) *cause a regionally or interregionally significant decline in fish or shellfish population numbers, species diversity or quality for human consumption.*

Explanation

The Taranaki Regional Council has stated two objectives to achieve the protection of ecological values. The reasons for adopting the objectives are that:

- the Taranaki Regional Council is required to address ecological values by Sections 5(c), 6(b) and (c) and 7(d) of the Act, and in particular, the Council carries out those functions in order to safeguard the life-supporting capacity of air, water, soil and ecosystems to achieve the purpose of the Act;
- setting objectives to protect ecological values is the clearest way that the issue will be addressed, because the other issues and objectives described in the plan do not accommodate ecological values as a primary concern.

The objectives chosen reflect, at a broad level, the outcomes that the Taranaki Regional Council considers necessary to safeguard the life-supporting capacity of the coastal marine area.

Policies 2.1 to 2.3 state performance measures that the Taranaki Regional Council will use when considering applications that have been made for coastal permits.

The life-supporting capacity of the coastal marine area is dependent upon (among other things) water quality levels and the existence of spawning and nursery areas. Water quality is addressed in another section of this plan; however, policies 2.1 to 2.3 state levels of effect in relation to ecosystems, and in relation to the values of the coastal management areas as defined in Issue One.

Spawning areas in Taranaki are believed to exist in the major estuaries. A snapper and trevally spawning area also exists in water of less than 25 metres depth between Motunui and the northern regional boundary in the North Taranaki Bight¹. Trawling and seining restrictions are in place over that area in recognition of its value to fisheries. Spawning and nursery areas should also be protected from effects of hazardous substance disposal and, in estuaries, from reclamation or spoil disposal which could destroy the habitat. The Taranaki Regional Council

¹ Horn P., 1986: *Distribution and growth of snapper *Chrysophrys auratus* in the North Taranaki Bight, and management implications of these data: NZ Journal of Marine and Freshwater Research, volume 20: 419-430, 1986.*

wishes to see a regional, and preferably local, habitat balance maintained when particular types of habitat are targeted for resource use, development or protection.

Safeguarding the life-supporting capacity of ecosystems means maintaining the existence of the physical and biological components of ecosystems. The Taranaki Regional Council considers that species loss causes irreversible effects on the environment. A significant reduction in a population (particularly a breeding population) of one species may also unbalance marine ecosystems and measures should be taken to ensure that such reduction does not have irreversible effects.

Use or development of the coastal marine area should not cause the loss of species, either from our region or nationally. The Taranaki Regional Council opposes any activities that, individually or collectively, could cause a significant decline in fish or shellfish species around the region, or cause a region-wide decline in fish or shellfish edibility. Fishing and shellfish gathering are important activities for economic, cultural and social reasons.

Areas of outstanding coastal value have been identified in the coastal marine area (see Issue Four of this plan). To have outstanding coastal value, an area must have features that the community considers particularly important to maintain. Resource use and development should allow the protection of those conservation values. This may mean that no use or development is allowed in such areas.

The coastal marine area also provides important nesting, feeding and roosting areas for a variety of birdlife, some of which are uncommon or rare. Estuaries provide sheltered habitat for wading and migratory birds such as godwits, knots and other species. Some, such as the oystercatcher, are uncommon in Taranaki. Reef structures are important feeding areas for herons and gulls while open coastal waters provide habitat for gulls, terns, petrels and shearwaters, many of which come ashore to breed.

The birdlife of the Taranaki coast contributes to the ecological values of the coastal marine area.

Policies 2.1 and 2.2 state the matters of particular concern with respect to protecting the ecological values of estuaries and the open coastline respectively. Policies 2.1 and 2.2 recognise the specific features of estuaries and open coastline that should be protected from long-term or irreversible adverse effects of use or development of the coastal marine area. Such protection may take the form of avoiding, remedying or mitigating adverse effects.

The phrase 'avoid, remedy or mitigate' as used in the several of the policies in this section, indicates that the Taranaki Regional Council will pursue a course of action that focuses on:

- avoiding the effects of an activity;
- if avoidance is not practically possible, remedying the effects of an activity; and
- if neither avoidance or remedial action are practically possible, mitigating the effects of an activity.

This hierarchy of action is consistent with Policy 3.2.2 of the New Zealand Coastal Policy Statement.

Policy 2.1 (a) gives effect to Policy 1.1.2 (a) (ii) of the New Zealand Coastal Policy Statement. It is intended that this policy will only be triggered for certain areas or at certain times of the year, to avoid adverse effects on nationally vulnerable species. For example, the Australasian bittern is found in particular areas of the Waiwhakaiho Estuary and the banded dotterel inhabits certain areas of the Waiongana Estuary at certain times of the year.

Policy 2.1 (b) gives effect to Policy 1.1.2 (b) of the New Zealand Coastal Policy Statement. Policy 2.1 (b) recognises that even the most modified estuaries of the region, such as the Waiwhakaiho and Waitara estuaries, may provide areas of habitat for regionally rare or threatened species or

migratory species in certain areas and at certain times such as breeding or life cycle stages, that need protecting. This policy uses the avoid and remedy limbs of the hierarchy only.

Policy 2.3 provides for the coastal marine area generally. That is, all four coastal management areas, including the Port.

Methods of implementation

The Taranaki Regional Council will use the following methods to implement the policies above:

METH **Application** of the **regional rules** in section 4.0 of this plan.

1

METH **Application** of Policies 2.1 to 2.3 when considering:

2

- (i) conditions to be set on a coastal permit for a controlled activity;
- (ii) a decision on an application for a coastal permit to carry out a discretionary or non-complying activity, and conditions on that coastal permit, should it be granted.

Reasons

Methods 1 and 2 have been adopted because:

- activities likely to have a significant effect on ecological values will involve use of the foreshore and seabed or coastal water. Such use is restricted in the absence of rules in a plan. Regional rules will provide more appropriate levels of control over activities than will Sections 12, 14 or 15 of the Act;
- they are likely to be effective instruments to implement policy. The Taranaki Regional Council has the opportunity to ensure that its policies are given effect through decisions on coastal permits, coastal permit conditions and permitted activity conditions.

Environmental results anticipated

ER 1 Maintenance of biodiversity and of viable populations of existing species of marine and diadromous aquatic life and birdlife.

ER 2 Maintenance of a representation of each of the existing types of marine habitat found in the Taranaki coastal marine area.

ISSUE THREE: PROTECTION OF SOCIAL AND CULTURAL VALUES

People attach social and cultural values to the coastal environment, including the coastal marine area. Those values include natural character, amenity values and historical values. The Act provides for these values in its Purpose and Principles.

Objectives

- OBJ 3(a) To maintain and enhance the natural character and amenity values of the coastal environment.
- OBJ 3(b) To recognise the heritage values of sites, buildings, places or areas and to provide protection of those values from adverse effects of use or development of the coastal marine area.

Policies

- POL 3.1 *Use, development and protection of the coastal marine area should:*
- (a) *allow existing established community uses, including utility structures, of the coastal marine area, and other lawfully established uses of the coastal marine area, that are consistent with the policies of this plan, to continue to be conducted;*
 - (b) *not duplicate a function for which existing public facilities are adequate;*
 - (c) *integrate, as appropriate, with the form and colour of the coastal environment (which in this case means the sea, foreshore and land backdrop and the way that these interact to provide the individual character of an area);*
 - (d) *avoid, remedy or mitigate adverse effects on sites or areas of historical or cultural significance;*
 - (e) *maintain or enhance the amenity values of the coastal marine area.*
- POL 3.2 *Regard will be had, in making coastal management decisions, to the regional importance of the amenity values of the following areas:*
- Mohakatino Estuary
 - White Cliffs
 - Wai-iti Beach
 - Urenui Estuary and Beach
 - Onaero Estuary and Beach
 - Waitara Beach
 - Bell Block Beach
 - Waiwhakaiho River Mouth
 - Fitzroy Beach
 - East End Beach
 - Ngamotu Beach
 - Paritutu/Back Beach
 - Oakura Beach
 - Kawaroa Park
 - Kina Road Reef
 - Middleton's Bay
 - Waiongana Estuary
 - Airedale Reef
 - Sugar Loaf Islands Marine Protected Area
 - AhuAhu/Weld/Timaru Road Beaches
 - Pitone Road Beach
 - Leith/Perth Road Beaches
 - Stony River Mouth
 - Komene Road Beach
 - Opunake Beach
 - Otakeho Beach
 - Kaipokonui Beach
 - Inaha Beach
 - Ohawe Beach
 - Waverley Beach
 - Waiinu Beach
 - Puniho Road
 - Paroa Road
 - Stent Road
 - Arawhata Road
 - Mangahume
 - Tongaporutu Estuary

POL 3.3 *Regard will be had, in making coastal management decisions, to areas, places, objects or sites protected by the Historic Places Act 1993 and other areas, places, objects or sites with archaeological, historical, cultural or heritage values of regional or national importance .*

Explanation

The Taranaki Regional Council has stated two objectives to address the protection of social and cultural values. Each of the objectives relates to a statement in the Purpose and Principles of the Act. The reasons for adopting the objectives are that:

- the Taranaki Regional Council is required to promote the management of natural and physical resources in a way, or at a rate, that enables people and communities to provide for their social and cultural wellbeing;
- without adopting these objectives (and from there, preparing and implementing policies and methods to give effect to the objectives) it is possible (although not certain) that this issue will not be addressed to a level consistent with achieving the purpose of the Act.
- the Taranaki Regional Council believes that social and cultural wellbeing can be adequately addressed by objectives relating to amenity value and heritage value, given that other objectives in this plan also address social and cultural issues (for example, objective 5(a)).

Policy 3.1 states outcomes that the Taranaki Regional Council considers desirable to achieve the objectives, and to which the Council will have regard (subject to the Act) when making decisions on the granting of coastal permits and conditions to be attached to coastal permits.

Established community use is regular or frequent use of the coastal marine area by a community. `Use' includes use for a general or specific purpose (eg recreation, shellfish gathering). The `community' may be a significant proportion of the regional population or nearby urban area, or the Maori community within an area. While there is no clear-cut definition of `established community use', the Taranaki Regional Council will consider the numbers of people who use an area, the proximity of urban areas or rural communities to that area, and the availability of that type of coastal land form for community use, when determining the extent of, and possible effects on, established community use of an area.

Existing public facilities will most often be an access structure, such as a jetty or boatramp. For example, in coastal urban areas there are usually facilities provided by the district councils for access to the coastal marine area or facilities open to free public use. If those facilities are adequate (for example, available to the public, not unreasonably congested, and reasonably safe to use) then the Taranaki Regional Council would prefer to promote use of those facilities and avoid further modification to the coastal marine area. However, a new structure may increase both accessibility and amenity values of the coastal marine area and this possibility will be considered when the policy is implemented.

The form and colour of the coastal environment is created by the interaction of elements within the landscape. The Taranaki Regional Council considers that the sea, islands and stacks, the foreshore and the mainland backdrop are important landscape elements in Taranaki's coastal environment. The Taranaki Regional Council also considers that those elements and their interaction form the basis of the natural character of the coastal environment. To preserve that character and protect it, proposed use or development of the coastal marine area should be integrated with the landscape as far as possible (as described above). In some locations, for example the Tongaporutu coastline or at Waverley Beach, the land/sea interface forms an outstanding natural landscape, and modification is strongly discouraged.

Uses or developments of the coastal marine area should avoid, remedy or mitigate adverse effects on historic sites or areas. Adverse effects can range from destruction of the site to making the site inaccessible, unsafe or too unpleasant to visit. Some activities (such as reclamation or foreshore and seabed modification) cannot avoid affecting historic sites if they are to be carried out. Developments may avoid, remedy or mitigate adverse effects on historic areas, for example, by providing appropriate memorial and interpretation facilities. The Taranaki Regional Council both encourages and expects this from resource users whose activities may affect or fall near a historic site in the coastal marine area.

Maintaining and enhancing amenity values are matters to which the Taranaki Regional Council gives particular regard. Use or development of the coastal marine area can produce physical characteristics that make an area more pleasant, aesthetically coherent or increase recreational attributes. Alternatively, a financial contribution can enhance the amenity values of a different area to that affected by the resource use, offsetting the effects of the use or development.

Policies 3.2 and 3.3 complement Policy 3.1, by providing a statement of areas that the Taranaki Regional Council considers to be regionally important for recreational amenity value and for heritage value. The list in Policy 3.2 is not exhaustive, but identifies a number of areas of significance or importance for their recreational amenity value. The plan is required to identify such areas in accordance with Policy 3.1.2 of the New Zealand Coastal Policy Statement. Policy 3.3 does not list all known areas, places, objects or sites with archaeological, heritage, historical or cultural value. The number of such sites is potentially very large. Policy 3.3 is to ensure that places or sites with the values listed are included within the policy.

Methods of implementation

The Taranaki Regional Council will use the following methods to implement the policies above:

METH **Application** of the **regional rules** in section 4.0 of this plan.

1

METH **Application** of Policies 3.1 to 3.3 when considering:

2

- (i) conditions to be set on a coastal permit for a controlled activity; or
- (ii) a decision on an application for a coastal permit to carry out a discretionary or non-complying activity, and conditions on that coastal permit, should it be granted.

METH **Having regard to** effects of use and development on the following lands and areas administered by the Department of Conservation:

3

Mohakatino Swamp Conservation Area	Tataraimaka Pa Historic Reserve
Kawau Pa Historic Reserve	Okato Coast Marginal Strip (Note: two locations)
Umukaha Point Recreation Reserve	Maitahi Scientific Reserve
Mimi-Pukearuhe Coastal Marginal Strip	Cape Egmont Marginal Strip (Note: four locations)
Waitoetoe Recreation Reserve	Cape Egmont Conservation Area
Onaero Coast Marginal Strip	Opunake Coast Marginal Strip
Waitara West Marginal Strip	Kaupokonui Recreation Reserve
Crown Land Conservation Area (Waiwhakaiho River Mouth)	Patea Coastal Marginal Strip
Sugar Loaf Islands Sanctuary Area	Waipipi Marginal Strip
Sugar Loaf Islands Marine Protected Area	Foreshore Conservation Area (D.O.C. number 70222)
	Okotuku Conservation Area
	Sutton Road Conservation Park

Reasons

Methods 1 and 2 have been adopted because:

- activities likely to have a significant effect on social and cultural values will involve use of the foreshore and seabed or coastal water. Such use is restricted in the absence of rules in a plan. Regional rules will provide more appropriate levels of control over activities than will Sections 12, 14 or 15 of the Act;
- rules are likely to be effective instruments to implement policy. The Taranaki Regional Council has the opportunity to ensure that its policies are given effect through decisions on coastal permits, coastal permit conditions and permitted activity conditions.

Method 3 has been adopted to give effect to Policy 4.1 of the New Zealand Coastal Policy Statement.

Environmental results anticipated

- ER 1 Amenity values maintained at their existing level or better, for public appreciation.
- ER 2 Enhanced awareness of historic areas.

ISSUE FOUR: EFFECTS ON AREAS OF OUTSTANDING COASTAL VALUE

Areas of outstanding coastal value exist in the coastal marine area. Outstanding coastal value, for the purpose of promoting sustainable management, includes the existence of outstanding natural features and landscapes, significant habitats of marine life or birdlife, and significant or unmodified natural character.

Objective

OBJ 4 To protect those parts of the coastal marine area that have significant conservation values from adverse effects of use or development.

Policies

POL 4.1 *The following areas are areas of outstanding coastal value and shall be managed in a way that gives priority to avoiding adverse effects on the outstanding coastal values of each area:*

Area	Outstanding coastal values
<i>Waitotara Estuary</i>	<ul style="list-style-type: none"> • Unmodified, representative estuary; • Adjacent to existing conservation area which is the habitat of threatened australian bittern, NZ shoveller, black swan; • Stopover for migratory wading birds (royal spoonbill, banded dotterel) and international migrant birds (eastern bar-tailed godwit); • Sub-fossil totara stumps in estuary; • Whitebait spawning area in Waiau Stream.
<i>Waiinu Reef</i>	<ul style="list-style-type: none"> • Limestone rock outcrops extending from mean high water springs to 500 m offshore; • Hard rock platform contains many well-preserved fossils; • Abundance of marine life forms.
<i>Waverley Beach</i>	<ul style="list-style-type: none"> • Outstanding natural landscape; • Eroding stacks, caverns and tunnels produce unique landforms at land/sea interface; • Blow holes.
<i>North and South Traps</i>	<ul style="list-style-type: none"> • Large seaweed (<i>Ecklonia</i>) forests, diverse and abundant marine life; • Unusual feature on sandy coast.
<i>Whenuakura Estuary</i>	<ul style="list-style-type: none"> • Relatively unmodified estuary; • Habitat of threatened caspian tern and rare variable oyster catcher; • Part of route for migratory birds; • Whitebait spawning on northern bank.
<i>Sugar Loaf Islands Marine Protected Area</i>	<ul style="list-style-type: none"> • Oldest volcanic formations in Taranaki; • Islands provide important nesting habitat for 27000 seabirds per year; • Moturoa and Motumahanga islands are free of exotic predators; • Vulnerable indigenous plant species (Cook's Scurvy Grass) on islands; • New Zealand fur seal breeding ground; • Diverse range of underwater habitats; • Marine urupa (Motukuku reef) of Ngati-te-whiti hapu; • Diverse and abundant marine life.
<i>Mimi Estuary</i>	<ul style="list-style-type: none"> • Tidal mudflats, saltmarsh and sand dune habitat, uncommon in north Taranaki; • Habitat of migratory and wading birds; • Whitebait spawning area in upper estuary; • Feeding ground for snapper and trevally; • Nursery area for juvenile marine species and flounder; • Blue penguin breeding site (periodic).
<i>Pariokariwa Point to Waihi Stream</i>	<ul style="list-style-type: none"> • Fur seal haul-out and seabird roosting area on Opourapa Island; • Offshore reef connected to Opourapa Island contains abundant marine life; • Outstanding natural landscape at White Cliffs; • White Cliffs walkway uses the foreshore between Pukearuhe and Te Horo stock tunnel;

	<ul style="list-style-type: none"> • <i>Shipwreck ('Alexandra') in shallow water offshore;</i> • <i>Fluttering shearwaters breed on cliffs and northern blue penguins burrow near stream mouths;</i> • <i>Outstanding natural features and landscape at Tongaporutu, particularly offshore stacks, cliffs and caves;</i> • <i>Breeding area for grey-faced petrels on offshore stacks;</i> • <i>Tongaporutu Estuary contains abundant shellfish with high species diversity;</i> • <i>Coastal marine area surrounds Te Kawau Pa Historic Reserve;</i> • <i>Mohakatino Beach Conservation Area adjacent to Mohakatino Estuary;</i> • <i>Australian bittern and caspian tern roost on sandflats and in wetland adjacent to the estuary;</i> • <i>Mohakatino Estuary supports whitebait, flounder and shellfish.</i>
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POL 4.2 Buffer areas within the coastal marine area shall be established around areas of outstanding coastal value by avoiding the establishment of activities in the coastal marine area where those activities are likely, either on their own or cumulatively, to have a significant adverse effect on outstanding coastal values, and will not normally exceed a distance of 150 metres from the boundary of any area of outstanding coastal value.

Explanation

The objective and the policies stated are considered to be necessary to give effect to the provisions of the New Zealand Coastal Policy Statement and Section 6(a) of the Act regarding the preservation of the natural character of the coastal environment, and to give effect to the expressed wishes of the regional community.

While a general conservation ethic applies to the coastal marine area, certain parts of the coastal marine area are held to be of outstanding coastal value and deserving of a further level of protection. Policy 4.1 identifies those areas and their values, and states that the protection of outstanding coastal values will be given priority in the management of those areas.

Due to the significant value of the areas identified under Policy 4.1, it is appropriate to avoid any significant adverse effect on the outstanding coastal values of such areas from any activity within or outside the area itself. Policy 4.2 provides that activities that have the potential to significantly adversely affect an area of outstanding coastal value should not be permitted or consented to under this plan. This will provide a buffer around areas of outstanding coastal value. Buffer areas may be provided for by allocating a specific area, in this instance 150 metres, or by controlling the nature of the activities (and therefore the effects of those activities) that are allowed in areas of outstanding coastal value. The scope of the plan limits the application of these buffer areas to the coastal marine area.

Methods of implementation

The Taranaki Regional Council will use the following methods to implement the policies above:

METH 1 **Establishment** of coastal management area A for areas of outstanding coastal value. A specific set of regional rules in Section 4.0 of this plan applies to areas of significant outstanding coastal value.

METH 2 **Identification** of areas of outstanding coastal value on the planning maps in this plan, clearly showing users of this plan which areas have outstanding coastal value.

METH 3 **Signposting** of areas of outstanding coastal value over the lifetime of this plan (where this is appropriate, having regard to the possible observers of the signpost, the physical practicality of signposting the area and any risks of damage to valued sites or features).

METH 4 **Application** of policies 4.1 and 4.2 when considering a resource consent application.

METH 5 **Advocacy** to district councils regarding the establishment in district plans of buffer areas to protect areas of outstanding coastal value.

Reasons

Method 1 has been adopted because significant activities, such as reclamations, structures or discharges, are amenable to efficient and effective control by regulation. Coastal management area A is a restrictive area which provides a stringent level of control over activities.

Method 2 has been adopted because identification on planning maps is essential to the effective application of the coastal management area system used in this plan. It also provides information to the community and resource users as to the acceptability (or otherwise) of resource uses affecting areas of outstanding coastal value.

Method 3 is an information provision method. It will contribute to public knowledge and appreciation of areas of outstanding coastal value, and will assist in the enforcement of regional rules set under coastal management area A. Regard will be had to the criteria listed in the method when signposting such areas. Signs will not be used when there is a risk that damage to valued sites and features may arise.

Method 4 will automatically be carried out under Section 104 of the Act and is stated here for clarity.

Method 5 recognises that landuse activities may have adverse effects on areas of outstanding coastal value. The control of many of these effects are the responsibility of district councils and not the Taranaki Regional Council. Because of the regional importance of areas of outstanding coastal value, coordinated and integrated management of these areas is required. Method 5 has been adopted to achieve this integration.

Environmental results anticipated

ER 1 Protection of the features that contribute to the value of areas of outstanding coastal value.

ISSUE FIVE: THE RELATIONSHIP OF TANGATA WHENUA WITH THE COASTAL MARINE AREA

The issue to be addressed is that of recognition of, and provision for, the physical, historical and cultural relationship of iwi o Taranaki with the Taranaki coastal marine area, including:

- the exercise of tino rangatiratanga by iwi and hapu in the coastal marine area;
- the role of tangata whenua as kaitiaki of coastal resources;
- the values and perspectives of tangata whenua with respect to the spiritual qualities of water (its mauri and wairua);
- the protection of mahinga m_taitai and the customary use of the coastal marine area as a source of kaimoana; and
- the protection of w_hi tapu eg, urupa, coastal battlegrounds, tauranga waka, mauri stones, toko taunga ika, mahinga m_taitai, and landscape features determining iwi or hapu boundaries from the effects of resource use and development.

It should be noted that the Taranaki Regional Council's ability to address these issues may be limited by the scope of its empowering statutes in some instances.

Objective

- OBJ 5 To recognise and provide for the relationship and values of iwi o Taranaki with the Taranaki coastal marine area in a manner reflective of their status as tangata whenua and in accordance with tikanga Maori.

Policies

- POL 5.1 *Procedures will be adopted which seek to recognise and accommodate the mana moana rights of iwi and hapu over their mahinga m_taitai and other taonga in the coastal marine area and their role as kaitiaki within coastal management procedures, where appropriate and consistent with the purposes of the Act.*
- POL 5.2 *The aspirations of iwi to develop, use or protect the coastal marine area within their rohe shall be recognised and provided for, where this is appropriate and consistent with the purpose of the Act, the Regional Policy Statement for Taranaki and this plan.*
- POL 5.3 *Procedures and approaches shall be adopted to enable iwi o Taranaki to participate as a partner in coastal management decisions.*
- POL 5.4 *The adverse effects of activities on mahinga m_taitai and kaimoana shall be avoided or mitigated to the fullest extent practicable.*
- POL 5.5 *The Taranaki Regional Council shall promote and encourage development of land-based sewage treatment systems as an alternative to assimilation in coastal waters, where appropriate.*
- POL 5.6 *W_hi tapu and other sites or features in the coastal marine area of cultural or historical significance to iwi o Taranaki shall be protected from the effects of resource use and development, as far as practicable.*
- POL *Access to mahinga m_taitai and areas of cultural or historical significance to iwi o*

5.7 *Taranaki within the coastal marine area shall be maintained or enhanced, except where restrictions are appropriate to achieve the purpose of the Act, the Regional Policy Statement for Taranaki and this plan.*

POL 5.8 *Opportunities for the incorporation of iwi customary knowledge about coastal resources or for using traditional methods as an alternative means of achieving sustainable management or protecting taonga in the coastal marine area, shall be considered and utilised where appropriate.*

Explanation

The objective stated is necessary to give effect to Sections 6(e), 7(a) and 8 of the Act and to the provisions of the New Zealand Coastal Policy Statement. It recognises the special status of tangata whenua relative to other resource users, as established by the Treaty of Waitangi.

Policy 5.1 has been adopted in accordance with the Treaty of Waitangi principle of rangatiratanga, which recognises the right of individual iwi to define their own cultural perspectives and coastal management preferences within their rohe and their responsibilities to safeguard tribal coastal resources.

Policy 5.2 is consistent with the Treaty of Waitangi principle of resource development which recognises that iwi may choose to pursue resource development in the coastal marine area, in addition to traditional usage of coastal resources. Recognition and support of iwi development and conservation aspirations must, however, concur with the promotion of sustainable management.

Policy 5.3 recognises the partnership relationship between iwi and the Crown as a principle of the Treaty of Waitangi and refers to the establishment of procedures to encourage the active participation of iwi in coastal management.

Policy 5.4 recognises the cultural significance of the coastal marine area as a source of kaimoana and the need to protect traditional fishing reefs and grounds from the adverse effects of coastal discharges.

Policy 5.5 recognises the cultural and spiritual offensiveness to tangata whenua of the discharge of human wastes into water.

Policy 5.6 recognises the historical and cultural associations iwi have with the Taranaki coastal marine area and the contemporary significance of certain areas eg, wahi tapu, tauranga waka and mahinga maitai.

Policy 5.7 recognises the importance for tangata whenua to be able to maintain physical closeness with certain areas of cultural significance. As a result, the plan provides for the restriction of public access in those special circumstances when public access threatens the spiritual integrity of an acknowledged and agreed site.

Policy 5.8 recognises that tangata whenua have their own traditional knowledge and practices for conserving and managing coastal resources which could be integrated, at the discretion of iwi and the Taranaki Regional Council, with the Council's management policies and methods.

Methods of implementation

The Taranaki Regional Council will use the following methods to implement the policies above:

METH **Consideration** of policies 5.1 to 5.8, in accordance with **Section 104** of the Act, when assessing applications for coastal permits. Section 6.0 of this plan specifies that a **financial contribution** may be taken as a condition of a coastal permit, for the purpose of protecting or enhancing tangata whenua values in the coastal environment, that will be affected by the issuing of a coastal permit.

METH **Consultation** with iwi and hapu with regard to the identification of places of special cultural value in the coastal marine area, as appropriate, with the aim of protecting these places from the adverse effects of activities.

METH **Provision** of full opportunity for tangata whenua to **participate** in the **resource consents process** by;

- (a) giving affected iwi and hapu individual notice of all relevant notified coastal permit applications;
- (b) requiring, when appropriate and in accordance with the provisions of this plan, applicants for non-notified coastal permit applications, to obtain the approval of affected iwi and hapu;
- (c) encouraging consent applicants to consult with iwi, hapu or whanau groups in relation to coastal permit applications for activities within, or that will affect, the rohe of those groups, where appropriate;
- (d) arranging and facilitating pre-hearing meetings between consent applicants and members of affected iwi and hapu, where a meeting is required;
- (e) providing adequate information and technical advice to assist with the preparation of submissions when required;
- (f) contracting as may be appropriate, representatives of iwi and hapu to supply information, provide representative views and undertake specific research work in relation to particular coastal permit applications; and
- (g) extending time limits when necessary to enable adequate consultation and possible resolution of issues.

METH **Provision** for tikanga Maori in the hearings process by:

4

- (a) provision of interpretation services for the presentation of evidence in te reo Maori;
- (b) holding pre-hearing meetings and hearings on marae at the request of Te Putahitanga o Taranaki or affected iwi or hapu and on agreement of the applicant; and
- (c) public exclusion from hearings and restrictions on the publication of evidence when this is necessary to avoid offence to tikanga Maori and the disclosure of the location of wahi tapu.

METH **Support** for iwi initiatives to identify wahi tapu and other sites or features of cultural or historical significance in the coastal marine area and the development of wahi tapu inventory, 'silent files' and iwi planning documents by providing **planning assistance** and **investigating funding options** on a

5

case by case basis.

METH 6 **Encouragement** of iwi participation in **environmental monitoring** in the coastal marine area, including input into the design of monitoring programmes and involvement in monitoring activities, where appropriate.

METH 7 **Discussion and consideration** of options with iwi o Taranaki for the **transfer of resource management powers** or functions to iwi authorities, or delegation of powers to Te Putahitanga o Taranaki, with respect to particular coastal areas of special cultural value identified by iwi and hapu.

Reasons

Method 1 states a requirement of the Act, for the avoidance of doubt. Consent authorities are required to have regard to the objectives and policies of the plan when considering their decisions on resource consents. Protection of a site of importance to tangata whenua is a purpose for which a financial contribution may be used. This may be an appropriate way of providing for protection of iwi values in the coastal environment, depending on case-specific circumstances.

Method 2 gives effect to Policies 2.1.1 and 2.1.2 of the New Zealand Coastal Policy Statement. Iwi may be reluctant to have wahi tapu and mahinga maitai identified as areas of outstanding coastal value and therefore open to general public knowledge. An alternative to this method is to provide iwi with the opportunity, within the consents process, to identify sites of special value on a case by case basis, when proposed activities which might affect these sites arise.

Method 3 complements method 2 by enabling sites of special cultural value to be protected in the absence of prior identification. Notification of notified consent applications to affected iwi authorities is a requirement of Section 93(1)(f) of the Act and is necessary to enable iwi to screen consent applications to ascertain the need for consultation. The provision of sufficient information and time to enable iwi to make informed and consensus decisions about their response to coastal permit applications is considered a basic requirement of genuine consultation.

