

**IN THE ENVIRONMENT COURT  
AT WELLINGTON**

**ENV-2019-WELLINGTON-**

**IN THE MATTER OF**

of the Resource Management  
Act 1991

**AND IN THE MATTER OF**

an appeal to the Environment  
Court under clause 14(1) of  
the First Schedule of the Act to  
the Proposed Taranaki  
Regional Coastal Plan

**BETWEEN**

**TARANAKI ENERGY WATCH  
INCORPORATED**  
*Appellant*

**AND**

**TARANAKI REGIONAL  
COUNCIL**  
*Respondent*

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**NOTICE OF APPEAL ON BEHALF OF TARANAKI ENERGY WATCH  
INCORPORATED**

*Dated 18 November 2019*

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**To: The Registrar**  
Environment Court  
WELLINGTON

## **INTRODUCTION**

1. Taranaki Energy Watch Incorporated (**Energy Watch**) appeals against parts of the decisions of the Taranaki Regional Council (**Council**) on the Proposed Taranaki Regional Council Coastal Plan (**Proposed Plan**).
2. Energy Watch made a submission and a further submission on the Proposed Plan.
3. Energy Watch is not a trade competitor for the purposes of section 308D of the Resource Management Act 1991 (**RMA**).
4. Energy Watch received notice of the decisions on 5 October 2019.
5. The decision was made by the Respondent.
6. The parts of the decision that this appeal relates to are Rules 27, 29 and 31.

## **REASONS FOR APPEAL**

### **General Reasons**

7. Energy Watch says that the proposed plan fails:
  - (a) to address part 2 RMA by inadequately addressing the adverse effects of the oil and gas industry within the coastal marine area.  
Notably the plan:
    - i. Does not promote sustainable management of natural and physical resources under s5 RMA.

- ii. Does not adequately recognise and provide for matters of national importance under s6 RMA, in particular s6(a), s6(b), s6 (c), s6 (f) and s6 (h).
  - iii. Does not have adequate regard to the matters in s7 RMA, in particular s7(c), s7(d) s7(f) and s7(i).
- (b) Represents a failure of the Respondent to fulfil its functions under s31 (b)(iii) RMA; the maintenance of indigenous biological diversity.
- (c) Does not give effect to the New Zealand Coastal Policy Statement in particular;
  - i. The precautionary principle in Policy 3;
  - ii. Policy 6(1)(j): where appropriate, buffer areas and sites of significant indigenous biological diversity, or historic heritage value;
  - iii. Policy 11 (a) and (b);
  - iv. Policy 13 and 15 natural character and landscape; and
  - v. Policy 23 discharge of contaminants.
- (d) Does not give effect to objectives and policies of the Taranaki Regional Policy Statement, section 8: Coastal Environment.
- (e) Does not provide a rule framework which gives effect to the policies and objectives of the Proposed Plan, notable policies: 1, 3, 5, 9, 10, 15, 16, 18, 21, 23 and 24.
- (f) Does not represent best resource management practise.

## PARTICULAR REASONS FOR APPEAL

8. Petroleum facilities create risk both potential and actual. These risks must be adequately managed in accordance with sensitivity of the environment in which they operate. The proposed plan includes rules which:
  - (a) inadequately manage the risk of oil and gas activities in relation to the sensitivity of the receiving environment; and
  - (b) do not reflect avoidance policies in the Proposed Plan, Regional Policy Statement and NZCPS for sites of outstanding values indigenous biodiversity, heritage and other values.
9. Effects from oil and gas exploration and production activities include: sediment, noise and light pollution, risk of toxicity caused by flaring, fugitive emissions, discharges and worst case scenarios such as well-blowouts, oil spills or loss of control of wellheads.
10. Both exploration and production activities are equally as risky in different ways with some reports finding that exploration activities create a greater risk from loss of control<sup>1</sup>. Both exploration and production should be at minimum a discretionary activity.
11. Risk criteria should be applied to all oil and gas exploration and production applications to address such effects. Risk criteria must address both probability and consequence.
12. The Regional Council has the responsibility to grant consent for an activity to be located in a particular site. Other regulations relating to safety and operation of a facility come into force only after a resource consent is granted. Therefore, the suitability of the location in relation to other activities and the environment is the responsibility of Regional Council.

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<sup>1</sup> <http://www.transport.govt.nz/assets/Uploads/Sea/Documents/Invitation-to-comment-draft-marine-Protection-Rules-Part-102-certificates-of-insurance-amendment.pdf>

13. Applying spatial management and utilising methods such as separation distances means adequate management can be achieved whereby areas of heightened sensitivity, areas of high values (including biological, habitat, natural character and features and landscapes etc...) are avoided or effects are adequately mitigated.
14. The reasons for the appeal and the relief sought from the Court are set out in detail below. Amendments sought by Energy Watch are underlined or ~~struck through~~.

### **Rule 27**

15. Rule 27 allows for drilling of exploration or appraisal wells by an offshore installation or drilling ship as a controlled activity in the Open Coast and Port Areas. Energy Watch consider that controlled status is inappropriate and discretionary status should apply.
16. Controlled status fails to:
  - (a) Allow for adequate public input. Matters of control listed are extensive demonstrating the complexity in decision making and varied interests affected by such oil and gas exploration activities (including effects to public access which can be only be assessed by public input). In these circumstances exclusion of the public input is contrary to principles of participation in the RMA.
  - (b) Adequately address the extent and type of effects from drilling of exploration and appraisal wells that are more than minor:
    - i. within the open space and port areas (including to schedule 4, 4B, 5, 6B, 7 and 8 sites and values); and
    - ii. effects which may be felt in outstanding value and significant indigenous biota.

- (c) The Proposed Plan recognises that not all characteristics and values are not known<sup>2</sup> and therefore any proposed location could be in an area of unknown value.
- (d) Buffer zones/separation distances should be applied in appropriate cases to avoid cross boundary effects to areas of high or outstanding value and significant indigenous biota.
- (e) Risk criteria should be applied to assess effects from worst case scenarios such as loss of control of a well head and an oil spill in relation to the values and characteristics of the receiving environment and proximity to areas of high sensitivity. Discretionary activity status allows for such criteria to be applied and assessed on a case by case basis.

### ***Relief Sought***

17. Delete Rule 27.

### **Rule 29 and Rule 31**

18. Energy Watch opposes:

- (i) The Non-Complying activity status of Rule 29 Drilling of an exploration or appraisal well in the Coastal Management Area of Outstanding Value.<sup>3</sup>
- (ii) The Non-Complying activity status of Rule 31 Placement or erection of petroleum production installation in the Coastal Management Area of Outstanding Value.<sup>4</sup>

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<sup>2</sup> Introduction to Schedule 6B sites of significance to Maori are still being developed. A number of new outstanding areas have been added in this version of the plan indicating that recognised areas of outstanding value change from plan to plan.

<sup>3</sup> <https://www.trc.govt.nz/assets/Documents/Plans-policies/CoastalPlan2019/PCPOct2019-clean-web.pdf> at p.73.

<sup>4</sup> <https://www.trc.govt.nz/assets/Documents/Plans-policies/CoastalPlan2019/PCPOct2019-clean-web.pdf> at p.75.

19. Prohibited status reflects policy imperatives in the Proposed Regional Coastal Plan, NZCPS and Part 2 RMA of avoiding effects to areas with outstanding values and/or significant indigenous biodiversity.
20. Coastal areas of outstanding value are afforded the highest level of protection in the Policies in the Proposed Plan (including policies 9, 15, 16, 18) but this does not follow through to the rules in the plan. Non-complying activity status anticipates that in some circumstances the activity may be appropriate. Exploration and Production activities creates effects that are more than minor and contrary to the policies and objectives of the plan. Non-complying is therefore not appropriate in any circumstance.
21. Section 8, method 2 of the Taranaki Regional Policy Statement specifically identifies prohibited status as an appropriate method in the coastal marine area to apply in areas of (a) outstanding coastal value. Applying prohibitive status gives effect to the Taranaki Regional Policy Statement.
22. Given the risk associated with oil and gas activities from a worst-case scenario, it is appropriate that a precautionary approach be adopted. Prohibited activity is appropriate in circumstances where the Council takes a precautionary approach due to insufficient information about an activity to determine what provision should be made for the activity in the local authority's plan<sup>5</sup>. This aligns with the NZCPS and *King Salmon* principles<sup>6</sup>.

### ***Relief Sought***

- (i) Prohibited status applies to exploration or appraisal well in the Coastal Management Area of Outstanding Value Rule 29.

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<sup>5</sup> *Coromandel Watchdog of Hauraki Inc. v Chief Executive of the Ministry of Economic Development* [2008] 1 NZLR 562.

<sup>6</sup> *EDS v King Salmon* [2014] NZSC 38 at [96].

- (iii) Prohibited status applies to Placement or erection of petroleum production installation in the Coastal Management Area of Outstanding Value Rule 31.

**Relief for Rule 28, 29, 30 and 31**

23. Taranaki Energy Watch seek that a requirement for a risk assessment looking at probability and consequence of worst-case event of well-blow out, loss of control and/or oil spill be included in the “Standard/Terms/Conditions” column of the activity table for Rules 28, 29, 30 and 31.

**ATTACHMENTS**

24. Energy Watch attach the following documents to this notice:

- (a) Copy of TEWs submission and further submission;
- (b) Copy of relevant Council Decisions on submissions;
- (c) Schedule of names and addresses of persons to be served.

Dated



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**Rob Enright/Ruby Haazen**

Legal Counsel for Taranaki Energy Watch

**Address for service:**

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Chief Executive, Taranaki Regional Council

E: [coastal@trc.govt.nz](mailto:coastal@trc.govt.nz)

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**Taranaki Regional Council proposed Coastal Plan**

**Submission by Taranaki Energy Watch Incorporated**

27 April 2018

Contact: Sarah Roberts

E: [taranakienergywatch@gmail.com](mailto:taranakienergywatch@gmail.com)

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**Introduction**

1. Taranaki Energy Watch (TEW) is a grass roots community group which acts as a watchdog for the energy industry in Taranaki, this primarily means being a watchdog for the effects of oil and gas. TEW support communities to protect their health and environment from the effects of oil and gas exploration and production in Taranaki and New Zealand. TEW is an incorporated society.
2. TEW submitted on the Draft Coastal Plan for Taranaki in November 2016. Many of our comments were not addressed and are included in this present submission.
3. TEW will not gain an advantage in trade competition through this submission.
4. TEW wish to be heard in support of this submission.

**General themes, issues & relief sought to the Plan as a Whole**

5. These submissions address the effects of the oil and gas industry within the coastal marine area of Taranaki.

### *Adverse effects on the Environment*

6. The proposed plan fails to address part 2 RMA by inadequately addressing the adverse effects of the oil and gas industry within the coastal marine area, notably the plan does not adequately address
  - a. S 5;
  - b. S 6 (a) (b) and (c);
  - c. S 7 (b)(ba)(c)(d)(f) and (i).
  
7. The proposed plan fails to give effect to the New Zealand Coastal Policy Statement, in particular:
  - a. Policy 3 – the precautionary principle;
  - b. Policy 6 (1)(i) and (j);
  - c. Policy 11- indigenous biodiversity;
  - d. Policy 13,14 and 15 – natural character and landscape;
  - e. Policy 21- enhancement of water quality; and
  - f. Policy 23- discharge of contaminants.

### *Low probability but high potential impact events*

8. Petroleum facilities create risk. These risks must be adequately managed in accordance with the sensitivity of the environment in which they operate.
  
9. Oil and gas activities in the coastal marine area must be managed to address risk of toxicity caused by flaring, fugitive emissions and discharges as well as worst case scenarios such as well-blowouts or loss of controls of wellheads. Risk criteria must be probabilistic, addressing both probability and consequence.

### *Integrated management*

10. TEW support integrated management principles and notes the particular relevance of integrated management to oil and gas activities that cross jurisdictional boundaries as well as being managed under multiple regimes.

## Proposed Relief in relation to Policies, objectives and rules

11. Taranaki Energy Watch does not agree that because there are other regulations with oversight of petroleum activities Taranaki Regional Council do not need to exercise controls. The safety case regime comes after the consenting process. They may be “the fence at the top of the cliff” but they are also “the ambulance at the bottom”.<sup>1</sup> A safety case regime does not mean there will not be a serious catastrophic accident. A Certificate of Insurance does not mean there will not be a spill that will significantly affect the public. Integrated management requires coordination of the management and control of activities within the coastal environment.
12. The Council has the responsibility to grant resource consent for an activity to be located at a particular site. The other regulations come into force after this decision-making process is completed.<sup>2 3</sup>
13. The Marine Oil Spill Contingency Plan (MOSCP, 2012) published by Taranaki Regional Council does not appear to have been referred to or referenced by the proposed Coastal Plan. It was referenced in the Cawthorn Buffer Distances Report on page 2 and in the References section. Appendix 4 Sensitive Site Coastal Info includes 66 sensitive sites relating to oil spills with the majority of the Taranaki coastline identified with ratings of Very High Risk and High Risk of Oil Spills.<sup>4</sup> This should be included and considered particularly with regards to notification and activity status.

### Precautionary approach

14. Policies within the New Zealand Coastal Policy Statement 2010 emphasise adopting a precautionary approach when effects are uncertain, unknown or little understood.

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<sup>1</sup> <https://www.trc.govt.nz/assets/Documents/Plans-policies/CoastalPlanReview/OffshorePetroleumDrillingReview.pdf> p.12

<sup>2</sup> <https://www.trc.govt.nz/assets/Documents/Plans-policies/CoastalPlanReview/OffshorePetroleumDrillingReview.pdf> p.26

<sup>3</sup> <http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM232560.html>

<sup>4</sup> <https://www.trc.govt.nz/assets/Documents/Plans-policies/MOSCP/MOSCP2016-Annex4SensitiveSiteCoastalInfo-w.pdf> p.41-

15. While Policy 3 of the proposed Taranaki Regional Coastal Plan (PTRCP) supports a precautionary approach, those policies and rules relating to petroleum exploration and production do not take a precautionary approach. Objectives, policies and rules within the coastal marine area should reflect a precautionary regime for effects of activities that are uncertain, unknown or little understood.
16. Policies that should incorporate a precautionary approach include but are not limited to:
- (i) Policy 5 (j),
  - (ii) Policy 22, and
  - (iii) Policy 29.
17. Rules that should reflect a precautionary approach due the uncertain and unknown effects of the activity include, but not limited to:
- (i) Rule 12,
  - (ii) Rule 26,
  - (iii) Rule 27,
  - (iv) Rule 28,
  - (v) Rule 29, and
  - (vi) Rule 30.

#### **Activity status**

18. Taranaki Energy Watch disagrees with the proposed Coastal Plan (Rule 26) making petroleum exploration a controlled activity in the Coastal Management Areas C (Open Coast) and D (Port). All petroleum activities should be discretionary in the coastal marine area and non-complying in open coast, estuaries modified and port areas and prohibited in the coastal management areas of outstanding value and estuaries unmodified.
19. The Offshore Drilling Review Report recommends “Classifying exploratory offshore petroleum drilling as a Controlled activity will offer operators business certainty as

applications for a controlled activity cannot be turned down by Council. “<sup>5</sup> This is concerning and appears to be one of the reasons for the change in activity status. This does not address Part 2 RMA and notably s 5 health and safety effects of this industry, nor the provisions of the NZCPS.