Method 4 has been adopted because provision for the use of te reo Maori, for holding meetings and hearings on marae, and for the protection of sensitive information (eg, the location of wahi tapu) within the hearing process, is considered an important means of recognising tikanga Maori. Recognition of tikanga Maori in the hearings process is provided for in Sections 39(2)(b) and 42(a) of the Act.

Method 5 has been adopted because identification of wahi tapu and other sites of cultural or historical significance (either generally through 'silent files' or specifically through inventory and maps) is crucial to their protection from the adverse effects of activities in the coastal marine area. Provision of assistance with the identification and recording process, as requested by iwi, is considered an appropriate and effective means of ensuring these sites are protected.

Method 6 has been adopted because the encouragement of iwi participation in environmental monitoring within their rohe is a means of recognising and involving tribal kaitiaki in coastal management processes and of furthering partnership objectives. It may also create opportunities for the integration of traditional knowledge about coastal resources.

Method 7 has been adopted because the transfer of resource management powers, functions or duties to iwi authorities or the delegation of powers to Te Putahitanga o Taranaki (provided for respectively, by Sections 33 and 34 of the Act) is a complementary method of implementation to methods 1 to 3 above. Provision for consideration of this method is required by Policy 2.1.3 of

the New Zealand Coastal Policy Statement. Opportunities for the transfer of functions to iwi authorities or delegation of powers to Te Putahitanga o Taranaki could include, for example, environmental monitoring functions in relation to coastal discharges or decisions on consent applications affecting wahi tapu or mahinga maitai. Provided they meet the required conditions of representing community of interest, efficiency and use of expertise, opportunities for the transfer of functions should be considered on the merits of each case.

Environmental results anticipated
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- ER 1 The use, development and protection of resources in the coastal marine area in accordance with the cultural and spiritual values of iwi o Taranaki, where practicable.
- ER 2 Protection of areas and features in the Taranaki coastal marine area of significant cultural value to iwi o Taranaki.

ISSUE SIX: ADVERSE EFFECTS ON THE FORESHORE, SEABED AND COASTAL LAND

Coastal marine area use and development may affect land (both foreshore and seabed in the coastal marine area and adjacent land outside the coastal marine area) by:

- changing sediment movement and, potentially, rates of coastal erosion or coastal accretion; or
- affecting the quality of sediments on the foreshore and seabed; or
- in the case of reclamation, removing land from the coastal marine area.

Objectives

- OBJ 6(a) To reduce the risk of accelerated coastal erosion or accretion along the region's coastline as a result of human activities in the coastal marine area.
- OBJ 6(b) To avoid contamination of sediment that could adversely affect human health or marine biological communities.

Policies

- POL 6.1 *A new structure or extension of an existing structure should:*
- (a) *not interact with or intercept sediment flow in a way that could materially increase the risk of coastal erosion or accretion;*
 - (b) *not cause significant foreshore or seabed erosion by reflecting or refracting wave energy.*
- POL 6.2 *Structures should be removed from the coastal marine area or demolished at the expiry of their authorisations or on the refusal of grant of a new authorisation or at the end of their useful lives, provided that none of the following apply:*
- (a) *a new authorisation has been granted, or applied for but not yet determined; or*
 - (b) *removal of the structure would cause greater adverse effects on the environment than leaving the structure in place, and in this respect, the matters in policy 6.3 should be considered; or*
 - (c) *the structure will have no more than minor adverse effects on the environment or on public access or use of the coastal marine area if left in place; or*
 - (d) *the structure is an integral part of an historic area or place.*
- POL 6.3 *Remedial or mitigation action will be required for existing structures (at the time of consent renewal or review or if the structure is abandoned) which have a significant adverse effect on the environment (in particular, the foreshore and seabed). A decision on such action will follow consideration of:*
- (a) *potential adverse effects (including cost to the community) if no action is taken;*
 - (b) *actual cost of proposed remedial action;*

- (c) *practical feasibility of any proposed action;*
- (d) *the degree to which existing adverse effects will be remedied or mitigated;*
- (e) *positive effects of proposed action;*
- (f) *adverse effects of the proposed action on the environment.*

POL 6.4 Reclamation of the foreshore and seabed should:

- (a) *not interact with or intercept sediment flow in a way that could materially increase the risk of coastal erosion or accretion;*
- (b) *not erode under wave attack nor cause foreshore or seabed erosion by reflecting wave energy;*
- (c) *not be constructed from material that contains any contaminants that could have a significant adverse effect on the coastal marine area;*
- (d) *have the purpose of providing for activities for which a coastal marine area location is an operational necessity;*
- (e) *not cover sites of ecological, amenity, social or cultural importance;*

and it must be shown that reclamation is the most appropriate way of providing for an activity and the underlying needs intended to be met by that activity, following consideration of alternatives to a reclamation.

POL 6.5 Disturbance of the foreshore or seabed should:

- (a) *not remove such quantities of sediment from the onshore-offshore or longshore drift systems as to materially increase the risk of coastal erosion; and*
- (b) *not adversely affect the amenity values of the foreshore;*
- (c) *remove material only if that material can be replaced by natural coastal processes, except where it is consistent with the purpose of the Act to do otherwise.*

POL 6.6 The deposition of substances to the foreshore and seabed should:

- (a) *not contaminate receiving sediments in the onshore-offshore or longshore drift systems nor lead to circulation or bioaccumulation of contaminants through the food chain;*
- (b) *not adversely affect the form of the foreshore (and in this respect, regard should be had to the desirability of a deposited substance being of the same size, sorting and parent material as the receiving sediments);*
- (c) *not occur in estuaries other than in minor quantities or for flood or erosion control purposes;*
- (d) *not cover rock habitat in areas of predominantly sandy seabed or foreshore (excluding areas where those rock habitats have been exposed by coastal erosion induced by human activities);*

and deposits for the purpose of disposal of solid waste originating from outside the coastal marine area, other than when the material is clean fill for the purpose of reclamation in accordance with this plan will not be allowed.

Explanation

Objective 6(a) has been adopted because accelerated coastal erosion is the most significant effect on land that has occurred from coastal marine area use in Taranaki. Coastal erosion is a natural feature on the Taranaki coast; however, accelerated coastal erosion is not. The objective has been adopted to reduce the risk of accelerated coastal erosion and thereby safeguard the life supporting capacity of terrestrial soil, allow future generations to meet their foreseeable needs for land, buildings and recreational areas, and avoid adverse effects (coastal erosion) of activities on the environment. Coastal developments may also be affected by accretion. The Taranaki Regional Council's overall objective is to ensure that use and development do not adversely effect the equilibrium of coastal processes that existed prior to that use or development.

Objective 6(b) has been adopted because sediments are known to bind with heavy metals or become anaerobic and so lose quality. Avoiding a sediment quality decline means that subsequent bed disturbance or sediment movement will not contaminate water or marine life.

Policy 6.1 has been adopted to address the potential for new structures or extensions to existing structures to cause coastal erosion or significant foreshore or seabed erosion. The policy states that structures should not cause erosion by interfering with sediment flow or wave action.

Policy 6.2 has been included to give effect to Policy 4.1.3 of the New Zealand Coastal Policy Statement. The policy provides for the inclusion of structure removal conditions on coastal permits and in rules specifying permitted activities. The policy also recognises that structure removal is inappropriate in a wide range of circumstances.

Policy 6.3 states that the Taranaki Regional Council will consider some action when an existing structure adversely affects land. Possible actions include enforcement provisions, variations to consent conditions or provision of works or services. The Council will consider whether to take action, and what type to take, once it has weighed up the matters in Policy 6.3: costs, effectiveness of action, what will happen if nothing is done, etc. The policy is subject to a coastal process equilibrium either being maintained in the event of structure removal or achieved by structure removal; there is little point in removing a structure for aesthetic purposes if the removal will cause significant coastal erosion. The Council considers that this is the best practical policy to adopt to deal with such structures.

Policy 6.4 deals with reclamation. As with structures under Policy 6.1, reclamations should not interfere with sediment flow in the longshore drift system to an extent as to increase the risk of coastal erosion. Because a reclamation becomes land outside the coastal marine area, the reclamation should be constructed so that it will not erode. A reclamation will not be allowed if its construction material contains contaminants (other than sediment or marine flora and fauna which incidentally become part of the fill). Reclamation should occur only if it is to allow activities that must use, or be located immediately beside, the coastal marine area. For example, such activities include ship maintenance or provision of mooring, launching or berthing structures. Commercial activities, such as reclamation for oil exploration purposes, can also come within the scope of this policy. However, such activities may be able to be provided for by the purchase of existing land (instead of reclaiming the seabed) or building structures. These options must be shown not to be feasible, and the proposed activity must be shown to be desirable, before reclamation will be allowed.

Disturbance of the foreshore and seabed (Policy 6.4) includes riverbed realignment, mining and dredging. It may or may not include the removal of sediment from the coastal marine area. Disturbance of the foreshore or seabed can remove sediment from the longshore and onshore-offshore drift systems, potentially resulting in a shortage of sediment to protect the coastline against wave action. Erosion results until the systems return to equilibrium. Disturbance of the

foreshore or seabed should avoid promoting accelerated erosion by avoiding removal of sediments from those sediment transport systems. Disturbance of the foreshore and seabed should not adversely affect those natural and physical qualities which contribute to people's appreciation of an area's pleasantness, aesthetic coherence and cultural and recreational attributes.

Sediments removed from the coastal marine area, or shifted within the area, should be able to be replaced by natural coastal processes. Sediment movement processes can replace removed sediments naturally; human activity (such as beach replenishment or sediment bypasses on structures) can also replace removed sediments artificially. In some cases, such as clearance of outfalls and dredging of navigation channels, it is not desirable that sediments return rapidly to the area from which they were removed.

Policy 6.6 has been adopted because the Taranaki Regional Council wishes to avoid the build up of contaminated sediments, particularly where those sediments can come into contact with people or marine life consumed by people. The Council also wishes to prevent the coastal marine area being used as a 'landfill' or waste disposal site, particularly in inshore waters or on the foreshore. However, the Council recognises that there may be circumstances where clean fill would be an appropriate material to reclaim land with. Provided the reclamation is an appropriate activity under this plan, clean fill may be allowed to be deposited in those circumstances.

Policy 6.6 states that the controlled placement of substances (eg sand on a beach) should not adversely affect the form of the foreshore. In the case of beach replenishment, this includes consideration of the physical properties of the placed and receiving sediments, and the likely survival time of introduced sediment.

Methods of implementation

The Taranaki Regional Council will use the following methods to implement the policies above:

METH Application of regional rules in Section 4.0 of this plan to regulate:

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- (a) reclamation or draining of the foreshore or seabed;
- (b) construction, alteration, maintenance and removal of all types of structures;
- (c) disturbance of the foreshore or seabed; and
- (d) deposits of substances on the foreshore or seabed.

Reasons

The activities described are already restricted by Section 12 of the Act. Regional rules are required to change that restriction from a blanket 'discretionary' before any other method can be used.

Because effects on land are the concern, levels of control can be devised that are more appropriate to the effects of an individual activity. Hence, activity classifications are changed from a simple 'resource consent required' (under Section 12(1)) to a more effective and efficient range from 'permitted' through to 'prohibited'.

Most people are already aware that use of the foreshore and seabed is restricted. People, by and large, accept that restriction. The Taranaki Regional Council thinks that the community will be best served by modification of the existing restrictions to more appropriate levels of control under the regional rules in this plan.

Environmental results anticipated
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- ER 1 Avoidance of increased risk of accelerated coastal erosion.
- ER 2 Avoidance of adverse effects on people or ecosystems from sediment contamination.

ISSUE SEVEN: NATURAL HAZARDS

Coastal erosion studies show that the entire Taranaki coastline is eroding at long term average rates between 0.05 m/yr and 1.89 m/yr¹. Exceptions exist at Patea River mouth and Stony (Hangatahua) River mouth². Areas of greatest coastal erosion risk are Oakura, New Plymouth urban area, Bell Block, Waitara River mouth, Onaero and Urenui Beach, because of the proximity of these urban areas to eroding coastlines.

A second natural hazard is flooding or erosion of river banks in estuaries with adjacent urban or residential areas or network utilities.

Objectives

- OBJ 7(a) To reduce the susceptibility of people, property and the coastal environment of Taranaki to loss or damage by coastal erosion or flooding.
- OBJ 7(b) To avoid as far as practicable, the need for natural hazard protection works in the coastal marine area and to avoid, remedy or mitigate adverse effects on the environment that result from implementation of natural hazard protection works.

Policies

POL 7.1 Coastal hazard protection works will be allowed only in relation to existing use or development of areas of the coastal environment in situations where the positive effects of allowing the works are significantly greater than the adverse effects. Determination of this will include a consideration of:

- (a) the probability of the works succeeding;*
- (b) the public benefit from the use or development to be protected, in enabling the regional community to provide for its economic wellbeing, health and safety;*
- (c) the regional and national significance of the use or development to be protected;*
- (d) the effects of the protection works on the environment, including any change in the occurrence and rate of coastal erosion;*
- (e) measures previously taken, including decisions as to the location of the use and development, to avoid the need for coastal hazard protection works;*
- (f) alternatives to the development of coastal hazard protection works, and the reasons why those alternatives have not been proceeded with.*

POL 7.2 Coastal erosion protection works with a duration of less than five years may be allowed provided that:

- (a) the proposed works are removable;*

¹ Taranaki Regional Council, 1992: *Coastal marine area: resource description and management issues*. Taranaki Regional Council, Stratford.

² Gibb, J, 1978: *Rates of coastal erosion and accretion in New Zealand*. *New Zealand Journal of Marine and Freshwater Research*, vol 12, no 4, December 1978.

- (b) *no permanent adverse effects on the environment (in particular, foreshore loss in front, or at the ends, of seawalls) will result from the placement, use and/or removal of the works;*
- (c) *the protection is temporary in order to provide time to prepare and implement a plan to remove or reduce coastal erosion risk without the use of further protection works;*

and subject to this policy and an assessment under policy 7.1, such temporary works may be allowed in circumstances where permanent protection works would not be allowed, provided that the protected asset or activity is intended to be relocated or otherwise protected.

POL 7.3 Prior to a decision on a coastal permit for erosion control, mouth stabilisation or flood protection works in estuaries, the Taranaki Regional Council will require information to be supplied detailing:

- (a) *the risk from the natural hazard (incorporating the frequency of the hazard event, the number of people potentially affected, the value to the regional community of the natural and physical resources to be protected, and the value of the protection works);*
- (b) *the existence and significance of spawning or nursery areas of aquatic life within the estuary, and of any diadromous fish species within the catchment, and any effects of the works on these;*
- (c) *the effects on the outstanding coastal values where the estuary is an area of outstanding coastal value;*
- (d) *the effects of works on water flow rates and channel morphology;*
- (e) *alternatives to erosion control, mouth stabilisation or flood protection works, and the reasons why those alternatives have not been proceeded with.*

POL 7.4 In the use, development and protection of the coastal marine area, the ability of natural features and systems to provide a natural defence to erosion, inundation or sea level rise should be recognised and the integrity of such features or systems protected, where appropriate.

POL 7.5 The Taranaki Regional Council will require any person wishing to undertake a use or development within the coastal marine area to recognise the possibility of a sea level rise in response to global warming. The best estimate of sea level rise, given by the International Panel on Climate Change, is of a 0.2 m rise in global mean sea level by 2030 and a 0.65 m rise by 2100.

Explanation

Objective 7(a) has been chosen because of the existence of an erosion problem, flood risk and predicted sea level rise in the coastal marine area. The objective is considered necessary to carry out the function of avoiding or mitigating natural hazards, to achieve the purpose of the Act.

Objective 7(b) recognises that natural hazard protection works can cause adverse effects on the environment by their interaction with sediment movement and wave action. Objectives 7(a) and 7(b) therefore have the potential to conflict. The priority of the objectives will be determined on a case-by-case basis by use of the policies set out in this section and other matters in Section 104 of the Act.

Policy 7.1 states that coastal erosion protection works may be allowed to protect use, development or subdivision of the coastal environment. However, an application to carry out such works will be declined unless it is clear that the positive effects on the environment clearly outweigh the negative effects. It is anticipated that this will occur only in relation to existing coastal settlements and developments, as Policy 6.1, policies in the Regional Policy Statement for Taranaki and policies in district plans should prevent new use, development or subdivision in areas that may be adversely affected by coastal erosion or flooding.

Policy 7.2 allows the consideration of temporary coastal erosion protection works where those works are for the protection of an asset from coastal erosion while a longer term protection plan is implemented. The intent of the policy is that the protected asset is removed, or the activity relocated, during the life of the protection works. Alternatively, a different form of protection (eg beach renourishment or removal of 'up-drift' structures) may be invoked during the life of the protection works. If the Taranaki Regional Council is satisfied that the requirements of Policy 7.2 are met, the Council will apply Policy 7.1, taking into account the temporary nature of the works and the long-term protection plan, and may allow temporary works in circumstances where permanent works would not be allowed.

Policy 7.3 recognises that areas such as Waitara, Patea, Urenui, Tongaporutu and Mohakatino may be affected by flooding, erosion of the estuary bed or banks, and (in the case of Waitara and Patea) removal or reconstruction of mouth stabilisation structures. The Taranaki Regional Council will require full information to be provided before deciding whether or not to grant a coastal permit for hazard protection works in estuaries.

Policy 7.4 recognises that natural features and systems such as beaches or reef systems are a natural defence to coastal erosion and flooding. Use and development in the coastal marine area should recognise and retain the natural protective abilities of these features. This policy gives effect to Policy 3.4.2 of the New Zealand Coastal Policy Statement.

Policy 7.5 has been included to give effect to Policy 3.4.2 of the New Zealand Coastal Policy Statement. Government policy is that local authority plans should recognise the possibility of a rise in sea level as a result of global warming. The figures given are those of the International Panel on Climate Change, in accordance with advice to local authorities from the Ministry for the Environment. The Taranaki Regional Council does not consider that it needs to take regulatory action to give effect to this policy, merely to advise people of the possibility of sea level rise.

Methods of implementation

The Taranaki Regional Council will use the following methods to implement the policies above:

- METH 1 **Application of Policies 7.1 to 7.4** when considering an application for a coastal permit.
- METH 2 **Application of regional rules** which make the construction of natural hazard protection structures a discretionary activity.
- METH 3 **Provision of information** to coastal permit applicants of the possibility of sea level rise. The Taranaki Regional Council will not take any regulatory action in respect of sea level rise. Should sea level rise occur, policies 7.1 to 7.4 will apply to any protection works proposed for any subdivision, use or development.
- METH 4 **Advocacy** to district councils regarding the types and levels of land use that should be allowed, regulated or prohibited in areas of the coastal environment

that are prone to natural hazard occurrence, and advocacy and liaison regarding appropriate responses to coastal erosion hazards.

Cross-reference: Issue Six 'Adverse effects on the foreshore, seabed and coastal land'.

Reasons

Methods 1 and 2 have been adopted because activities of such significance as to be affected by, or affect, natural hazard occurrence will require a coastal permit under this plan. Hence provision for the effects of coastal erosion can be made through the consents process in a simple, effective and efficient manner.

Method 3 gives effect to Policy 7.4. Information provision is all that is required, as the Taranaki Regional Council considers that people aware of the possibility of sea level rise will choose to act in their own perceived best interest. If individuals choose not to provide for sea level rise, and sea level rise occurs, adverse effects on the environment are unlikely (other than on the individual development). Policies 7.1 to 7.4 will apply if a use or development is adversely affected by sea level rise. **It is unlikely that the Taranaki Regional Council will allow protection works for uses or developments that are carried out after the notification of this plan and subsequently affected by sea level rise.**

Method 4 recognises that under the Regional Policy Statement for Taranaki, district councils are responsible for planning to avoid or mitigate flooding and coastal erosion. The two coastal districts are well aware of the natural hazard issue. Advocacy has been chosen to address the cross-boundary issue that arises because the Taranaki Regional Council is responsible for regulating protection works in the coastal marine area, while districts are responsible for other response measures.

The policies and methods in Issue Six "Adverse effects on the foreshore, seabed and coastal land", are relevant to this issue and those methods will be used to implement Policies 7.1 to 7.4.

Environmental results anticipated
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- ER 1 No increase in the risk of coastal erosion.
- ER 2 Adverse effects of flooding and natural hazard protection works are avoided, remedied or mitigated.

ISSUE EIGHT: ADVERSE EFFECTS ON EXISTING STRUCTURES

The Act requires the sustainable management of existing structures, as physical resources. Structures in the coastal marine area in Taranaki serve the following specific purposes: petroleum exploration, mining and transport; network utility operations; aiding navigation; access to or across the coastal marine area (jetties, bridges, wharves and boatramps); discharges or intakes; or natural hazards protection (seawalls, groynes and breakwaters). The location of a structure and the condition of adjacent foreshore and seabed are critical to the efficient use of the structure for its intended purpose.

The coastal marine area includes river estuaries. Many of these estuaries have network utilities crossing them, notably state highways and gas transmission pipelines. Those structures require protection from exposure or undermining as a result of other activities.

Objective

- OBJ 8 To maintain people's ability to efficiently use any lawfully-established structure for that structure's intended purpose, subject to achievement of objectives relating to adverse effects on land, natural hazards, access and navigation and safety.

Policies

- POL 8.1 *New use, development and protection of the coastal marine area should:*
- (a) *allow safe and adequate access to existing structures for their use and maintenance;*
 - (b) *not promote erosion or accretion which results in exposure, burial, blockage, instability or stranding of an existing structure and so impede reasonable use of that structure for its intended purpose; where this is consistent with the purpose of the Act.*
- POL 8.2 *The Taranaki Regional Council will promote redevelopment and use of existing structures ahead of the construction of new structures, where it is consistent with the efficient use of resources and has less impact on the natural character of the coastal marine area than alternative options.*

Explanation

Structures are a physical resource. The sustainable management of structures must be promoted in order for this plan to achieve the purpose of the Act. An issue with any use, development or protection of the coastal marine area is that it may affect existing structures or use of those structures. Objective 8.1 is necessary to achieve the Act's purpose as the potential of structures to meet the reasonably foreseeable needs of future generations must be maintained (Section 5(2)(a)) and adverse effects of activities on the environment (which includes all natural and physical resources, including structures) must be avoided, remedied or mitigated (Section 5(2)(c)). Objective 8.1 makes clear to those proposing new use, development and protection of the coastal marine area that they must take account of the effects of their proposal on use of existing structures.

Policy 8.1 states the circumstances in which the effects of new use, development and protection of the coastal marine area on structures are acceptable, that is, are not significant adverse effects.

The policy has been adopted because structures in the coastal marine area are highly location-specific. Hence, artificially-induced changes in the surrounding environment can easily render use of a structure difficult, unsafe or impossible.

Policy 8.2 has been adopted to promote the efficient use and development of structures in the coastal marine area and to avoid sporadic development and adverse effects on natural character within the coastal marine area.

Methods of implementation

The Taranaki Regional Council will use the following methods to implement the policies above:

METH 1 **Application of Policies 8.1 and 8.2** when considering a coastal permit application to carry out a controlled, discretionary or non-complying activity.

METH 2 **Attachment of conditions** to rules providing for **permitted activities** and to coastal permits for **controlled activities** when:

- (a) an activity could interfere with reasonable use or maintenance of an existing structure; or
- (b) an activity could cause changes to the foreshore or seabed and adversely affect the structure itself.

Reasons

Policy 8.1 provides a performance measure for activities. The Taranaki Regional Council's decision is that activities that are likely to have an adverse effect on existing structures, or their use, will be activities presently restricted by Sections 12 or 15 of the Act. Those activities may only be authorised by a coastal permit or by a rule in this plan providing for a permitted activity.

Policy 8.1 can therefore be given effect in an efficient and effective manner through a decision on a coastal permit application or conditions within a regional rule.

Environmental results anticipated

ER 1 Continued reasonable use of existing structures in the coastal marine area.

ISSUE NINE: ADVERSE EFFECTS ON WATER QUALITY

The issue to be addressed is the maintenance of water quality in the coastal marine area, and enhancement of the quality of water that is degraded, including consideration of effects of point-source discharges of contaminants from coastal industries and communities; limitations on natural flushing of coastal waters by development in the coastal marine area; effects of diffuse-source discharges of contaminants associated with the operation and maintenance of facilities and ships and offshore installations in the coastal marine area; and effects of spills of oil or other contaminants in the coastal marine area.

Objective

OBJ 9 To maintain and enhance the quality of coastal water by avoiding, remedying or mitigating the adverse effects of contaminants discharged to the coastal marine area.

Policies

POL 9.1 *Waste reduction and treatment practices which avoid, remedy or mitigate the environmental effects of the direct discharge of contaminants into water will be required. In assessing proposals to discharge contaminants directly to water (either new discharges or renewals of existing discharges), matters to be considered will include:*

- (a) *the need to safeguard the life-supporting capacity of water and aquatic ecosystems of the receiving environment;*
- (b) *the allowance for reasonable mixing zones;*
- (c) *potential for cumulative or synergetic effects;*
- (d) *the effect on areas where shellfish are gathered for human consumption;*
- (e) *the degree to which the needs of other water users are, or may be, compromised;*
- (f) *the actual or potential risks to human and animal health from the discharge;*
- (g) *the actual or potential effects on amenity and heritage values including recreational values of the receiving environment;*
- (h) *the effect of the discharge on the natural state of the receiving water;*
- (i) *the cultural and spiritual values of tangata whenua;*
- (j) *measures to avoid, remedy or mitigate the effects of contaminants to be discharged;*
- (k) *the use of the best practicable option for the treatment and disposal of contaminants including, in the case of human sewage wastewater, the use of land disposal or wetland treatment.*

This policy will also be given effect when coastal permits for discharges of contaminants are reviewed in accordance with Section 128 of the Act.

POL 9.2 Improvements in the biological health and quality of coastal ecosystems will be promoted in those coastal waters in which the life-supporting capacity of water and marine ecosystems is under pressure, while taking account of:

- (a) the existing status of water quality;*
- (b) the existing habitat quality including the need to maintain ecologically viable marine ecosystems and ecologically viable populations of marine species;*
- (c) the degree to which cultural and spiritual values or customary uses of tangata whenua are affected by existing water quality;*
- (d) the scenic, aesthetic and recreational values including fishery values;*
- (e) the impact on commercial users of the coastal marine area.*

POL 9.3 Discharges of contaminants or water to water should:

- (a) be carried out in a way that avoids or mitigates significant adverse effects on marine biological community composition;*
- (b) maintain or enhance, after reasonable mixing, water quality of a standard that allows existing community use of that water for recreation, fishing or kaimoana gathering to continue;*
- (c) avoid, remedy or mitigate significant adverse ecological effects on estuaries or intertidal areas;*
- (d) be of a quality that ensures that the size or location of the zone required for reasonable mixing does not have a significant adverse effect on community use of the coastal marine area or the life-supporting capacity of water and aquatic ecosystems.*

POL 9.4 A discharge of human sewage direct into water, without passing through land, may only occur where:

- (a) it better meets the purpose of the Act than disposal onto land;*
- (b) there has been consultation with the tangata whenua in accordance with tikanga Maori and due weight has been given to sections 6, 7 and 8 of the Act;*
- (c) there has been consultation with the community generally.*

POL 9.5 After reasonable mixing, no discharge (either by itself or in combination with other discharges) may give rise to any significant adverse effects on habitats, feeding grounds or ecosystems.

POL 9.6 Adverse effects on water quality from the discharge of contaminated stormwater will be avoided, remedied or mitigated and management systems, structures or facilities adopted to:

- (a) separate drainage of areas which are at no risk of being contaminated from those which may be contaminated;*
- (b) treat contaminated stormwater at source or before disposal.*

- POL 9.7 The potential for unauthorised discharges of contaminants to occur in respect of any activity in the coastal marine area will be considered. Spill contingency plans may be required in relation to any activity in the coastal marine area with the potential for significant adverse effects on water quality in the event of an unauthorised discharge.*
- POL 9.8 Adverse effects on water quality and sediment quality that arise from ship or offshore installation discharges and maintenance shall be avoided or mitigated to the fullest practicable extent.*
- POL 9.9 The introduction of exotic organisms to New Zealand coastal waters shall be avoided as far as is practicable and, in particular, risk minimisation methods will be used or required where there is a reasonable risk that an activity could result in the introduction of an exotic species which could:*
- (a) endanger or cause the regional or national extinction of any indigenous species; or*
 - (b) adversely affect human health, fisheries, shellfisheries, aquaculture or marine ecosystems.*
- POL 9.10 When considering coastal permit applications for reclamations, activities involving structures, disturbances to the foreshore and seabed, or deposits of substances to the foreshore and seabed, the Taranaki Regional Council will consider adverse effects on water quality with respect to the need to safeguard the life-supporting capacity of water and aquatic ecosystems.*
- POL 9.11 Bulk storage of hazardous substances in the coastal marine area will be regulated and the non-essential bulk storage of hazardous substances in the coastal marine area discouraged to prevent adverse effects on water quality.*

Explanation

The ambient water quality in the Taranaki coastal marine area is influenced by the high-energy wave environment, and by the discharges of numerous rivers into 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 activities in their catchments, including urban stormwater runoff, suspended sediments and agricultural and industrial wastes. Additionally, eastern hill country rivers drain siltstone and mudstone catchments, and as such discharge a high load of suspended solids. The effects of rivers on water quality in the coastal marine area will be addressed through a regional freshwater plan and through the Taranaki Regional Council's riparian management strategy.

There are a number of natural oil or hydrocarbon seeps around New Plymouth and within the Sugar Loaf Islands Marine Protected Area. These natural seepages are not able to be controlled.

The Taranaki Regional Council considers that the objective stated is a pragmatic objective which recognises:

- existing community uses of the coastal marine area;
- the relatively low number of artificial discharges to Taranaki coastal water;
- and

- existing ambient water quality in Taranaki as affected by the West Coast environment and river discharge.

The intent of the objective is that the coastal water quality is maintained and enhanced by management of effects of direct discharges to the sea. Contaminants should not prevent or restrict fishing, shellfish gathering for consumption, or contact recreation, in areas already used for those purposes.

Policy 9.1 allows for new discharges of contaminants or water to the coastal marine area. The policy states matters that will be considered when a proposal to discharge contaminants to the coastal marine area is made. Those matters include some which relate to other policies in this plan. Those policies will also be considered.

Policy 9.1 uses the hierarchy of action given in Policy 3.2.2 of the New Zealand Coastal Policy Statement. That hierarchy means to avoid any adverse effects, or, when those adverse effects are unavoidable they should be mitigated and provision should be made for remedying those effects.

Policy 9.2 states the matters that the Taranaki Regional Council will consider in determining the life-supporting capacity of coastal water. The policy is important both for proposed new discharges and for existing discharges into degraded receiving waters.

Policy 9.3 provides a statement of the Taranaki Regional Council's desired operational outcomes when considering applications to discharge contaminants to the coastal marine area. In effect, the policy provides assistance to those wishing to commence a new discharge of contaminants, by providing a guideline as to the effects the Council considers undesirable in the coastal marine area.

Policies 9.4 and 9.5 have been included to give effect to Policies 5.1.2 and 5.1.3 of the New Zealand Coastal Policy Statement.

Policy 9.6 states the Taranaki Regional Council's approach to stormwater discharges. Stormwater is often contaminated in the first flush after heavy rain (particularly following a long dry period) but is a "special case" discharge. Stormwater must be discharged in some way. The Council requires spill contingency plans and pre-treatment (usually settling ponds which are bypassed after a certain time) when stormwater is discharged from catchments with a discernible risk of contaminant spills or solids reaching stormwater (usually in industrial areas).

Policy 9.6 also uses the hierarchy of action given in Policy 3.2.2 of the New Zealand Coastal Policy Statement, as explained in relation to policy 9.1 above.

Policy 9.7 formalises an existing practice of the Taranaki Regional Council, that activities with the potential for a discharge with significant adverse effects may be required to provide a spill contingency plan as a requirement to obtain a coastal permit. In some instances, if the risk of a spill, considering its probability and likely adverse effects on the receiving environment, is too great, consent may be declined instead of a contingency plan being required. A cross-boundary issue exists here, as activities outside the coastal marine area may have the potential for a spill.

Policy 9.8 recognises that ships (including every description of boat or craft) and offshore installations may adversely affect water quality either through sewage or ballast water discharges, or through chemical contamination from paints during operation or maintenance periods. It is not possible to completely prevent the effects of ships and offshore installations on water quality. Some ships cannot physically change their ballast water in the open sea, nor can some contamination from paints be completely avoided. Hence the wording of the policy refers to mitigating these effects, rather than avoiding or remedying them.

Discharges from ship and offshore installations to the coastal marine area will be subject to section 15B of the Resource Management Amendment Act 1994 once that Act comes into effect. Under this Amendment Act the Government is preparing marine pollution regulations to address such discharges. In anticipation of these changes in legislation, the general rules concerning discharges from ships and offshore installations have been drafted to be as consistent as possible with the draft regulations. These rules may be overridden when section 15B and the associated marine pollution regulations come into force.

Policy 9.9 recognises the potential adverse effects on shellfisheries, fisheries and marine ecosystems, and on human health, of the introduction of foreign organisms such as toxic dinoflagellates. The prospects for controlling or eradicating new organisms that have been introduced to New Zealand have been historically identified as poor. The Biosecurity Act 1993 will be the primary means by which such introductions will be avoided. Ballast water discharges are likely to be permitted, in accordance with the marine pollution regulations noted above, subject to any control imposed under the Biosecurity Act by the Ministry of Agriculture.

Policy 9.10 provides guidance to the Taranaki Regional Council and community when considering coastal permit applications to carry out works in the coastal marine area. Activities other than discharges may affect water quality, primarily through temporary sediment disturbance. Such disturbance can have significant effects, even though the disturbance is temporary, if it occurs at spawning times.

Policy 9.11 has been put in place to provide for continued control of hazardous substance storage in the coastal marine area, as previously provided by the Transitional Regional Coastal Plan. Hazardous substance storage has potential adverse effects of low probability but high potential impact on the coastal marine area. The Taranaki Regional Council will therefore discourage the bulk storage of hazardous substances in the coastal marine area unless there is an operational need for such storage. The policy maintains the *status quo* and does not affect ships in port, or transportation of hazardous substances.

Methods of implementation

The Taranaki Regional Council will use the following methods to implement the policies above:

- METH 1 **Application of the regional rules** listed in Section 4.0 of this plan to provide for the control of **discharges** of sewage, other contaminants and water to the coastal marine area, and for the control of the bulk storage of hazardous substances in Port Taranaki.

METH 2 **Advocacy** (or **requirement** when new mooring, berthing or launching facilities are constructed) for Westgate Transport Ltd and any future operators of other launching, mooring and berthing facilities (for example, at Waitara or Patea) to:

- (a) provide facilities for the collection of litter and on-board wastes;
- (b) provide areas on dry land for the maintenance and cleaning of ships (including every description of boat or craft), and in particular, facilities to collect and dispose of maintenance and cleaning wastes so that they do not escape into coastal water;
- (c) encourage ship operators to follow Ministry of Agriculture border protection guidelines on the exchange of ballast water, to avoid release of exotic marine organisms into New Zealand waters.

METH 3 **Preparation**, under the Transport Law Reform Act 1994 and the New Zealand Marine Oil Spill Response Strategy, **of the Regional Marine Oil Spill Response Plan** to deal with oil spills in the coastal marine area.

METH 4 **Approval**, and subsequent **inspection** as appropriate, **of site marine oil spill response plans** under the Maritime Transport Act 1994.

METH 5 **Inspection**, as appropriate, **of shipboard marine oil spill response plans** held on New Zealand ships under the Maritime Transport Act 1994.

METH 6 **Application of conditions on coastal permits** to require the preparation of contaminant spill contingency plans. These plans will be required, when appropriate, for activities involving the use of contaminants in the coastal marine area or activities with discharges to the coastal marine area.

METH 7 **Provision of information** to territorial authorities and the Medical Officer of Health for Taranaki if regional water quality monitoring shows that coastal water is unfit for contact recreation or gathering of shellfish for human consumption.

Reasons

Method 1 has been adopted because, in respect of fixed point-source discharges of contaminants, regulation is a simple, efficient and effective method of controlling the adverse effects of those discharges. Sewage discharges (other than those from ships and offshore installations, or those that pass through soil or wetland first) are required to be regulated by Policy 5.3.1 of the New Zealand Coastal Policy Statement. Policies 5.2.1 to 5.2.5 of the New Zealand Coastal Policy Statement require that provision be made to avoid, remedy or mitigate adverse effects of sewage and other waste discharges from ships and offshore installations. However, setting rules that require coastal permits to be obtained is neither efficient nor effective for mobile sources, hence other methods will be used to give effect to water quality objectives and policies in respect of mobile sources. Bulk storage of hazardous substances has previously been a discretionary activity on Port Taranaki wharves. This provision is being continued.

Method 2 has been adopted because provision for collection facilities is required by the New Zealand Coastal Policy Statement, Policies 5.2.1 and 5.2.2.

Provision of facilities is a service delivery function of a type not practised by the Taranaki Regional Council due to limitations under the Local Government Act 1974. However, encouragement (or requirement) for sewage and waste disposal facilities to be provided by operators is considered likely to be an effective method of achieving Policy 9.9, as well as an efficient method of implementation.

Method 2 recognises that rules regarding discharges from foreign-flagged ships cannot be enforced under the Act¹. Promotion of the Voluntary Agreement on Ballast Water Discharge is seen as the most efficient and effective way of achieving Policy 9.10. While such rules can be enforced against New Zealand registered ships, the Taranaki Regional Council would prefer to be able to deal with all ships and offshore installations in the same way, for reasons of equity.

Education and advocacy have been chosen recognising that, in the long term, behavioral change will be the most effective method of achieving water quality objectives. Discharges from ships and offshore installations are difficult to police outside harbour limits, and so other methods of implementation (with the exception of service provision) are unworkable.

Method 3 involves the preparation of a regional marine oil spill response plan. Such a plan is mandatory under the Maritime Transport Act 1994, and assists in achieving the purpose of the Resource Management Act. Section 32 of the Resource Management Act allows for the use of functions under other Acts to achieve the purpose of the Resource Management Act.

Method 4 has been adopted because the approval of site marine oil spill response plans is a mandatory function of a regional council under the Maritime Transport Act 1994. A regional council may also inspect such plans. This will assist in achieving the purpose of the Resource Management Act.

Method 5 has been adopted because New Zealand ships are required by the Maritime Transport Act 1994 to prepare shipboard marine oil spill response plans. Regional councils do not have an approval role in respect of such plans, but may inspect them under that Act. The Taranaki Regional Council considers that such inspections, carried out from time to time, will assist in achieving the purpose of the Resource Management Act.

¹

Until such time as the Resource Management Amendment Act 1994 comes into effect.

Method 6 will affect activities in, or involving discharges to, the coastal marine area, which have the potential for unauthorised discharges of contaminants to the coastal marine area. A workable contingency plan is an effective method of avoiding adverse effects from an accidental or negligent spillage of contaminants. To the advantage of consent holders, acceptable contingency plans assist in a defence given the strict liability provisions of the Act.

Method 7 has been adopted to give effect to Policy 5.1.7 of the New Zealand Coastal Policy Statement.

Environmental results anticipated
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- ER 1 Adverse effects of point-source discharges on water quality avoided, remedied or mitigated to:
- (a) allow widespread contact recreation, shellfish gathering for human consumption and fishing;
 - (b) ensure the maintenance of viable marine ecosystems, particularly in estuarine and intertidal areas.
- ER 2 Minimal occurrence of accidental spills of contaminants, and effective clean-up if spills occur.
- ER 3 Minimisation of the risk of introduction of exotic organisms.

ISSUE TEN: USE OF WATER

The issues to be addressed are the effects of abstraction and use of coastal water on marine flora and fauna and on human safety; and effects of the abstraction, use, damming or diversion of water in estuaries on sediment movement, water quality, aquatic life and human safety.

Objective

- OBJ 10 To allow the use of coastal water in a manner which enables people and communities to provide for their social, economic and cultural wellbeing while:
- (a) ensuring that coastal water of equal or better quality than existing coastal water is available to meet the reasonably foreseeable needs of future generations;
 - (b) safeguarding the life-supporting capacity of coastal water and ecosystems; and
 - (c) avoiding, remedying or mitigating adverse effects of water use on the environment.

Policies

- POL 10.1 *Taking and use of open coastal water shall not be restricted, and taking and use of coastal water in embayments, harbours and inlets shall be allowed, where there are no adverse effects on spawning or nursery areas of aquatic life, significant areas of indigenous vegetation, or significant habitats of indigenous fauna.*
- POL 10.2 *Taking, use, damming or diversion of water in an estuary shall be undertaken in a manner which avoids, remedies or mitigates adverse effects on estuarine ecosystems. Applicants for coastal permits to abstract, dam or divert water will be required to:*
- (a) *demonstrate a need for the volumes of water sought;*
 - (b) *indicate, where appropriate, what alternative water supplies or water collection or storage methods have been considered to meet this need and the suitability or otherwise of the alternatives;*
 - (c) *report on the environmental effects of the proposed abstraction and possible avoidance, remedial or mitigation measures;*
 - (d) *where appropriate, install systems to accurately measure the volumes of water abstracted;*
 - (e) *undertake measures designed to mitigate the effects of water abstraction if abstraction would otherwise have a significant adverse effect on spawning areas, estuarine biological communities or nutrient movement.*

Explanation

The objective recognises the benefits of being able to use coastal water. It recognises also that any adverse effects are likely to arise from the subsequent discharge of that water, rather than from its abstraction. It also gives effect to Policies 4 and 5 of Section 4.5.1 of the Regional Policy Statement for Taranaki, which relate to estuaries and the use of coastal water.

Policy 10.1 recognises that coastal water is abundant and no conceivable level of abstraction will significantly alter coastal water levels. This applies to open coastal water and to the non-open coastal water in harbours, embayments and inlets. However, coastal water in Taranaki estuaries may contain juveniles of aquatic wildlife, or be sufficiently shallow that its abstraction, damming or diversion could adversely affect other flora and fauna.

Policy 10.2 recognises that estuaries provide nursery areas, spawning areas and nutrients for aquatic life. The removal or diversion of water from estuaries may have a significant adverse effect on those features and, as a result, on marine ecosystems. The removal of water from an estuary may also decrease the ability of the flow to carry sediment in suspension, resulting in sedimentation and changes to flow and sediment patterns in estuaries.

The phrase 'avoid, remedy or mitigate' as used in the policies in this section, indicates that the Taranaki Regional Council will pursue a course of action that focuses on:

- avoiding the effects of an activity;
- if avoidance is not practically possible, remedying the effects of an activity; and
- if neither avoidance nor remedial action are practically possible, mitigating the effects of an activity.

This hierarchy of action is consistent with policy 3.2.2 of the New Zealand Coastal Policy Statement.

It should be noted, however, that it is more likely to be the placement of the abstraction structure that is of concern than the abstraction itself.

Methods of implementation

The Taranaki Regional Council will use the following methods to implement the policies above:

METH 1 **Application of the regional rules** in Section 4.0 of this plan which **permit** the use of coastal **water in harbours, embayments or inlets**, where that use will not adversely effect the environment.

METH 2 **Application of regional rules** in Section 4.0 of this plan which make the use of coastal water in **estuaries or aquifers** a **discretionary activity**.

Reasons

In the absence of a rule, the use of coastal water which is not open coastal water is restricted by the Act. As stated above, the use of water in embayments, harbours and inlets is not considered any more likely to have significant adverse effects on the environment than the use of open coastal water. A regional rule providing for a permitted activity is more efficient than requiring coastal permits to take coastal water from embayments, inlets or harbours.

The use of open coastal water is permitted also and does not require a coastal permit.

Method 2 has been adopted because estuaries are considered to be more sensitive to adverse effects, as described above. An estuary is the lowest and last part of a catchment and has both coastal and river characteristics. A water permit is presently required to use water from a river. To maintain the ecological value of estuarine water, and to promote integrated management of water resources, it is considered appropriate to manage estuarine water on the same basis as river water.

Environmental results anticipated
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- ER 1 Significant adverse effects on estuarine ecosystems will be avoided, remedied or mitigated.

- ER 2 Coastal water available for use in circumstances where the abstracted water is immediately compensated for by an influx of either saline or freshwater, without significantly altering the water balance.

ISSUE ELEVEN: ADVERSE EFFECTS OF UNREASONABLE NOISE

The issue to be addressed is control of the emission, and mitigation of the adverse effects, of unreasonable noise generated from within the coastal marine area. Unreasonable noise in the coastal marine area may be generated by construction work, industrial operations on port wharves, flaring or noisy recreational ships. It can disturb people and animals, and may be harmful to people continually exposed to it.

Objective

OBJ 11 To ensure that, over the lifetime of this plan, noise levels in the coastal marine area remain within a level that is compatible in terms of effects on communities, individuals and wildlife, having regard to the occupiers best practicable option of ensuring that noise levels do not exceed a reasonable level.

Policies

POL 11.1 Noise levels in the coastal marine area shall be managed to prevent significant adverse effects on any one or more of the following:

- *the health and social wellbeing of people; or*
- *amenity values; or*
- *livestock; or*
- *significant populations of either migratory, breeding or threatened birds; or*
- *significant populations of either migratory, breeding, threatened or residential marine mammals.*

POL 11.2 Priority shall be given to managing noise levels in the coastal marine area in such a way that the adverse effects of noise are no greater than those allowed in the adjacent district in circumstances in which noise will have effects above mean high water springs.

POL 11.3 Excessive noise shall be determined with regard to the provisions of this plan and the relevant district plan and New Zealand Standards relating to measurement of noise levels and the assessment of noise in the environment.

Explanation

Excessive noise is out of keeping with the natural character of the coastal environment and with the maintenance and enhancement of amenity values. This objective is considered necessary to provide for a matter of national importance and so contribute to achieving the purpose of the Act.

Policy 11.1 recognises that some types of noise may disturb livestock and wildlife, and may spoil people's appreciation of the natural character and aesthetics of the coastal environment, for example, in popular recreational areas. In addition, excessive noise can be harmful to people who are continually exposed to it. Methods to control noise will be directed toward avoiding these effects.

Policy 11.2 directs that the acceptable effects of noise in the coastal marine area shall be consistent with those that are acceptable above mean high water springs. The policy aims to achieve integrated management of the effects of noise across the mean high water springs mark, because the effects of noise will be most keenly felt in residential areas in the coastal environment of the adjacent district.

Policy 11.3 has been adopted to provide guidance and certainty to both the Taranaki Regional Council and resource users regarding acceptable levels of noise. New Zealand Standards are considered to be widely recognised and accepted standards.

Methods of implementation

The Taranaki Regional Council¹ will use the following methods to implement the policies above:

METH 1 **Application of regional rules** that require general standards (set out in Section 4.4 of this plan) to be met. Those standards include general noise standards and noise standards for construction, maintenance and demolition work and temporary military training.

METH 2 **Consideration of the general standards** in this plan, and of New Zealand Standards NZS6802:1991 *Assessment of Environmental Sound* and NZS6803P:1984 *The Measurement and Assessment of noise from construction, maintenance and demolition work* when:

- (a) considering applications for coastal permits; or
- (b) determining whether noise levels are excessive for the purpose of enforcement action under Part XII of the Act.

The standard given priority in any particular situation will depend on:

- (i) the location of the activity producing noise, in particular its proximity to land, areas of outstanding coastal value and populations of marine mammals or birdlife; and
- (ii) the sound environment within which the activity is located, including weather and climate conditions.

Reasons

Method 1 has been adopted to provide consistency with the provisions of the New Plymouth District Plan (operative 1 October 1991). The regional rules apply to activities involving structure construction, maintenance or demolition and minor activities involving disturbance of, or deposits onto the foreshore and seabed. The general standards recognise that, from time to time, climatic conditions will mean that background noise levels exceed

¹ Note that, at the date that this Plan became operative, the administration and enforcement of noise controls in the coastal marine area was being carried out by New Plymouth and South Taranaki District Councils pursuant to a transfer of powers under Section 33 of the Act.

the L_{10} level. In those circumstances the stated levels will not apply. The Taranaki Regional Council expects people to observe the duty to avoid unreasonable noise in such conditions.

The regional rules also apply to noise associated with temporary military training activities. Noise associated with temporary military training is a short term phenomenon. It is sporadic, sometimes reasonably loud, and of a generally brief duration. In most respects it may be compared with noise originating from demolition or construction activities, and can therefore be compared alongside the recommended standard for construction noise. However, because military training does not stop on Sundays and Public Holidays, and may occur any time of the day or night the regional rules reflect this.

Method 2 has been adopted to provide guidance to the Taranaki Regional Council, consent applicants and people carrying out activities in the coastal marine area as to levels of noise that are reasonable. The general standards in this plan are consistent with the noise levels allowed in the New Plymouth District, while the New Zealand Standards are a commonly accepted standard.

Environmental result anticipated

ER 1 Noise levels that do not adversely affect people, communities, wildlife or livestock.

ISSUE TWELVE: DEGRADATION OF AIR QUALITY ARISING FROM THE DISCHARGE OF CONTAMINANTS

The issue to be addressed is the degradation of air quality resulting from discharge of contaminants to air in the coastal marine area. Existing sources of discharge are emissions from ship (including every description of boat or craft) engines, particulate emissions within Port Taranaki and from offshore installations. Potential sources of discharge include hydrocarbon flaring, incineration of hazardous waste and incineration of materials on the foreshore.

Objective

OBJ 12 To maintain the existing high quality of the air resource of the Taranaki coastal marine area.

Policies

POL 12.1 *Discharges to air should:*

- (a) *not release contaminants in concentrations or at rates that could adversely affect human health or ecosystems in receiving environments;*
- (b) *not be noxious, dangerous, offensive or objectionable to the extent that they could adversely affect community use of the coastal environment or adversely affect wildlife;*
- (c) *not release particulate matter that could become noxious, dangerous, offensive or objectionable to an extent that it has or is likely to have an adverse effect on the environment, including by restricting visibility or visibly settling out on public or private properties.*

POL 12.2 *Discharges to air resulting from the incineration of hazardous waste or domestic or industrial waste shall not be allowed in the coastal marine area.*

POL 12.3 *Consideration shall be given to requiring implementation of the best practicable option to prevent or minimise adverse effects on the environment for any coastal permit that is to be exercised for the discharge of contaminants to air.*

Explanation

The specific issues of concern in the coastal marine area are nuisance effects of particulate discharge and odour at Port Taranaki and the potential release of toxic substances into the environment. The objective stated is considered to be necessary to address these issues in order to achieve the purpose of the Act. (Emissions from ship propulsion are negligible in quantity and effect and are lawful activities under the Act. This plan does not regulate those emissions.)

Policy 12.1 states the circumstances in which air discharges are considered not to have significant adverse effects. Discharges to air in the coastal marine area from ships and offshore installations and other activities do not generally have adverse effects, other than cumulatively in their contribution to greenhouse gas accumulation in the atmosphere. This latter effect is more amenable to a national policy than to regional policy.

Policy 12.2 recognises that adverse effects may result from incineration of hazardous wastes or waste materials. It is a practice for hazardous substances to be incinerated at high temperatures.

This may occur in purpose-built land-based facilities or on board incinerator ships. Incinerator ships are less expensive to use than are land-based facilities. This is because incinerator ships have less pollution control technology aboard and rely on coastal water to absorb and disperse the contaminants discharged from the incinerator. Such activity is considered inappropriate in the Taranaki coastal marine area. It should be noted, to avoid any doubt, that incineration of hazardous wastes is not a class of activity that includes flaring which results from petroleum exploration or mining.

Methods of implementation

The Taranaki Regional Council will use the following methods to implement the policies above:

- METH 1 **Application of regional rule G2.10** as stated in Section 4.0 of this plan, which provides for **flaring of hydrocarbons from petroleum exploration or mining** as a **permitted activity** in the coastal marine area.
- METH 2 **Application of regional rule G2.11**, which permits discharges to air and water from ships and offshore installations that result from normal operational procedures (as specified in the rule).

Reasons

The plan provides for flaring to be a permitted activity throughout 95% of the coastal marine area. Flaring of hydrocarbons takes place as part of petroleum exploration and mining. The effects of hydrocarbon flaring are known and are able to be mitigated sufficiently so that flaring may always proceed offshore in the open coastal area. However, effects of noise and light mean that flaring is not permitted within the Sugar Loaf Islands Marine Protected Area and a 150m buffer around that area, and not permitted if located under the New Plymouth Airport flight path protection surfaces shown in Section 4.3 of this plan.

Incineration of hazardous substances or wastes aboard ships and offshore installations is inappropriate in the coastal marine area. The Taranaki Regional Council has made discharges (other than those described above) a discretionary activity, contingent upon (among other things) demonstration that appropriate on-board facilities are available.

Environmental results anticipated

- ER 1 Maintenance of the existing level of air quality in the Taranaki coastal marine area.
- ER 2 Avoidance of toxic effects on people and marine ecosystems from the discharge to air of hazardous substances.

ISSUE THIRTEEN: EFFECTS ON NAVIGATION AND SAFETY

Activities in the coastal marine area, including surface water activities, placement of structures and vehicle movements, have the ability to affect the safety of users of the coastal marine area.

In particular, activities within the coastal marine area can:

- (i) affect the navigability of areas of water either adversely (for example, by reducing room to manoeuvre or reducing water depth) or positively (for example, placement of navigation aids);
- (ii) affect the safety of aircraft, particularly in the vicinity of airports adjacent to the coastal marine area;
- (iii) affect the safety of people in the water or on the foreshore.

The Resource Management Act has limited effect in relation to these matters. The Act provides for safety in a broad sense by controlling the locations and timing of activities. However, in many cases the way in which an activity is undertaken is governed by a different statute which specifically provides for the safety aspects of that activity.

Objective

OBJ To provide for the safety of users of the coastal marine area, to the extent that
13.1 this is consistent with the purpose of the Act.

Policies

POL *Use or development of the coastal marine area should:*

13.1

- (a) *allow the free and safe passage of ships (including every description of boat or craft) to and from recognised launching, mooring or berthing areas;*
- (b) *not adversely affect the functioning of navigational aids;*
- (c) *allow people to have safe access to and along the coastal marine area;*
- (d) *allow people to make safe use of the foreshore and coastal waters for contact recreation;*
- (e) *avoid light emissions that could affect the safe navigation of ships; and*
- (f) *provide for appropriate notice to be made when the navigability of an area changes as a result of that use or development.*

POL *Use or development of the coastal marine area shall not interfere with the safe operation of New Plymouth Airport, and in particular, uses or developments shall not interfere with the flight path protection surfaces surrounding the airport.*

POL *Conflicting recreational and commercial surface water activities in the coastal marine*

13.3 area shall be separated, when necessary, to protect human health and safety.

POL 13.4 The Maritime Safety Authority and the Hydrographic Office of the Royal New Zealand Navy shall be notified of new structures and harbour works in the coastal marine area at the time that a coastal permit is granted for the construction of that structure or harbour work and upon completion of that structure or work.

Explanation

The Taranaki Regional Council is required to manage natural and physical resources in a way, or at a rate, that enables people and communities to provide for their health and safety. The coastal marine area is used for transport, recreation and structure placement. Transport potentially conflicts with the other uses. The Council has adopted Objective 13 to enable users of the coastal marine area to provide for their health and safety.

Policy 13.1 states guidelines for safety in the coastal marine area. Safety is the subject of other, specialised Acts of Parliament: the Harbours Act 1950, the Maritime Transport Act 1994, the Building Act 1991 and the Shipping and Seamen Act 1952. The Resource Management Act is concerned only with residual safety and navigation issues, through part of its purpose "enabling people to provide for ... their health and safety". Policy 13.1 states safety guidelines which relate to coastal marine area uses and which are not specifically covered by other legislation.

Policy 13.2 is necessary to provide for the continued operation of New Plymouth Airport. Civil Aviation Rules require "obstacle limitation surfaces" to be in place before an airport is certified safe to operate. Airport operators require designations to be included in district plans to control heights of structures. However, designations cannot be required for regional coastal plans, and so this policy has been included.

Policy 13.3 recognises the potential for recreational activities to conflict to the detriment of public safety. In such situations, methods will be developed to separate such uses and so mitigate such conflict.

Policy 13.4 has been included to promote integrated management of navigational safety. The Maritime Safety Authority administers the Harbours Act 1950 and the Maritime Transport Act 1994, which provide for navigational safety. Under Section 395 of the Resource Management Act 1991, the Taranaki Regional Council is required to forward to the Maritime Safety Authority, copies of applications for reclamations or other works in the coastal marine area. The Maritime Safety Authority may then report to the Council on any navigation related matters raised by the application. The Hydrographic Office of the Royal New Zealand Navy surveys and charts the waters of New Zealand and has a vital role in ensuring that shipping can safely navigate the waters of New Zealand. Both the Maritime Safety Authority and the Royal New Zealand Navy need to be aware of structures, dredging, reclamations and other works which can change the navigability of an area of coastal water.

Methods of implementation

The Taranaki Regional Council will use the following methods to implement the policies above:

METH 1 **Setting of speed and navigation safety controls** under the **Harbours Act 1950** or subsequent navigation safety legislation to promote the safety of all users of the coastal marine area within the gazetted harbour limits of Port Taranaki.

METH 2 **Application of Policies 13.1 and 13.2** when:

- (a) considering an application for a coastal permit;
- (b) setting conditions on coastal permits for controlled, discretionary and non-complying activities that could affect the matters in policy 13.1.

METH 3 **Application of height restrictions** to give effect to New Plymouth Airport flight path protection surfaces in Section 4.3 of this plan. In particular:

- (a) controlled activities for placement of structures must not breach the airport flight path protection surfaces described in Section 4.3;
- (b) no application to carry out a discretionary activity will be granted if that activity involves a structure that would breach the airport flight path protection surfaces described in Section 4.3.

METH 4 **Advice to the Maritime Safety Authority and the Hydrographic Office of the Royal New Zealand Navy** when a coastal permit is granted for a new structure or other harbour work and when that structure or work is completed.

Reasons

It is necessary for purposes of public safety to separate areas of contact recreation from areas used for navigation and ship access. Powers to achieve this separation are divided between the Resource Management Act and the Harbours Act. While the Resource Management Act allows the Taranaki Regional Council to control activities in relation to the surface of water, that control is to achieve the purpose of the Act. By comparison, the bylaw-making powers under the Harbours Act allow the Council to carry out its specific functions relating to good navigation and safety under Section 127AA of that Act. The Council has chosen to use the provisions of the Harbours Act 1950 because that Act specifically addresses navigation and safety. Method 13.1 gives effect to Policy 13.3.

Regional rules are used to regulate activities (such as structure placement, reclamation or dredging) that can affect navigation. Methods 2 and 3 are simple and efficient methods for implementing Policies 13.1 and 13.2.

Method 4 is the most simple, efficient and effective method of giving effect to Policy 13.4. Because a resource consent may not be given effect to immediately and it is important that the hydrographer is aware of structures and works when they are erected, it is necessary for the holder of the consent to advise the hydrographer when construction is complete.

Environmental result anticipated

- ER 1 Maintenance of people's health and safety within the coastal marine area.
- ER 2 A marine environment conducive to the maintenance of safe navigation of shipping.

ISSUE FOURTEEN: OCCUPATION AND PUBLIC ACCESS

The issue to be addressed is the potential for existing and future uses of the coastal marine area to restrict or prevent public access along the coastal marine area, and the potential for occupation rights to exclude the establishment or continuation of alternative activities within the coastal marine area.

Objectives

- OBJ 14(a) To maintain and enhance public access within the coastal marine area.
- OBJ 14(b) To prevent conflict arising from multiple occupation rights over any single area of the coastal marine area.

Policies

- POL 14.1 *Public access along land of the Crown or land vested in the Taranaki Regional Council in the coastal marine area shall be maintained as far as is practicable in response to resource use or development. In this respect, any application for a coastal permit seeking rights of occupation shall include a consideration of alternatives to occupation rights and shall demonstrate how granting rights to occupy is the most appropriate course of action to take.*
- POL 14.2 *Where existing public access along land of the Crown or land vested in the Taranaki Regional Council is denied or restricted by use or development of the coastal marine area, acceptable alternative public access may be required to be provided or improved by that person whose activities are responsible for the denial or restriction of existing access.*
- POL 14.3 *Restrictions on public access along the coastal marine area should only be imposed where such a restriction is necessary for the purposes of:*
- (a) protecting areas of significant indigenous vegetation or significant habitats of indigenous fauna, or both;*
 - (b) protecting Maori cultural values;*
 - (c) protecting the health and safety of the public where these may be adversely affected by an activity in the coastal environment;*
 - (d) ensuring a level of security consistent with the purpose of a resource consent;*
 - (e) providing for defence purposes; or*
 - (f) in other exceptional circumstances sufficient to justify the restriction, notwithstanding the national importance of maintaining that access.*
- POL 14.4 *The matters in Policy 14.3 and in Section 229 of the Act shall be considered in determining the esplanade reserve or esplanade strip requirements in relation to any reclamation, along with a consideration of any loss of public access that has occurred as*

a result of the reclamation taking place.