20. Taranaki Energy Watch disagrees that Coastal Management Areas A (Outstanding Coastal Value) and B (Estuaries) are non-complying activities for exploration drilling and production (Rule 28 and 30). They should have prohibited status. It is unacceptable that they have a non-complying status which means they could still occur particularly since there is evidence commissioned by Council which shows the risks to these areas from petroleum exploration and production activities and there is an acknowledgement there should be buffer zones to protect them.

### **Assessment Criteria**

21. Assessment criteria should apply to discretionary oil and gas activities within the coastal marine area. The criteria should include consideration of low probability but significant adverse effects events and buffer zones as appropriate planning tool.

### **Bundling**

22. TEW in principle supports the bundling of consents. Activities that include a onshore and offshore component should be bundled together. However TEW oppose the use of bundling to justify making all petroleum activities controlled in the coastal marine area.

(i) The Offshore Drilling Review Report commissioned by TRC states “it is suggested that these activities be bundled into a single controlled activity rule which covers all of the activities associated with exploratory offshore petroleum drilling in order to simplify the process for applicants. “<sup>6</sup>

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<sup>5</sup> <https://www.trc.govt.nz/assets/Documents/Plans-policies/CoastalPlanReview/OffshorePetroleumDrillingReview.pdf> p.29

<sup>6</sup> <https://www.trc.govt.nz/assets/Documents/Plans-policies/CoastalPlanReview/OffshorePetroleumDrillingReview.pdf> p.29

- (ii) When a number of consents are considered together for a particular activity under the RMA this allows for appropriate consideration of the effects of the activity and they will default to the consent with the highest status. In the current Coastal Plan petroleum exploration requires a combination of resource consents that have permitted and discretionary status. There has not been a RMA basis for reducing the activity status from the current plan to the proposed plan. For example 6 of the 10 consents required for petroleum exploration in the Coastal Management Areas C is discretionary under the current Coastal Plan and 4 are permitted.<sup>7</sup>

### **Separation distances/ Buffers**

23. Separation distances should be considered on a case by case approach to ensure they are appropriate. This can only be done if the activity has discretionary status as part of discretionary assessment criteria. Objectives and policies should be added to support the use of separation and buffer zones as an appropriate planning tool/method to manage oil and gas activities in the coastal marine area.

- (i) The Council commissioned the Cawthron Buffer Distances Report published in October 2015 as part of the proposed Coastal Plan. While the report supports a 1000m buffer zone for single wells using water or synthetic drilling fluids, 6000m for multiple wells from coastal areas of outstanding value, and identifies a maximum zone of effects from 6km to 20 km for water or synthetic drilling fluids, it also strongly cautions “against a one-size-fits-all buffer zones”.<sup>8</sup>
- (ii) The Offshore Drilling Review Report was written prior to the Cawthron Report and therefore the former is not able to consider the findings.
- (iii) The Cawthron Report strongly supports a case by case approach for buffer zones between outstanding substrates and benthic habitats and petroleum exploration and production.<sup>9</sup> Taranaki Energy Watch agrees that buffer

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<sup>7</sup> <https://www.trc.govt.nz/assets/Documents/Plans-policies/CoastalPlanReview/OffshorePetroleumDrillingReview.pdf> p.28

<sup>8</sup> <https://www.trc.govt.nz/assets/Documents/Plans-policies/CoastalPlanReview/BufferDistances.PDF> p.6

<sup>9</sup> <https://www.trc.govt.nz/assets/Documents/Plans-policies/CoastalPlanReview/BufferDistances.PDF> p.7

zones are a good practice planning tool and should be considered for every application on a case by case approach.

24. If exploration drilling occurs within 6000m from the Outstanding Value coastal management area then if production activities were to occur at a later stage the production activities would be within an area that potentially should be considered a buffer zone.<sup>10</sup> This is not considered at the outset of applying for exploration drilling and could become a significant issue. This is not addressed by the proposed Coastal Plan and should be included within assessment criteria.
25. It is not clear in the proposed Coastal Plan how many exploration wells can be drilled as part of “exploration and appraisal well drilling” by a Company under Rule 26. If there is more than one well drilled the Cawthron report says a much larger buffer zone could be required.<sup>11</sup> This needs to be explicit in discretionary assessment criteria.

## Notification

26. Taranaki Energy Watch does not agree with the rules that resource consents will not be publically notified for petroleum exploration (stated it will not be publically notified) and production (silent on notification) in the Coastal Management Area C and D. Resource consents for petroleum exploration and production should be publically notified. A range of reasons are listed but not limited to:
- (i) The public regularly access the Coastal Marine Area.
  - (ii) The Cawthron Report on buffer zones identifies both buffer zones of 1km to 6km and a zone of effects from 6km to 20km which indicates the effects are considered minor or more than minor.

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<sup>10</sup> <https://www.trc.govt.nz/assets/Documents/Plans-policies/CoastalPlanReview/BufferDistances.PDF> p.6

<sup>11</sup> <https://www.trc.govt.nz/assets/Documents/Plans-policies/CoastalPlanReview/BufferDistances.PDF> p.6



- (iii) The public would be affected by health and safety issues relating to oil and gas such as well blowouts, pipeline blowouts and spills. There is no consideration of this by the Council. For example but not limited to Origin Energy has a submarine cable and pipeline protection zone for the Kupe Gas pipeline of 800m wide for the length of the corridor which advises that members of the public need to remain outside of for their own safety.
- (iv) Recent information relating to the Marine Protection Rule Part 102-Certificate of Insurance establishes a figure of \$800 million based on modelling of a credible worst case spill scenario. They also state “Drilling activity presents more risk than ongoing production activities. Given this, it is imperative that the required levels of assurance are increased before drilling commences to better reflect the potential financial implications of clean-up and compensation costs” and “Existing installations have much lower risk of an oil spill than drilling operations.”<sup>12</sup>
- (v) Any unlikely but significant worst case scenarios such as a well-blowout will have untold effects on the natural environment.
- (vi) Pohokura is currently the only petroleum facility offshore within the Coastal Marine Area and the resource consent was publically notified.

Sarah Roberts  
Campaigner for Taranaki Energy Watch Incorporated

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<sup>12</sup> <http://www.transport.govt.nz/assets/Uploads/Sea/Documents/Invitation-to-comment-draft-marine-Protection-Rules-Part-102-certificates-of-insurance-amendment.pdf>

## Further Submissions Form – Proposed Coastal Plan for Taranaki

Use this form for multiple further submissions on the Proposed Coastal Plan for Taranaki.

### Important:

- Further submissions can be made only by a person/organisation representing a relevant aspect of the public interest, or a person/organisation whose interest in the proposal is greater than that of the general public
- Further submissions can only be made in support or opposition of an existing submission and must not raise any new points.
- You are obliged to notify the original submitters to whom your further submissions relate. [Find their email address here](#)

Email your further submissions to [coastal@trc.govt.nz](mailto:coastal@trc.govt.nz) with 'Proposed Coastal Plan further submission' in the subject field.

Submissions close at 4pm on Saturday 4 August 2018

### Your details

Name: Sarah Roberts

Organisation (if applicable): Taranaki Energy Watch

Address: 39A Celia Street Stratford 4332

Daytime phone number: 0273362611

Email address: [taranakienergywatch@gmail.com](mailto:taranakienergywatch@gmail.com)

Select one status:

*I am or represent a person/organisation representing a relevant aspect of the public interest* NO

*I am or represent a person/organisation whose interest in the proposal is greater than that of the general public* YES

Explain why you claim this status: TEW is an incorporated community group with a longstanding involvement in submitting on environmental issues both regionally and nationally. We are recognised as stakeholders by Taranaki Regional Council and participated in feedback prior to public notification of the proposed plan.

Do you wish to be heard in support of your further submission? YES

| Who made the original submission point?                   | Please state the original submission point and indicate clearly what part of the proposed Plan it relates to.   | Do you oppose or support the original point? | What are the reasons for your response?   | What relief would you like to see?   |
|---|---|--|---|--|
| <b>46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd</b> | Section 3.1 – Taranaki coastal environment<br>The risk of, <del>or</del> <u>and</u> vulnerability to, coastal hazards may increase over time, <u>for instance</u> due to climate change and sea level rise.   | Oppose in part                               | It is well understood that the risk of and vulnerability to coastal hazards may increase over time due to climate change and sea level rise.  | The risk of, <del>or</del> <u>and</u> vulnerability to, coastal hazards may increase over time due to climate change and sea level rise. |
| <b>45 – Powerco</b>                                       | Objective 3 – Reverse sensitivity<br>Amend Objective 3 to read:<br>The use and ongoing operation, <u>maintenance, and upgrading of</u> nationally and regionally important infrastructure and other existing lawfully established activities is protected from new or inappropriate use and development in the coastal environment. | Oppose                                       | TEW understands that maintenance would be part of the use and ongoing operation and would be accepted as such. If the effects of the maintenance of the operation were not anticipated as part of the consenting process for the original operation then this would potentially require a further consent.<br><br>It is unclear what is meant by ‘upgrading’. Upgrading could potentially mean expansion of the operation which could possibly create adverse effects that were not anticipated by the consenting process for the original operation. This would potentially require a further consent. | Retain as notified.  |
| <b>46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd</b> | Objective 3 – Reverse sensitivity<br>Amend Objective 3 to read:<br>The use and ongoing operation, <u>maintenance, and upgrading of</u> nationally and regionally important infrastructure and other existing lawfully established activities is protected from new or inappropriate use and development in the coastal environment. | Oppose                                       | TEW understands that maintenance would be part of the use and ongoing operation and would be accepted as such. If the effects of the maintenance of the operation were not anticipated as part of the consenting process for the original operation then this would potentially require a further consent.<br><br>It is unclear what is meant by  | Retain as notified.  |

| Who made the original submission point?              | Please state the original submission point and indicate clearly what part of the proposed Plan it relates to.   | Do you oppose or support the original point? | What are the reasons for your response?  | What relief would you like to see? |
|--|---|--|--|------------------------------------|
|  |   |  | 'upgrading'. Upgrading could potentially mean expansion of the operation which could possibly create adverse effects that were not anticipated by the consenting process for the original operation. This would potentially require a further consent. |                                    |
| <b>43 – Royal Forest and Bird Protection Society</b> | Policy 3 – Precautionary approach Amend Policy 3 to remove reference to “adaptive management”.  | Support                                      | It supports TEW’s precautionary approach at para.16 and para.17 of our evidence.   | Amend the plan as proposed.        |
| <b>50 – Te Kāhui o Taranaki Trust</b>                | Policy 3 – Precautionary approach Amend Policy 3 to read: Adopt a <del>precautionary approach, which may include using an</del> adaptive management approach, where the effects of any activity on the coastal environment are uncertain, unknown, or little understood, but potentially significantly adverse. | Oppose                                       | It doesn’t support TEW’s precautionary approach at para.16 and para.17 of our evidence.  | Retain as notified.                |
| <b>55 –Kiwis Against Seabed Mining</b>               | Policy 3 – Precautionary approach Amend to note that the precautionary approach should be applied to objectives, policies and rules in the plan that relate to oil and gas, fishing and seabed mining activities.   | Support                                      | It supports TEW’s precautionary approach at para.16 and para.17 of our evidence.   | Amend the plan as proposed.        |
| <b>56- Greenpeace</b>                                | Policy 3 – Precautionary approach Amend to note that the precautionary approach should be applied to objectives, policies and rules in the plan that relate to oil and gas, fishing and seabed mining activities.   | Support                                      | It supports TEW’s precautionary approach at para.16 and para.17 of our evidence.   | Amend the plan as proposed.        |

| Who made the original submission point?        | Please state the original submission point and indicate clearly what part of the proposed Plan it relates to.  | Do you oppose or support the original point? | What are the reasons for your response?   | What relief would you like to see?  |
|--|--|--|---|---|
| <b>58- Te Atiawa Trust</b>                     | Policy 3 – Precautionary approach<br>Amend Policy 3 to read: Adopt a <del>precautionary approach, which may include using an</del> adaptive management approach, where the effects of any activity on the coastal environment are uncertain, unknown, or little understood, but potentially significantly adverse. | Oppose                                       | It doesn't support TEW's precautionary approach at para.16 and para.17 of our evidence.   | Retain as notified.   |
| <b>6 – Trans-Tasman Resources Ltd</b>          | Policy 5– Appropriate use and development of the coastal environment<br>Amend Policy 5 (b) the benefits to be derived from the activity at a local, regional and national level, including the potential contribution of aquaculture and marine based <del>renewable</del> energy or mineral resources;            | Support                                      | Energy resources include both renewable and non-renewable.  | Amend the plan as proposed.   |
| <b>6 – Trans-Tasman Resources Ltd</b>          | Policy 5– Appropriate use and development of the coastal environment<br>Amend Policy 5(c) to recognise that an alternatives assessment, and the need for an activity to be the best practicable option is not always required, particularly where there are no significant adverse effects.                        | Oppose                                       | It is good practice to consider alternatives and best practicable options where there are potential adverse effects (significant or otherwise). | Retain as notified.   |
| <b>25 – New Zealand Petroleum and Minerals</b> | Policy 5 – Appropriate use and development of the coastal environment<br>Amend Policy 5(b) to recognise benefits from petroleum and mineral  | Support in part                              | There is some duplication in the wording.   | [...] (b) the benefits to be derived from the activity at a local, regional and national level, including the potential contribution of aquaculture and <u>the existing and potential contribution of</u> |

| Who made the original submission point? | Please state the original submission point and indicate clearly what part of the proposed Plan it relates to.  | Do you oppose or support the original point? | What are the reasons for your response?   | What relief would you like to see?                |
|---|--|--|---|---|
|   | resources to read: Determine whether use and development of the coastal environment is in an appropriate place and form and within appropriate limits by having regard to: (a) the functional need for [...] (b) the benefits to be derived from the activity at a local, regional and national level, including the potential contribution of aquaculture and marine based energy resources, <u>and the existing and potential contribution of petroleum and mineral resources</u> ;  |  |   | marine based energy <u>and mineral</u> resources. |
| <b>32 – Port Taranaki</b>               | Policy 5 – Appropriate use and development of the coastal environment<br>Amend Policy 5(g) to recognise security issues with respect to public access and to read as follows:<br>Determine whether use and development of the coastal environment is in an appropriate place and form and within appropriate limits by having regard to: [...] (g) the degree to which the activity contributes to the enhancement or restoration of public access or public use of the coast including for recreation, <u>unless the type of activity, and the need to maintain public safety, makes enhancement or restoration public access inappropriate</u> ; | Oppose                                       | If the activity does not contribute to enhancement or restoration of public access or public use of the coast including for recreation because of public safety issues this needs to be considered. | Retain as notified.                               |

| Who made the original submission point? | Please state the original submission point and indicate clearly what part of the proposed Plan it relates to.  | Do you oppose or support the original point? | What are the reasons for your response?  | What relief would you like to see? |
|---|--|--|--|------------------------------------|
| <b>40 – Te Rūnanga o Ngāti Mutunga</b>  | <p>Policy 5 – Appropriate use and development of the coastal environment</p> <p>Amend Policy 5(j)(iii) to read: Provide for the integrated management of the coastal environment by: [...] (j)(iii) the efficacy of measures to avoid, remedy or mitigate such effects, or provide environmental compensation where effects cannot be <u>avoided</u>, remedied or mitigated [...]</p>  | Oppose                                       | Some effects should not occur (that is they are unacceptable and should be avoided). In these cases it would not be appropriate to offset these with environmental compensation.                       | Retain as notified.                |
| <b>47 – Fonterra</b>                    | <p>Policy 7 – Impacts on established operations and activities</p> <p>Amend Policy 7 to read: Avoid, <del>remedy or mitigate the adverse effects</del> <u>reverse sensitivity effects from of new activities, including reverse sensitivity impacts</u>, on existing lawfully established activities.</p>  | Oppose                                       | Remedying or mitigating adverse effects of new activities on existing activities is appropriate in some cases.   | Retain as notified.                |
| <b>6 – Trans-Tasman Resources Ltd</b>   | <p>Policy 8 – Areas of outstanding value</p> <p>Amend Policy 8 to read: Protect the visual quality and the physical, ecological and cultural integrity of coastal areas of outstanding value identified in Schedule 1 from inappropriate use and development by: (a) avoiding adverse effects of activities (<u>other than minor or transitory effects</u>) on the values and characteristics identified in Schedule 2 that contribute to areas: [...]</p> | Oppose                                       | This is inappropriate in Areas of Outstanding Value where the policy states “avoid adverse effects”. There is also no understanding or quantification of what a minor or transitory adverse effect is. | Retain as notified.                |

| Who made the original submission point?                            | Please state the original submission point and indicate clearly what part of the proposed Plan it relates to.  | Do you oppose or support the original point? | What are the reasons for your response?  | What relief would you like to see?  |
|--|--|--|--|---|
| <b>41 – Te Korowai o Ngāruahine Trust</b>                          | Policies 8 to 15 – Natural and historic heritage and values<br>Amend Policies 8 to 15 to delete reference to <del>significant adverse effects</del> and replace with <u>adverse effects</u> .  | Support                                      | There is no understanding or quantification of what a significant adverse effect is.   | Retain as notified.   |
| <b>37 – Petroleum Exploration and Production Association of NZ</b> | Policy 9 – Natural character and natural features and landscapes<br><br>(iv) is of an appropriate form, scale and design to <del>be sympathetic</del> <u>minimise effects on the character, visual amenity and quality of</u> <del>to</del> the existing landforms, features and vegetation (excluding high visibility markers required for safety or conservation purposes) [...]   | Support in part                              | Agree on using words such as maintain or minimise as PEPANZ suggests. However using the word ‘maintain’ would be more appropriate than minimise as representing the intent of the original wording “be sympathetic”. | (iv) is of an appropriate form, scale and design to <del>be sympathetic</del> <u>maintain the character, visual amenity and quality of</u> <del>to</del> the existing landforms, features and vegetation (excluding high visibility markers required for safety or conservation purposes) [...] |
| <b>2 – Federated Farmers</b>                                       | Policy 17 – Public access<br>Amend Policy 17 to read: Maintain and as far as practical enhance <u>where a demand exists</u> , public access to, along and adjacent to the coastal <del>environment</del> <u>marine area</u> , while minimising conflict with other land users by: (a) avoiding, remedying or mitigating any adverse effects of...<br><u>(x) to maintain a level of security for lawfully established activities, users and management of areas within or adjacent to the coastal marine areas;</u> | Oppose in part                               | It is unclear:<br>(i) how to determine “where a demand exists”; and<br>(ii) what does “level of security” entail.  | Retain as notified.   |



| Who made the original submission point?  | Please state the original submission point and indicate clearly what part of the proposed Plan it relates to.   | Do you oppose or support the original point? | What are the reasons for your response?   | What relief would you like to see? |
|--|---|--|---|------------------------------------|
| <b>6 – Trans-Tasman Resources Ltd</b>  | Policy 20 – Avoidance of increasing coastal hazard or public safety risks<br>Amend Policy 20 to read: Avoid increasing the risk of social, environmental and economic harm from coastal hazards <del>or posing a threat</del> <u>and avoid increased risks</u> to public health and safety, or aircraft or navigation safety including by:[...]   | Support                                      | There are 2 aspects to this policy-avoidance of increasing coastal hazard risks <u>and</u> avoidance of increasing risks to public health and safety. The suggested wording reflects both aspects. The use of terms such as “to avoid ” rather than “posing a threat” is appropriate. | Amend the plan as proposed.        |
| <b>6 – Trans-Tasman Resources Ltd</b>  | Policy 29 – Impacts from offshore petroleum drilling and production<br>Amend Policy 29 by deleting the reference to petroleum and include all offshore drilling and production to read as follows: Policy 29: impacts from offshore <del>petroleum</del> drilling and production Activities associated with <del>petroleum</del> drilling and production in the coastal marine area will be managed to avoid, remedy or mitigate adverse environmental effects associated with accidental discharges by ensuring: [...] | Oppose                                       | This policy is specifically for petroleum drilling and production.  | Retain as notified.                |
| <b>40 – Te Rūnanga o Ngāti Mutunga<br/>41 – Te Korowai o Ngāruahine Trust<br/>58 – Te Atiawa</b> | Policy 29 – Impacts from offshore petroleum drilling and production<br>Amend Policy 29 to read: Activities associated with petroleum drilling and production in the coastal marine area will be managed to avoid, remedy or mitigate adverse environmental effects associated with <del>accidental</del> <u>any</u> discharges by ensuring [...]  | Support                                      | All discharges should be considered not only accidental ones.   | Amend the plan as proposed.        |

| Who made the original submission point?                            | Please state the original submission point and indicate clearly what part of the proposed Plan it relates to.   | Do you oppose or support the original point? | What are the reasons for your response?  | What relief would you like to see?  |
|--|---|--|--|---|
| <b>37 – Petroleum Exploration and Production Association of NZ</b> | Policy 32 – Placement of structures<br>Amend Policy 32(f) to read:<br>Structures in the coastal marine area: [...] (f) where appropriate, should be made of, or finished with, materials that <del>are visually and aesthetically compatible with</del> <u>minimise effects on the character and visual amenity</u> of the adjoining coast.   | Support in part                              | Agree on using words such as maintain or minimise as PEPANZ suggests. However using the word ‘maintain’ would be more appropriate than minimise as representing the intent of the original wording are “visually and aesthetically compatible with”. | (f) where appropriate, should be made of, or finished with, materials that <u>maintain the character and visual amenity</u> of the adjoining coast. |
| <b>37 – Petroleum Exploration and Production Association of NZ</b> | Rule 17 – Other discharges to Support treating flaring as a Discretionary Activity but seek that it be amended or a new rule be included that allows miscellaneous air emissions that have less than minor effects as a Permitted Activity. The submitter highlights such a rule provided in the Greater Wellington Regional Coastal Plan that reads as follows: “The venting of drainage systems, not including the venting of trade wastes or sewage conveyance systems, is a Permitted Activity provided that the discharge complies with the conditions specified below. Conditions (1) The discharge shall not result in odour, gas, vapour or aerosols which are noxious, dangerous, offensive or objectionable to other users of the coastal marine area or adjoining land users as a result of its frequency, intensity or duration.” | Oppose                                       | All air emissions need to be considered as a discretionary activity including flaring and fugitive emissions particularly to consider overall cumulative effects.  | Retain as notified.   |

| Who made the original submission point?                            | Please state the original submission point and indicate clearly what part of the proposed Plan it relates to.   | Do you oppose or support the original point? | What are the reasons for your response?   | What relief would you like to see?   |
|--|---|--|---|--|
| <b>37 – Petroleum Exploration and Production Association of NZ</b> | Rule 26 – Exploration or appraisal of well drilling in the Open Coast or Port<br>Support Rule 26 but amend standard, terms and Condition (a) to read:<br>a) drilling is not undertaken within 2,000 m of any site where drilling has occurred in the previous five years <u>unless the Applicant can show to the satisfaction of Council that drilling within these parameters would avoid any potential cumulative effects [...]</u> | Oppose                                       | If the applicant wishes to drill closer than 2000m then this would fall under Rule 27.  | Retain as notified.  |
| <b>43 – Royal Forest and Bird Protection Society</b>               | Rule 27 – Exploration or appraisal of well drilling in the Open Coast or Port<br>Amend the Plan to include a policy or definition of temporary occupation   | Support                                      | Temporary occupation needs to be defined as to the length of time that is acceptable to be considered “temporary”.<br>For example temporary occupation is defined as four consecutive days in Rule 47.<br>There will be a consequential effect to Rule 26 if the amendment of PEPANZ and Taranaki Regional Council to include “temporary exclusive” is agreed to. | Amend the plan as proposed.  |
| <b>51 – Taranaki Energy Watch</b>                                  | Rule 28 – Exploration or appraisal of well drilling – Outstanding Value, Estuaries Unmodified and Estuaries Modified<br>Amend the Rule 28 to make erection or placement of petroleum production installations in the Outstanding Value, Estuaries Unmodified and Estuaries Modified   |  | There was an error in the text of the summary.  | Amend Rule 28 to make exploration or appraisal of well drilling in the Outstanding Value, Estuaries Unmodified and Estuaries Modified coastal management areas a Prohibited Activity (rather than a Non-complying Activity). |

| Who made the original submission point? | Please state the original submission point and indicate clearly what part of the proposed Plan it relates to.   | Do you oppose or support the original point? | What are the reasons for your response?  | What relief would you like to see? |
|---|---|--|--|------------------------------------|
|   | coastal management areas a Prohibited Activity (rather than a Non-complying Activity).  |  |  |                                    |
| <b>53- Taranaki Regional Council</b>    | Paragraph 4<br>Taranaki Regional Council identifies and makes all consequential amendments to the Proposed Plan<br>Paragraph 5<br>Taranaki Regional Council audits the Proposed Plan...and that all necessary inconsequential amendments be made. | Comment                                      | As part of the process it is important to identify where the Council has made consequential and inconsequential amendments so that the submitters are aware this has occurred. |                                    |



Proposed  
**Coastal**  
Plan for  
Taranaki

**The Council's  
report**

on submissions

# Taranaki Regional Council

## report on Decisions Requested

### Proposed Coastal Plan for Taranaki

24 September 2019

Document number: 2325320



COASTAL PLAN FOR TARANAKI



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# 1 Introduction

*This section introduces the Taranaki Regional Council's report on the Proposed Coastal Plan for Taranaki.*

## 1.1 Purpose

The purpose of this document is to present the Taranaki Regional Council's (the Council) decisions on submissions to the *Proposed Coastal Plan for Taranaki*.

**Note, the recommendations presented in this report were formally considered and adopted by the Council at its Ordinary meeting of 24 September 2019.**

## 1.2 Scope and background

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

Public notice calling for further submissions supporting or opposing the initial submissions was made on 21 July 2018 and closed on 4 August 2018. Further submissions may only be made in support of or opposition to the submissions already made. A further submission cannot extend the scope of the original submission and can only seek allowance or disallowance (in whole or in part) of the original submission.

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

In October 2018, an officers report with preliminary recommendations in response to submissions (and a revised track change version of the Proposed Plan) was released and made available to all submitters for their consideration. Subsequently, the Council extended an offer to submitters to ascertain their interest in meeting with officers to discuss their issues and officers' preliminary response as part of a pre-hearing engagement process. Council officers met with 28 submitters to discuss changes recommended to the Proposed Plan. These meetings allowed submitters to further clarify their concerns, discuss proposed relief and explore any alternative relief options, where appropriate. The opportunity to reconsider officers' preliminary recommendations

in light of this engagement was useful and resulted in a number of changes in officer recommendations that have been incorporated into a Section 42A report. A hearing has subsequently been held and this report prepared to incorporate the recommendations of the hearing panel to Council.

After the hearing of submissions, Hearing Panel members deliberated and instructed Council officers to prepare the Hearing Panel's report and recommendations to Council on the Proposed Coastal Plan. These reports were subsequently considered and adopted at the Policy and Planning Committee meeting of 3 September 2019. At that meeting it was noted that this document would be prepared recording the decisions of the Council on all submissions to the Proposed Plan, together with an amended version of the Proposed Coastal Plan, would be submitted to the Council for adoption.

Section 1 of this report introduces the report, which has been prepared by the Council to inform the review of the Coastal Plan in accordance with Clause 7 of the First Schedule of the *Resource Management Act 1991* (the RMA).

Section 2 of this report provides an index of initial and further submitters.

Section 3 of this report summarises how the Proposed Plan was developed and the Plan review process to date.

Section 4 of this report summarises decisions sought by initial submitters and the Council's decisions.

As far as practicable, decisions sought by various submitters have been grouped by specific sections of the Proposed Plan. Some submitters have not clearly stated the decision they wish the Council to make or the reason behind the submission. In such cases the intent of the submission has been considered or inferred from the submission and a response accordingly made.

For each decision sought by initial submitters, this document sets out:

- the decision(s) requested by submitters;
- support or opposition from further submitters to the decision requested by the initial submitter; and
- the Council's decision in response to the decision requested, including reasons.

Where a Council decision involves changing the Proposed Plan the changes, as read, have been included. Deletions have not been identified but can be found in the Track change version of the Proposed Coastal Plan.

### 1.3 How to read this document

Individual submission points are numbered for ease of reference as shown below. Any support or opposition from further submitters to the decision requested by the initial submitter is also identified.

| Submitter  | Submission point   | Submitter's requests                                     | Council's decision and reasons  |
|--|--|--|---|
| <b>Rule XYZ</b>  |  |  |   |
| Submitter id (Each initial submitter has an identification number, e.g. 1 to 61) | Submission point – numbering for decisions sought in submissions | Support / Amend / Other                                  | Accept / Accept in part / Grant in kind / Decline / No relief necessary |
|  |  | Submitter's request.                                     | Explanation of decision   |
| Further submitter (if applicable)  |  | Support / Opposition / Neutral - to the submission point |   |

Unless the context indicates otherwise, all references to Plan provisions relate to the version of the *Proposed Coastal Plan for Taranaki* publicly notified On 24 February 2018.

## 2 How the Plan was developed

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

*The Proposed Plan has been prepared as a result of a full review of the current Coastal Plan under Section 79 and Schedule 1 of the RMA, which has involved the following steps.*

### 2.1 Early engagement

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

This engagement has involved a combination of information provision, two-way consultation, and iwi and stakeholder exchanges that have assisted in the identification of key issues and community aspirations, plus the development of a draft Coastal Plan (refer Section 2.3 below) and a Proposed Coastal Plan (refer Section 2.5 below) and the refinement of Plan provisions.