POL 14.5 Provision shall be made, where appropriate and practicable, to improve the ability of the public to reach and use parts of the coastal marine area to which access is limited for any reason, provided that this is not inconsistent with Policy 14.3

POL 14.6 In circumstances when more than one set of occupation rights is requested for a part of the coastal marine area, measures will be adopted to ensure that occupation rights are compatible or that a priority order of rights is established.

Explanation

Maintenance and enhancement of public access along the coastal marine area is a matter of national importance, for which recognition and provision is required in this plan. Objective 14(a) is considered necessary to achieve that recognition and provision. It should be noted that the jurisdiction of this plan extends only as far as mean high water springs. Access to the coastal marine area is largely a district planning matter, except in relation to access structures (eg boatramps or steps on seawalls) that sit within the coastal marine area.

Policy 14.1 recognises that access rights to the coastal marine area are presently near-universal and are only likely to be restricted by resource use or development of a scale such that a coastal permit will be required. In such cases, as a priority existing access should be maintained where possible. In accordance with Policy 4.1.5 of the New Zealand Coastal Policy Statement, the Taranaki Regional Council requires an assessment to be made of alternatives to the grant of occupation rights when an application for occupation is made. Of note, Section 122(5) of the Act states: "Except to the extent that the coastal permit expressly provides otherwise, and that is reasonably necessary to achieve the purpose of the coastal permit, no coastal permit shall be regarded as:

- an authority for the holder to occupy a coastal marine area which is land of the Crown or land vested in a regional council to exclusion of all or any class of persons; or
- conferring on the holder the same rights in relation to the use and occupation of the area against those persons as if he or she were a tenant or licensee of the land.

Policy 14.2 states that alternative access may be required to be provided or improved by any person or group of people who are responsible for restricting or denying public access along the coastal marine area. The intention is that the existing access which is lost be replaced in the same area if possible. If that is not appropriate, another access way should be upgraded to compensate for lost access (either in the same area or in a different area). This policy is necessary in order to achieve the stated objective.

Policy 14.3 states the reasons for which public access along the coastal marine area may be restricted or denied. This policy is consistent with Policy one, Section 4.5.3 of the Regional Policy Statement for Taranaki and with Policy 3.5.1 of the New Zealand Coastal Policy Statement.

Policy 14.4 ensures that the requirements for an esplanade reserve or esplanade strip on a reclamation will be consistent with Policy 14.3 and the Regional Policy Statement for Taranaki. Any loss of public access that may have occurred will also be considered when determining esplanade reserve or esplanade strip requirements.

Policy 14.5 recognises that public access to parts of the coastal marine area, particularly public access for the purpose of launching ships (ie every description of boat or craft), may be appropriate but restricted by a lack of available structures for access. Provided that such access is not inconsistent with Policy 14.3, the Taranaki Regional Council considers that such access should be enhanced. This is consistent with the objective stated and Section 6(d) of the Act.

Policy 14.6 has been adopted because, in law, more than one coastal permit can be granted to give occupation rights to the same coastal space. The Taranaki Regional Council intends to avoid potential conflict by ensuring that the occupation rights will not conflict, or that a priority exists among rights.

Methods of implementation

The Taranaki Regional Council will use the following methods to implement the policies above:

METH **Decisions on coastal permits** to provide for the maintenance of existing access.

1 Restrictions may be applied to access in accordance with policy 14.3 and Section 4.0 of this plan.

METH **Application of conditions on coastal permits** to provide for alternative access

2 in situations where this is appropriate, by use of financial contributions under Section 6.0 of this plan.

METH **Advocacy**, in combination with the above methods, when appropriate, to improve public access to the coastal marine area where such improvement would give effect to Policies 14.3 and 14.5. In particular, the Taranaki Regional Council will consider acting as a facilitator to assist in agreement being reached in situations where there is public demand for the use of privately-owned access structures.

METH **Advocacy to district councils** for improvements in public access to and along the coastal marine area through provisions in district plans for **esplanade reserves and esplanade strips**.

METH **Provision of information**, on request, on public access within the coastal marine area and the location of access points (boatramps, wharves and access lanes) within the coastal marine area.

Reasons

Methods 1 and 2 have been adopted because the use of consent conditions to provide for the maintenance of existing access is simple, fair and efficient. Activities for which a consent is not required are unlikely to detrimentally affect public access. Section 122 of the Resource Management Act provides that a coastal permit may not be used for the exclusion of any or all classes of people from the coastal marine area except as explicitly provided for in the permit and as is reasonably necessary to exercise the permit.

Method 3 has been adopted in recognition that provision or enhancement of public access to the coastal marine area may, on occasion, be desirable where existing public access is

inadequate or is restricted by private development. On such occasions, the Taranaki Regional Council will meet with relevant agencies and groups in order to achieve a level of public access that is acceptable to all parties.

Method 4 recognises that provisions in district plans for esplanade reserves and esplanade strips can help maintain and enhance public access to and along the coastal marine area and meet the objectives of this plan.

Method 5 has been adopted to give effect to Policy 3.5.2 of the New Zealand Coastal Policy Statement. Rights of pedestrian access within the coastal marine area are presently near-universal (although physical access is impractical in many areas). Similarly, access within the coastal marine area is also near-universal. Restrictions exist on movement within Port Taranaki for safety reasons. Access to the coastal marine area is a different matter. Within the coastal marine area, access points consist of boatramps, wharves and access lanes. Locations of these are generally well-known.

Environmental results anticipated
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- ER 1 Maintenance and enhancement of public access along the coastal marine area, where this is practicable.
- ER 2 The achievement of single sets of occupation rights to any part of the coastal marine area, or compatible or priority-listed rights if more than one set of rights is allowed.

4. Regional rules

4.1 Introduction

Section 3.0 of this plan states that regional rules will be used in a number of instances to manage the effects of use, development and protection of the coastal marine area. This section contains the detail of the regional rules to be used to give effect to the policies in this plan.

4.1.1 Effect of Rules

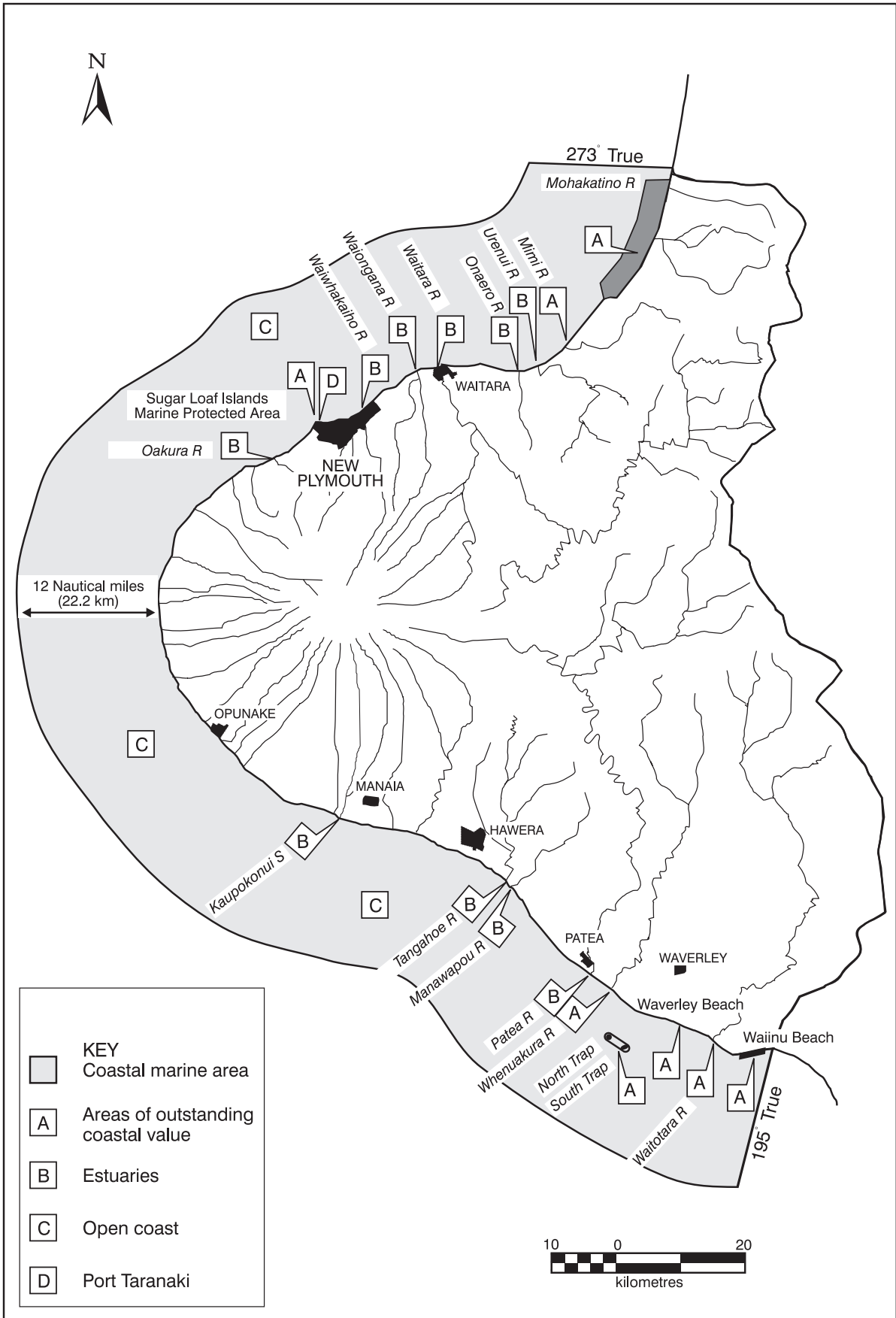
The rules in the plan have effect at all times, unless otherwise stated in the rule.

Each rule has effect only in the coastal management area within which it falls, except as follows:

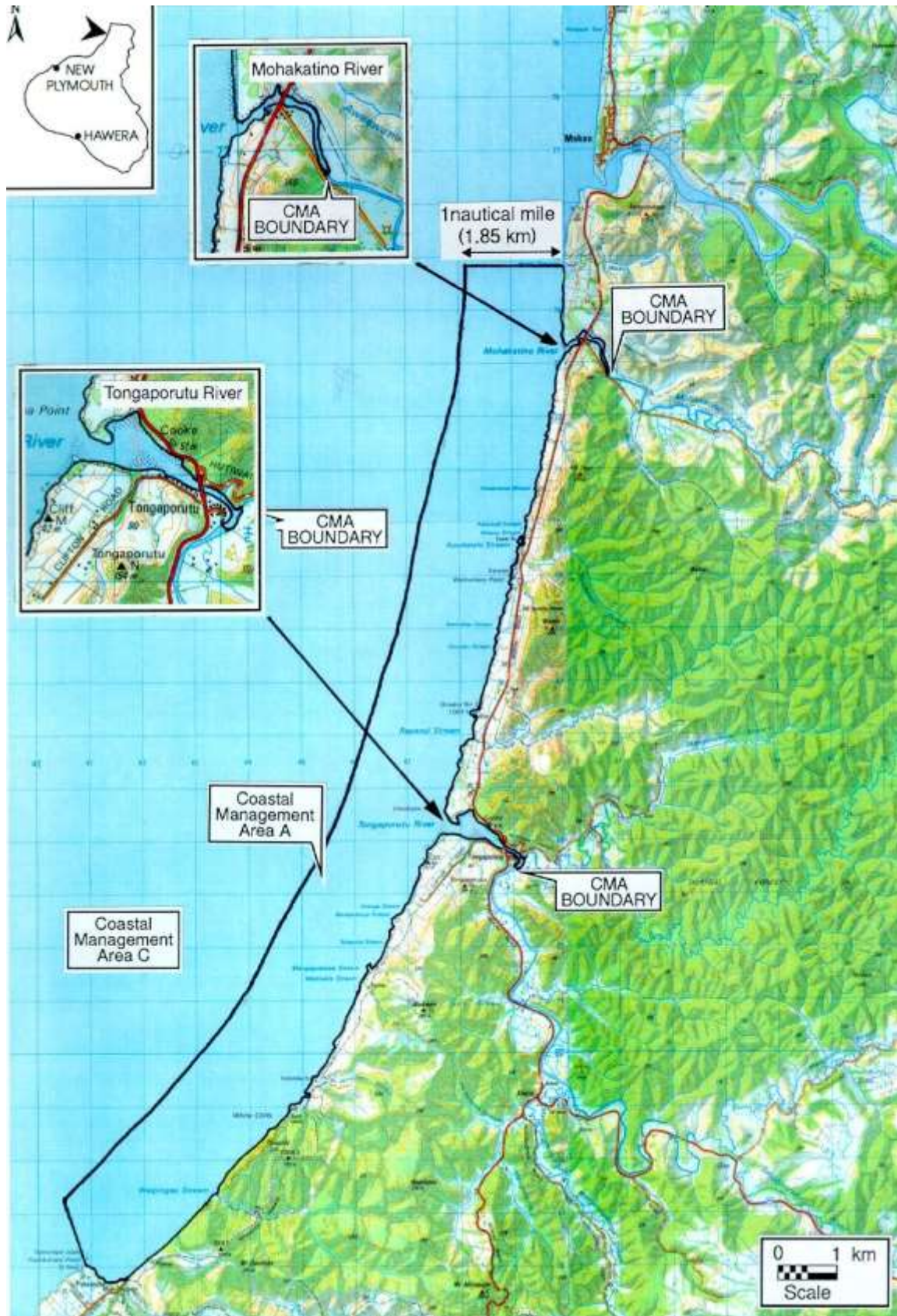
- (i) rules referenced with a 'G' apply to the entire coastal marine area except as otherwise stated; and
- (ii) rules for activities that fall within more than one coastal management area are dealt with as described in Section 4.2.4.

4.1.2 Planning Maps

The following maps show the location of all coastal management areas. The location of the coastal marine area boundary at rivers with non-standard "mouths" is also shown where those rivers appear on the maps.



Map 2: Taranaki region: location of coastal management areas



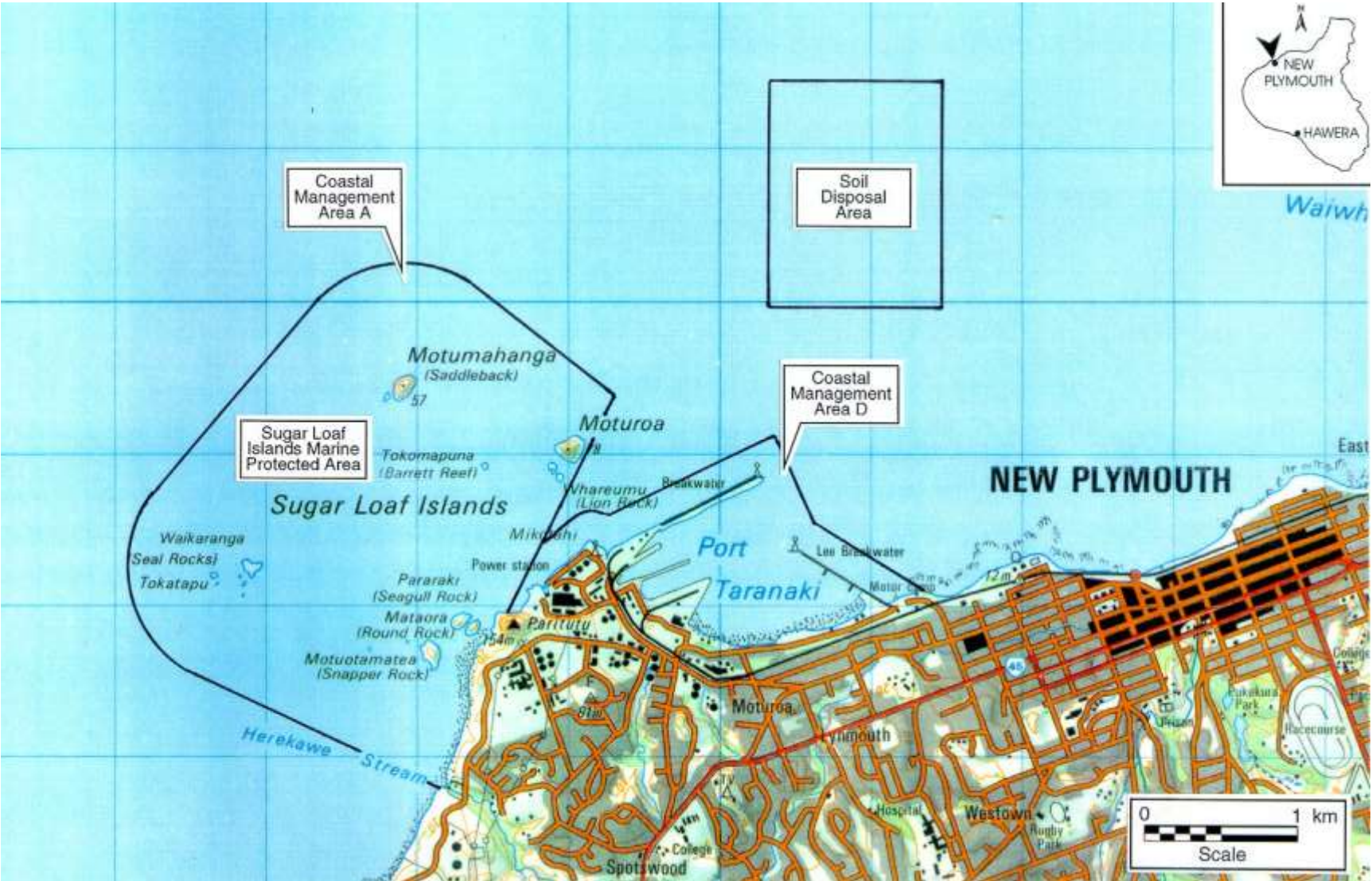
Map 3 Coastal management areas north of Pariokariwa Point



Map 4 Coastal management areas: Mimi and Urenui Rivers



Map 5 Coastal management area: Waitara River



Map 7 Coastal management area: Port Taranaki



Map 8 Coastal management area: Oakura River



Map 9 Coastal management area: Kaupokonui Stream



Map 10 Coastal management area: Tangahoe and Manawapou Rivers



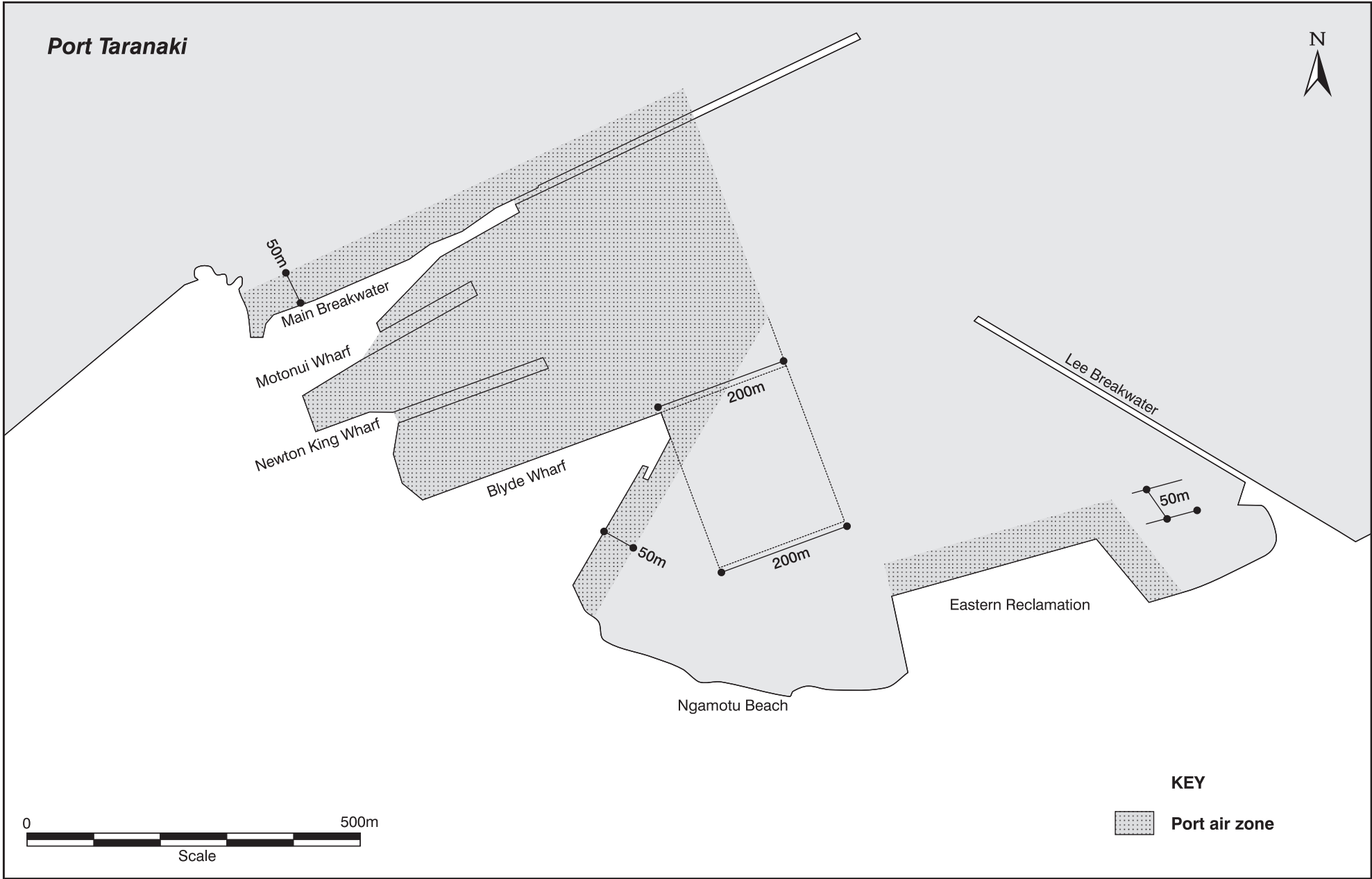
Map 11: Coastal management areas: Patea and Whenuakura Rivers, North and South traps



Map 12 Coastal management area: Waverley Beach



Map 13 Coastal management areas: Waitotara River and Wainu Beach



Map 14: Port Air Zone

4.2 Rule tables

This section contains tables which set out the regional rules applying in the four coastal management areas. Sections 4.2.1, 4.2.2 and 4.2.3 explain how the rules are arranged, how the rule tables are formatted and give information about the rule classifications and how they relate to the rest of the plan.

4.2.1 Arrangement of rules

The regional rules are arranged by coastal management area. Within each coastal management area, the rules are grouped according to their general activity type, as follows:

Rule organisation and page numbering

Activity	Areas of Outstanding Coastal Value	Estuaries	Open Coast	Port Taranaki
Structures	pp 105-107	pp 115-119	pp 129-132	pp 141-147
Discharges	pp 108-109	pp 120-121	pp 133-134	pp 148-149
Disturbance of, and deposits to, foreshore and seabed	pp 110-111	pp 122-124	pp 135-137	pp 150-152
Reclamations	p 112	p 125	p 138	pp 153-154
Storage of hazardous substances	-	-	-	p 154

In addition to rules applying to individual areas, there are a number of rules that apply generally to all management areas.

General rules applying to all areas	
Occupation of space	p 95
Discharges from ships and offshore installations ¹	pp 96-99
Use of water	p 100
Exotic plant introduction	p100
Temporary Military Training	p101
Deposits from ships	p102

4.2.2 How the tables are formatted

Each table contains seven columns headed:

- activity;
- rule;

¹ The rules controlling discharges from ships and offshore installations will be overridden if they are inconsistent with any marine pollution regulations, developed under the Act to give effect to Section 15B, once those regulations come into force. See section 4.2.5 for further explanation.

- standards/terms/conditions;
- classification;
- notification;
- control/discretion; and
- policy reference.

Activity

The activity column describes the type of activity to be, or being, undertaken. For the activity to come within and continue to comply with the rule, the activity must come within the description contained in the 'activity' column and meet any standards/terms/conditions in the 'standards/terms/conditions' column (see below).

Rule

The column headed 'rule' contains the rule number, for reference purposes.

Standards/Terms/Conditions

The column contains:

- standards and terms for controlled or discretionary activities;
- conditions for permitted activities.

When multiple standards/terms/conditions are specified, the proposed activity must comply with all of them in order to remain within the rule class named in the column headed 'classification'. In other words, the sentence after each bullet point is to be read as being linked to the following sentence by the word '**AND**'.

However, if the word '**OR**' separates the standards, terms or conditions the proposed activity must comply with one or other of the standards, terms or conditions.

The standards, terms or conditions are ongoing requirements that must continue to be met after consent is granted. Failure to comply with the standards and terms amounts to a breach of the rule and may be subject to enforcement action. In the case of a permitted activity, failure to comply with the conditions will mean that the activity is no longer permitted without consent.

Classification

The activity is classified as permitted, controlled, discretionary, non-complying, or prohibited.

Any activity which is not provided for in the specific activity column or which does not meet the standards, terms, or conditions specified for that activity will be a non-complying activity unless a rule says that another classification applies.

Notification

The Taranaki Regional Council has the option to deal with a resource consent application as a notified application or as a non-notified application. The power to do so is provided by sections 93 and 94 of the Resource Management Act 1991. The options that the Taranaki Regional Council has for processing coastal permit applications (and the corresponding sections of the Act) are as follows:

- (a) the Taranaki Regional Council can require a coastal permit application to be **notified** (s 93);
- (b) the Taranaki Regional Council need **not notify** a coastal permit application if:

- (i) the activity is a **controlled activity** and the plan expressly permits consideration of the application without notification or the need to obtain the written approval of affected parties (s 94(1)(b)); or
- (ii) the activity is a **controlled activity** and written approval has been obtained from every person who, in the Taranaki Regional Council's opinion, may be adversely affected by the granting of the coastal permit unless, in the Taranaki Regional Council's opinion, it is unreasonable in the circumstances to require the obtaining of every such approval (s 94(1)(c)); or
- (iii) the activity is a **discretionary activity** over which the Taranaki Regional Council has restricted the exercise of its discretion and the plan expressly permits consideration of the application without notification or the need to obtain the written approval of affected parties (s 94(1A)); or
- (iv) the activity is a **discretionary activity** or **non-complying activity** and:
 - the Taranaki Regional Council is satisfied that the adverse effect on the environment of the activity for which consent is sought will be minor; and
 - written approval has been obtained from every person who, in the Council's opinion, may be adversely affected by the granting of the coastal permit unless the Council considers it is unreasonable in the circumstances to require the obtaining of every such approval (s 94(2)).

In the table of rules, the **notification** column will be either blank or contain the words "may be non-notified without written approval".

When the words "may be non-notified without written approval" are used, then the rules must be taken as stating that an application for a resource consent may be considered without notification and without the need to obtain the written approval of affected persons in accordance with sections 94(1)(b) or 94(1A), ie in the circumstances outlined in (b)(i) and (b)(iii) above. These sections enable an application for a resource consent to be considered without notification or a need to obtain the written approval of affected persons. Note, however, that the Taranaki Regional Council may require an application to be notified, even where a rule states that it may be "non-notified", if the Council considers special circumstances exist in relation to an application. This power is provided by section 94(5).

If the column is blank, the activity may be either notified or non-notified but can only be non-notified in the circumstances described in (b)(ii) and (iv) above.

Control/Discretion

This column states the matters over which the Taranaki Regional Council reserves control (in relation to a controlled activity) or to which it has restricted the exercise of its discretion (in relation to a discretionary activity). The Council is limited to these matters when considering the environmental effects of the activity and when setting conditions on a resource consent.

When the column is blank, one of four situations applies:

- the activity is a permitted activity, and by definition no control or discretion can be reserved;

- the activity is a prohibited activity, and by definition no control or discretion can be reserved;
- the activity is a discretionary activity for which the Taranaki Regional Council has retained full discretion, which will be exercised in accordance with the objectives and policies of the plan and the matters to be considered in Section 104 of the Act;
- the activity is a non-complying activity, and no control or discretion can be reserved.

Policy References

The 'policy references' column cross-references the policies in Section 3.0 of this plan that are **generally** relevant to the type of activity governed by that rule.

Policy references are included as a guide to all plan users, including the Taranaki Regional Council, as to the policies that the Council will consider when deciding a coastal permit application.

4.2.3 How the classifications are used

A **permitted activity** can be carried out as of right, provided that all conditions in the 'standards/terms/conditions' column are met. The rule is complete in itself.

A **controlled activity** may only be carried out if a coastal permit is obtained for that activity. The Taranaki Regional Council must grant the permit and will set conditions in relation to the matters set out in the 'control/discretion' column. When the content of these conditions is being considered, the relevant objectives and policies in the plan and other section 104 matters will be considered only so far as they apply to the matters over which the Council has reserved control as set out in the "control/discretion" column.

A **discretionary activity** may only be carried out if a coastal permit is obtained for that activity. Effectively, three sub-types of discretionary activity exist. Each is explained below:

(a) Discretionary activity for which the Taranaki Regional Council has restricted the exercise of its discretion

The Taranaki Regional Council may decline or grant a coastal permit for this type of discretionary activity. The Taranaki Regional Council will exercise its discretion in accordance with Section 104 of the Act. However, the Council will only consider effects on the environment (Section 104(1)(a)) that are relevant to the matters to which the Council has restricted the exercise of its discretion. If the coastal permit is granted, the Council may only set conditions that are relevant to the matters to which Council has restricted the exercise of its discretion as set out in the "control/discretion" column.

This type of discretionary activity rule can be identified in the rule tables as a rule when the classification column contains the word "discretionary" and the control/discretion column is not blank. In that case, the Taranaki Regional Council's discretion is limited to the matters set out in the control/discretion column.

(b) Discretionary activity for which the Taranaki Regional Council retains full discretion

The Taranaki Regional Council may decline or grant a coastal permit for this type of discretionary activity. The Council will exercise its discretion in accordance with the objectives and policies in the plan and other Section 104 matters. The Council may consider any matter allowed under Section 104, including all effects on the environment. If the coastal permit is granted, the Council may set any conditions on the permit that fall within the Council's powers under Section 108 of the Act.