### 2.2 Technical reports and research

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

- State of the environment monitoring reports (2003, 2009, 2015)
- *Efficiency and effectiveness of the Regional Coastal Plan for Taranaki* (2002, 2009)
- *Taranaki Region Coastal Plan Review – Archaeological Scoping Study* (December 2012)

- *Taranaki Regional Council – Offshore Seismic Data Acquisition Permitted Activity Review* (May 2015)
- *Taranaki Regional Council – Offshore Petroleum Drilling Review* (August 2015)
- *Petroleum Drilling Activities; Buffer Distances from Outstanding Areas and Substrate Types Requiring Protection* (October 2015)
- *Regional Landscape Study of the Taranaki Coastal Environment* (November 2015)
- *Taranaki Surf breaks of National Significance* (May 2016)
- *Sensitive Habitats and Threatened Species in the Taranaki Coastal Marine Area* (August 2016)
- *Regional Significance Criteria for the Assessment of Surf Breaks* (July 2017)
- *Online Wave Survey Data Analysis and Proposed Regionally Significant Surf Breaks* (October 2017).

### 2.3 Consultation on a draft Plan

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

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

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

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

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

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

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

- minor amendments to Plan provisions sought to improve their readability and/or other changes for the purposes of certainty and clarity
- more substantive changes to Plan provisions to support or restrict use and development in the coastal marine area (CMA)
- Ngati Ruanui, Ngāruahine, and Ngāa Rauru highlighted issues and/or suggested changes to Plan provisions to improve the integration of cultural values and principles and to identify sites of high cultural significance in the coastal marine area
- opposition to a proposed rule for the temporary occupation of the common marine and coastal area for community, recreational or sporting activity as a permitted activity.

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

Council officers conducted workshops and held additional meetings and hui with respondents during and following that process to clarify and discuss issues and options.

This included meeting with iwi authorities, interested hapū, New Plymouth District Council, industry, and sector groups. A revised draft Coastal Plan showing Council responses to feedback was circulated to respondents in August 2017 with further opportunity for input.

## 2.4 Engagement with iwi authorities

As outlined in sections 2.1 to 2.3 above, the Council has sought to engage with iwi authorities throughout the Plan review process. Consultation and collaborative effort with Iwi o Taranaki has greatly informed the Plan review process, including changes to the current Plan.

Appendix II of the Section 32 evaluation report set out a summary of the advice received from iwi authorities, including the Council's response to date.

## 2.5 Proposed Plan, submissions and pre-hearing process

In conjunction with the preparation of its section 32 evaluation report, the Council publicly notified the Proposed Plan on 24 February 2018 in accordance with Schedule 1 of the RMA. This commenced the formal public consultation on the Coastal Plan review and has so far involved the public notification of a Proposal, and the receipt and consideration of public submissions. The deadline for submissions was 27 April 2018.

Assessment of those submissions was undertaken immediately. A summary of submissions will be notified and any cross-submissions (or 'further' submissions) called for on 21 July 2018. The deadline for further submissions was 4 August 2018.

The Council provided an opportunity for every person who makes a submission and who requests to present their views in person to a formal hearing, to be so heard.

In October 2018, an officers' report with preliminary recommendations in response to submissions (and a revised track change version of the Proposed Plan) was released and made available to all submitters for their consideration. Subsequently, the Council extended an offer to submitters to ascertain their interest in meeting with officers to



discuss their issues and officers' preliminary response as part of a pre-hearing engagement process. Council officers met with 28 submitters and or their representatives to discuss their submissions and any changes recommended to the Proposed Plan. These meetings allowed submitters to further clarify their concerns, discuss proposed relief and explore any alternative relief options where appropriate. The opportunity to reconsider officers' preliminary recommendations in light of this engagement was useful and resulted in a number of changes in officer recommendations that were incorporated into a Section 42A report.

## 2.6 Hearing of submissions

The Council, acting under section 34A of the RMA, appointed the authors of this report, as hearing commissioners to hear, consider and make recommendations to it on the submissions on the Proposed Plan. The Council delegated to the Hearing Panel all its functions, powers and duties to hear and consider submissions on the Proposed Plan, including requiring and receiving reports under section 42A and exercising powers conferred by sections 41B and 41C of the RMA.

Three accredited hearing commissioners were appointed to the Hearing Panel. They were **Cr Michael Joyce** (as Chair), **Cr Neil Walker**, and **Rawiri Faulkner** (the latter being appointed as an independent hearing commissioner with tikanga Maori expertise).

For the avoidance of doubt, the Hearing Panel affirm that, throughout the performance of its duties, hearing commissioners have been entirely independent and objective in considering and making recommendations on the submissions.

As previously noted, the Hearing Panel required and received reports under section 42A of the RMA on the Proposed Plan and the submissions on it. The Hearing Panel conducted public hearings on the reports and evidence and submissions of the submitters who wished to be heard. Those hearings were conducted at the Taranaki Regional Council premises in Stratford on 24 July and 1 August 2019.

Fifteen submitters<sup>1</sup> presented and were heard in support of their submissions at the hearing (refer Table 3, Section 3 of this Plan). Key themes and discussion points raised by the submitters that presented to the hearing are summarised as follows:

- Taranaki Energy Watch: Highlighted concerns regarding the impacts of oil and gas activities in the coastal environment and seeking the bundling of rules relating to oil and gas exploration and production activities and for the activities to be discretionary or non complying.
- Ms Pratt: Support for the Project Reef being identified as an Outstanding Value coastal management area.
- Department of Conservation: Sought amendments to include criterion policies identifying high natural character, minor changes to rules addressing biofouling, and new methods addressing advocacy to district councils regarding dog control and Council investigating whether or not it will have occupational coastal charges.
- Oil Companies and Powerco (joint evidence): Highlighted the importance of the oil and gas and electricity transmission industries to the region. Broadly supportive of the Plan but sought additional amendments to ensure their activities are appropriately recognised and provided for in the Plan and to improve the certainty and clarity of Plan provisions.
- Fonterra: Generally supportive of the Plan but sought additional amendments to ensure Fonterra activities are appropriately recognised and provided for in the Plan and to improve the certainty and clarity of Plan provisions.
- Te Korowai o Ngaruahine: Generally supportive of the Plan noting it is broadly "in a good place" but sought additional amendments to highlight Council commitment to protecting and monitoring tangata whenua values, and concerns relating to subjective terms adopted in rule standards, terms and conditions.
- Ngati Rahiri hapū: Strongly opposed to permitted activity rules that are on or above reefs in their rohe. Sought that permitted activity rules be changed to a discretionary activity unless it is for customary uses, to give effect to Treaty of Waitangi, need their activities to be discretionary. Submitter noted that the issue is more about being part of the decision making and notification process.

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<sup>1</sup> Seventee submissions were heard, noting that the Oil Companies and Powerco jointly submitted on their submissions

- Te Kotahitanga o te Atiawa: Noted Plan scope largely reflects most tangata whenua values but sought further amendments to underpin the protection of tangata whenua values.
- Te Kaahui o Rauru: Acknowledged reliefs agreed to in the Section 42A Report, including the addition of guiding tangata whenua principles, but sought additional amendments to the Plan such as amendments to Policy 8 [Areas of Outstanding Value], and Policy 13 [Relationship with tangata whenua], Rules 22, 26, 54 and 85, plus reparation mechanisms in Section 9 [Financial contributions] to protect, maintain or restore cultural and historic sites of significance to Maori.
- Fay Mulligan and Monique Takarangi: Concerned that mapped Significant Surf break Area includes Maori Reservation land and highlighted some surf break names as culturally offensive. Also highlighted problems related to freedom camping and public access and the risks to their land and sites of significance.
- Royal Forest and Bird Society: Sought additional amendments to grant reliefs sought in their original submission to ensure the Plan gives effect to the NZCPS (e.g. identification of areas of high natural character and significant indigenous biodiversity) and other changes to Plan provisions to improve the certainty and clarity of the provisions protecting indigenous biodiversity values.
- Port Taranaki: Sought additional amendments to ensure Port Taranaki activities are appropriately recognised and provided for in the Plan and to improve the certainty and clarity of Plan provisions. The submitter further sought that the Breakwater surf break be deleted from the Plan.
- New Zealand Defence Force (NZDF): Opposed the biofouling rules being applied only to the Port Taranaki coastal management area and sought amendments to the general standards for noise relating to temporary military training activities to align with relief sought by NZDF in other plans around the country.
- Petroleum Exploration and Production Association of NZ: Suggest oil and gas activities are appropriately recognised and provided for in the Plan but sought additional amendments to improve the certainty and clarity of Plan provisions, particularly in relation to policies addressing oil and gas activities [Policy 29] and the removal of coastal structures [Policy 38] and other relevant Rules 26 and 27.

Six submitters did not appear (Federated Farmers, First Gas, Meridian Energy, Heritage New Zealand, Transpower and Trans Tasman Resources) but presented written briefs of evidence in support of their submissions.

During the hearings, the Hearing Panel asked questions of submitters to enhance their understanding of submitter requests, the grounds for them, and advice given in the section 42A reports. The Hearing Panel endeavoured to conduct the hearings with a minimum of formality to an extent that allowed for good communication and fairness to all submitters. A number of submitters raised matters not covered in their original or further submission. As far as practicable the Hearing Panel has endeavoured to address all matters raised in this report, however, some matters were determined to be out of scope and have not been covered in this report.

Most of the submissions on the Proposed Plan requested amendments to it, and gave reasons for requesting those amendments. Many also constructively proposed specific improvements to the Proposed Plan developed by themselves or their advisers.

On 1 August 2019, following the completion of the public hearings, Hearing Panel members deliberated on the matters raised in the submissions heard, all written submissions on the Proposed Plan, the outcome of any pre-hearing consultation with submitters, the officers' recommendations on submissions, and the further evidence and submissions tabled at the hearing. The Hearing Panel members further met on the 12 August to complete their deliberations and instructed reporting officers, on their behalf, to formulate their recommendations to Council on the decisions requested.

The Hearing Panel reached decisions on all submissions and instructed officers to prepare a report setting out the Panel's deliberations and its recommendations to the full Council on those submissions. Hearing Panel members were grateful for all the requests and suggestions by submitters and their witnesses; and by the section 42A report authors. Members acknowledge that the requested and suggested amendments, including those not recommended, and the evidence relating to them, have substantially assisted the Panel in its deliberations and in reaching the recommendations to the Council made in their report.

The submissions and reports have all contributed to an effective and fair process for which Part 1 of schedule 1 of the RMA provides.

## 2.7 Remainder of the Schedule 1 review process

Recommendations presented in the Hearing Panel's report were formally considered by Council at its Policy and Planning Committee meeting of 3 September 2019. The Committee noted that a formal document adopting the Hearing Panel's

recommendations and recording the decisions of the Council on all submissions to the Proposed Coastal Plan, together with an amended version of the Proposed Coastal Plan, would be submitted to the Council for adoption. This document was subsequently prepared and was considered and adopted by the Council at its Ordinary meeting of 24 September 2019.

The Council’s decisions on the matters raised (in the submissions) will be publicly notified. If any person who made a submission on the Proposed Plan is dissatisfied with the subsequent decision of the Council, he or she may refer the decision to the Environment Court, which in turn would hold a formal public hearing into the matter. The Environment Court may direct the Council to make amendments to the Proposed Plan.

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

Figure 1 below provides an overview of the Coastal Plan review process, including where “we are at” in terms of the process.



Figure 1: Coastal plan review process

## 2.8 Section 32AA evaluation report

Under the Section 32AA of the RMA, the Council must prepare an evaluation report on the changes identified from the Proposed Plan in accordance with section 32 of the Act. The Section 32AA evaluation report assesses the environmental, economic and the social and cultural benefits and costs of changes from the Proposed Plan.

In accordance with the requirements of Section 32 and Section 32AA, the Council has prepared and appended the Section 32AA evaluation report to this document under Appendix 1.

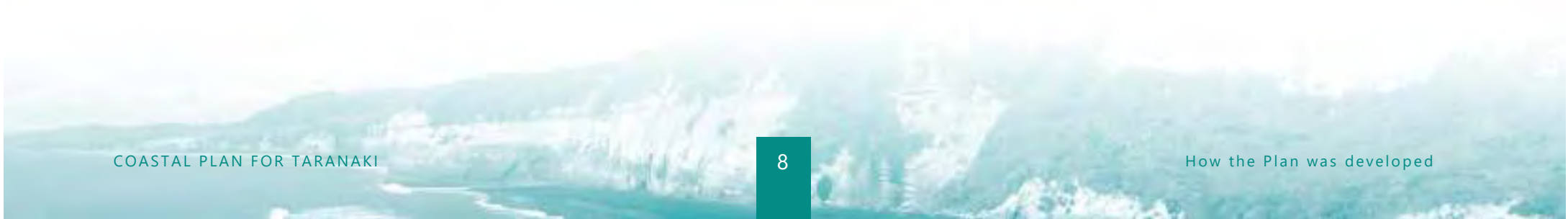
## 2.9 Further reading

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

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



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### 3 Submitters

*This section identifies initial and further submitters to the Proposed Plan plus those who presented their submissions to the hearing of submissions.*

Table 1: Initial submitters

| Submitter number and name |                                  | Submitter number and name |  | Submitter number and name |   |
|---------------------------|----------------------------------|---------------------------|--|---------------------------|---|
| 1.                        | Tom P Waite                      | 22.                       | Lyndon De Vantier                                      | 43.                       | Royal Forest and Bird Protection Society      |
| 2.                        | Federated Farmers                | 23.                       | New Plymouth District Council                          | 44.                       | Nga Motu Marine Reserve Society Inc           |
| 3.                        | Roger Maxwell                    | 24.                       | Paora Aneti 17 & 18 Māori Reservation Trustees         | 45.                       | Powerco                                       |
| 4.                        | Allen Pidwell                    | 25.                       | New Zealand Petroleum and Minerals                     | 46.                       | Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd |
| 5.                        | Point Board Riders Inc           | 26.                       | Transpower NZ Ltd                                      | 47.                       | Fonterra                                      |
| 6.                        | Trans-Tasman Resources Ltd       | 27.                       | Taranaki Chamber of Commerce                           | 48.                       | Taranaki District Health Board                |
| 7.                        | Waikato Regional Council         | 28.                       | Grant Knuckey  | 49.                       | Cam Twigley                                   |
| 8.                        | Silver Fern Farms Management Ltd | 29.                       | Department of Conservation                             | 50.                       | Te Kāhui o Taranaki Trust                     |
| 9.                        | Karen Pratt                      | 30.                       | First Gas Ltd  | 51.                       | Taranaki Energy Watch Inc                     |
| 10.                       | South Taranaki Underwater Club   | 31.                       | Komene 13B Māori Reservation Trustees                  | 52.                       | Emily Bailey                                  |
| 11.                       | Bruce Boyd                       | 32.                       | Port Taranaki Ltd                                      | 53.                       | Taranaki Regional Council                     |
| 12.                       | Chorus New Zealand Ltd           | 33.                       | New Zealand Defence Force                              | 54.                       | Maritime New Zealand                          |
| 13.                       | Spark New Zealand Trading Ltd    | 34.                       | Fay Mulligan and Carol Koha                            | 55.                       | Kiwis Against Seabed Mining                   |
| 14.                       | Vodafone New Zealand Ltd         | 35.                       | Radio New Zealand Ltd                                  | 56.                       | Greenpeace                                    |
| 15.                       | Surfbreak Protection Society     | 36.                       | Todd Energy  | 57.                       | Heritage New Zealand                          |
| 16.                       | Ministry for Primary Industries  | 37.                       | Petroleum Exploration and Production Association of NZ | 58.                       | Te Atiawa                                     |
| 17.                       | David Pearce                     | 38.                       | Nigel Cliffe   | 59.                       | KiwiRail                                      |

| Submitter number and name |                                 | Submitter number and name |                                | Submitter number and name |                                 |
|---------------------------|---------------------------------|---------------------------|--------------------------------|---------------------------|---------------------------------|
| 18.                       | Surfing Taranaki                | 39.                       | Maniapoto Māori Trust Board    | 60.                       | Te Kaahui o Rauru               |
| 19.                       | South Taranaki District Council | 40.                       | Te Rūnanga o Ngāti Mutunga     | 61.                       | Te Rūnanga o Ngāti Ruanui Trust |
| 20.                       | Meridian Energy Ltd             | 41.                       | Te Korowai o Ngāruahine Trust  |                           |                                 |
| 21.                       | Climate Justice Taranaki Inc    | 42.                       | Ngati Rahiri Hapū <sup>2</sup> |                           |                                 |

Table 2: Further submitters

| Submitter number and name |                                 | Submitter number and name |  | Submitter number and name |   |
|---------------------------|---------------------------------|---------------------------|--|---------------------------|---|
| 2.                        | Federated Farmers               | 26.                       | Transpower NZ Ltd                                      | 42.                       | Ngati Rahiri Hapū                             |
| 6.                        | Trans-Tasman Resources Ltd      | 29.                       | Department of Conservation                             | 43.                       | Royal Forest and Bird Protection Society      |
| 9.                        | Karen Pratt                     | 32.                       | Port Taranaki Ltd                                      | 44.                       | Nga Motu Marine Reserve Society Inc           |
| 10.                       | South Taranaki Underwater Club  | 33.                       | New Zealand Defence Force                              | 45.                       | Powerco                                       |
| 11.                       | Bruce Boyd                      | 35.                       | Radio New Zealand Ltd                                  | 46.                       | Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd |
| 16.                       | Ministry for Primary Industries | 37.                       | Petroleum Exploration and Production Association of NZ | 47.                       | Fonterra                                      |
| 20.                       | Meridian Energy Ltd             | 40.                       | Te Rūnanga o Ngāti Mutunga                             | 51.                       | Taranaki Energy Watch Inc                     |
| 21.                       | Climate Justice Taranaki Inc    | 41.                       | Te Korowai o Ngāruahine Trust                          | 55.                       | Kiwis Against Seabed Mining                   |
|                           |                                 |                           |  | 61.                       | Te Rūnanga o Ngāti Ruanui Trust               |

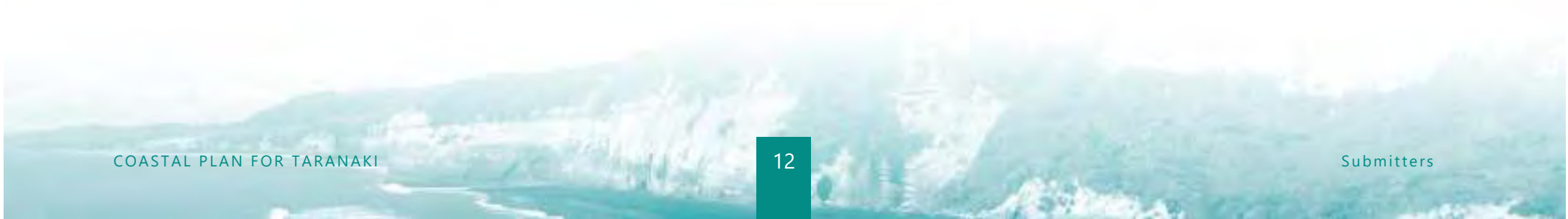
<sup>2</sup> Subsequent to the receipt of the submission from Ngati Hine whanau, the submitter indicated that the submission has subsequently been adopted by the Ngati Rahiri Hapū. Officers agreed that all references to 'Ngati Hine whanau' will now refer to 'Ngati Rahiri Hapū'.

Table 3: Submitters that presented to the hearing

| Submitter number and name |  | Submitter number and name |   |
|---------------------------|--|---------------------------|---|
| 9.                        | Karen Pratt  | 43.                       | Royal Forest and Bird Protection Society      |
| 29.                       | Department of Conservation                             | 45.                       | Powerco                                       |
| 32.                       | Port Taranaki Ltd                                      | 46.                       | Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd |
| 33.                       | New Zealand Defence Force                              | 47.                       | Fonterra                                      |
| 34.                       | Fay Mulligan and Carol Koha                            | 51.                       | Taranaki Energy Watch Inc                     |
| 37.                       | Petroleum Exploration and Production Association of NZ | 60.                       | Te Kaahui o Rauru                             |
| 41.                       | Te Korowai o Ngāruahine Trust                          | 61.                       | Te Rūnanga o Ngāti Ruanui Trust               |
| 42.                       | Ngati Rahiri Hapū                                      |                           |   |

Taranaki Federated Farmers (2), First Gas (30), Meridian Energy (20), Heritage New Zealand (57), Transpower (26) and Trans Tasman Resources (6) did not appear but presented written briefs of evidence to the Panel in support of their submission.

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## 4 Summary of decisions sought and decisions made

*This section sets out the summary of decisions sought by submitters for the Plan and the Council's decision in response to the decision sought, including reasons for accepting or rejecting the submissions.*

*As far as practicable, decisions sought by various submitters have been grouped according to common themes (where they relate to changes to Plan provisions or process generally) or to specific sections of the Proposed Plan (where they have been referenced or inferred). Where specific wording changes to Plan provisions are requested by submitters or otherwise agreed to by the Council, recommended insertions are marked in red and underlined, while recommended deletions are shown as ~~struck-out~~ text. For readability purposes, agreed changes to by the Council to the Proposed Plan's wording does not include struck out material. The full amendments, including any deleted/struck out text can however be found in the associated track changed version of the Plan.*

## 4.1 Whole Plan – General comments

| Submitter                       | Submission point | Submitter's requests   | Council's response and decisions  |
|---------------------------------|------------------|--|---|
| <b>General – Plan</b>           |                  |  |   |
| 2 – Federated Farmers           | 1                | <b>Amend</b>   | <b>No relief necessary</b>  |
|                                 |                  | Submitter is broadly supportive of the planning approach taken but seeks that normal farming activities that occur in the coastal marine area (adjacent to farms or where the farm boundary extends to the coastal marine area) that these farming activities are permitted. | Note rules relating to use and development activities do not apply to activities landward of the coastal marine area line.  |
| 4 – Allen Pidwell               | 2                | <b>Support</b>   | <b>Accept</b>   |
|                                 |                  | Submitter supports the Proposed Plan.  | Support noted.  |
| 26 – Transpower NZ Ltd          | 3                | <b>Amend</b>   | <b>Accept</b>   |
|                                 |                  | Submitter is broadly supportive of the Proposed Plan subject to specific amendments to give full effect to the <i>National Policy Statement for Electricity Transmission 2008</i> .  | Support is noted.<br>The Council notes that the submitter has requested specific amendments throughout the Plan, to bring the Plan more in line with provisions within the <i>National Policy Statement for Electrical Transmission</i> .<br>The Council agrees that the <i>National Policy Statement for Electrical Transmission</i> is required to be given effect to within the Plan and agrees to consequential amendments in the Plan in response to some of the specific reliefs sought by the submitter. |
| 29 – Department of Conservation | 4                | <b>Support</b>   | <b>No relief necessary</b>  |
|                                 |                  | Submitter notes the Proposed Plan is well structured and easy to use.  | Comments noted.   |

| Submitter                        | Submission point | Submitter's requests   | Council's response and decisions  |
|----------------------------------|------------------|--|---|
| 33 – New Zealand Defence Force   | 5                | <p><b>Amend</b></p> <p>Submitter seeks amendment to the Plan to consistently refer to “<i>temporary military training activities</i>” and omit the use of “<i>military training activities</i>”.</p> | <p><b>Accept</b></p> <p>The Council agrees with the relief sought by the submitter.</p> <p>The Council has further reviewed the Plan to consistently refer to “<i>temporary military training activities</i>” and omit the use of “<i>military training activities</i>” or other variant where “<i>temporary military training activities</i>” would suffice. The Council agrees to consequential amendments to the definition section of the Plan to delete the term “<i>Military training</i>” and include a new definition for “<i>temporary military training activity</i>”. This is consistent with definition provided in the <i>National Planning Standards</i>, which came into force on 3 May 2019.</p> <p>The amended definition reads as follows:</p> <p><b><u>Temporary military training activity means a temporary activity undertaken for the training of any component of the New Zealand Defence Force (including with allied forces) for any defence purpose. Defence purposes are those purposes for which a defence force may be raised and maintained under section 5 of the Defence Act 1990 which are:</u></b></p> <p><b><u>(a) the defence of New Zealand, and of any area for the defence of which New Zealand is responsible under any Act;</u></b></p> <p><b><u>(b) the protection of the interests of New Zealand, whether in New Zealand or elsewhere;</u></b></p> <p><b><u>(c) the contribution of forces under collective security threats, agreements, or arrangements;</u></b></p> <p><b><u>(d) the contribution of forces to, or for any of the purpose of, the United Nations, or in association with other organisations or States and in accordance with the principles of the Charter of the United Nations;</u></b></p> <p><b><u>(e) the provision of assistance to the civil power either in New Zealand or elsewhere in time of emergency;</u></b></p> <p><b><u>(f) the provision of any public service.</u></b></p> |
| 34 – Fay Mulligan and Carol Koha | 6                | <p><b>Other</b></p> <p>Note submitters wish to speak in reference to protections of cultural values/activities and Māori involvement and protection of tikanga.</p>                                  | <p><b>No relief necessary</b></p> <p>No precise details of amendments sought to the Plan have been provided. However, the submitter’s wish to be heard relating to Māori involvement and protection of tikanga was given effect to when the submitters presented to the hearing on 24 July.</p>   |