A **non-complying** activity is an activity (not being a prohibited activity) which is either defined in the rule as a non-complying activity, **or**, contravenes a rule in a plan or proposed plan, and is allowed only if a coastal permit is obtained in respect of that activity.

No consent may be granted for a **prohibited activity** and such activities cannot be carried out under any circumstances.

4.2.4 Activities falling in more than one coastal management area

Any activity that occurs across a boundary of two or more coastal management areas is considered to fall within the coastal management area (in that group) that has the most stringent provisions that apply to that activity.

4.2.5 Discharges from ships and offshore installations

Discharges from ships and offshore installations to the coastal marine area will be subject to section 15B of the Resource Management Amendment Act 1994 once that Act comes into effect. Under this Amendment Act the Government is preparing marine pollution regulations to address discharges of harmful substances or contaminants.

In anticipation of these changes in legislation, the general rules concerning discharges from ships and offshore installations have been drafted to be as consistent as possible with the draft regulations. These rules may be overridden when section 15B and the associated marine pollution regulations come into force.

**General rules applying to all
coastal management areas**

Occupation of space

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy References
The occupation of space on the foreshore, seabed or surface of the water for the purpose of conducting a community or recreational or sporting activity	G1.1	<ul style="list-style-type: none"> • Activity does not affect breeding, roosting or migratory populations of marine life; • Activity does not present a hazard to navigation and shipping; • Activity does not involve erection of structures, disturbance of foreshore or seabed or other works that will have an effect that lasts longer than two high tides after the conclusion of the event; • Date, duration and extent of the event is advertised in The Daily News and all local newspapers at least 14 days prior to the event; • Activity does not restrict public access or exclude the public for a period of longer than two days; • All litter and other refuse is removed from the area of the activity before the first high tide following the event; • Activity does not come within any other rule in this plan. 	Permitted			
Any activity involving occupation of large areas of the coastal marine area	G1.2	<ul style="list-style-type: none"> • Excludes or effectively excludes public access from area of the coastal marine area over 10 hectares (except where such exclusion is required in commercial port areas for reasons of public safety or security); OR • Excludes or effectively excludes the public from more than 316 metres along the length of the foreshore; OR • Involves occupation or use of areas greater than 50 hectares of the coastal marine area and such occupation or use would restrict public access to or through such areas. 	Discretionary			1.1, 3.1, 3.2, 3.3, 5.7, 13.1(c), 14.1, 14.2, 14.3, 14.6
Other occupation of land of the Crown in the coastal marine area or land vested in the Taranaki Regional Council and occupation of related parts of the coastal marine area	G1.3	<ul style="list-style-type: none"> • Occupation does not come within and/or comply with any other rule in this plan that authorises occupation. • Occupation excludes occupation related to structures when there is a rule relating to structure placement that specifically provides for occupation. 	Discretionary			1.1, 3.1, 3.2, 3.3, 5.7, 13.1(c), 14.1, 14.2, 14.3, 14.4, 14.5, 14.6

Discharges from ships and offshore installations¹

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy References
Discharge of stormwater from ships and offshore installations to the coastal marine area	G2.1	<ul style="list-style-type: none"> Discharge contains less than 15 gm³ of oil or grease 	Permitted			
Discharge of cooling water from ships and offshore installations to the coastal marine area	G2.2	<ul style="list-style-type: none"> Discharge is of water used for cooling purposes as part of the normal operational requirements of a ship or offshore installation; Discharge does not contain a harmful substance. 	Permitted			
Discharge of human sewage from ships and offshore installations to the coastal marine area	G2.3	<ul style="list-style-type: none"> Discharge occurs more than 300 metres (0.15 nautical miles) from mean high water springs and any marine farm; Discharge occurs in water depths greater than 5 metres. The discharge of sewage from ships and offshore installations is exempt from the conditions of this rule, and therefore a permitted activity, until 31 July 1999. 	Permitted			
Discharge of treated sewage from ships and offshore installations to the coastal marine area	G2.4	<p>Discharge meets the following standards when sampled at least 5 times over 24 hours:</p> <ul style="list-style-type: none"> geometric mean of faecal coliform count is less than 250 faecal coliforms per 100 millilitres; when analysed by gravimetric methods, the geometric mean of total suspended solids content is less than: <ol style="list-style-type: none"> (i) 50 gm³ when analysed on shore; or (ii) 100 gm³ more than suspended solids content of the ambient water used for flushing when analysed on board a ship; 	Permitted			

¹These rules controlling discharges from ships and offshore installations may be overridden once marine pollution regulations, as being developed under the Resource Management Act (1994 Amendment) to give effect to section 15B, come into force. See section 4.2.5 for further explanation.

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy References
		<ul style="list-style-type: none"> a geometric mean of five day biochemical oxygen demand of the samples of sewage is less than 50 gm⁻³. The discharge of sewage from ships and offshore installations is exempt from the conditions of this rule, and therefore a permitted activity, until 31 July 1999. 				
Discharge of garbage from ships and offshore installations to the coastal marine area	G2.5	Garbage contains any of: <ul style="list-style-type: none"> food waste; paper products; rags; glass; bottles; crockery; metal from a ship. <ul style="list-style-type: none"> Discharge has been ground or comminuted so as to be capable of passing through a 25 mm screen; Discharge occurs 5500 metres seaward of mean high water springs 	Permitted			
Discharge of ballast water from ships to the coastal marine area	G2.6	<ul style="list-style-type: none"> Discharge is of ballast water is clean and is from dedicated ballast water holding tanks to the coastal marine area; Discharge is subject to any controls imposed under the Biosecurity Act 1993. 	Permitted			
Discharge of bilge water, on board sink or dishwater, shower water, laundry water, bath water, wash basin water or deck wash to the coastal marine area	G2.7	<ul style="list-style-type: none"> Discharge is not likely to produce any conspicuous oil or grease films, scums or foams, or floatable or suspended materials, after reasonable mixing; Discharge is not likely to cause any conspicuous change in colour or visual clarity after reasonable mixing; Discharge is not likely to have any significant adverse effects on aquatic life after reasonable mixing. 	Permitted			
Discharge of drilling muds, cuttings, and drilling fluids from offshore installations to the coastal marine area	G2.8	<ul style="list-style-type: none"> Discharge occurs outside boundary of any part of coastal management area A or coastal management area B. 	Permitted			

3

Discharge of produced water from an offshore installation	G2.9	<ul style="list-style-type: none"> Discharge contains less than 15 gm⁻³ of oil or grease. 	Permitted			
Discharge of contaminants to air in the coastal marine area via the flaring of hydrocarbons from petroleum exploration or mining	G2.10	<ul style="list-style-type: none"> Discharge: <ul style="list-style-type: none"> (a) occurs outside the boundary of the Sugar Loaf Islands Marine Protected area, inclusive of a 150 m buffer zone; or (b) is not located under the New Plymouth Airport flight path protection surfaces shown in Section 4.3 of this plan. 	Permitted			
Discharge of any of the following contaminants or harmful substances to air and water in the coastal marine area from any ship or offshore installation (a) storage and transfer of cargo materials within the Port Air Zone (see rules D2.7 and D2.8); or (b) ship propulsion; or (c) crew and passengers' utilities, including cooking and laundry facilities; or (d) on-board fish processing operations; or (e) storage or transfer of cargo materials other than as provided for in (a) above	G2.11	<ul style="list-style-type: none"> Discharge is not likely to be noxious, dangerous, offensive or objectionable to such an extent that it has, or is likely to have, an adverse effect on the environment. 	Permitted			

3

Seismic surveys of the coastal marine area for the purpose of petroleum prospecting	G2.12	<ul style="list-style-type: none"> • Survey does not involve placement of explosives or does not otherwise directly involve disturbance of the foreshore or seabed; • Survey is not conducted in an area that is used by marine wildlife for breeding purposes during the time that those animals are breeding 	Permitted			
Discharge of contaminants to water or air in the coastal marine area and the discharge does not come within and/or comply with any of rules G2.1 to G2.12	G2.13		Discretionary			

Use of water

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy References
Taking or use of open coastal water or water in embayments, harbours or inlets	G3.1		Permitted			
Taking, use, damming, or diversion of coastal water in estuaries, or water from an aquifer, excluding taking or use of water which is allowed by sections 14(3)(d) or (e) of the Act	G3.2		Discretionary			2.1, 2.2, 3.1, 10.2

Exotic plants

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy References
Introduction of any exotic plant species	G4.1	<ul style="list-style-type: none"> • Plant species is not already present in the area 	Discretionary			2.1, 2.2, 2.3, 9.9

Temporary military training

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy References
Temporary military training activities with minor effects	G5.1	<ul style="list-style-type: none"> • All necessary written permission has been obtained from the occupier or person with administrative responsibility for the areas to be used; • Activities do not involve construction of permanent structures; • Activities do not involve earthworks or excavation, other than earthworks or excavations which are consented in accordance with this plan; • Activities comply with the general standards specified in Section 4.4 of this plan; • Activities do not exclude, or effectively exclude, public access from areas of the coastal marine area over 10 hectares or from more than 316 metres along the length of the foreshore, except where such exclusions are required in commercial port areas for reasons of public safety or security; • Activities do not involve occupation or use of areas greater than 50 hectares of the coastal marine area. 	Permitted			
Temporary military training activities that do not comply with rule G5.1	G5.2	<ul style="list-style-type: none"> • Activities do not exclude, or effectively exclude, public access from areas of the coastal marine area over 10 hectares or from more than 316 metres along the length of the foreshore, except where such exclusions are required in commercial port areas for reasons of public safety or security; • Activities do not involve occupation or use of areas greater than 50 hectares of the coastal marine area. 	Controlled		<ul style="list-style-type: none"> • Disturbance of foreshore and seabed • Deposition of material on the foreshore and seabed • Discharge of contaminants • Erection, maintenance and removal of structures • Effects on ecosystems and conservation values • Noise emissions 	

Deposits from ships

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy References
Deposit of a substance from the scraping and/or cleaning of a ship's hull or any other part of the ship that is normally below the water surface, to the coastal marine area	G6.1	<ul style="list-style-type: none"> • Ship is greater than 25 metres in length; or • Ship has been outside New Zealand's exclusive economic zone since it was last cleaned or scraped 	Prohibited			

**Coastal Management Area A:
Areas of Outstanding Coastal Value**

Structures

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy References
Placement of an outfall structure	A1.1	<ul style="list-style-type: none"> Structure has an internal diameter of 400 mm or less and extends 1 metre or less into an estuary, or 2 metres or less into an open coast; No erosion, scour or deposition results from placement or use of the structure; Structure is placed or designed in such a way as to prevent tidal backflow and fish entrapment; Structure is not to be built in that part of area A that is the Sugar Loaf Islands Marine Protected Area or the Waitotara River Estuary; Structure is to have the minimum external diameter necessary for the safe and efficient operation of the structure. 	Permitted			
Reconstruction, alteration or removal and replacement of an existing structure for maintenance (other than transit bridges)	A1.2	<ul style="list-style-type: none"> Activity is for the purpose of maintaining the structure in good repair; Size of the structure will not increase beyond original size; Sediment disturbance will not decrease the visual clarity of water by more than 50% outside a 50 metre radius zone of mixing; No contaminant will be released into coastal water; Activity complies with general standards in Section 4.4; At least one working day before maintenance commences, the Taranaki Regional Council is informed that the activity is to occur. 	Permitted			
Erection or placement of a navigation aid for marine transport, and related occupation of the coastal marine area (including renewal of occupation), and related disturbance of the foreshore and seabed	A1.3	<ul style="list-style-type: none"> Structure does not interfere with the New Plymouth Airport Flight Path Protection Surfaces shown in Section 4.3. 	Controlled	May be non-notified without written approval	<ul style="list-style-type: none"> Disturbance of the foreshore and seabed Method of construction or placement Protection of conservation values Effects on water quality Occupation and public access Noise emissions Light emissions Duration of consent and removal of structure Timing of works Monitoring Review Administrative charges 	1.1(a), 2.1, 2.2, 2.3, 3.1, 6.2, 6.5, 8.1, 9.10, 11.1, 11.2, 13.1, 14.1
Removal or demolition of a structure, and related disturbance of the	A1.4	<ul style="list-style-type: none"> Structure is not on the Register of Historic Places, historic areas, w_ahi tapu and w_ahi tapu areas, or otherwise subject to the Historic Places Act 1993 or any other legislation applying to historic places. Structure is not a pipeline authorised before 1 October 1991 to which s107 of the 	Discretionary	May be non-notified without written approval	<ul style="list-style-type: none"> Erosion and channel form effects Water quality effects Method of demolition or removal Disposal of waste 	1.1(a), 2.1, 2.2, 2.3, 3.1, 3.2, 3.3, 4.1, 6.2, 6.3, 7.2, 8.1, 8.2, 9.10, 11.1, 11.2

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Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy References
foreshore and seabed		Crown Minerals Act 1991 applies.			<ul style="list-style-type: none"> • Effects on conservation values • Remains of structure in coastal marine area • Disturbance of the foreshore and seabed • Restoration of the foreshore and seabed • Public access • Noise emissions • Light emissions • Duration of consent • Timing of works • Monitoring • Review • Administrative charges 	
Erection or placement of a large structure and related occupation of the coastal marine area, excluding any structure that comes within rule A1.9	A1.5	<ul style="list-style-type: none"> • Structure presents a significant barrier to water or sediment movement; • Structure is 300 metres or more in length parallel to the line of mean high water springs (including separate structures the sum of whose lengths is 300 metres or more). 	Non-complying			1.1(a), 2.1, 2.2, 2.3, 3.1, 3.2, 3.3, 4.1, 6.1, 6.2, 7.1, 7.2, 7.3, 7.4, 8.1, 8.2, 9.10, 11.1, 11.2, 13.1, 13.2, 14.1, 14.2, 14.3
	A1.6	<ul style="list-style-type: none"> • Structure presents a significant barrier to water or sediment movement; • Structure is oblique or perpendicular to the line of mean high water springs; • Structure is in horizontal projection 100 metres or more in length. 	Discretionary			1.1(a), 2.1, 2.2, 2.3, 3.1, 3.2, 3.3, 4.1, 6.1, 6.2, 7.1, 7.2, 7.3, 7.4, 8.1, 8.2, 9.10, 11.1, 11.2, 13.1, 13.2, 14.1, 14.2, 14.3
Erection or placement of a structure for storage or containment of any petroleum, petroleum products or contaminants , excluding any pipeline	A1.7		Prohibited			

Erection or placement of a pipeline for the transmission or distribution of petroleum	A1.8	<ul style="list-style-type: none"> Pipeline has a volume of more than 50 000 litres in that part of the pipeline that crosses the coastal marine area. 	Discretionary			1.1(a), 2.1, 2.2, 2.3, 3.1, 3.2, 3.3, 4.1, 6.2, 6.5, 8.1, 8.2, 9.7, 9.10, 11.1, 11.2, 13.1, 14.1, 14.2, 14.3
Erection or placement of a solid structure that impounds or effectively contains part of the coastal marine area (other than for the purpose of reclamation)	A1.9		Prohibited			
Erection or placement of a whitebait stand	A1.10		Prohibited			
Erection, placement, reconstruction, alteration, extension, removal or demolition of any structure and any related occupation of the coastal marine area and the activity or structure does not come within and/or comply with any of rules A1.1 to A1.10	A1.11		Discretionary			1.1(a), 2.1, 2.2, 2.3, 3.1, 3.2, 3.3, 4.1, 6.1, 6.2, 6.3, 7.1, 7.2, 7.3, 7.4, 8.1, 8.2, 9.7, 9.10, 11.1, 11.2, 13.1, 13.2, 14.1, 14.2, 14.3

Discharges

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy References
Discharge of water from an aquifer to coastal water or water in an aquifer in the coastal marine area	A2.1	<ul style="list-style-type: none"> No contaminants are added to the discharge; Saline water is not discharged into freshwater. 	Permitted			
Discharge of uncontaminated water or stormwater into water or onto land in the coastal marine area	A2.2	<ul style="list-style-type: none"> Stormwater discharge occurs from a road, roof, paved area, grassed area or yard; Stormwater discharge contains less than 15 gm³ of oil and grease and less than 100 gm³ suspended solids; Stormwater discharge does not originate from any industrial or trade premises; Water (other than stormwater) discharge contains no contaminants; Water or stormwater can be discharged through a 400 mm diameter pipe. 	Permitted			
Discharge of uncontaminated water or stormwater into water or onto land in the coastal marine area and the discharge does not come within and/or comply with rule A2.2	A2.3		Discretionary	May be non-notified without written approval	<ul style="list-style-type: none"> Location of discharge Effects on conservation values and ecosystems Effects on water quality Erosion effects Values and ecosystems Contingency planning to prevent contaminant discharges Quality of discharge and possible treatment before discharge Volume and rate of discharge Duration of consent Monitoring Review Administrative charges 	1.1(a), 2.1, 2.2, 2.3, 4.1, 5.4, 9.3, 9.6, 9.7
Discharge of human sewage into water or onto land in the coastal marine area, excluding discharges	A2.4		Prohibited			

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from ships and offshore installations						
Other discharge of water or contaminants into water or onto land in the coastal marine area and the discharge does not come within and/or comply with rules A2.1 to A2.4	A2.5	<ul style="list-style-type: none"> • Discharge gives rise to any or all of the following effects in the receiving waters, after reasonable mixing: <ul style="list-style-type: none"> (a) production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials; (b) conspicuous change in colour or visual clarity; (c) emission of objectionable odour; (d) significant adverse effects on aquatic life; and is not of a temporary nature or associated with necessary maintenance work. 	Discretionary			1.1(a), 2.1, 2.2, 2.3, 3.1, 3.2, 3.3, 5.4, 5.5, 8.1, 9.1, 9.2, 9.3, 9.4, 9.5, 9.6, 13.1, 14.1, 14.2, 14.3
Other discharges of water or contaminants into water or onto land in the coastal marine area, excluding discharges from ships and offshore installations and the discharge does not come within and/or comply with rule A2.5	A2.6		Non-complying			1.1(a), 2.1, 2.2, 2.3, 3.1, 3.2, 3.3, 5.4, 5.5, 8.1, 9.1, 9.2, 9.3, 9.4, 9.5, 9.6, 13.1, 14.1, 14.2, 14.3

Disturbance of, and deposits to, foreshore and seabed

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy References
Disturbance of foreshore and seabed, and deposit of substance onto foreshore or seabed for clearance of outfalls, culverts and intake structures	A3.1	<ul style="list-style-type: none"> • Disturbance is of accumulated sediment when that sediment is adversely affecting the use of an existing culvert or outfall or intake structure; • Disturbance is the minimum necessary to allow reasonable use of that structure; • Disturbed sediment is placed in an area of similar sediment on the foreshore or seabed; • Deposition of sediment has no significant effects on the receiving environment; • Activity complies with the general standards in Section 4.4; • Activity does not restrict public access for more than one week. • At least one working day before the activity is carried out, the Taranaki Regional Council is informed that the activity will take place. 	Permitted			
Disturbance, damage or destruction of foreshore and seabed, including any removal of sand, shell, shingle or other natural material	A3.2	<ul style="list-style-type: none"> • Disturbance of material: <ul style="list-style-type: none"> (i) in volumes of greater than 50 000 cubic metres; or (ii) extracted from areas of 4 hectares or more; or (iii) extending 1000 metres or more over foreshore and seabed. 	Non-complying			1.1(a), 2.1, 2.2, 2.3, 3.1, 3.2, 3.3, 4.1, 6.5, 7.4, 8.1, 9.10, 11.1, 11.2, 13.1, 14.1, 14.2, 14.3
Other disturbance, or damage or destruction of foreshore and seabed, including any removal of sand, shell, shingle or other natural material and disturbance does not come within and/or comply with rules A3.1 or A3.2; and the disturbance, damage or destruction are restricted by sections 12(1)(c) or 12(1)(e) of the Act, or removal of sand, shell, shingle or other natural material is restricted	A3.3		Discretionary			1.1(a), 2.1, 2.2, 2.3, 3.1, 3.2, 3.3, 4.1, 6.5, 7.4, 8.1, 9.10, 11.1, 11.2, 13.1, 14.1, 14.2, 14.3

by Section 12(2) of the Act.						
Large deposits of substance in, on or under the foreshore and seabed	A3.4	<ul style="list-style-type: none"> • Deposit is in quantities of more than 50 000 cubic metres in any 12 month period. 	Non-complying			1.1(a), 2.1, 2.2, 2.3, 3.1, 3.2, 3.3, 4.1, 6.5, 7.4, 8.1, 9.10, 11.1, 11.2, 13.1, 14.1, 14.2, 14.3
Other deposits of substance in, on or under the foreshore and seabed and the deposit does not come within and/or comply with rule A3.4; and is restricted by Section 12(1)(d) of the Act.	A3.5		Discretionary			1.1(a), 2.1, 2.2, 2.3, 3.1, 3.2, 3.3, 4.1, 6.5, 7.4, 8.1, 9.10, 11.1, 11.2, 13.1, 14.1, 14.2, 14.3

Reclamation

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy References
Reclamation or draining of the foreshore and seabed, excluding reclamation for the principal purpose of erosion control or flood control	A4.1		Prohibited			
Reclamation or draining of the foreshore and seabed for the principal purpose of erosion control or flood control	A4.2	<ul style="list-style-type: none"> Reclamation is for the principal purpose of erosion control or flood control; Reclamation has an area less than 1 hectare and extends less than 10 metres perpendicular to mean high water springs and less than 100 metres parallel to mean high water springs. 	Discretionary			1.1(a), 2.1, 2.2, 2.3, 3.1, 3.2, 3.3, 4.1, 6.4, 6.6, 7.1, 7.2, 7.3, 7.4, 7.5, 8.1, 9.10, 11.1, 11.2, 13.1, 14.1, 14.2, 14.3, 14.4
	A4.3	<ul style="list-style-type: none"> Reclamation is for the principal purpose of erosion control or flood control; Reclamation extends less than 100 metres in any direction 	Non-complying			1.1(a), 2.1, 2.2, 2.3, 3.1, 3.2, 3.3, 4.1, 6.4, 6.6, 7.1, 7.2, 7.3, 7.4, 7.5, 8.1, 9.10, 11.1, 11.2, 13.1, 14.1, 14.2, 14.3, 14.4
	A4.4	<ul style="list-style-type: none"> Reclamation has an area of 1 hectare or more; or Reclamation extends 100 metres or more in any direction; or Reclamation is an incremental reclamation connected to, or part of, another reclamation which: <ul style="list-style-type: none"> (i) was commenced or received a resource consent after 5 May 1994¹; and (ii) the sum of the existing and proposed reclamations are equal to or exceed an area of 1 hectare or a distance of 100m in any direction. 	Non-complying			1.1(a), 2.1, 2.2, 2.3, 3.1, 3.2, 3.3, 4.1, 6.4, 6.6, 7.1, 7.2, 7.3, 7.4, 7.5, 8.1, 9.10, 11.1, 11.2, 13.1, 14.1, 14.2, 14.3, 14.4

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¹ the gazettal date of the New Zealand Coastal Policy Statement.

Coastal Management Area B : Estuaries

Structures

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy References
Alteration, reconstruction or removal and re-placement of an existing structure for maintenance	B1.1	<ul style="list-style-type: none"> Activity is for the purpose of maintaining the structure in good repair; Size of the structure will not increase beyond original size; Sediment disturbance will not decrease the visual clarity of water by more than 50% outside a 50 metre radius zone of mixing; No contaminant will be released into coastal water; Activity complies with general standards in Section 4.4; At least one working day before maintenance commences, the Taranaki Regional Council is informed that the activity is to occur. 	Permitted			
Placement of an outfall structure	B1.2	<ul style="list-style-type: none"> Structure has an internal diameter of 600 mm or less and extends 1 metre or less over the bed of the estuary; No erosion, scour or deposition results from placement or use of the structure; Structure is designed or placed to prevent tidal backflow and fish entrapment; Structure is to have the minimum external diameter necessary for the safe and efficient operation of the structure. 	Permitted			
Erection or placement of a navigation aid for marine transport , and related occupation of the coastal marine area (including renewal of occupation), and related disturbance of the foreshore and seabed	B1.3	<ul style="list-style-type: none"> Structure does not interfere with the New Plymouth Airport Flight Path Protection Surfaces shown in Section 4.3. 	Controlled	May be non-notified without written approval	<ul style="list-style-type: none"> Occupation and public access Noise emissions Light emissions Disturbance of foreshore or seabed Effects on water quality Method of construction or placement Timing of works Duration of consent and removal of structure Height of structure Monitoring Review Administrative charges 	1.1(b), 2.1, 2.2, 3.1, 6.2, 6.5, 8.1, 9.10, 11.1, 11.2, 13.1, 14.1, 14.2, 14.3
Erection, placement, alteration, extension or	B1.4	<ul style="list-style-type: none"> Structure is any: <ul style="list-style-type: none"> - pipeline which is not a restricted coastal activity under rule 	Controlled	May be non-notified without written	<ul style="list-style-type: none"> Disturbance of foreshore and seabed 	1.1(b), 2.1, 2.2, 6.2, 6.5, 6.6, 8.1, 8.2, 9.10, 11.1, 11.2, 13.1, 14.1,

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reconstruction of a utility structure , and related occupation of the coastal marine area (including renewal of occupation), and related disturbance of the foreshore and seabed		<p>B1.12; or</p> <ul style="list-style-type: none"> - outfall structure which does not come within and/or comply with rule B1.2; or - intake structure; or - communication or electricity cable (excluding overhead cables); or - marine communications equipment; <ul style="list-style-type: none"> • Cables or pipelines are either buried within the foreshore and seabed or are attached to a bridge or access structure; • Outfall or intake structure extends across less than 20% of the width of the estuary bed at the point of the outfall or intake and no more than 2 metres along the bank; • Structure does not cause erosion, scour or deposition, or significantly divert water flows; • Structure is necessary to enable the safe and efficient conduct of the utility operations; • Structure does not adversely affect access to or use of the area surrounding the structure and does not affect the amenity values present in the area. 		approval	<ul style="list-style-type: none"> • Sediment movement and erosion • Design and external appearance of structure • Precise location of structure within the general area of the application • Method of construction or placement of the structure • Effects on navigation • Effects on ecological values • Occupation and public access • Noise emissions • Light emissions • Duration of consent and removal of structure • Timing of works • Monitoring • Review • Administrative charges 	14.2, 14.3
Erection or placement of a whitebait stand	B1.5		Prohibited			
Removal or demolition of a structure, excluding Waitara River control arms or Patea River control arms, and related disturbance of the foreshore and seabed	B1.6	<ul style="list-style-type: none"> • Structure is not on the Register of Historic Places, historic areas, w_hi tapu and w_hi tapu areas, or otherwise subject to the Historic Places Act 1993 or any other legislation applying to historic places. • Structure is not a pipeline authorised before 1 October 1991 to which s107 of the Crown Minerals Act 1991 applies. 	Discretionary	May be non-notified without written approval	<ul style="list-style-type: none"> • Erosion and channel form effects • Water quality effects • Method of demolition or removal • Effects on ecosystems • Disposal of waste • Remains of structure in coastal marine area • Disturbance of the foreshore and seabed • Restoration of the foreshore and seabed • Noise emissions • Light emissions 	1.1(b), 2.1, 2.2, 3.1, 6.2, 6.3, 6.5, 8.1, 8.2, 9.10, 11.1, 11.2, 13.1

					<ul style="list-style-type: none"> • Duration of consents • Timing of works • Monitoring • Review • Administrative charges 	
Removal or demolition of a structure and the activity or structure does not come within and/or comply with rule B1.6	B1.7	<ul style="list-style-type: none"> • Structure is not a pipeline authorised before 1 October 1991 to which s107 of the Crown Minerals Act 1991 applies. 	Discretionary			1.1(b), 2.1, 2.2, 3.1, 6.2, 6.3, 6.5, 8.1, 8.2, 9.10, 11.1, 11.2, 13.1
Erection or placement of a solid structure that impounds or effectively contains a naturally-formed area of estuary (other than for reclamation purposes)	B1.8		Prohibited			
Erection or placement of a large structure and related occupation of the coastal marine area, excluding any structure that comes within rule B1.6	B1.9	<ul style="list-style-type: none"> • Structure is solid or presents a significant barrier to water or sediment movement; • Structure is 300 metres or more in length parallel to the line of mean high water springs (including structures the sum of whose lengths is 300 metres or more). 	Discretionary			1.1(b), 2.1, 2.2, 3.1, 3.2, 3.3, 6.1, 6.2, 7.1, 7.2, 7.3, 7.4, 8.1, 8.2, 9.8, 11.1, 11.2, 13.1, 13.2, 14.1, 14.2, 14.3
	B1.10	<ul style="list-style-type: none"> • Structure is solid or presents a significant barrier to water or sediment movement; • Structure is oblique or perpendicular to the line of mean high water springs; • Structure is in horizontal projection 100 metres or more in length. 	Discretionary			1.1(b), 2.1, 2.2, 3.1, 3.2, 3.3, 6.1, 6.2, 7.1, 7.2, 7.3, 7.4, 8.1, 8.2, 9.10, 11.1, 11.2, 13.1, 13.2, 14.1, 14.2, 14.3
Erection or placement of a structure for the storage or containment of petroleum, petroleum products or contaminants (excluding any pipeline)	B1.11		Prohibited			

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Erection or placement of a pipeline for the transmission or distribution of petroleum	B1.12	<ul style="list-style-type: none"> • Pipeline has a volume of more than 50 000 litres in that part of the pipeline that crosses the coastal marine area. 	Discretionary			1.1(b), 2.1, 2.2, 3.1, 3.2, 3.3, 6.2, 8.1, 8.2, 9.7, 9.10, 11.1, 11.2, 13.1, 14.1, 14.2, 14.3
Erection, placement, alteration, extension or reconstruction of any structure, and related occupation of the coastal marine area and the activity or structure does not come within and/or comply with any of rules B1.1 to B1.12	B1.13	<ul style="list-style-type: none"> • Structure is within any one of the following estuaries: <ul style="list-style-type: none"> - Waiwhakaiho - Waitara - Patea 	Discretionary			1.1(b), 2.1, 2.2, 3.1, 3.2, 3.3, 6.1, 6.2, 6.3, 7.1, 7.2, 7.3, 7.4, 8.1, 8.2, 9.7, 9.10, 11.1, 11.2, 13.1, 13.2, 14.1, 14.2, 14.3
Erection, placement, alteration, extension or reconstruction of any structure, and related occupation of the coastal marine area and the activity or structure does not come within and/or comply with any of rules B1.1 to B1.13	B1.14		Non-complying			1.1(b), 2.1, 2.2, 3.1, 3.2, 3.3, 6.1, 6.2, 6.3, 7.1, 7.2, 7.3, 7.4, 8.1, 8.2, 9.7, 9.10, 11.1, 11.2, 13.1, 13.2, 14.1, 14.2, 14.3