| Submitter                          | Submission point | Submitter's requests   | Council's response and decisions  |
|------------------------------------|------------------|--|---|
|                                    |                  |  | <p>At the hearing, the submitter highlighted problems and difficulties faced by Nga Mahinga regarding inappropriate use of coastal areas of significance to Nga Mahinga. In particular, the submitter noted that problems associated with freedom camping, access to their land being blocked by vehicles, and surf competitions that do not have regard for the cultural heritage of the area.</p> <p>The Hearing Panel noted that other agencies have jurisdiction regarding these activities, however, consider that relief offered to submitters regarding submission points 1352, 1353 and 1354 may provide a partial relief to the submitter's concerns. In addition, the Panel noted that any future sporting events, including surfing events, will be required to notify the Council prior to the activity taking place. The Council has also made agreements with iwi o Taranaki to provide this information once received. In this way, the Council hopes that the submitter will be informed via their relevant iwi authorities of surfing events prior to the activity taking place.</p>   |
| 36 – Todd Energy                   | 7                | <p><b>Support</b></p> <p>Submitter supports the Proposed Plan as currently drafted.</p>  | <p><b>Accept</b></p> <p>Support noted.</p>  |
| 41 – Te Korowai o Ngāruahine Trust | 8                | <p><b>Support</b></p> <p>Submitter broadly supports the overall direction of the Plan but highlights the benefits of marine spatial planning and seeks the adoption and application of an ecosystems based approach to prevent further degradation of the biodiversity and character of the coastal environment.</p> | <p><b>No relief necessary</b></p> <p>The Council notes submitter's support for the Plan direction.</p> <p>In relation to marine spatial planning, the Council notes that considerable work has been done to collate information on uses and values in the coastal marine area, including the marine environment, and as appropriate, relevant spatial information and overlays have been included in the planning maps. These planning maps are underpinned by GIS information, which, though sitting outside the Plan, may provide additional information that can also be used to inform consenting processes. Together there is considerable information that contributes to marine spatial planning that may be built on over time.</p> <p>At the hearing, the submitter questioned the subjectivity of some of the terms adopted in the Plan rules, e.g. "adverse", "reasonable", "significant" and "minor contaminant". The Council notes that not all words in the Plan are defined and the interpretation of Plan provisions must sometimes necessarily rely on the common understanding of key terms and/or the reading context. For example, in relation to the term "adverse", the term is an RMA term and is defined by the Oxford dictionary as harmful. This would be consistent with most reader's understanding</p> |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
|--|------------------|--|---|
|  |                  |  | <p>of the term. Rules 1A, 1, 15 and 35 refer to “<i>reasonable mixing</i>”. While the current Freshwater Plan has provided a definition that refers to a “...<i>zone seven times the width of the channel at the point of the discharge</i>” this definition is not considered appropriate for the significantly different and complex natural and ecological processes that characterise the marine environment. In relation to the terms “<i>significant</i>”, the <i>Regional Policy Statement for Taranaki</i> has defined these terms but again this something that would be difficult to have some quantitative measure for that could be applied in all circumstances, all the time. Finally, reference to “<i>minor contaminant</i>” only occurs in the gateway of Rule 1A and acknowledges that all water is likely to contain some natural or man-made ‘contaminants’. It is appropriate therefore to refer to minor contaminants in the gateway for the purposes of certainty and clarity. However, the parameters or definition for what constitutes ‘minor contaminants’ can be determined by a wider reading of the rule and, in particular, the matters in the standards, terms and conditions that need to be complied with. The Council agrees that no change to the Plan is necessary in this area.</p> |
| 55 – Kiwis Against Seabed Mining                           | 9                | <p><b>Amend</b></p> <p>Submitter seeks amendments to the Plan to include marine spatial management and associated rules framework as an appropriate method to address fishing, oil and gas, and seabed mining.</p> | <p><b>Decline</b></p> <p>No precise details of amendments sought to the Plan have been provided. However, the Council does not consider further amendments to the Plan are necessary.</p>   |
| Further submissions – Ministry for Primary Industries (16) |                  | Oppose   | <p>The Council notes that considerable work has been done to collate information on uses and values in the coastal marine area, including the marine environment, and as appropriate, relevant spatial information and overlays have been included in the planning maps. Furthermore, it is the Council's view that oil and gas and seabed mining have been appropriately addressed in the rules framework of the Plan pursuant to the Council's RMA responsibilities. However, as a result of pre-hearing engagement further changes to the Plan have been agreed that make seismic testing a consented activity (rather than a permitted activity).</p> <p>The Council note that fishing activities are controlled by the Ministry for Primary Industries and Fisheries New Zealand through the <i>Fisheries Act 1996</i> and it is not necessary or appropriate to provide for fishing activities within the Plan.</p>   |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
|--|------------------|--|---|
| 56 – Greenpeace  | 10               | <p><b>Amend</b></p> <p>Submitter seeks amendments to the Plan to include marine spatial management and associated rules framework as an appropriate method to address fishing, oil and gas, and seabed mining.</p> | <p><b>Decline</b></p> <p>No precise details of amendments sought to the Plan have been provided. However, the Council notes that considerable work has been done to collate information on uses and values in the coastal marine area, including the marine environment, and as appropriate, relevant spatial information and overlays have been included in the planning maps. Furthermore, it is the Council's view that oil and gas and seabed mining have been appropriately addressed in the rules framework of the Plan pursuant to the Council's RMA responsibilities. However, as a result of pre-hearing engagement, further changes to the Plan were proposed that make seismic testing a consented activity (rather than a permitted activity). The Council notes that fishing activities are controlled by the Ministry for Primary Industries and Fisheries New Zealand through the <i>Fisheries Act 1996</i> and it is not necessary or appropriate to manage fishing activities within the Plan.</p> |
| Further submissions – Trans-Tasman Resources Ltd (6), Ministry for Primary Industries (16) |                  | Oppose   |   |
| <b>Indigenous biodiversity provisions</b>  |                  |  |   |
| 3 – Roger Maxwell  | 11               | <p><b>Other</b></p> <p>Submitter questions what action, if any, is proposed to manage/control the expansion of mangroves in the estuarine areas of the Taranaki coastal area?</p>                                  | <p><b>No relief necessary</b></p> <p>The Council notes that there are no immediate plans to control mangroves in the Taranaki region. Mangroves are known to be present at Urenui estuary. These were planted about 40 years ago to prevent coastal erosion (they were also planted in other estuaries but did not establish). At present the spread appears to be very slow and is not of concern at the moment. However, should monitoring indicate mangroves are becoming invasive to the detriment of local coastal values the Council would consider a site-led response that involves working with the local community to manage the problem.</p>   |
| 39 – Maniapoto Māori Trust Board   | 12               | <p><b>Other</b></p> <p>Submitter seeks that the Taranaki Regional Council ensure that indigenous biodiversity in the coastal environment is maintained and enhanced and that it is protected.</p>                  | <p><b>No relief necessary</b></p> <p>The Council notes that the Council is committed to the maintenance and enhancement of indigenous biodiversity in not just the coastal environment but across the region. This commitment is demonstrated across a variety of Council</p>   |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
|--|------------------|---|---|
| Further submissions – Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) |                  | Support   | <p>policy documents and its resourcing for programmes and activities that implement those policies. In addition to its regulatory responsibilities under the RMA to maintain indigenous biodiversity in the coastal marine area and fresh water, the Council has adopted the <i>Pest Management Plan for Taranaki</i> (2018), the <i>Taranaki Regional Council Biosecurity Strategy</i> (2018), and the <i>Biodiversity Strategy for the Taranaki Regional Council</i> (2017) that include a suite of regulatory and non-regulatory programmes for promoting biodiversity outcomes across the Taranaki region.</p> <p>Notwithstanding the above, as a result of pre-hearing engagement, further changes to the Plan were proposed to include an additional policy (Policy 14A) that seeks to maintain and enhance indigenous biodiversity generally across the coastal environment. This is in addition to Policy 14 to protect 'significant indigenous biodiversity' in the coastal environment.</p> |
| <b>Life supporting capacity and mauri provisions</b>                     |                  |   |   |
| 39 – Maniapoto Māori Trust Board   | 13               | <p><b>Support</b></p> <p>Submitter supports recognition by Taranaki Regional Council of mauri and adverse effects when there is development of the coastal environment.</p>   | <p><b>Accept</b></p> <p>Support noted.</p>  |
| <b>Petroleum related Plan provisions</b>                                 |                  |   |   |
| 37 – Petroleum Exploration and Production Association of NZ              | 14               | <p><b>Support</b></p> <p>Submitter seeks all other petroleum-related Plan provisions not explicitly covered in their submission are retained.</p>   | <p><b>Accept in part</b></p> <p>Support noted. Petroleum related provisions have been retained. However, the Council notes consequential amendments to some provisions in response to reliefs sought by other submitters, including amendments to make seismic testing a consented activity (rather than a permitted activity).</p>   |
| 51 - Taranaki Energy Watch   | 15               | <p><b>Amend</b></p> <p>Submitter seeks amendment to the Plan in relation to petroleum related provisions to reflect the precautionary approach (similar to that of Policy 3) such that objectives, policies and rules within the coastal marine area incorporate a precautionary regime for effects of activities that are uncertain, unknown or little understood.</p> | <p><b>No relief necessary</b></p> <p>The submitter is concerned that areas of the Plan relating to petroleum provisions do not reflect a precautionary approach, which, in their view, is required by the <i>New Zealand Coastal Policy Statement</i>.</p> <p>The Council suggests that no relief is necessary given that a precautionary approach is already adequately provided for via Policy 3 [Precautionary approach] of the Plan. Policy 3 is a General Policy that applies to all activities, including oil</p>   |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
|--|------------------|--|---|
| Further submissions – Te Korowai o Ngāruahine Trust (41)                 |                  | Support  | <p>and gas industries, within the coastal environment and regardless of which coastal management area the activity may fall within. The Council further notes that the potential risks associated with oil and gas exploration and production activities are well understood.</p> <p>In the main, oil and gas exploration activities are a controlled activity while oil and gas production activities in the coastal marine area are a discretionary activity or a non-complying activity. Therefore, through the consenting process, Policy 3 [Precautionary approach] and other relevant policies will be considered and applied, as appropriate, on a case-by-case basis.</p>   |
| Further submissions – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd (46) |                  | Oppose   |   |
| 51 - Taranaki Energy Watch   | 16               | <p><b>Amend</b></p> <p>Submitter seeks amendment to the Plan in relation to petroleum related provisions to add objectives and policies to support the use of separation and buffer zones as appropriate planning tools/methods to manage oil and gas activities in the coastal marine area.</p> | <p><b>Accept in part</b></p> <p>The Council notes that separation and buffer zones have been considered and applied where it is practicable to do so.</p> <p>The Council does not consider it appropriate to include such detail in the Plan objectives. However, there are opportunities within the policy and rule framework to do so. An appropriate buffers to avoid, remedy or mitigate adverse effects associated with oil and gas activities (plus other activities) would depend upon the scale, type and location of the activity. Such matters would be considered through the consenting process. For example, Rule 26 includes buffer distances set out in the standards, terms and conditions.</p> <p>Notwithstanding this, the Council agrees to amending Policy 29 [Impacts from offshore drilling and production] to refer to the use of separation distances. This will ensure that the application of separation distances (buffer) are fully considered through the consenting process.</p> <p>The revised Policy reads as follows:</p> <p><i><u>(aa) in relation to offshore production activities, adopting adequate separation distances to the extent necessary between the activity having regard to the values and sensitivity of the environment; [...]</u></i></p> |
| Further submissions – Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) |                  | Support  | <p><b>Decline</b></p> <p>No precise details of amendments sought to the Plan have been provided.</p> <p>The Council acknowledges the current Government's decision to cease granting offshore oil and gas permits. However, the Council notes that the licensing of oil and gas exploration permits is regulated under separate legislation by other authorities.</p>   |
| 61 – Te Rūnanga o Ngāti Ruanui Trust                                     | 17               | <p><b>Amend</b></p> <p>Submitter seeks amendment to the Plan to reflect the Government's decision to cease offering new offshore oil and gas exploration permits and restricted permitting.</p>  |   |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Korowai o      |                  | Support  |   |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
|--|------------------|---|---|
| Ngāruahine Trust (41), Royal Forest and Bird Protection Society (43), Te Atiawa (58) |                  |   | In terms of managing adverse environmental effects under the RMA, the Council contends that it is not necessary to differentiate between new and existing hydrocarbon activities. In addition, the Council notes that the Plan will be operative for a 10-year period and there is a risk that such an amendment could easily be made redundant should a new Government change its stance on oil and gas exploration permits.   |
| <b>Natural and historic heritage provisions</b>                                      |                  |   |   |
| 39 – Maniapoto Māori Trust Board   | 18               | <b>Other</b><br>Submitter support the importance of natural and historic heritage and would like to ensure that the Māori narrative is incorporated into the rich history of Taranaki.  | <b>No relief necessary</b><br>Comments noted. No specific relief is requested, however, the Council notes that a Māori narrative has been included where it is appropriate to do so and additional amendments to the Plan are also proposed to further support this.  |
| Further submissions – Te Korowai o Ngāruahine Trust (41), Te Atiawa (58)             |                  | Support   |   |
| 28 – Grant Knuckey   | 19               | <b>Amend</b><br>Submitter seeks amendments to the Plan (and other actions) to ensure it adequately provides for cultural well-being, relationship of with ancestral and contemporary lands, waters, taonga and rohe, and to actively protect taonga and tapu spaces within the coastal environment or provide for management of the rohe in partnership with mana whenua (co-governance/management provisions). | <b>Accept in part</b><br>No precise details of amendments sought to the Plan have been provided. However, the Council suggests that the Plan, in conjunction with other changes, amongst other things, will (as far as it is able) provide for the cultural well-being, relationship of Māori with ancestral and contemporary lands, waters, taonga and rohe, and will contribute to the protection of taonga and tapu spaces within the coastal environment.<br>Of note, all the Plan objectives, policies and rules address effects of interest to iwi o Taranaki. However, specific objectives, policies, methods, standards, terms and conditions and schedules also apply to ensure coastal use and development appropriately recognise and provide for the management of adverse effects on tangata whenua values.<br>The identification of sites of significance to Māori in Schedule 5B of the Plan and associated planning maps (and proposed changes to include and schedule taonga species) should further assist Council in ensuring use and development in the coastal marine area avoid, remedy or mitigate adverse effects on Māori cultural and historic heritage values. |
| Further submissions – Te Korowai o Ngāruahine Trust (41), Te Atiawa (58)             |                  | Support   |   |



| Submitter                        | Submission point | Submitter's requests   | Council's response and decisions  |
|----------------------------------|------------------|--|---|
| 28 – Grant Knuckey               | 20               | <b>Amend</b>   | <b>No relief necessary</b>  |
|                                  |                  | Submitter seeks amendment to the Plan to ensure it applies Māori attributes of mana, mauri, tapu, taonga to assessment of natural character, particularly in relation to reefs and coastal waters of Taranaki rohe moana and whenua. | The Council considers that this is already provided for whereby assessments of natural features and landscapes include consideration of cultural, spiritual, historic and heritage associations, which in turn are underpinned by Plan objectives, policies and rules to protect such values. |
| 39 – Maniapoto Māori Trust Board | 21               | <b>Support</b>   | <b>No relief necessary</b>  |
|                                  |                  | Submitter notes that tangata whenua values and relationships are key priorities to the submitter and desires the Council to work closely with Mokau ki Runga RMC around matters of social, cultural and economic wellbeing.          | Comments noted.   |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
|--|------------------|---|--|
| 40 – Te Rūnanga o Ngāti Mutunga  | 22               | <b>Other</b>  | <b>No relief necessary</b>   |
|  |                  | Taking into account the outcomes of previous engagement, submitter questions what criteria Council planners will use to identify affected parties for the rules outlined in the Plan. | <p>The submitter is not seeking amendment to the Plan but has raised a question with respect to its implementation.</p> <p>The Council notes that the Council's consenting procedures are set out in its standard operating procedures entitled <i>Resource Consents Procedure Document</i>. This document sets out guidance and direction for Council staff on a broad range of consenting matters, including those relating to notification and determining affected party status.</p> <p>More specifically, in relation to sites of significance, the Council has worked closely with iwi authorities and, as part of the Plan review process, have provided written agreement that iwi will be notified of, as an affected party, any activities occurring within, adjacent to, or impacting directly on tangata whenua sites of significance identified in Schedule 5B in the coastal marine area.</p> <p>The 'trigger' for iwi involvement as an affected party is for any activities occurring within, adjacent to, or impacting directly on sites of significance in the coastal marine area. For such coastal permit applications the Council would advise the applicant that they would need affected party approval and suggest consultation be undertaken. If approval was not obtained from iwi the application would be notified.</p> <p>The Mana Whakahono a Rohe provisions of the RMA represents an opportunity to formalise this (and other) matters plus set out the operational details associated with planning and consenting processes including affected party definitions, appropriate consenting systems and processes, and applicant consultation requirements.</p> |
| Further submissions – Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) |                  | Support   |  |
| 50 – Te Kāhui o Taranaki Trust   | 23               | <b>Other</b>  | <b>No relief necessary</b>   |
|  |                  | Submitter questions the adequacy of Plan engagement and consultation.   | <p>The submitter is not seeking amendment to the Plan but questions the adequacy of Plan engagement and consultation.</p> <p>Appendix II of the Section 32 Evaluation Report summarises Council's engagement and consultation with iwi authorities (and other tangata whenua) on the Proposed Plan, including Council's response to advice received from iwi.</p> <p>Iwi engagement and consultation commenced in late 2012 and has been ongoing to this point in time. In relation to the Taranaki Iwi, engagement included very early preliminary engagement through participation with an Iwi thinkers group, the</p>   |



| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
|--|------------------|--|---|
|  |                  |  | circulation and seeking of feedback on coastal archaeological report, seeking of feedback on a position paper on outstanding coastal areas, the circulation and seeking of feedback on draft Coastal Plan objectives and policies, consultation and seeking of feedback on a Draft Proposed Plan, the identification and mapping of sites and significance, and more recently the release of a Proposed Coastal Plan. It has also included, over that time, many hui and face-to-face meetings relating to not just the Coastal Plan but broader policy matters.  |
| 50 – Te Kāhui o Taranaki Trust   | 24               | <p><b>Other</b></p> <p>Submitter seeks that all iwi (hapū, marae/pā) are notified as an affected party to any activities occurring within, adjacent to, or impacting directly on Statutory Acknowledgements and historic heritage sites and sites of significance to Māori within the coastal marine area.</p> | <p><b>Agree in part</b></p> <p>The submitter is not seeking amendment to the Plan but seeks that all iwi (hapū, marae/pā) be notified as an affected party to any activities occurring within, adjacent to, or impacting directly on statutory acknowledgement areas and historic heritage sites and sites of significance to Māori within the coastal marine area.</p> <p>The matters raised by the submitter have a wider application than just the Coastal Plan. Notwithstanding that, the Council notes that it has already given partial relief to this request.</p> <p>In relation to sites of significance, the Council has worked closely with iwi authorities and, as part of the Plan review process, have provided written agreement that iwi will be notified of, as an affected party, any activities occurring within, adjacent to, or impacting directly on tangata whenua sites of significance in the coastal marine area.</p> <p>The 'trigger' for iwi involvement as an affected party is for any activities occurring within, adjacent to, or impacting directly on sites of significance in the coastal marine area. For such coastal permit applications the Council would advise the applicant that they would need affected party approval and suggest consultation be undertaken. If approval was not obtained from iwi the application would be notified.</p> <p>In relation to extending consenting notification requirements to hapū and marae, Mana Whakahono a Rohe provisions of the RMA represents an opportunity to discuss and formalise such arrangements.</p> |
| Further submissions – Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) |                  | Support  |   |
| 61 – Te Rūnanga o Ngāti Ruanui Trust                                     | 25               | <p><b>Amend</b></p> <p>Submitter seeks amendment to the Plan by:</p> <ul style="list-style-type: none"> <li>linking cultural areas of significance to both the past (historic) and present cultural areas and traditions</li> </ul>  | <p><b>Accept in part</b></p> <p>No precise details of amendments sought to the Plan have been provided. However, the Council suggests that the Plan, in conjunction with other changes,</p>   |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
|--|------------------|---|---|
|  |                  | <ul style="list-style-type: none"> <li>integrating objectives and policies with mana/tangata whenua with the rules section of the Plan.</li> </ul>  | <p>does link Plan provisions with cultural areas of significance, and that Plan objectives and policies have been integrated with the rules section of the Plan.</p> <p>Together, all Plan objectives, policies and rules are part of a framework for addressing and managing adverse effects on tangata whenua values. However, specific objectives, policies, methods, standards, terms and conditions, and schedules also apply.</p> <p>The Council notes that, in response to the submitter request (and that of others), a number of amendments have been made to specific Plan provisions, including amendments to Policy 15 [Historic heritage] and Policy 16 [Relationship of tangata whenua], other relevant policies, and the inclusion of a schedule of taonga species, to strengthen provisions protecting tangata whenua values in the coastal environment under the RMA.</p>  |
| Further submissions – Te Korowai o Ngāruahine Trust (41), Te Atiawa (58)   |                  | Support   |   |
| <b>Scope of the Plan – ‘Coastal Marine Area’ and ‘Coastal Environment’</b> |                  |   |   |
| 26 – Transpower NZ Ltd   | 26               | <p><b>Other</b></p> <p>Confirmation is sought that the rules in the Plan only apply to the coastal marine area</p> <p>AND</p> <p>Submitter seeks clarification as to what Plan provisions apply to the coastal environment.</p> | <p><b>No relief necessary</b></p> <p>The submitter is not seeking amendments to the Plan but seeks confirmation as to how the Plan provisions are applied.</p> <p>The Council confirms that the rules only apply to the coastal marine area. However, as stated in sections 1.4.1, 4, 5.1 and 6 of the Plan, its objectives, general policies and methods (excluding rules) address the wider coastal environment for the purposes of effective integrated management.</p> <p>For the purposes of certainty and clarity, a minor amendment is proposed to Section 1.4 of the Plan to further highlight that the rules relate to the coastal marine area only. The amendment reads as follows:</p> <p><i>1.4 Application</i></p> <p><i>The provisions of the Plan have legal force under the RMA. Regional rules have the force and effect of a regulation under the RMA. <b>For the purposes of this Plan, the rules only apply to activities in the coastal marine area.</b></i></p> |
| Further submissions – Trans-Tasman Resources Ltd (6)                       |                  | Support   |   |
| <b>Coastal hazards</b>   |                  |   |   |
| 39 – Maniapoto Māori Trust Board   | 27               | <p><b>Other</b></p> <p>Submitter seeks that Council ensure adequate resourcing to reduce vulnerability to property and people from coastal hazards.</p>   | <p><b>No relief necessary</b></p> <p>No precise details of amendments sought to the Plan have been provided. However, the Council notes that it routinely considers and consults on the</p>   |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
|--|------------------|---|--|
|  |                  |   | adequacy of resourcing and levels of services addressing natural hazard management as part of its annual planning and reporting under the <i>Local Government Act 2002</i> .   |
| <b>Surf breaks</b>   |                  |   |  |
| 1 - Tom P Waite  | 28               | <p><b>Support</b></p> <p>Submitter supports the protection of surf breaks but submits that commercial development should not occur near river mouths or unique reef breaks.</p>   | <p><b>No relief necessary</b></p> <p>Support noted.</p> <p>With regards to opposition to commercial development, the Council notes that the purpose of the Plan is to assist the Council in giving effect to Section 5 of the RMA, which means managing the use, development and protection of natural and physical resources irrespective as to whether that use and development is 'commercial' or not. Of note, threats to coastal values are not confined to commercial activities.</p>  |
| 18 – Surfing Taranaki  | 29               | <p><b>Support</b></p> <p>Submitter supports the ongoing and further protection of Taranaki surf breaks.</p>   | <p><b>No relief necessary</b></p> <p>Support noted.</p>  |
| 50 – Te Kāhui o Taranaki Trust   | 30               | <p><b>Amend</b></p> <p>Submitter seeks amendment of the Plan by going through a proper process of consultation on the inclusion of nationally and regionally significant surf breaks noting that the names of many surf breaks are offensive and inappropriate.</p> | <p><b>Accept in part</b></p> <p>The Council notes that through the Coastal Plan review there has already been considerable consultation and engagement on the issue of surf break protection. An initial list of regionally significant surf breaks was adopted in the current Regional Policy Statement, which was adopted in 2010. However, through the Coastal Plan review additional investigations and engagement occurred. This included the commissioning of reports on <i>Taranaki Surf breaks of National Significance</i>, and <i>Regional Significance criteria for the Assessment of Surf Breaks</i>, consultation and seeking of feedback on draft Plan policies, a draft Plan and, more recently, the Proposed Plan. As part of the review, an innovative 'wave survey' was also carried out that allowed the community to inform the Council which surf breaks have values and why. This information was used to determine the appropriate level of protection for each surf break.</p> |
| Further submissions –Te Rūnanga o Ngāti Mutunga (40), Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) |                  | Support   | <p>Naming conventions for surf breaks have been a result of the community engagement to date. However, the Council agrees that the names of some surf breaks are culturally offensive and agree to alternate, more appropriate names for surf breaks also be identified in Schedule 7 and associated planning maps where possible.</p>   |

| Submitter                                     | Submission point | Submitter's requests   | Council's response and decisions  |
|---|------------------|--|---|
| <b>Coastal water quality provisions</b>       |                  |  |   |
| 39 – Maniapoto Māori Trust Board              | 31               | <b>Other</b>   | <b>No relief necessary</b>  |
|   |                  | Submitter supports measures to ensure development pressures do not deteriorate coastal water quality.  | Support noted.  |
| <b>Section 32 Evaluation Report</b>           |                  |  |   |
| 41 – Te Korowai o Ngāruahine Trust            | 32               | <b>Amend</b>   | <b>No relief necessary</b>  |
|   |                  | Submitter is seeking amendments to the Section 32 Evaluation Report, where relevant, to further highlight or reference cultural heritage values, principles and associations.  | The submitter is not seeking amendment to the Plan but is seeking amendment to the accompanying Section 32 Evaluation Report to further highlight or reference cultural heritage values, principles and associations.<br><br>In accordance with the RMA, a Section 32AA Evaluation Report needs to be prepared to reflect the current state of the Coastal Plan Review. Where applicable, this report will further highlight or reference key changes from the Proposed Plan relating to cultural heritage values, principles and associations. |
| <b>Planning maps</b>                          |                  |  |   |
| 42 – Ngati Rahiri Hapū                        | 33               | <b>Amend</b>   | <b>Accept</b>   |
|   |                  | Submitter seeks amendment to Plan maps (and associated GIS layers) to include and delineate offshore reefs based on information supplied by the submitter.   | Through the pre-hearing engagement process, Council officers have worked with the submitter to identify and map sites of significance to Ngati Rahiri Hapū.<br><br>The coastal sites of significance data supplied by the submitter to the Council has been assessed in terms of the Section 6(e) of the RMA and site dimensions established. The Council agrees that these sites can be identified in Schedule 5B of the Plan.   |
| 43 – Royal Forest and Bird Protection Society | 34               | <b>Amend</b>   | <b>Accept</b>   |
|   |                  | Submitter seeks amendments to Plan maps (and associated GIS layers) to identify the extent of the coastal environment<br><br>OR<br><br>Alternatively amend the maps to identify an indicative extent of the coastal environment. | Council has worked closely with New Plymouth and South Taranaki district councils in identifying and mapping coastal areas of outstanding natural character and outstanding natural features and landscapes. Both district councils have commenced or about to commence their respective district plan reviews, which includes a coastal protection zone (or equivalent) that is indicative of where natural coastal processes or qualities are significant.  |
| Further submissions – Fonterra (47)           |                  | Support  |   |

| Submitter | Submission point | Submitter's requests | Council's response and decisions   |
|-----------|------------------|----------------------|--|
|           |                  |                      | <p>For the purposes of certainty and clarity for Plan readers, integrated management and to promote alignment between the respective regional and district plans, the Council agree that the Plan (and associated GIS layers and planning maps) be amended to include an indicative extent of the coastal environment that is aligned with the coastal environment lines (or their equivalent) identified in the South Taranaki and New Plymouth district plans. Other consequential changes are also agreed to Policy 4 [Extent and characteristics of the coastal environment] to refer the reader to areas identified in a district plan or a proposed coastal plan as being the coastal environment.</p> |

## 4.2 Plan introduction or background

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
|--|------------------|--|---|
| <b>Vision and/or Māori guiding principles</b>            |                  |  |   |
| 40 – Te Rūnanga o Ngāti Mutunga                          | 35               | <p><b>Amend</b></p> <p>Submitter seeks amendment to the Plan to reinstate (from Draft Coastal Plan) Māori cultural values or guiding principles at the forefront of the Plan</p> <p>AND</p> <p>Seek to see these Māori cultural values or guiding principles are better reflected throughout the Plan and, in particular, the rules.</p> | <p><b>Accept</b></p> <p>Based upon earlier iwi feedback on the Draft Coastal Plan, Māori cultural values or guiding principles at the forefront of that Plan were removed. It was suggested that the review of the Regional Policy Statement (scheduled to occur in 2020) represented a better opportunity for iwi to consider and confirm the guiding principles.</p> <p>Notwithstanding the above, and given the support by other iwi agencies expressed in their submissions or further submissions, the Council agrees that the Plan be amended to re-insert and incorporate those principles.</p> <p>In addition, through other proposed Plan amendments (signalled in this report) sought by the submitter and others relating to tangata whenua values, the Council further agrees that these principles be incorporated into other relevant Plan provisions (and as identified in the track change version of the revised Proposed Plan).</p> |
| 58 – Te Atiawa   | 36               | <p><b>Amend</b></p> <p>Submitter seeks amendment to the Plan to reinstate (from Draft Coastal Plan) Māori guiding principles at the forefront of the Plan and seek to see them better reflected throughout the Plan and, in particular, the rules.</p>   | <p><b>Accept</b></p> <p>Based upon earlier iwi feedback on the Draft Coastal Plan, Māori cultural values or guiding principles at the forefront of that Plan were removed. It was suggested that the review of the Regional Policy Statement (scheduled to occur in 2020) represented a better opportunity for iwi to consider and confirm the guiding principles.</p> <p>Notwithstanding the above, and given the support by other iwi agencies expressed in their submissions or further submissions, the Council agrees that the Plan be amended to re-insert and incorporate those principles.</p> <p>In addition, through other proposed Plan amendments (signalled in this report) sought by the submitter and others relating to tangata whenua values, the Council further agrees that these principles be incorporated into other relevant Plan provisions (and as identified in the track change version of the revised Proposed Plan).</p> |
| Further submissions – Te Korowai o Ngāruahine Trust (41) |                  | <p><b>Support</b></p>  | <p>Based upon earlier iwi feedback on the Draft Coastal Plan, Māori cultural values or guiding principles at the forefront of that Plan were removed. It was suggested that the review of the Regional Policy Statement (scheduled to occur in 2020) represented a better opportunity for iwi to consider and confirm the guiding principles.</p> <p>Notwithstanding the above, and given the support by other iwi agencies expressed in their submissions or further submissions, the Council agrees that the Plan be amended to re-insert and incorporate those principles.</p> <p>In addition, through other proposed Plan amendments (signalled in this report) sought by the submitter and others relating to tangata whenua values, the Council further agrees that these principles be incorporated into other relevant Plan provisions (and as identified in the track change version of the revised Proposed Plan).</p>                      |



| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
|--|------------------|--|--|
| 61 – Te Rūnanga o Ngāti Ruanui Trust                     | 37               | <b>Amend</b>   | <b>Accept</b>  |
|  |                  | Submitter seeks amendment to the vision statement of the Plan to include the word “water” to adequately reflect Taranaki and the coverage of the Plan.   | The Council agrees to amending last sentence of the vision statement to read:<br><i>This vision recognises the roles and responsibilities shared by all people in Taranaki to ensure the sustainable and focused protection of <u>air</u>, land (soil), <u>water</u> and coastal environments for economic, social, cultural and recreational purposes.</i>  |
| Further submissions – Te Korowai o Ngāruahine Trust (41) |                  | Support  |  |
| <b>Section 1.2 – Purpose</b>                             |                  |  |  |
| 42 – Ngati Rahiri Hapū                                   | 38               | <b>Amend</b>   | <b>Decline</b>   |
|  |                  | Submitter seeks amendment to the purpose statement of the Plan [Section 1.2] to state that the purpose of the Plan is to “direct” or “guide” the Taranaki Regional Council in coastal management under the RMA.  | The Council considers the purpose statement of the Plan to be consistent with the purpose statement for regional plans as set out in Section 63 of the RMA. Pursuant to Section 63 of the RMA, the purpose of regional plans is “... to assist a regional council to carry out its functions in order to achieve the purpose of the RMA.” The Council does not agree to amending the purpose statement of the Plan as requested. |
| <b>Section 1.4 – Plan application</b>                    |                  |  |  |
| 43 – Royal Forest and Bird Protection Society            | 39               | <b>Amend</b>   | <b>Accept</b>  |
|  |                  | Submitter supports the scope of the Plan and Plan provisions for integrated management but seek that paragraph 2 of Section 1.4.2 be amended to clarify that the rules in this Plan apply to activities in the coastal marine area, including where those activities may have an adverse effect on outstanding values and significant indigenous biodiversity values outside of the coastal marine area. | The Council agrees to amend Section 1.4.1 to include a new sentence stating that while the rules in this Plan apply only to activities in the coastal marine area, nevertheless they include activities that can have an adverse effect on values and uses outside of the coastal marine area.   |
| Further submissions – Transpower New Zealand Ltd (26)    |                  | Oppose in part   |  |
| 45 – Powerco   | 40               | <b>Support</b>   | <b>Accept</b>  |
|  |                  | Retain sections 1.4.1 and 1.4.2 of the Plan as notified.   | Support noted subject to the minor amendment in response to Submitter (43) above.  |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
|--|------------------|--|--|
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd | 41               | <b>Support</b>   | <b>Accept</b>  |
|  |                  | Retain sections 1.4.1 and 1.4.2 of the Plan as notified.   | Support noted subject to the minor amendment in response to Submitter (43) above.  |
| <b>Section 1.6 – Mana whenua</b>                   |                  |  |  |
| 21 – Climate Justice Taranaki                      | 42               | <b>Amend</b>   | <b>Decline</b>   |
|  |                  | Submitter seeks amendment to Section 1.6 of the Plan to note Ngāti Maru are negotiating with the Crown regarding their Treaty of Waitangi settlement.  | The Council declines the relief sought noting that this information is not relevant within the context of the Coastal Plan. Ngāti Maru Treaty of Waitangi settlement claims are unlikely to extend to the Taranaki coastal marine area. In the event, that this assumption is wrong, appropriate changes will be made to the Plan.   |
| 60 – Te Kaahui o Rauru                             | 43               | <b>Amend</b>   | <b>Accept</b>  |
|  |                  | Submitter seeks amendment to Section 1.6 of the Plan to read:<br><i>The resources of Tangaroa <del>has have</del> provided [...]</i>   | The submitter prefers to refer to the Atua itself instead of using the anthropogenic term “resources”.<br>The Council agrees to granting the relief sought.  |
| 60 – Te Kaahui o Rauru                             | 44               | <b>Amend</b>   | <b>Grant in kind</b>   |
|  |                  | Submitter seeks amendment to Section 1.6 of the Plan to replace the word “management” with “relationship” to describe interactions with the natural environment, on line 3 of paragraph 5.   | The Council agrees to granting the relief in part by deleting reference to “sustainable coastal management” and instead making consequential changes to focus on the relationship of iwi o Taranaki with the coastal environment.<br>The revised paragraph reads as as follows:<br><i>Kaitiakitanga and tikanga, is at the heart of the relationship between the iwi o Taranaki and the coastal environment. This Plan has integrated the values of Taranaki iwi throughout Plan provisions.</i> |
| 60 – Te Kaahui o Rauru                             | 45               | <b>Amend</b>   | <b>Accept</b>  |
|  |                  | Submitter seeks that the Plan communicate, with potential Plan users, the likelihood of the need for consultation with hapū when engaging with non-permitted activities. Submitter seeks amendment to Section 1.6 of the Plan to include the importance of hapū, alongside iwi, as tangata whenua. | The Council agrees to granting the relief sought by amending Section 1.6 to include hapū alongside iwi.  |