Discharges

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy References
Discharge of water from an aquifer to coastal water or water in an aquifer in the coastal marine area	B2.1	<ul style="list-style-type: none"> No contaminants are added to the discharge; Saline water is not discharged into fresh water. 	Permitted			
Discharge of uncontaminated water or stormwater into water or onto land in the coastal marine area	B2.2	<ul style="list-style-type: none"> Stormwater discharge occurs from a road, roof, yard, paved area or grassed area; Stormwater discharge contains less than 15 gm³ of oil and grease and less than 100 gm³ suspended sediment; Stormwater discharge does not originate from any industrial or trade premises; Discharge can be discharged through a 600 mm diameter pipe. 	Permitted			
Discharge of uncontaminated water or stormwater into water or onto land in the coastal marine area discharge does not come within and/or comply with rule B2.2	B2.3		Non-complying	May be non-notified without written approval		1.1(b), 2.1, 2.2, 5.4, 9.3, 9.5, 9.6, 9.7
Discharge of human sewage into the coastal marine area	B2.4	<ul style="list-style-type: none"> Discharge has not first passed through soil or wetland. 	Discretionary			1.1(b), 2.1, 2.2, 3.1, 3.2, 3.3, 5.4, 5.5, 8.1, 9.1, 9.2, 9.3, 9.4, 9.5, 9.7, 13.1, 14.1, 14.2, 14.3
Discharge of water or contaminant into water or onto land in the coastal marine area and the discharge does not come within and/or comply with rules B2.1 to B2.4	B2.5	<ul style="list-style-type: none"> Discharge gives rise to any or all of the following effects in the receiving waters, after reasonable mixing: <ol style="list-style-type: none"> production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials; conspicuous change in colour or visual clarity; emission of objectionable odour; significant adverse effects on aquatic life; and such effects are not of a temporary nature or associated with necessary maintenance work. 	Discretionary			1.1(b), 2.1, 2.2, 3.1, 3.2, 3.3, 5.4, 5.5, 8.1, 9.1, 9.2, 9.3, 9.4, 9.5, 9.7, 13.1, 14.1, 14.2, 14.3
Discharge of water or contaminant into water or	B2.6		Discretionary			1.1(b), 2.1, 2.2, 3.1, 3.2, 3.3, 5.4, 5.5, 8.1, 9.1, 9.2, 9.3, 9.4, 9.5,

onto land in the coastal marine area and the discharge does not come within and/or comply with Rule B2.5						9.7, 13.1, 14.1, 14.2, 14.3
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Disturbance of, and deposits to, foreshore and seabed

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy References
Disturbance of foreshore and seabed, and deposit of substance onto foreshore or seabed for clearance of culverts, outfall and intake structures	B3.1	<ul style="list-style-type: none"> • Disturbance is of accumulated sediment when that sediment is adversely affecting the use of an existing culvert or outfall or intake structure; • Disturbance is the minimum necessary to allow reasonable use of that structure; • Disturbed sediment is placed in an area of similar sediment on the foreshore or seabed; • Sediments that contain contaminants are to be deposited outside of the coastal marine area; • Activity complies with the general standards in Section 4.4; • Activity does not restrict public access for more than one week; • At least one working day before the activity is carried out, the Taranaki Regional Council is informed that the activity will take place. 	Permitted			
Disturbance, damage or destruction of foreshore and seabed, including any removal of sand, shell, shingle or other natural material	B3.2	<ul style="list-style-type: none"> • Structure is within any one of the following estuaries: <ul style="list-style-type: none"> - Waiwhakaiho - Waitara - Patea • Disturbance of material: <ul style="list-style-type: none"> (i) in volumes of greater than 50 000 cubic metres; or (ii) extracted from areas of 4 hectares or more; or (iii) extending 1000 metres or more over foreshore and seabed. 	Discretionary			1.1(b), 2.1, 2.2, 3.1, 3.2, 3.3, 6.5, 7.4, 8.1, 9.10, 11.1, 11.2, 13.1, 14.1, 14.2, 14.3
Disturbance, damage or destruction of the foreshore and seabed, including any removal of sand, shell, shingle or other natural material, and does not come within or comply with rule B3.2	B3.3	<ul style="list-style-type: none"> • Disturbance of material: <ul style="list-style-type: none"> (i) in volumes of greater than 50 000 cubic metres; or (ii) extracted from areas of 4 hectares or more; or (iii) extending 1000 metres or more over foreshore and seabed. 	Non-complying			1.1(b), 2.1, 2.2, 3.1, 3.2, 3.3, 6.5, 7.4, 8.1, 9.10, 11.1, 11.2, 13.1, 14.1, 14.2, 14.3
Other disturbance or damage or destruction of foreshore and seabed, including any removal of	B3.4	<ul style="list-style-type: none"> • Disturbance, damage or destruction is within any one of the following estuaries: <ul style="list-style-type: none"> - Waiwhakaiho - Waitara 	Discretionary			1.1(b), 2.1, 2.2, 3.1, 3.2, 3.3, 6.5, 7.4, 8.1, 9.10, 11.1, 11.2, 13.1, 14.1, 14.2, 14.3

<p>sand, shell, shingle, or other natural material and the disturbance does not come within and/or comply with rules B3.1, B3.2 and B3.3 and the disturbance, damage or destruction are restricted by sections 12(1)(c) or 12(1)(e) of the Act, or removal is restricted by section 12(2) of the Act</p>		<ul style="list-style-type: none"> - Patea 				
<p>Other disturbance or damage or destruction of foreshore and seabed, including any removal of sand, shell, shingle or other natural material and the disturbance does not come within and/or comply with either of rules B3.1 B3.2, B3.3 and B3.4 and the disturbance, damage or destruction are restricted by sections 12(1)(c) or 12(1)(e) of the Act, or removal is restricted by Section 12(2) of the Act.</p>	B3.5		Non-complying			1.1(b), 2.1, 2.2, 3.1, 3.2, 3.3, 6.6, 7.4, 8.1, 9.10, 11.1, 11.2, 13.1, 14.1, 14.2, 14.3
<p>Large deposits of substance in, on or under the foreshore and seabed</p>	B3.6	<ul style="list-style-type: none"> • Deposit is within any one of the following estuaries: <ul style="list-style-type: none"> - Waiwhakaiho - Waitara - Patea • Deposit is in quantities of more than 50 000 cubic metres in any 12 month period. 	Discretionary			1.1(b), 2.1, 2.2, 3.1, 3.2, 3.3, 6.6, 7.4, 8.1, 9.10, 11.1, 11.2, 13.1, 14.1, 14.2, 14.3

Large deposits of substance in, on or under the foreshore and seabed and does not come within or comply with rule B 3.6.	B3.7	<ul style="list-style-type: none"> • Deposit is in quantities of more than 50 000 cubic metres in any 12 month period. 	Non-complying			1.1(b), 2.1, 2.2, 3.1, 3.2, 3.3, 6.6, 7.4, 8.1, 9.10, 11.1, 11.2, 13.1, 14.1, 14.2, 14.3
Other deposits of substance in, on or under the foreshore and seabed and the deposit does not come within and/or comply with rules B3.6 or B3.7 and is restricted by Section 12(1)(d) of the Act.	B3.8	<ul style="list-style-type: none"> • Deposit is within any one of the following estuaries: <ul style="list-style-type: none"> - Waiwhakaiho - Waitara - Patea 	Discretionary			1.1(b), 2.1, 2.2, 3.1, 3.2, 3.3, 6.6, 7.4, 8.1, 9.10, 11.1, 11.2, 13.1, 14.1, 14.2, 14.3
Other deposits of substance in, on or under the foreshore and seabed and the deposit does not come within and/or comply with rules B3.6, B3.7 or B3.8 and is restricted by Section 12(1)(d) of the Act.	B3.9		Non-complying			1.1(b), 2.1, 2.2, 3.1, 3.2, 3.3, 6.6, 7.4, 8.1, 9.10, 11.1, 11.2, 13.1, 14.1, 14.2, 14.3

Reclamations

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy References
Reclamation or draining of foreshore and seabed, excluding reclamation for the purpose of erosion control or flood control	B4.1		Prohibited			
Reclamation for the purpose of erosion control or flood control	B4.2	<ul style="list-style-type: none"> • Reclamation has an area less than 1 hectare and has a maximum side length of 100 metres or a maximum diameter of 112 metres. 	Discretionary			1.1(b), 2.1, 2.2, 3.1, 3.2, 3.3, 6.4, 6.6, 7.1, 7.2, 7.3, 7.4, 7.5, 8.1, 9.10, 11.1, 11.2, 13.1, 14.1, 14.2, 14.3, 14.4

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy References
	B4.3	<ul style="list-style-type: none"> • Reclamation has an area of 1 hectare or more; or • Reclamation extends 100 metres or more in any direction; or • Reclamation is an incremental reclamation connected to, or part of, another reclamation which: <ul style="list-style-type: none"> (i) was commenced or received a resource consent after 5 May 1994¹; and (ii) the sum of the existing and proposed reclamations are equal to or exceed an area of 1 hectare or a distance of 100m in any direction. 	Discretionary			1.1(b), 2.1, 2.2, 3.1, 3.2, 3.3, 6.4, 6.6, 7.1, 7.2, 7.3, 7.4, 7.5, 8.1, 9.10, 11.1, 11.2, 13.1, 14.1, 14.2, 14.3, 14.4

¹ *The gazettal gate of the New Zealand Coastal Policy Statement.*

Coastal Management Area C: Open Coast

Structures

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy References
Reconstruction, alteration or removal and replacement of an existing structure for maintenance	C1.1	<ul style="list-style-type: none"> Activity is for the purpose of maintaining the structure in good repair; Size of the structure will not increase beyond original size; Sediment disturbance will not decrease the visual clarity of water by more than 50% outside a 50 metre radius zone of mixing; No contaminant will be released into coastal water; Activity complies with the general standards in Section 4.4; At least one working day before the maintenance commences, the Taranaki Regional Council is informed that the maintenance activity is to occur. 	Permitted			
Reconstruction, alteration or removal and replacement of an existing structure for maintenance , and related occupation of the coastal marine area, and related disturbance of the foreshore and seabed, and the activity does not come within and/or comply with rule C1.1	C1.2	<ul style="list-style-type: none"> Activity is for the purpose of maintaining structure in good repair. 	Discretionary	May be non-notified without written approval	<ul style="list-style-type: none"> Effects on water quality Noise emissions Light emissions Effects on ecosystems Disturbance of the foreshore and seabed; Method of works Public access Duration of consent Timing of works Monitoring Review Administrative charges 	1.1(d), 2.1, 2.3, 3.1, 3.2, 8.1, 9.10, 11.1, 11.1, 14.1, 14.2, 14.3
Placement of an outfall structure	C1.3	<ul style="list-style-type: none"> Structure has internal diameter 600 mm or less and extends 2 metres or less into the coastal marine area; No erosion, scour or deposition results from placement or use of the structure; Structure is designed or placed to prevent tidal backflow and fish entrapment; Structure is to have the minimum external diameter necessary for the safe and efficient operation of the structure. 	Permitted			
Erection or placement of a navigation aid for marine transport , and related	C1.4	<ul style="list-style-type: none"> Structure does not interfere with New Plymouth Airport Flight Path Protection Surfaces shown in Section 4.3. 	Controlled	May be non-notified without written approval	<ul style="list-style-type: none"> Occupation and public access Noise emissions Light emissions 	1.1(d), 2.1, 2.3, 6.2, 6.5, 8.1, 9.10, 11.1, 11.2, 13.1, 14.1, 14.2, 14.3

occupation of the coastal marine area (including renewal of occupation), and related disturbance of the foreshore and seabed					<ul style="list-style-type: none"> • Disturbance of foreshore or seabed during placement • Effects on water quality • Method of construction or placement • Timing of works • Duration of consent and removal of structure • Height of structure • Monitoring • Review • Administrative charges 	
Removal or demolition of a structure, excluding the Waitara River control arms or Patea River control arms	C1.5	<ul style="list-style-type: none"> • No waste will be placed, or any contaminant released, into the coastal marine area; • Structure will be removed completely from the coastal marine area; • Sediment disturbance will not decrease the visual clarity of water by more than 50% outside a 50 metre zone of mixing. • Removal or demolition of structure will not significantly affect sediment movement or lead to increased erosion or scour; • Activity complies with the general standards in Section 4.4; • Structure is not on the Register of Historic Places, historic areas, wahi tapu areas or otherwise subject to the Historic Places Act 1993 or any other legislation applying to historic places; • At least one working day before removal or demolition commences, the Taranaki Regional Council is informed that the activity is to occur. 	Permitted			
Removal or demolition of a structure and the activity does not come within and/or comply with rule C1.5, and related disturbance of the foreshore and seabed	C1.6		Discretionary	May be non-notified without written approval	<ul style="list-style-type: none"> • Coastal erosion effects • Water quality effects • Disposal of waste • Remains of structure in coastal marine area • Disturbance of foreshore or seabed during removal • Method of demolition or removal • Effects on ecosystems 	1.1(d), 2.1, 2.3, 3.1, 3.2, 3.3, 6.2, 6.3, 6.5, 8.1, 9.10, 11.1, 11.2, 13.1, 14.1, 14.2, 14.3

					<ul style="list-style-type: none"> • Restoration of foreshore and seabed • Public access during removal • Noise emissions • Light emissions • Timing of works • Duration of consent • Monitoring • Review • Administrative charges 	
Erection or placement of a large structure or structures, and related occupation of the coastal marine area	C1.7	<ul style="list-style-type: none"> • Structure impounds or effectively contains 4 hectares or more of the coastal marine area. 	Discretionary			1.1(d), 2.1, 2.3, 3.1, 3.2, 3.3, 6.1, 6.2, 7.1, 7.2, 7.3, 7.4, 8.1, 8.2, 9.10, 11.1, 11.2, 13.1, 13.2, 14.1, 14.2, 14.3
Erection or placement of a large structure or structures, and related occupation of the coastal marine area	C1.8	<ul style="list-style-type: none"> • Structure presents a significant barrier to water or sediment movement; • Structure is 300 metres or more in length parallel to the line of mean high water springs (including separate structures the sum of whose individual length would be 300 metres or more). 	Discretionary			1.1(d), 2.1, 2.3, 3.1, 3.2, 3.3, 6.1, 6.2, 7.1, 7.2, 7.3, 7.4, 8.1, 8.2, 9.10, 11.1, 11.2, 13.1, 13.2, 14.1, 14.2, 14.32
Erection or placement of a large structure or structures, and related occupation of the coastal marine area	C1.9	<ul style="list-style-type: none"> • Structure presents a significant barrier to water or sediment movement; • Structure is sited obliquely or perpendicular to the line of mean high water springs; • Structure is 100 metres or more in horizontal projection. 	Discretionary			1.1(d), 2.1, 2.3, 3.1, 3.2, 3.3, 6.1, 6.2, 7.1, 7.2, 7.3, 7.4, 8.1, 8.2, 9.10, 11.1, 11.2, 13.1, 13.2, 14.1, 14.2, 14.3
Erection or placement of a large structure or structures, and related occupation of the coastal marine area	C1.10	<ul style="list-style-type: none"> • Structure is for the storage or containment of any petroleum, petroleum products or chemicals in quantities of 50,000 litres or more. 	Discretionary			1.1(d), 2.1, 2.3, 3.1, 3.2, 3.3, 6.1, 6.2, 7.1, 7.2, 7.3, 7.4, 8.1, 8.2, 9.7, 9.10, 11.1, 11.2, 13.1, 13.2, 14.1, 14.2, 14.3
Erection, placement, reconstruction, alteration or extension of a structure and the activity or structure does	C1.11		Discretionary			1.1(d), 2.1, 2.3, 3.1, 3.2, 3.3, 6.1, 6.2, 7.1, 7.2, 7.3, 7.4, 8.1, 8.2, 9.7, 9.10, 11.1, 11.2, 13.1, 13.2, 14.1, 14.2, 14.3

not come within and/or comply with any of rules C1.1 to C1.10						
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Discharges

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy References
Discharge of water from an aquifer into coastal water or water in an aquifer in the coastal marine area	C2.1	<ul style="list-style-type: none"> No contaminants are added to the discharge water; Saline water is not discharged into fresh water. 	Permitted			
Discharge of uncontaminated water or stormwater into water or onto land in the coastal marine area	C2.2	<ul style="list-style-type: none"> This rule excludes any stormwater discharge from a stormwater catchment which contains any industrial or trade premises; The following contaminants, if present in the stormwater discharge, shall not exceed the following limits: <ul style="list-style-type: none"> (i) oil and grease 15 gm⁻³; (ii) suspended solids 100 gm⁻³; Stormwater discharge occurs from a road, roof, yard, paved area or grassed area; Discharge is able to be discharged through a 600 mm (internal diameter) pipe. 	Permitted			
	C2.3	<ul style="list-style-type: none"> Discharge occurs from a stormwater catchment which contains one or more industrial or trade premises. 	Discretionary	May be non-notified without written approval	<ul style="list-style-type: none"> Location of discharge Effects on ecosystems Effects on water quality Erosion effects on foreshore or seabed Quality of discharge and possible treatment before discharge Contingency planning to prevent contaminant discharges Duration of consent Monitoring Review Administrative charges 	1.1(d), 2.1, 2.3, 5.4, 9.3, 9.5, 9.6, 9.7
Discharge of petroleum dispersants into water or onto land in the coastal marine area	C2.4	<ul style="list-style-type: none"> Dispersant is used in the event of a marine oil spill; Discharge is of a dispersant of petroleum approved for use in marine oil spills by the Maritime Safety Authority; Dispersant is applied at the rates and by the methods recommended by the manufacturer; 	Permitted			

		<ul style="list-style-type: none"> Dispersant is not applied in area where the water depth is less than 10 metres. 				
Discharge of human sewage into water or onto land in the coastal marine area	C2.5	<ul style="list-style-type: none"> Discharge does not pass through soil or wetland. 	Discretionary			1.1(d), 2.1, 2.3, 3.1, 3.2, 3.3, 5.4, 5.5, 8.1, 9.1, 9.2, 9.3, 9.4, 9.5, 9.7, 13.1, 14.1, 14.2, 14.3
Discharge of contaminants or water into water or onto land in the coastal marine area and the discharge does not come within and/or comply with any of rules C2.1 to C2.5	C2.6	<ul style="list-style-type: none"> Discharge gives rise to any or all of the following effects in the receiving waters, after reasonable mixing: <ul style="list-style-type: none"> (a) production of conspicuous oil or grease films, scums, or foams, or floatable or suspended materials; (b) conspicuous change in colour or visual clarity; (c) emission of objectionable odour; (d) significant adverse effects on aquatic life; and such effects are not of a temporary nature or associated with necessary maintenance work. 	Discretionary			1.1(d), 2.1, 2.3, 3.1, 3.2, 3.3, 5.4, 5.5, 8.1, 9.1, 9.2, 9.3, 9.5, 9.7, 13.1, 14.1, 14.2, 14.3
Discharge of contaminants or water into water or onto land in the coastal marine area and discharge does not come within and/or comply with rule C2.6	C2.7		Discretionary			1.1(d), 2.1, 2.3, 3.1, 3.2, 3.3, 5.4, 5.5, 8.1, 9.1, 9.2, 9.3, 9.5, 9.7, 13.1, 14.1, 14.2, 14.3
Discharges of contaminants to air in the coastal marine area which are restricted by Section 15(1) of the Act	C2.8		Discretionary			1.1(d), 2.1, 2.3, 3.1, 3.2, 3.3, 8.1, 11.1, 11.2, 12.1, 12.3, 13.1, 13.2

Disturbance of, and deposits to, the foreshore and seabed

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy References
Disturbance of the seabed by drilling	C3.1	<ul style="list-style-type: none"> • Diameter of drill hole is 1.5 m or less; • Activity complies with the general standards in Section 4.4; • Activity occurs 2000 metres or more from the line of mean high water springs or the boundary of the Sugar Loaf Islands Marine Protected Area; • Drilling is not made directly into any reef system. 	Permitted			1.1(d), 2.1, 2.2, 6.5, 7.4, 9.7, 9.10, 13.1, 13.2, 14.1, 14.2, 14.3
Disturbance of foreshore and seabed, and deposit of substance on the foreshore and seabed, for stream diversion or stream mouth clearance	C3.2	<ul style="list-style-type: none"> • Disturbance occurs for purpose of diverting Wairau Stream, Waimoku Stream or any river less than 3 metres wide at its mouth; • Mouth clearance is for the purposes of river control, water quality or any other of the Taranaki Regional Council's statutory purposes, regardless of who conducts the works. • Material removed is replaced on foreshore or seabed that consists of the same type of material; • Activity complies with the general standards in Section 4.4; • Activity does not restrict public access along the coastal marine area for more than one week; • At least one working day before the activity commences, the Taranaki Regional Council is informed that the activity is to occur. 	Permitted			
Disturbance of foreshore or seabed, and deposit of substance on the foreshore and seabed, for clearance of outfalls, intake structures or culverts	C3.3	<ul style="list-style-type: none"> • Disturbance is for the purpose of removing accumulated sediment that is adversely affecting the use of a culvert, outfall or intake structure; • Amount of material removed is the minimum necessary to allow reasonable use of the structure; • Material removed is replaced on foreshore or seabed that consists of the same type of material; • Activity complies with the general standards in Section 4.4; • Activity does not significantly restrict public access along the coastal marine area; • At least one working day before the activity commences, the Taranaki Regional Council is informed that the activity is to occur. 	Permitted			
Disturbance, damage or destruction of foreshore and seabed, including any removal of sand, shell,	C3.4	<ul style="list-style-type: none"> • Disturbance of material: <ol style="list-style-type: none"> (i) in volumes greater than 50 000 cubic metres; or (ii) extracted from areas of 4 hectares or more; or (iii) extending 1000 metres or more over foreshore and seabed. 	Discretionary			1.1(d), 2.1, 2.3, 3.1, 3.2, 3.3, 6.5, 7.4, 8.1, 9.10, 11.1, 11.2, 13.1, 14.1, 14.2, 14.3

shingle or other natural material						
Disturbance, damage or destruction of foreshore and seabed, including any removal of sand, shell, shingle or other natural material and the activity does not come within and/or comply with any of rules C3.1 to C3.4; and is restricted by section 12(1)(c), 12(1)(e) or 12(2) of the Act	C3.5		Discretionary			1.1(d), 2.1, 2.3, 3.1, 3.2, 3.3, 6.5, 7.4, 8.1, 9.10, 11.1, 11.2, 13.1, 14.1, 14.2, 14.3

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy References
Deposit of substance onto the foreshore or seabed for beach replenishment	C3.6	<ul style="list-style-type: none"> • Deposit is for purpose of remedying or mitigating effects of coastal erosion; • Deposit is of material the same or similar in size, sorting and parent material to that of the foreshore and seabed on which it is to be deposited; • Deposit contains no contaminants other than sediment and incidentally-occurring flora and fauna within the material to be deposited. 	Discretionary		<ul style="list-style-type: none"> • Method and site of deposit • Volume and rate of deposit • Type and quality of deposited material • Effects on amenity values • Effects on water quality • Effects on marine life • Noise emissions • Sediment movement and erosion • Timing of deposit • Occupation and public access • Duration of consent • Monitoring • Review • Administrative charges 	1.1(d), 2.1, 2.3, 3.1, 3.2, 3.3, 6.6, 7.4, 8.1, 9.10, 11.1, 11.2, 13.1, 14.1, 14.2, 14.3
Deposit of substance in, on or under the foreshore or seabed for other purposes	C3.7	<ul style="list-style-type: none"> • Deposit is in volumes of more than 50 000 cubic metres at a site in any 12 month period, other than as provided for by rule C3.8. 	Discretionary			1.1(d), 2.1, 2.3, 3.1, 3.2, 3.3, 6.6, 7.4, 8.1, 9.10, 11.1, 11.2, 13.1, 14.1, 14.2, 14.3
	C3.8	<ul style="list-style-type: none"> • Deposit is in volumes of more than 50 000 cubic metres in the area marked 'Spoil Disposal Area' on Map 7 of this plan, in any 12 month period. 	Discretionary			1.1(d), 2.1, 2.3, 3.1, 3.2, 3.3, 6.6, 7.4, 8.1, 9.10, 11.1, 11.2, 13.1, 14.1, 14.2, 14.3
Deposit of substance in, on or under the foreshore or seabed for other purposes and the activity does not come within and/or comply with any of rules C3.1 to C3.8; and is restricted by Section 12(1)(d) of the Act	C3.9		Discretionary			1.1(d), 2.1, 2.3, 3.1, 3.2, 3.3, 6.6, 7.4, 8.1, 9.10, 11.1, 11.2, 13.1, 14.1, 14.2, 14.3

Reclamation

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy References
Reclamation or draining of any foreshore or seabed	C4.1	<ul style="list-style-type: none"> • Reclamation or draining: (i) exceeds 1 hectare in area; or (ii) extends 100 metre or more in any direction; or (iii) is itself of lesser dimensions than those specified in (i) and (ii) above, but which is connected to or part of another reclamation or reclamations which in combination exceed the dimensions specified in (i) and (ii) above. 	Discretionary			1.1(d), 2.1, 2.3, 3.1, 3.2, 3.3, 6.4, 6.6, 7.1, 7.2, 7.3, 7.4, 8.1, 9.10, 11.1, 11.2, 13.1, 14.1, 14.2, 14.3, 14.4
Reclamation or draining of any foreshore or seabed and the reclamation or draining does not come within and/or comply with rule C4.1	C4.2		Discretionary			1.1(d), 2.1, 2.3, 3.1, 3.2, 3.3, 6.4, 6.6, 7.1, 7.2, 7.3, 7.4, 8.1, 9.10, 11.1, 11.2, 13.1, 14.1, 14.2, 14.3, 14.4

Coastal Management Area D : Port Taranaki

Structures

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy References
Alteration, reconstruction or removal and replacement of an existing structure for maintenance or alteration to the upper surfaces of existing wharves and breakwaters for purposes directly relating to port company operations	D1.1	<ul style="list-style-type: none"> Activity is for the purpose of maintaining the structure in good repair or altering facilities on wharf or breakwater surfaces; Size of the structure will not increase beyond original size (other than vertically); Sediment disturbance will not decrease the visual clarity of water by more than 50% outside a 50 metre radius zone of mixing; No contaminant will be released into coastal water; Activity complies with the general standards of Section 4.4; At least one working day before the activity is commenced, the Taranaki Regional Council is notified that the maintenance is to occur. 	Permitted			
Alteration, reconstruction or removal and replacement of an existing structure for maintenance or alteration to the upper surfaces of existing wharves and breakwaters , and related disturbance of the foreshore and seabed, and activity does not come within and/or comply with rule D1.1	D1.2	<ul style="list-style-type: none"> Activity is for the purpose of maintaining structure in good repair; Size of the structure will not increase beyond original size. 	Controlled	May be non-notified without written approval	<ul style="list-style-type: none"> Effects on water quality Effects on ecosystems Disturbance of foreshore and seabed Noise emissions Light emissions Method of works Public access Duration of consent Timing of works Monitoring Review Administrative charges 	1.1(c), 2.1, 3.1, 3.2, 8.1, 9.10, 11.1, 11.2, 14.1, 14.2, 14.3
Placement of an outfall structure	D1.3	<ul style="list-style-type: none"> Structure has internal diameter of 600 mm or less and extends 2 metres or less into the coastal marine area; Structure is not placed on Ngamotu Beach except within 20 metres of Blyde Reclamation or Eastern Reclamation; No erosion, scour or deposition results from placement or use of the structure; No tidal backflow or fish movement into the structure will occur. Structure is to have the minimum external diameter necessary for the safe and efficient operation of the structure. 	Permitted			
Placement of mooring	D1.4	<ul style="list-style-type: none"> Mooring block is placed, secured and maintained in accordance 	Permitted			

<p>anchor blocks within the seabed</p>		<p>with the instructions of the Harbourmaster;</p> <ul style="list-style-type: none"> Excavated sediment is placed in an area of similar sediment and groomed to match existing contours; If the mooring block is placed within the breakwaters, it is placed to secure a ship that is moored to a wharf or that is moored within an area that extends 400 metres from the leeward side of the Lee Breakwater; At least one working day before placement, the Harbourmaster is notified that placement is to occur. 				
<p>Erection or placement of a navigation aid for marine transport or marine instrumentation purposes, and related disturbance of the foreshore and seabed</p>	D1.5	<ul style="list-style-type: none"> Structure does not interfere with New Plymouth Airport Flight Path Protection Surfaces shown in Section 4.3. 	Controlled	May be non-notified without written approval	<ul style="list-style-type: none"> Public access Noise emissions Light emissions Timing of works Effects on water quality Disturbance of foreshore or seabed during placement Duration of consent and removal of structure Monitoring Review Administrative charges 	1.1(c), 2.1 6.2, 6.5, 8.1, 9.10, 11.1, 11.2, 13.1, 14.1, 14.2, 14.3
<p>Erection, placement, extension, alteration or reconstruction of a launching, mooring or berthing structure, and related disturbance of the foreshore and seabed, excluding structures under rule D1.5</p>	D1.6	<ul style="list-style-type: none"> Structure is a launching, berthing or mooring structure for ships; Activity excludes: <ul style="list-style-type: none"> any seaward extension of the Main Breakwater or Lee Breakwater; placement, erection or extension of any structure seaward of the Main Breakwater or Lee Breakwater; or within 200 metres perpendicular from mean high water springs of Ngamotu Beach; any activity or structure that comes within rules D1.10 to D1.16; any structure that interferes with the New Plymouth Airport Flight Path Protection Surfaces shown in Section 4.3; Structure, when completed, does not prevent reasonable navigation between any existing launching, mooring or berthing facility and the Port entrance. 	Controlled	May be non-notified without written approval	<ul style="list-style-type: none"> Disturbance of foreshore and seabed Sediment movement and erosion Effects on ecosystems Effects on navigation Design of structure (including height) Method of construction or placement of structure Provision of waste disposal facilities Contingency planning to prevent spills of contaminants Public access Noise emissions 	1.1(c), 2.1, 3.1, 6.2, 6.5, 8.1, 9.8, 9.10, 11.1, 11.2, 13.1, 13.2, 14.1, 14.2, 14.3

					<ul style="list-style-type: none"> • Light emissions • Duration of consent and removal of structure • Timing of works • Monitoring • Review • Administrative charges 	
Erection, placement, extension, alteration or reconstruction of a utility structure in, on, or under the foreshore or seabed, and related occupation of the coastal marine area, and related disturbance of the foreshore and seabed	D1.7	<ul style="list-style-type: none"> • Structure is any: <ul style="list-style-type: none"> - pipeline which is not a restricted coastal activity under rule D1.16; or - outfall structure that does not come within and/or comply with rule D1.3 ; or - intake structure; or - communication or electricity cable (excluding overhead cables); • Excludes erection, placement or extension of any structure seaward of the Main Breakwater or Lee Breakwater; • Structure is not located within 200 metres of mean high water springs of Ngamotu Beach; • Structure, when completed, does not adversely affect navigation between any existing launching, mooring or berthing facility and the port entrance; • Pipeline or cable is buried in the foreshore or seabed or attached to another structure. 	Controlled	May be non-notified without written approval	<ul style="list-style-type: none"> • Disturbance of foreshore and seabed • Sediment movement and erosion • Effects on ecosystems • Design and external appearance of structure • Method of construction or placement of structure • Effects on navigation • Public access • Noise emissions • Light emissions • Duration of consent and removal of structure • Timing of works • Monitoring • Review • Administrative charges 	1.1(c), 2.1, 3.1, 6.2, 6.5, 6.6, 8.1, 8.2, 9.10, 11.1, 11.2, 13.1, 14.1, 14.2, 14.3
Removal or demolition of a structure	D1.8	<ul style="list-style-type: none"> • No waste is placed, or any contaminant released, into the coastal marine area; • Structure is removed completely from the coastal marine area; • Sediment disturbance does not decrease visual clarity of water by more than 50% outside a 50 metre radius zone of mixing; • Activity does not significantly affect sediment movement or lead to increased erosion or scour; • At least one day before activity occurs, the Harbourmaster is notified; • Activity complies with the general standards in Section 4.4; • Excludes removal or demolition of the Main Breakwater or Lee 	Permitted			

3

		Breakwater.				
Removal or demolition of a structure and the activity does not come within and/or comply with rule D1.8, and related disturbance of the foreshore and seabed	D1.9	<ul style="list-style-type: none"> Excludes removal or demolition of the Main Breakwater or Lee Breakwater. 	Discretionary	May be non-notified without written approval	<ul style="list-style-type: none"> Erosion and navigation channel effects Water quality effects Disposal of waste Remains of structure in the coastal marine area Disturbance of foreshore and seabed during removal Public access during removal Restoration of foreshore and seabed Noise emissions Light emissions Timing of works Duration of consent Monitoring Review Administrative charges 	1.1(c), 2.1, 3.1, 6.2, 6.3, 6.5, 8.1, 8.2, 9.10, 11.1, 11.2, 13.1, 14.1, 14.2, 14.3
Erection or placement of a large structure , and related occupation of the coastal marine area	D1.10	<ul style="list-style-type: none"> Structure impounds or effectively contains 4 hectares or more, but less than 8 hectares of the coastal marine area; Structure is a floating or open pile structure that can be demonstrated to not impede water flows; Structure is constructed from reinforced concrete, quarried rock, timber or other construction materials; Structure is to provide launching, mooring or berthing facilities, or other facilities for port activities. 	Discretionary			1.1(c), 2.1, 3.1, 3.2, 6.2, 6.5, 7.1, 7.2, 7.3, 8.1, 8.2, 9.10, 11.1, 11.2, 13.1, 14.1, 14.2, 14.3, 14.5
Erection or placement of a large structure , and related occupation of the coastal marine area	D1.11	<ul style="list-style-type: none"> Structure impounds or effectively contains 8 hectares or more of the coastal marine area. 	Discretionary			1.1(c), 2.1, 3.1, 3.2, 6.2, 6.5, 7.1, 7.2, 7.3, 8.1, 8.2, 9.10, 11.1, 11.2, 13.1, 14.1, 14.2, 14.3, 14.5
Erection or placement of a large structure , and related occupation of the coastal marine area	D1.12	<ul style="list-style-type: none"> Structure presents a significant barrier to water or sediment movement; Excludes any submarine or sub-aqueous cable, or any open pile structure which can be demonstrated not to have adverse effects; 	Discretionary			1.1(c), 2.1, 3.1, 3.2, 6.2, 6.5, 7.1, 7.2, 7.3, 8.1, 8.2, 9.10, 11.1, 11.2, 13.1, 14.1, 14.2, 14.3, 14.5

3		<ul style="list-style-type: none"> • Extends 300 metres or more, but 1000 metres or less, parallel to the line of mean high water springs (includes separate structures that, when their lengths are summed, comply with the dimensions above); • Constructed of reinforced concrete, quarried rock, timber or other construction materials; • Provides protection from natural hazards, or is to provide launching, mooring or berthing facilities, or other facilities for port activities. 				
	D1.13	<ul style="list-style-type: none"> • Structure presents a significant barrier to water or sediment movement; • Structure extends more than 1000 metres in length parallel to the line of mean high water springs. 	Discretionary			1.1(c), 2.1, 3.1, 3.2, 6.2, 6.5, 7.1, 7.2, 7.3, 8.1, 8.2, 9.10, 11.1, 11.2, 13.1, 14.1, 14.2, 14.3, 14.5
	D1.14	<ul style="list-style-type: none"> • Structure presents a significant barrier to water or sediment movement; • Excludes any submarine or sub-aqueous cable; • Sited obliquely or perpendicular to the line of mean high water springs; • In horizontal projection is 100 metres or more, but 1000 metres or less, in length; • Constructed from concrete, quarried rock, timber or other construction materials; • Provides protection from natural hazards, or is to provide launching, mooring or berthing facilities, or other facilities for port activities. 	Discretionary			1.1(c), 2.1, 3.1, 3.2, 6.2, 6.5, 7.1, 7.2, 7.3, 8.1, 8.2, 9.10, 11.1, 11.2, 13.1, 14.1, 14.2, 14.3, 14.5
Erection or placement of a large structure , and related occupation of the coastal marine area	D1.15	<ul style="list-style-type: none"> • Structure presents a significant barrier to water or sediment movement; • Structure is situated obliquely or perpendicular to the line of mean high water springs an in horizontal projection exceeds 1000 metres in length. 	Discretionary			1.1(c), 2.1, 3.1, 3.2, 6.2, 6.5, 7.1, 7.2, 7.3, 8.1, 8.2, 9.10, 11.1, 11.2, 13.1, 14.1, 14.2, 14.3, 14.5
Erection or placement of a large structure , and related occupation of the coastal marine area	D1.16	<ul style="list-style-type: none"> • Structure is for storage or containment of petroleum, petroleum products or chemicals in quantities of 100 000 litres or more. 	Discretionary			1.1(c), 2.1, 3.1, 3.2, 6.2, 6.5, 7.1, 7.2, 7.3, 8.1, 8.2, 9.7, 9.10, 11.1, 11.2, 13.1, 14.1, 14.2, 14.3, 14.5
Erection, placement, alteration, extension or reconstruction, removal or	D1.17		Discretionary			1.1(c), 2.1, 3.1, 3.2, 6.2, 6.5, 7.1, 7.2, 7.3, 8.1, 8.2, 9.7, 9.10, 11.1,

demolition of a structure, and related occupation of the coastal marine area and the activity or structure does not come within and/or comply with any of rules D1.1 to D1.16						11.2, 13.1, 14.1, 14.2, 14.3, 14.5
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Discharges

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy References
Discharge of water from an aquifer to coastal water or water in an aquifer in the coastal marine area	D2.1	<ul style="list-style-type: none"> No contaminants are added to the discharge water; Saline water is not discharged into fresh water. 	Permitted			
Discharge of petroleum dispersants into water or on to land in the coastal marine area	D2.2	<ul style="list-style-type: none"> Dispersant is used in the event of a marine oil spill; Discharge is of a dispersant of petroleum approved for use in marine oil spills by the Maritime Safety Authority; Dispersant is applied at the rates and by the methods recommended by the manufacturer. 	Permitted			
Discharge of human sewage into water or onto land in the coastal marine area	D2.3	<ul style="list-style-type: none"> Discharge does not pass through soil or wetland; Excludes discharges from ships and offshore installations. 	Prohibited			1.1(c), 2.1, 3.1, 3.2, 5.4, 5.5, 8.1, 9.1, 9.2, 9.3, 9.4, 9.5, 9.7, 13.1, 14.1, 14.2, 14.3
Other discharges of water or contaminants into water or onto land in the coastal marine area and the discharge does not come within and/or comply with rules D2.1 to D2.3	D2.4	<ul style="list-style-type: none"> Discharge gives rise to any or all of the following effects in the receiving waters, after reasonable mixing: <ol style="list-style-type: none"> production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials; conspicuous change in colour or visual clarity; emission of objectionable odour; significant adverse effects on aquatic life; and such effects are not of a temporary nature or associated with necessary maintenance work. 	Discretionary			1.1(c), 2.1, 3.1, 3.2, 5.4, 5.5, 8.1, 9.1, 9.2, 9.3, 9.5, 9.7, 13.1, 14.1, 14.2, 14.3
Other discharges of water or contaminants into water or onto land in the coastal marine area and the discharge does not come within and/or comply with rule D2.4	D2.5		Discretionary			1.1(c), 2.1, 3.1, 3.2, 5.4, 5.5, 8.1, 9.1, 9.2, 9.3, 9.5, 9.7, 13.1, 14.1, 14.2, 14.3
Discharges of contaminants to air in the	D2.6	<ul style="list-style-type: none"> Discharge must not result in offensive or objectionable odour or dust at or beyond the boundary of the Port Air Zone; 	Permitted			

coastal marine area within the Port Air Zone from the storage or transfer of cargo materials		<ul style="list-style-type: none"> • Discharge must not result in noxious or toxic levels of airborne contaminants at or beyond the boundary of the Port Air Zone; • Discharge must not result in dangerous levels of airborne contaminants at or beyond the boundary of the Port Air Zone, including but not limited to any risk of fire or explosion. 				
Discharge of contaminants to air in the coastal marine area within the Port Air Zone from the storage or transfer of cargo materials and which does not come within and/or comply with rule D2.6	D2.7		Discretionary			1.1(c), 2.1, 3.1, 8.1, 11.1, 11.2, 12.1, 12.3, 13.1, 13.2
Discharges of contaminants to air in the coastal marine area and which does not come within and/or comply with rules D2.6 or D2.7	D2.8	<ul style="list-style-type: none"> • The discharge excludes discharges to air from ships and offshore installations; • Discharge originates from any industrial or trade premises. 	Discretionary			1.1(c), 2.1, 3.1, 8.1, 11.1, 11.2, 12.1, 12.3, 13.1, 13.2

Disturbance of, and deposits to, foreshore and seabed

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy References
Disturbance of the foreshore and seabed, and redeposit of disturbed sediment, for clearance of outfall and intake structures	D3.1	<ul style="list-style-type: none"> • Disturbance is the removal of accumulated sediment from intake and outfall structures; • Disturbance is the minimum necessary to allow reasonable use of the structure; • Activity does not restrict public access for more than one week; • Sediments removed are deposited on the nearest area of similar sediment in the longshore or onshore-offshore drift zone; • Activity complies with the general standards in Section 4.4. 	Permitted			
Disturbance of the foreshore and seabed by drilling	D3.2	<ul style="list-style-type: none"> • Diameter of drill hole is 1.5 m or less; • Activity complies with the general standards in Section 4.4. 	Controlled	May be non-notified without written approval	<ul style="list-style-type: none"> • Effects on water quality, including contingency planning to prevent release of contaminants • Depth of drilling • Noise • Effects on ecosystems • Navigational safety • Occupation and public access • Restoration of foreshore and seabed • Timing of works • Duration of consent • Monitoring • Review • Administrative charges 	1.1(c), 2.1, 3.1, 3.2, 6.5, 7.4, 9.7, 9.10, 13.1, 13.2, 14.1, 14.2, 14.3
Disturbance of the seabed by dredging	D3.3	<ul style="list-style-type: none"> • Disturbance of accumulated sediment for purpose of maintaining a safe navigational depth within Port Taranaki breakwaters; • Disturbance of 50 000 cubic metres or less from a site in any 12 month period; • Does not adversely affect the physical form of any foreshore between the Lee Breakwater and the Blyde reclamation; • Sediment is not removed from the coastal marine area. 	Controlled	May be non-notified without written approval	<ul style="list-style-type: none"> • Effects on water quality • Sediment movement and erosion • Method of dredging • Rate and volume of removal • Navigational safety • Public access • Depth of dredging • Noise emissions • Timing of works • Duration of consent 	1.1(c), 2.1, 3.2, 3.2, 6.5, 7.4, 8.1, 9.10, 11.1, 11.2, 13.1, 14.1, 14.2, 14.3

					<ul style="list-style-type: none"> • Monitoring • Review • Administrative charges 	
	D3.4	<ul style="list-style-type: none"> • Disturbance of accumulated sediment for purpose of maintaining a safe navigational depth within Port Taranaki breakwaters; • Disturbance of more than 50 000 cubic metres but less than 300 000 cubic metres per year, or extracted from an area of 4 hectares or more but less than 10 hectares, or along a distance of more than 1000 metres but less than 10 000 metres across the seabed. 	Discretionary			1.1(c), 2.1, 3.2, 3.2, 6.5, 7.4, 8.1, 9.10, 11.1, 11.2, 13.1, 14.1, 14.2, 14.3
Large disturbance of the foreshore and seabed	D3.5	<ul style="list-style-type: none"> • Disturbance of the foreshore and seabed, including any removal of sand, shell, shingle or other natural material: <ul style="list-style-type: none"> - in quantities of 300 000 cubic metres or more; or - extracted from an area of 10 hectares or more; or - extending more than 10 000 metres over foreshore and seabed. 	Discretionary			1.1(c), 2.1, 3.2, 3.2, 6.5, 7.4, 8.1, 9.10, 11.1, 11.2, 13.1, 14.1, 14.2, 14.3
Other disturbance or damage or destruction of foreshore and seabed, including any removal of sand, shell, shingle or other natural material and the activity does not come within and/or comply with any of rules D3.1 to D3.5; and is restricted by sections 12(1)(c), 12(1)(e) or 12(2) of the Act	D3.6		Discretionary			1.1(c), 2.1, 3.2, 3.2, 6.5, 7.4, 8.1, 9.10, 11.1, 11.2, 13.1, 14.1, 14.2, 14.3
Deposit of substance onto the foreshore and seabed for beach replenishment	D3.7	<ul style="list-style-type: none"> • Deposit is for the purpose of combatting coastal erosion or enhancing amenity value; • Deposit is of material the same or similar in size, sorting and parent material to that of the receiving foreshore and seabed; • Deposit is in quantities of 50 000 cubic metres or less in any 12 month period; • Deposit contains no contaminants other than sediment and any incidentally-occurring marine flora and fauna in the deposit; 	Discretionary		<ul style="list-style-type: none"> • Effects on water quality • Method and site of deposit • Timing of deposit • Occupation and public access • Type and quality of deposited material • Rate and volume of deposit • Protection of adjacent land 	1.1(c), 2.1, 3.1, 3.2, 6.6, 7.4, 8.1, 9.10, 11.1, 11.2, 13.1, 14.1, 14.2, 14.3

		<ul style="list-style-type: none"> • Deposit does not affect safety of navigation or ship access to, and use of, any mooring, launching or berthing structure. 			<ul style="list-style-type: none"> • Effects on navigation, and on use of coastal structures • Duration • Monitoring • Review • Administrative charges 	
Large deposits of substance in, on or under the foreshore and seabed	D3.8	<ul style="list-style-type: none"> • Deposit of substances in quantities greater than 50 000 cubic metres at a site in any 12 month period. 	Discretionary			1.1(c), 2.1, 3.1, 3.2, 6.6, 7.4, 8.1, 9.10, 11.1, 11.2, 13.1, 14.1, 14.2, 14.3
Other deposits of substance in, on or under the foreshore and seabed and the deposit does not come within and/or comply with rules D3.7 or D3.8; and is restricted by Section 12(1)(d) of the Act	D3.9		Discretionary			1.1(c), 2.1, 3.1, 3.2, 6.6, 7.4, 8.1, 9.10, 11.1, 11.2, 13.1, 14.1, 14.2, 14.3

Reclamation

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy References
Reclamation or draining of foreshore and seabed	D4.1	<ul style="list-style-type: none"> • Reclamation has an area of 2 hectares or less and extends 300 metres linear or less in any direction; • Includes any reclamation which is an incremental reclamation connected to, or part of another reclamation which: <ul style="list-style-type: none"> - was commenced or received a coastal permit after 5 May 1994¹; and - the sum of the existing and proposed reclamations are within the dimensions specified above; • Reclamation is located in the area enclosed by the Main and Lee Breakwaters; • Reclamation material contains no contaminants other than sediment 	Discretionary			1.1(c), 2.1, 3.1, 3.2, 6.4, 6.6, 7.1, 7.2, 7.3, 7.4, 8.1, 9.10, 11.1, 11.2, 13.1, 14.1, 14.2, 14.3, 14.4

¹ The gazetted date for the New Zealand Coastal Policy Statement

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy References
		<p>and incidentally-occurring plant or animal matter within that material; OR</p> <ul style="list-style-type: none"> • Reclamation has an area of less than 1 hectare or extends less than 100 metres in each dimension; • Includes any reclamation connected to or part of another reclamation which: <ul style="list-style-type: none"> - was commenced or received a coastal permit after 5 May 1994; and - the sum of sizes of the existing and proposed reclamations are within the dimensions specified above. 				
Reclamation or draining of foreshore or seabed	D4.2	<ul style="list-style-type: none"> • Reclamation has an area of more than 2 hectares or extends more than 300 metres in any direction; <p>OR</p> <ul style="list-style-type: none"> • Reclamation is an incremental reclamation which is part of or connected to another reclamation which: <ul style="list-style-type: none"> - was commenced or received a coastal permit after 5 May 1994; and - the sum of the existing and proposed reclamations is equal to or exceed 2 hectares or 300 metres linear in any direction; <p>OR</p> <ul style="list-style-type: none"> • Reclamation has an area of 1 hectare or more but less than 2 hectares, or extends 100 metres or more but less than 300 metres in any direction, but does not comply with rule 4.1; OR • Reclamation is an incremental reclamation which is part of or connected to another reclamation which: <ul style="list-style-type: none"> - was commenced or received a coastal permit after 5 May 1994; and - the sum of the existing and proposed reclamations is 1 hectare or more but less than 2 hectares, or is 100 metres or more but less than 300 metres in any direction; <p>but does not come within and/or comply with rule D4.1.</p>	Discretionary			1.1(c), 2.1, 3.1, 3.2, 6.4, 6.6, 7.1, 7.2, 7.3, 7.4, 8.1, 9.10, 11.1, 11.2, 13.1, 14.1, 14.2, 14.3, 14.4

Storage of hazardous substances

Activity	Rule	Standards/Terms/Conditions	Classification	Notification	Control/Discretion	Policy References
Storage of hazardous substances	D5.1	<ul style="list-style-type: none"> • Storage is of dangerous goods² in quantities of: <ul style="list-style-type: none"> (a) 150 000 litres or more of petrol or diesel; or (b) 4 000 litres or more of any other dangerous goods in a single storage structure. 	Discretionary			1.1(c), 2.1, 2.3, 3.1, 9.11

² *The Dangerous Goods Act 1974 will be repealed once the Hazardous Substances and New Organisms Act comes into force. When that Act does come into force the term 'Hazardous Substance(s)' will be more appropriate than 'Dangerous Good(s)'.*

4.3 New Plymouth Airport flight path protection surfaces

New Plymouth Airport is located near the mouth of the Waiongana Stream in New Plymouth District. In order for the airport operator to remain certified to operate the airport, the airport operator must provide "obstacle limitation surfaces" under the Civil Aviation Rules (Civil Aviation Act 1990). The mechanisms to prevent flight path obstacles are regional and district plans.

New Plymouth Airport requires flight path protection surfaces to cover the coastal marine area in the vicinity of the airport. The extent of the flight path protection surfaces is shown in figures 2, 3 and 4. The flight path protection surfaces are a group of inclined and horizontal planes. The protection surfaces are intended to prevent obstacles being placed within the airport's flight paths. Five types of surface, described below, cover the coastal marine area.

4.3.1 Description of protection surfaces

Approach surfaces

Three approach surfaces are located over the coastal marine area:

- (i) South-western approach surface over Port Taranaki: this is an inclined surface, rising from the south-western end of the main runway strip (23 m above mean sea level) at a gradient of 1.6 per cent (1 in 62.5), its sides splaying 15 per cent from the edges of the main runway strip.
- (ii) North-eastern approach surface over Waitara River estuary: this is an inclined surface, rising from the north-eastern end of the main runway strip (23 m above mean sea level) at a gradient of 1.6 per cent (1 in 62.5), its sides splaying 15 per cent from the edges of the main runway strip.
- (iii) North-western approach surface over the open coast area: this is an inclined surface, rising from the north-western end of the subsidiary runway strip (20 m above mean sea level) at a gradient of 1.6 per cent (1 in 62.5), its sides splaying 15 per cent from the edges of the subsidiary runway strip.

Transitional surfaces

Two transitional surfaces rise off the edges of the approach surfaces at a gradient of 1 in 7 to intercept the horizontal surface.

Horizontal surface

The horizontal surface is a level surface overlying the airport and its surrounding areas at a height of 74 m above mean sea level. The extent of the horizontal surface is a radius of 4000 metres from the ends of the runway strips.

Conical surface

The conical surface is an inclined surface that rises from the edge of the horizontal surface at a rate of 2.5 per cent (1 in 40).

Rural airport protection zone

A flat surface under which a structure should not exceed 3 metres in height.

4.3.2 Effect of this plan

The flight path protection surfaces are given effect through Policy 11.2 in Issue eleven, Section 3.0 of this plan. In particular, controlled activities must comply with the height restrictions established above, while any application to carry out a discretionary activity will be declined if it does not comply with the height restrictions. Under no circumstances will any structure be allowed to breach the flight path protection surfaces.

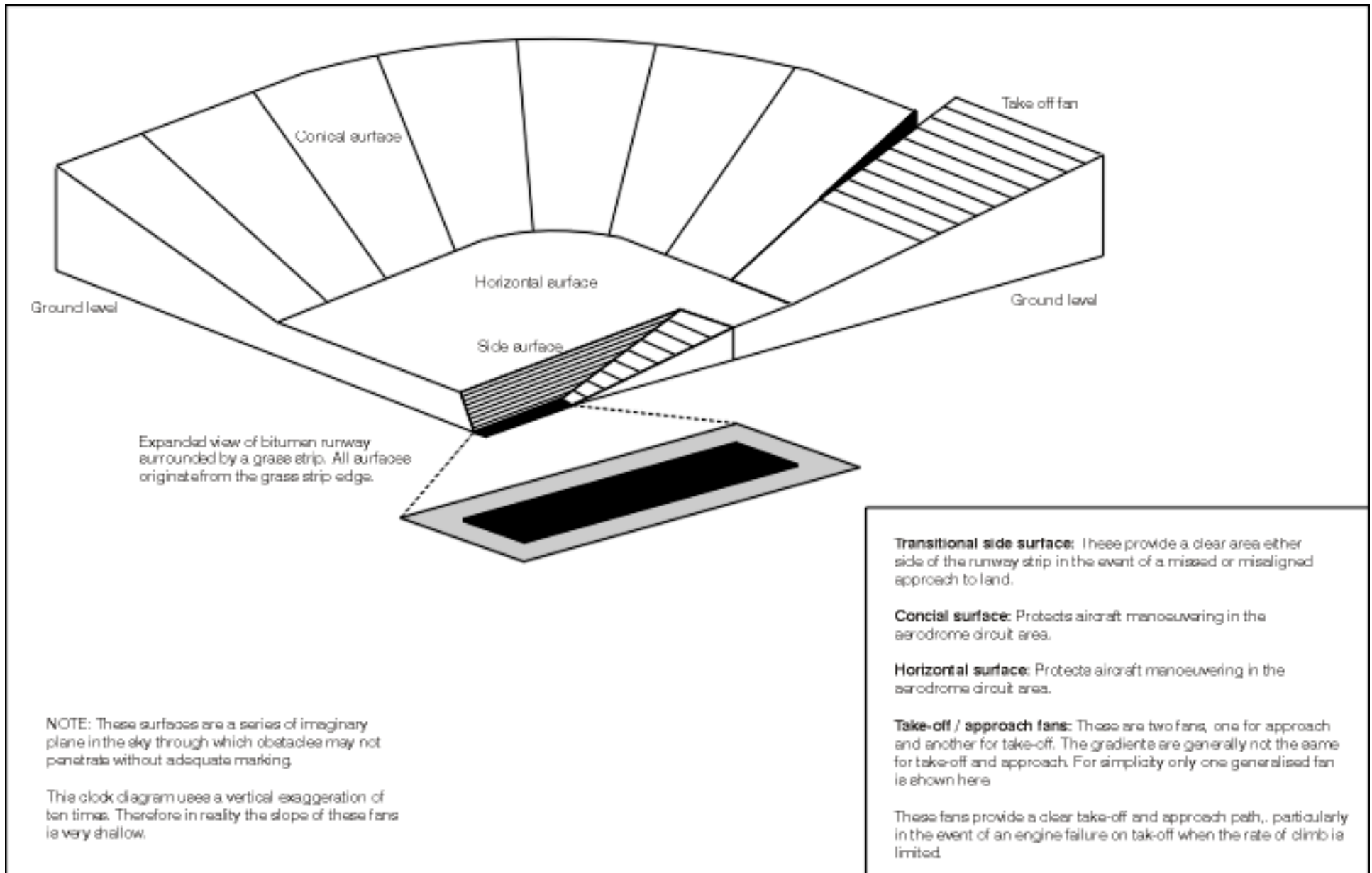


Figure 2: A generalised description of CAA's requirements for protection surfaces surrounding New Zealand airports

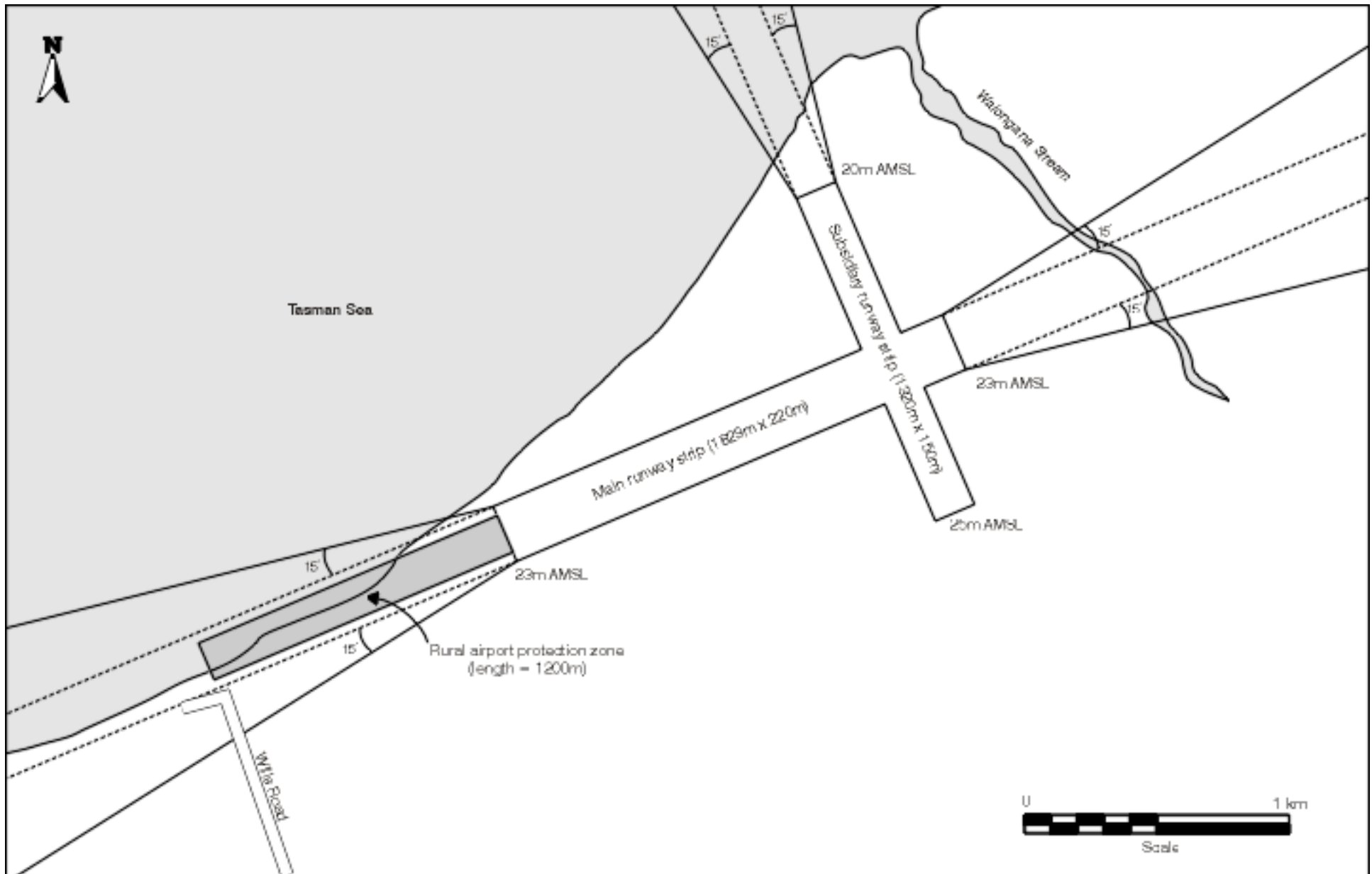


Figure 3: Base measurement used to calculate New Plymouth Airport flight path protection surfaces

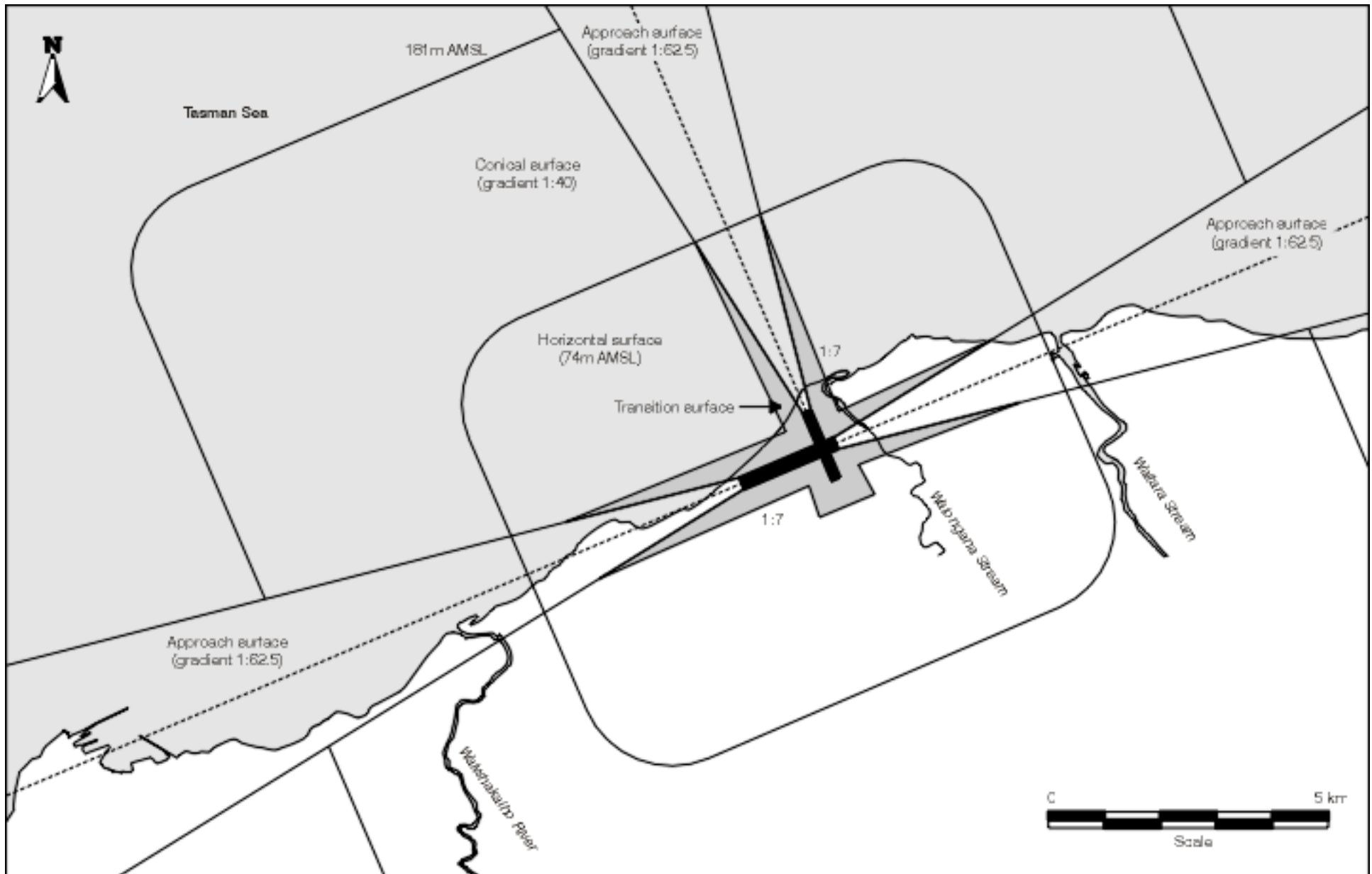


Figure 4: New Plymouth Airport flight path protection surfaces

4.4 General standards

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

4.4.1 Height (New Plymouth Airport)

No structure or part of any structure shall interfere with the New Plymouth Airport Flight Path Protection Surfaces described in Section 4.3 of the plan.

4.4.2 Light

Light sources shall be shielded so that the light source is not directly visible from any residence, vehicle on a public road or ship under navigation, provided that this shall not apply in the case of:

- (i) navigation aids; or
- (ii) lighting required under the Acts of Parliament for the safety of ships or offshore installations and aircraft.

4.4.3 Noise

- (a) Activities (excluding construction, maintenance and demolition work and temporary military training) in the coastal marine area should not create noise that exceeds the following limits when measured at the boundary of the nearest affected property:

Monday to Friday	7am to 10pm	55 dBA L ₁₀
Saturday	7am to 12pm	55 dBA L ₁₀
All other times		45 dBA L ₁₀

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

Noise measurement and assessment will be in accordance with New Zealand Standard 6801: 1991 Measurement of Sound and New Zealand Standard 6802: Assessment of Environmental Sound.

- (b) Construction, maintenance or demolition activities shall comply with the relevant standards set out in New Zealand Standard NZS6803P:1984 *The measurement and assessment of noise from construction, maintenance and demolition work*.

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

- (c) Temporary military training activities in the coastal marine area should not create noise that exceeds the following limits when measured from a line 20 metres from and parallel to the facade of any dwelling used for accommodation or the legal boundary where this is closest to the dwelling or building:

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

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

	L_{10}
0000-0630	40
2000-2400	40

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

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

5. Information to be submitted with an application for a coastal permit

Section 88 of the Act requires each application for a coastal permit to be in a prescribed form. Section 88 requires that an application includes:

- (i) a description of the activity for which consent is sought, and its location;
- (ii) an assessment of any actual or potential effects that the activity may have on the environment, and the ways in which any adverse effects may be mitigated;
- (iii) any information required to be included in the application by this plan or by regulations; and
- (iv) a statement specifying all other resource consents that the applicant may require from any consent authority for the activity to which the application relates, and whether or not the applicant has applied for such consents.

The Taranaki Regional Council requires the information below to be included with an application for a coastal permit. General information in Section 5.1 must be supplied for all applications, along with the assessment of effects in Section 5.5.

Applicants should note that approvals may need to be obtained under other Acts of Parliament. For example, structure placement requires a building consent under the Building Act 1991, aquaculture requires consents under the Fisheries Act 1983 etc. Those consents cannot be obtained under this plan.

5.1 General (all activities)

1. Full name, postal address, home and business telephone numbers of the person or organisation to whom the permit is to be issued.
2. Name and telephone number of the contact person who is fully conversant with all aspects of the application.
3. Name, address and telephone number of consultant (if applicable).
4. Name and address for service of documents (if different from above).
5. Name and telephone number of occupier or lessee of affected site.
6. Location and address of affected site (as near as possible).
7. Nearest territorial authority (New Plymouth District Council or South Taranaki District Council).
8. A list of all other consents needed, and reference numbers of any previous consents, for this application from all consent authorities.
9. A list of names and addresses of property owners or occupiers likely to be directly affected by this application.
10. An **assessment of effects on the environment** in accordance with Section 5.5 below. (Section 5.5 is important; please read it carefully.)

5.2 Use of the foreshore and seabed

1. Reason for which the foreshore or seabed is to be used (reclamation, structure, drilling, dredging, other (please specify)).
2. An indication of the state of completion of the project (existing, partly developed, proposed).
3. Description of the works proposed, including design specifications.
4. Map reference of site (use Infomap 260 1:50 000)
5. An accurate location and site plan including scale, showing position of works, local named roads, north point, boundaries and other relevant features.
6. Legal description of land at site (where applicable).

5.3 Discharges of contaminants

1. Content of discharge (name contaminants, if any).
2. Type of operation or industry causing discharge.
3. Purpose for discharge.
4. Maximum volume daily (cubic metres per day) and maximum discharge rate (litres per second).
5. Number of hours per day that discharge will occur.
6. Full description of any seasonal or time-related variation in discharge strengths and volumes expected (if applicable).
7. Accurate site plan and address of discharge source, for inspection purposes.
8. Legal description of land (shown on rate demand) at discharge source, for inspection purposes.
9. Map reference of discharge point (use Infomap 260 1:50 000).
10. If discharge point is different from place of treatment/usage, details with supporting plans of each site.
11. Full description of works to be constructed, including process or department from which discharge originates, type of treatment facility and the quality of the proposed discharge (include design specifications).

5.4 Use of water

1. Reason for which water is to be taken or used or both (industry, other (specify)).
2. An indication of the state of completion of the project (existing, partly developed, proposed).
3. Quantities of water applied for:
 - (i) maximum daily quantity (cubic metres per day);
 - (ii) total annual quantity (cubic metres per year); and
 - (iii) maximum abstraction rate (litres per second).

5.5 Assessment of effects on the environment

An assessment of effects on the environment is to be included with every coastal permit application in accordance with this section. The detail in the assessment of effects shall be **in such detail as corresponds with the scale and significance of the actual or potential effects that the activity may have on the environment**. This is important: too much detail in relation to the likely effects of the activity will waste applicants' time and money; too little detail will result in the Taranaki Regional Council requiring further information, which will lead to further expense and lost time by applicants.

The assessment for a controlled activity, or for a discretionary activity over which the Taranaki Regional Council has restricted the exercise of its discretion, need only address those matters over which the Council has retained control or the right to exercise its discretion (as the case may be). Those matters are specified in the relevant rules of this plan.

The extent to which these matters need to be addressed will depend on the nature and scale of the proposed activity. It is the responsibility of the applicant to provide sufficient information to enable the consent authority to assess the application. If the applicant is uncertain as to the amount of information required or where such information may be obtained, the Taranaki Regional Council's Consents Department Staff can assist (telephone 06 765 7127).

5.5.1 Matters for inclusion in an assessment of effects on the environment

An assessment of effects on the environment should include -

- (a) A description of the proposal;
- (b) Where it is likely that an activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity;
- (c) An assessment of the actual or potential effect on the environment of the proposed activity;
- (d) Where the activity includes the use of hazardous substances and installations an assessment of any risks to the environment which are likely to arise from such use;

- (e) Where the activity includes the discharge of any contaminant, a description of:
 - (i) The nature of the discharge and the sensitivity of the proposed receiving environment to adverse effects; and
 - (ii) Any possible alternative methods of discharge, including discharge into any other receiving environment;
- (f) A description of the mitigation measures (safeguards and contingency plans where relevant) to be undertaken and any response to the views of those consulted;
- (g) An identification of those persons interested in or affected by the proposal, the consultation undertaken and any response to the views of those consulted;
- (h) Where the scale or significance of the activity's effect are such that monitoring is required, a description of how, once the proposal is approved, effects will be monitored and by whom.

Specific information that is required to give effect to policies

The following information must be supplied in order to allow the Taranaki Regional Council to give effect to information requirements contained in policies in this plan.

- (a) When the proposed activity is a reclamation, the applicant must show that the reclamation is the most appropriate way of providing for an activity that requires a coastal marine area location, and alternatives to a reclamation (including purchase of land or construction of structures) must be explicitly considered.
- (b) When the proposed activity is a damming, diversion, taking or use of water from an estuary, applicants for coastal permits must:
 - (i) demonstrate a need for volumes of water sought; and
 - (ii) indicate what alternative water supplies or water collection or storage methods have been considered to meet this need and the suitability or otherwise of the alternatives.
- (c) When the proposed activity is a natural hazard protection work, the applicant must supply sufficient information to enable the assessment required by:
 - (i) Policy 7.1; and
 - (ii) Policy 7.3 (if the work is proposed for an estuary);
 to be carried out.
- (d) Any application for a coastal permit seeking rights of occupation (over and above those required for physical occupation by a structure) must include a consideration of alternatives to occupation rights and must demonstrate how granting rights to occupy is the most appropriate course of action to take.

Matters that should be considered when preparing an assessment of effects on the environment

Any person preparing an assessment of the effects on the environment should consider the following matters:

- (a) Any effect on those in the neighbourhood and, where relevant, the wider community including any socio-economic and cultural effects;
- (b) Any physical effect on the locality, including any landscape and visual effects;

- (c) Any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity;
- (d) Any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual or cultural or other special value for present or future generations;
- (e) Any discharge of contaminants into the environment, including any unreasonable emission of noise and options for the treatment and disposal of contaminants;
- (f) Any risk to the neighbourhood, the wider community or the environment through natural hazards or the use of hazardous substances or hazardous installations.

5.6 Requirement for further information

Notwithstanding the above, the Taranaki Regional Council may at any reasonable time, require the applicant to provide further information in respect of the activity which the application for a coastal permit is made.

The following relate to the circumstances in which the powers under Section 92 (ie. where further information may be required) **may** be used:

- (a) the standard application forms have not been properly completed; or
- (b) the application does not adequately describe the nature or location of the proposal; or
- (c) the application does not specify, or inaccurately specifies, other consents that may be needed to undertake the activity; or
- (d) in the case of any discretionary or non-complying activity, the application provides insufficient information:
 - (i) to enable the actual or potential adverse effects of the activity to be identified; or
 - (ii) to explain the ways in which any adverse effects are to be mitigated; or
 - (iii) to identify other parties who may be affected; or
 - (iv) to identify other parties who have been consulted and/or their views; or
- (e) there is uncertainty regarding the need or purpose of the consent; or
- (f) there are reasonable grounds to suggest that alternative locations or methods of undertaking the activity may be both feasible and would have less adverse effect on the environment than the proposed option; or
- (g) a report is required to be commissioned to fully assess the effects of the activity or to audit any information provided by the applicant.

6. Financial contributions

Where the Regional Council grants a coastal permit, it may impose a condition requiring that a financial contribution be made for the purposes specified in the coastal plan.

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

... a contribution of:

- a) money; or
- b) land, including an esplanade reserve or esplanade strip (other than in relation to a subdivision consent), but excluding Maori land within the meaning of the Maori Land Act 1993 unless that Act provides otherwise; or
- c) works, including (but without limitation) the protection, planting, or replanting of any tree or other vegetation or the protection, restoration, or enhancement of any natural or physical resource; or
- d) services—

or any combination thereof, made for the purposes specified in the plan (including the purpose of ensuring positive effects on the environment to offset any adverse effect) and which does not exceed in value the maximum amount specified in, or determined in accordance with, the plan.

Financial contributions may be for various purposes specified in the plan including the purposes of ensuring positive effects on the environment to offset any adverse effects (environmental compensation).

All monies collected under the financial contributions regime of the plan are collected by the Taranaki Regional Council for use in such a manner as the Council deems fit in order to avoid, remedy or mitigate the adverse effects on the coastal environment of the activity that the financial contribution is levied on. When deciding how those contributions should be levied or allocated, consideration should be given to matters contained in public submissions on a coastal permit application.

Clause 5 of Part 1 of the Second Schedule to the Act further requires the Taranaki Regional Council to specify in the plan the circumstances when a financial contribution may be imposed, the maximum amount of the contribution that may be imposed or the formula by which the contribution may be calculated and the general purposes for which the contribution may be used.

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

- The circumstances when such contributions may be imposed.
- The purposes for which such contributions may be required and used.
- The manner in which the amount of the contribution will be determined.
- Matters which the Taranaki Regional Council will have regard to when deciding whether to impose financial contribution, the type or types of contribution, and the amount of any contribution.

6.1 Circumstances, purpose and amount

Financial contributions may be imposed on any coastal permit in the circumstances and for the purposes set out below. Contributions may be in the form of land, works, services or money or any combination of the two. Contributions of money to the Taranaki Regional Council must be used for the general purpose for which such contributions were taken.

The following provisions set out circumstances and purposes for which financial contributions may be imposed and used, and the manner in which the amount of contribution will be determined is also set out.

(a) Maintenance or improvement of public access to and along the coast

Circumstances: Where public access to or along the coast will be limited or prevented by the activity for which consent is granted.

- (i) Purposes: To avoid or mitigate such effects by providing for public access to or along the coast through or around the area to which the consent applies.

Determination of amount: The amount of contribution will be determined by reference to the matters set out in section 6.2, but will be an amount that will be sufficient to avoid, remedy or mitigate adverse effects on public access.

- (ii) Purposes: To offset or compensate for reduction or loss of access by contributing to new or enhanced access to or along another part of the coastal marine area within the same general locality or serving the same general community.

Determination of amount: The amount of contribution will be determined by reference to the matters set out in section 6.2, but will be an amount that will contribute to alternative public access to a reasonably equivalent standard and extent to that which will be lost or reduced.

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

(b) Enhancement of recreational amenities in the coastal marine area

Circumstances: Where the activity for which consent is granted is likely to cause or contribute to adverse effects on recreational amenities in the coastal marine area.

Purposes: To mitigate or offset such effects by creating or improving recreational opportunities or facilities or other public amenities on or in the vicinity of the site, and/or at an alternative location in the coastal environment in the same general locality or serving the same general community (including contribution to the maintenance or enhancement of public reserves).

Determination of amount: The amount of contribution will be determined by reference to the matters set out in section 6.2, but will reflect the cost of maintaining recreational amenity values at a reasonably equivalent level as if consent had not been granted, and/or to provide alternative recreational amenities to a reasonably equivalent standard or extent to those which will be lost.

(c) **Planting or maintenance of coastal vegetation**

Circumstances: Where the activity for which consent is granted is likely to cause or contribute to destruction or damage of coastal vegetation on habitats or contribute to erosion of foreshore or dunes or adversely affect visual amenities.

Purposes: To mitigate or offset such effects by way of planting or maintaining vegetation (including native vegetation) within the coastal environment for the purpose of protecting, restoring or enhancing the coastal environment (either at the site concerned or elsewhere in the same general locality).

Determination of amount: The amount of contribution will be determined by reference to the matters set out in section 6.2, but will provide for protecting, restoring or enhancing the site in question so as to fully avoid, remedy or mitigate any adverse effects; or the full cost of providing protection, restoration or enhancement to reasonably compensate for the adverse effects of the activity.

(d) **Landscaping or planting**

Circumstances: Where the activity for which consent is granted is likely to cause or contribute to adverse effects on visual amenities and/or involves land clearance or disturbance.

Purposes: To reduce the adverse effects of land clearance, land disturbance and structures in the coastal marine area by landscaping or replanting on or adjacent to the site in question.

Determination of amount: The amount of contribution will be determined by reference to the matters set out in section 6.2, but will provide for carrying out such works to avoid, remedy or mitigate the adverse effects of the activity.

(e) **Fencing or screening**

Circumstances: Where the activity for which consent is granted is likely to contribute to adverse effects on visual amenities, heritage features or conservation areas.

Purposes: To reduce adverse visual effects by fencing or screening to protect and/or separate heritage features or conservation areas.

Determination of amount: The amount of contribution will be determined by reference to the matters set out in section 6.2, but will provide for such works to avoid, remedy or mitigate the adverse effects of the activity.

(f) Protection, maintenance or restoration of sites of historic or cultural importance

Circumstances: Where the activity for which consent is granted will adversely affect a historic site, or one of cultural or spiritual significance to the Tangata Whenua.

Purposes: To mitigate or offset such effects by providing for works which protect or restore that site and/or to offset such effects by contributing to protection, maintenance or restoration of some alternative historic or cultural site within the coastal environment in the same general locality.

Determination of amount: The amount of contribution will be determined by reference to the matters set out in section 6.2, but will provide for such works reasonably required to avoid, remedy or mitigate such effects, and/or reasonably compensate for such effects.

(g) Protection, restoration or enhancement of seabed and foreshore

Circumstances: Where the activity for which consent is granted is likely to cause or contribute to adverse effects on the seabed or foreshore.

Purposes: To mitigate or offset the adverse effects of the activity by protecting, restoring or enhancing the seabed or foreshore, including (without limitation) maintenance and planting of vegetation, sediment replenishment, erosion protection works, fencing, and foreshore protection and including contribution to such measures elsewhere in the same general locality.

Determination of amount: The amount of contribution will be determined by reference to the matters set out in section 6.2, and the amount will be sufficient to avoid, remedy or mitigate such effects.

(h) Reduction of litter

Circumstances: Where the activity for which consent is granted is likely to contribute directly or indirectly to littering of the coastal marine area.

Purposes: To mitigate or offset such effects by contributing to litter collection facilities, services and/or signage in the general area of the activity.

Determination of amount: The amount of contribution will be determined by reference to the matters set out in section 6.2, and will be an amount reasonably required to avoid, remedy or mitigate the effects referred to above.

(i) Esplanade reserves or esplanade strips on reclamation

Circumstances: Where consent is granted for reclamation or draining of the foreshore and/or seabed. (Without limitation on (a) or (b) above).

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

Determination of amount: The amount of contribution will be determined by reference to the matters set out in section 6.2, and will provide for establishing an esplanade reserve 20 metres wide along that part of the proposed reclamation that is adjacent to the sea.

(j) General - mitigation works

Circumstances: Where the activity for which consent is granted will cause or contribute to adverse effects on the environment which will not be adequately mitigated by any of the types of contribution described elsewhere in this section.

Purposes: Works on or adjacent to the site for the purpose of avoiding, remedying or mitigating the adverse effects of the activity, including protection, and/or restoration of natural or physical resources.

Determination of amount: The amount of contribution will be determined by reference to the matters set out in section 6.2, and will provide for such works reasonably necessary to fully avoid, remedy or mitigate the adverse effects of the activity.

(k) General - environmental compensation

Circumstances: Where the activity for which consent is granted will have adverse effects which will not be adequately avoided, remedied or mitigated and those effects can be offset by practicably positive effects elsewhere in the coastal marine area.

Purposes: To provide positive effects by way of environmental compensation by protecting, restoring and/or enhancing natural and physical resources and/or amenity values elsewhere in the coastal environment in the same general locality.

Determination of amount: The amount of contribution will be determined by reference to the matters set out in section 6.2, and will provide for offsetting positive effects reasonably equivalent in standard, amenity value or environmental value to those amenities or resources which will be lost, compromised or adversely affected.

6.2 Matters to be considered

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

- (a) The extent to which any adverse effects deriving from the activity can and should be mitigated by way of works carried out on or near the site.
- (b) The extent to which a financial contribution may offset or provide compensation to the community or environment for adverse effects caused or contributed to by the activity and not otherwise mitigated by the consent holder.
- (c) The extent to which a contribution is required to achieve the objectives and policies of this plan.

- (d) In deciding the actual value of the financial contribution required, the Taranaki Regional Council shall have particular regard to:
 - (i) the significance of the effects attributable to the activity;
 - (ii) where such effects are contributed to by other activities, the extent to which those effects can be reasonably attributed to the activity for which consent is granted;
 - (iii) the extent to which any positive effects of the activity offset any adverse effects.
- (e) Financial contributions should relate to the effects of the activity for which consent is granted and be reasonably proportionate to the significance of any adverse effects.
- (f) Financial contributions may not be appropriate in every case even where there are adverse effects.
- (g) The actual amount of particular contributions will vary depending upon the circumstances and the application of the criteria outlined above.
- (h) The Taranaki Regional Council does not intend that environmental effects should be "fully mitigated" or fully compensated in every case.

7. Administrative procedures

7.1 Introduction

This section explains procedures to deal with cross-boundary issues, to promote integrated management and to monitor and review the effectiveness of this plan as a means of achieving its objectives and policies.

7.2 Integrated management and cross-boundary issues

Integrated management involves a consideration of:

- the effects of the use of one natural resource on **other natural and physical resources** or on other parts of the environment recognising that such effects may occur across space and time;
- the functions of **other agencies** in respect of the coastal marine area or involved in resource management which could affect the coastal marine area;
- the social and economic objectives and interests of the community, recognising that natural and physical resources cannot be managed without having regard to social, economic and cultural factors.

Cross-boundary issues may occur when environmental effects of one resource use are felt in another part of the environment (eg. water quality effects in the coastal marine area as a result of discharges into rivers). Integrated management aims to minimise the effects of cross-boundary issues and promote complementary management of the coastal marine area, coastal resources and the adjacent land.

Cross-boundary issues may exist in relation to:

- water quality (land management and river quality affects coastal water quality);
- air quality (air is free to move between land and the coastal marine area);
- natural hazards (coastal erosion may affect activities or developments near the sea, and uses of the coastal marine area may influence coastal erosion);
- noise (like air, noise is free to move between land and the coastal marine area).

Cross-boundary issues may also arise when tangata whenua are expected to express their interests in the coastal environment to a number of different agencies having coastal management functions, ie, Ministry of Fisheries, Department of Conservation, regional councils and district councils. This can result in consultation duplication and inefficiencies, and place unnecessary demands on tangata whenua.

Integrated management will assist the Taranaki Regional Council to co-ordinate management of activities and natural and physical resources with:

- the Department of Conservation (responsible for marine conservation and aspects of coastal resource management);
- the Ministry of Fisheries (responsible for fisheries management, including aspects of marine farming, and enhancement and harvesting);
- New Plymouth District Council and South Taranaki District Council (responsible for managing and controlling noise and the effects of land use, down to the mean high water spring line);
- The Maritime Safety Authority (responsible for safety of navigation and for an overview of oil spill contingency planning);
- The Medical Officer of Health at Taranaki Healthcare (responsible for the public health effects of water quality issues).

Procedures

The Taranaki Regional Council will use the following procedures in relation to integrated management and cross-boundary issues:

1. **Having regard**, under Section 66 of the Act, to the policy statements and plans (including resource management plans, strategic plans and annual plans) of territorial authorities and neighbouring regional councils and the extent to which this plan needs to be consistent with those documents.
2. **Liaising**, as appropriate, with the **New Plymouth District Council** and **South Taranaki District Council** on cross-boundary issues affecting the coastal marine area (particularly in relation to noise, landuse issues and activities on the beach or foreshore).
3. **Transferring functions** which would be more efficiently, effectively and appropriately carried out by other agencies.
4. **Preparing regional plans** relating to air quality and inland water quality which will be appropriately complemented by the regional coastal plan.
5. **Liaising**, as appropriate, with **Environment Waikato** (the Waikato Regional Council) and the **Manawatu-Wanganui Regional Council** on matters of coastal management that are relevant to more than one region.
6. **Liaising** with the **Maritime Safety Authority** in order to jointly maintain the safety of navigation and other surface water activities.
7. **Liaising**, as appropriate, with the **Department of Conservation** in relation to the implementation and review of coastal policy, and in relation to matters of marine conservation and conservation across the land/sea interface.
8. **Liaising**, as appropriate, with the **Ministry of Fisheries** in relation to marine farming and in relation to fisheries management issues relevant to the Regional Coastal Plan.

9. **Liaising**, as appropriate, with the **Medical Officer of Health at Taranaki Healthcare** in relation to public health matters arising from issues of water quality and discharge of contaminants.
10. **Exercising** the following **functions and powers** under the Act:
 - (a) Distribution of coastal permit applications to the Minister of Conservation under Section 90;
 - (b) Notification of coastal permit applications or requiring approval for non-notification from other affected management agencies under Sections 93 and 94;
 - (c) Making submissions on resource consent applications made to other consent authorities;
 - (d) Involving other management agencies in pre-hearing meetings under Section 99;
 - (e) Holding joint hearings with New Plymouth District Council or South Taranaki District Council when appropriate under Section 102.
 - (f) Co-ordinating consultation between the tangata whenua and the Department of Conservation, the New Plymouth District Council and the South Taranaki District Council to minimise consultation demands on tangata whenua.
11. **Making submissions** in respect of documents prepared by other authorities.

7.3 Monitoring

The Taranaki Regional Council is required by Section 35 of the Act to undertake monitoring and keep records. The Council must monitor:

- the state of the regional environment (to the extent necessary to carry out the Taranaki Regional Council's functions under the Act);
- the suitability and effectiveness of this plan;
- the exercise of any transferred functions, powers or duties; and
- the exercise of coastal permits;

and take any action that is appropriate in the circumstances.

Procedures

The monitoring of the effectiveness of this plan will be carried out in conjunction with monitoring of the Regional Policy Statement for Taranaki and other regional plans. The following methods will be used to monitor the coastal marine area and the effectiveness of this plan.

1. **Consideration** of results of monitoring undertaken as part of the **Regional Monitoring Strategy** for Taranaki. The strategy contains methods to monitor the overall state of the environment of the Taranaki region. Monitoring programmes will be extended or adjusted over time as appropriate.

2. **Consideration** of the results of methods used in conjunction with territorial authorities, to monitor **coastal erosion**.
3. Continuation of **water quality monitoring** at bathing beaches.
4. Continuation of **marine ecological monitoring** at hard and soft substrata sites around the coast.
5. **Compliance monitoring** carried out in relation to individual coastal permits. Where appropriate to the nature and scale of effect of an activity, individual consent monitoring programmes will be designed and implemented in conjunction with the consent holder.
6. Continuation of recording and evaluating **unauthorised discharges** to land, water and air in the coastal marine area, along with other unauthorised activities in the coastal marine area.
7. Use of **monitoring and research programmes** carried out by **other agencies** where appropriate.
8. Use of **information** (including requests and complaints) from iwi, territorial authorities, other agencies and the public, where appropriate.
9. **Keeping records** of the numbers of notified and non-notified consents applied for and the number granted and declined in each category.
10. **Keeping records** of the numbers of consent applications made for each type of activity regulated by the plan.

7.4 Review

The Act requires that this Plan be fully reviewed no later than 10 years from the date upon which it becomes operative. That review will include a review of the Plan and all changes to the Plan.

Procedures

The following procedures will be used to review this plan.

1. A **review** will be carried out in response to any changes in the **New Zealand Coastal Policy Statement** and the **Regional Policy Statement** for Taranaki. This review will be to the extent appropriate to determine and make changes to the plan so that it is not inconsistent with those policy statements.
2. A **review** will be carried out if a **new issue** arises, or if regional monitoring shows a significant change in an existing issue or shows that a review would otherwise be appropriate.

3. A **full review** (within the meaning of Section 79 of the Act) will be carried out no later than 10 years after the date upon which this plan becomes operative.

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

- (i) an assessment of the state of those matters that will be the subject of monitoring in the Regional Monitoring Strategy, and comparison with the relevant objectives of the plan;
- (ii) internal assessment by officers of the Taranaki Regional Council regarding the efficiency and effectiveness of policies and methods of implementation in achieving the objectives of the plan;
- (iii) internal assessment by officers of the Taranaki Regional Council regarding the usefulness of the matters required to be included in an application for a coastal permit and of administrative procedures;
- (iv) formal and informal liaison with public authorities and key interest groups regarding the effectiveness of the plan;
- (v) analysis and appropriate incorporation of public submissions regarding proposed changes to the plan, or re-notification of the plan, as required by Section 79 of the Act.