| Submitter                                     | Submission point | Submitter's requests  | Council's response and decisions   |
|---|------------------|---|--|
| 61 – Te Rūnanga o Ngāti Ruanui Trust          | 46               | <p><b>Amend</b></p> <p>The submitter expresses that tangaroa is still currently a source of rongoa and disagrees with the use of the word “was” as the word indicates past tense. The submitter further notes that tangaroa is a current source of mahinga kai.</p> <p>Submitter seeks amendment to first paragraph of Section 1.6 of the Plan to read:</p> <p><i>[...] These resources <del>are</del> <del>were</del> integral to the lives of the people who occupied the settlements adjoining the coastline. Tangaroa provides for these people materially, acted as a highway for travel, is was a source of mahinga kai (food and resource), rongoa (medicine), aided their well-being and provided spiritual sustenance. [...]</i></p> | <p><b>Accept</b></p> <p>The Council agrees that tangata whenua relationships with Tangaroa are current and ongoing as well as historic and agree to granting the relief sought.</p>  |
| Further submissions – Te Atiawa (58)          |                  | Support   |  |
| <b>Section 1.7 – Coastal management areas</b> |                  |   |  |
| 32 – Port Taranaki                            | 47               | <p><b>Support</b></p> <p>Retain Section 1.7.4 of the Plan as notified.</p>  | <p><b>Accept</b></p> <p>Support noted. Section 1.7 is retained subject to minor amendments as requested by other submitters.</p>   |
| 43 – Royal Forest and Bird Protection Society | 48               | <p><b>Amend</b></p> <p>Submitter opposes the coastal management area approach adopted in the Plan as it is unclear as to how it applies to the wider coastal environment.</p>   | <p><b>Decline</b></p> <p>The Council declines the relief sought.</p> <p>The coastal management areas approach is specific to the coastal marine area. It is based upon a similar regime that has been successfully applied through the current Coastal Plan and effectively is a zonal approach identifying five 'coastal management areas' based upon shared values, characteristics, vulnerabilities or sensitivities, and management needs. The 'zones' bundle compatible activities or effects of those activities together and restricts activities which are incompatible. Of note, management responses may vary within the coastal management area (and at a finer spatial scale) according to the particular sites and values triggered within a particular locality.</p> |
| Further submissions – Port Taranaki Ltd (32)  |                  | Oppose  |  |
| 43 – Royal Forest and Bird Protection Society | 49               | <p><b>Amend</b></p> <p>If the coastal management area approach is to be retained, submitter seeks amendment to Section 1.7.1 of the Plan to:</p>  | <p><b>Accept in part</b></p> <p>The Council agrees to granting in part to the relief sought by the submitter.</p>  |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions  |
|---|------------------|---|---|
|   |                  | <ul style="list-style-type: none"> <li>clarify how the coastal environment landward of the coastal marine area is considered under this approach</li> <li>clarify how this relates with the <i>New Zealand Coastal Policy Statement</i> and relevant policies in the Plan</li> <li>amend reference from Schedule 1 to Schedule 2.</li> </ul>  | The Council agrees to some amendments to further clarify how coastal management areas apply to the wider coastal environment. However, the Council notes that the introductory sentence to Section 1.7 explicitly states that the five coastal management areas apply to the coastal marine area and that part of Policy 1 setting out the coastal management area framework is specific to the coastal marine area.  |
| Further submissions – Department of Conservation (29) |                  | Support   | <p>In relation to further amendments sought by the submitter to Section 1.7.1 of the Plan, the Council does not consider that it is necessary or appropriate for the Plan to detail how the coastal management approach applies to the <i>New Zealand Coastal Policy Statement</i> or policies in the Plan. Such matters are not compulsory content requirements of the RMA or the <i>National Planning Standards</i> and any explanation is more appropriately addressed in the Section 32 Evaluation Report.</p> <p>In relation to amending reference in the Section to refer to Schedule 2 instead of Schedule 1, the relief sought is declined. Schedule 1 is specific to the coastal management areas and is deliberately confined to the coastal marine area. Schedule 2 relates only to coastal areas of outstanding value and, because of the need to identify significant values across the broader landscape, necessarily includes areas landward of the coastal marine area.</p> |
| 43 – Royal Forest and Bird Protection Society         | 50               | <p><b>Amend</b></p> <p>Submitter seeks clarification as to whether coastal management areas – Estuaries Unmodified and Estuaries Modified are determined on the basis of values and characteristics under Policies 11, 13 and 15 of the <i>New Zealand Coastal Policy Statement</i>, or on the basis of modification. If the later, submitter seeks amendment to the Plan to explain that the Plan will protect values and characteristics of these estuaries as set out in Policies 8, 9 and 14 of the Plan.</p> | <p><b>No relief necessary</b></p> <p>Estuaries Unmodified and Estuaries Modified are based on estuaries identified in the current Coastal Plan and their differing management needs taking into account the presence or otherwise of settlements adjacent to the estuaries. Of note Taranaki has few major estuaries.</p> <p>The Council does not consider that it necessary or appropriate to amend the Plan to explain that the Plan will protect values and characteristics of these estuaries as set out in Policies 8, 9 and 14 of the Plan. As explicitly stated in Section 5 of the Plan and in the policy references for rules, all General Policies need to be considered together. Together these policies will protect the values and characteristics of these estuaries as set out in Policies 8, 9 and 14.</p>   |
| 43 – Royal Forest and Bird Protection Society         | 51               | <p><b>Amend</b></p> <p>Submitter seeks amendment to Section 1.7.5 of the Plan to clarify whether the Open Coast coastal management area refers to the remaining area of the coastal marine area or the wider coastal environment</p> <p>AND</p>   | <p><b>No relief necessary</b></p> <p>No relief is considered necessary. The Council notes that the first sentence of Section 1.7.5 already states that the Open Coast coastal management area is that area of the coastal marine area not covered by the other management areas.</p>  |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
|--|------------------|--|---|
|  |                  | Clarify how the values and characteristics to be protected under Policies 11, 13 and 15 of the <i>New Zealand Coastal Policy Statement</i> will be provided for in these areas.  | In relation to the submitter seeking clarification on how values and characteristics of the Open Coast are to be protected in accordance with Policies 11 [Indigenous biodiversity], 13 [Preservation of natural character] and 15 [Natural features and landscapes] of the <i>New Zealand Coastal Policy Statement</i> , the submitter is referred to Policies 8, 9, 10, 11, 12, 13 and 14 of the Plan and the relevant rules. All General Policies in the Plan (plus relevant Activity-specific Policies) need to be considered together.   |
| Further submissions – Powerco (45), Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd (46) |                  | Support  |   |
| 45 – Powerco   | 52               | <p><b>Amend</b></p> <p>Submitter supports Section 1.7 of the Plan and the inclusion of the five coastal management areas but seeks amendment to ensure that the presence of existing infrastructure in all of these areas is appropriately recognised by including the following sentence to paragraphs 1.7.1 to 1.7.3 as follows:</p> <p><i><u>These areas may contain regionally important infrastructure.</u></i></p> | <p><b>Grant in kind</b></p> <p>A number of submitters sought to have their uses, values or particular interests explicitly identified in the coastal management areas, despite such uses and values being common to most if not all coastal management areas.</p> <p>The Council agrees to minor and inconsequential changes to the first paragraph of Section 1.7 of the Plan to clarify that coastal management areas are areas or zones dividing the coastal marine area for management purposes and for which specific rules apply. This will avoid the need for unnecessary and potentially redundant commentary in the Plan that attempts to describe common attributes, characteristics and values that in all likelihood apply across all coastal management areas such as the presence of regionally important infrastructure (plus other uses and values).</p> <p>The proposed revised paragraph reads as follows:</p> <p><i>The coastal marine area has been divided into five <b>coastal</b> management areas or zones. This division recognises that some areas have different management needs than other areas. These areas have been mapped in Schedule 1 <b>and specific rules apply</b> as follows: [...]</i></p> |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd                                     | 53               | <p><b>Amend</b></p> <p>Submitter supports Section 1.7 of the Plan and the inclusion of the five coastal management areas but seeks amendment to ensure that the presence of existing infrastructure in all of these areas is appropriately recognised by including the following sentence to paragraphs 1.7.1 to 1.7.3 as follows:</p> <p><i><u>These areas may contain regionally important infrastructure.</u></i></p> | <p><b>Grant in kind</b></p> <p>A number of submitters sought to have their uses, values or particular interests explicitly identified in the coastal management areas, despite such uses and values being common to most if not all coastal management areas.</p> <p>The Council agrees to minor and inconsequential changes to the first paragraph of Section 1.7 of the Plan to clarify that coastal management areas are areas or zones dividing the coastal marine area for management purposes and for which specific rules apply. This will avoid the need for unnecessary and potentially redundant commentary in the Plan that attempts to describe common attributes, characteristics and values that in all likelihood apply across all coastal</p>   |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions   |
|---|------------------|--|--|
|   |                  |  | <p>management areas such as the presence of regionally important infrastructure (plus other uses and values).</p> <p>The proposed revised paragraph reads as follows:</p> <p><i>The coastal marine area has been divided into five <u>coastal</u> management areas or zones. This division recognises that some areas have different management needs than other areas. These areas have been mapped in Schedule 1 <u>and specific rules apply</u> as follows: [...]</i></p> |
| <b>Section 2.1 – Statutory and planning framework</b> |                  |  |  |
| 19 – South Taranaki District Council                  | 54               | <p><b>Amend</b></p> <p>Submitter seeks amendment to Section 2.1 [Statutory and planning framework] of the Plan to reference a commitment to integrated management of resources, recognition of the role of district plans, and working with the territorial local authorities of the region.</p>                                 | <p><b>No relief necessary</b></p> <p>The Council believes that Section 2.1 is not the most appropriate place to detail commitments to integrated management and notes that such matters have been addressed elsewhere in the Plan, particularly Policy 2 [Integrated management] and in the methods of implementation.</p>   |
| 26 – Transpower NZ Ltd                                | 55               | <p><b>Support</b></p> <p>Retain reference to the <i>National Policy Statement on Electricity Transmission 2008</i> within Section 2.1 of the Plan.</p>   | <p><b>Accept</b></p> <p>Support noted. Reference is retained as notified.</p>  |
| 40 – Te Rūnanga o Ngāti Mutunga                       | 56               | <p><b>Amend</b></p> <p>Submitter seeks amendment to Section 2.1 [Statutory and planning framework] of the Plan to reference the <i>Ngāti Mutunga Claims Settlements Act 2006</i> and the <i>Ngāti Mutunga Iwi Environmental Management Plan</i> and other iwi settlement legislation and iwi environmental management plans.</p> | <p><b>Accept</b></p> <p>The Council agrees to granting the relief sought.</p> <p>The Council agrees to amending Section 2 to include a new sub section relating to iwi management plans and to expand the scope of Section 2.5 [Other legislation] to reference Treaty of Waitangi settlement legislation.</p>   |
| 42 – Ngati Rahiri Hapū                                | 57               | <p><b>Amend</b></p> <p>Submitter seeks amendment of Section 2.1 [Statutory and planning framework] of the Plan to state that the purpose of the Plan is to “direct” or “guide” the Council in coastal management under the RMA.</p>  | <p><b>Decline</b></p> <p>The Council declines the relief sought.</p> <p>The Council considers that the commentary in Section 2.1 is consistent with the purpose statement for regional plans as set out in Section 63 of the RMA. Pursuant to Section 63 of the RMA, the purpose of regional plans is “...to assist a regional council to carry out its functions in order to achieve the purpose of the RMA”.</p>   |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions  |
|---|------------------|---|---|
| 48 – Taranaki District Health Board   | 58               | <p><b>Amend</b></p> <p>Submitter seeks amendment of Section 2.1 [Statutory and planning framework] of the Plan to include a section on the principles of Te Tiriti o Waitangi and how these principles guide the work undertaken in this area.</p>  | <p><b>Decline</b></p> <p>The Council declines the relief sought.</p> <p>The Council notes that the Regional Policy Statement for Taranaki already includes a section and discussion on taking into account the principles of the Treaty of Waitangi and includes a declaration of understanding between iwi o Taranaki and the Taranaki Regional Council. The Council does not believe it necessary for all subordinate planning documents to repeat such information. Furthermore, there are risks in doing so through unintended inconsistencies in wording etc.</p> <p>The Council notes that the contents of the Proposed Plan are consistent with the matters set out in Section 67 [Content of regional plans] of the RMA. It is also not inconsistent with the National Planning Standards recently gazetted by the Ministry for the Environment, which seeks alignment in the format and structure of RMA plans across New Zealand. Some care must be necessarily had with adopting too much 'optional' content. In the drafting of the Plan, the Council has deliberately limited introductory and background content and detail so as to focus on the matters that must be included in a Plan (objectives, policies and rules).</p> |
| Further submissions – Te Rūnanga o Ngāti (40), Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) |                  | Support   |   |
| <b>Section 2.2 – New Zealand Coastal Policy Statement</b>   |                  |   |   |
| 43 – Royal Forest and Bird Protection Society   | 59               | <p><b>Amend</b></p> <p>Submitter seeks amendment to Section 2.2 [New Zealand Coastal Policy Statement] of the Plan to read:</p> <p><i>The New Zealand Coastal Policy Statement 2010 (NZCPS) contains objectives and policies to address key national matters facing the coastal environment and to achieve the purpose of the RMA. <u>By giving effect to the New Zealand Coastal Policy Statement in this Plan Council's responsibilities to provide for matters of national importance under section 6 of the RMA is also achieved for the coastal environment.</u></i></p> <p><i>Policies within the New Zealand Coastal Policy Statement address matters including:</i></p> <p><i>[..]</i></p> <p><u>protection of</u> indigenous biological diversity.</p> | <p><b>Accept in part</b></p> <p>The submitter believes the opening paragraph of Section 2.2 of the Plan to be misleading as the <i>New Zealand Coastal Policy Statement</i> is not limited to “key national matters” but is to achieve the purpose of the RMA in relation to the coastal environment. The submitter seeks an amendment to Section 2.2 to note that by giving effect to the <i>New Zealand Coastal Policy Statement</i> in this Plan Council's responsibilities to provide for matters of national importance under section 6 of the RMA are also achieved for the coastal environment.</p> <p>The Council declines this part of the relief noting that, at best, this statement and level of detail/discussion is unnecessary as Section 2 is only meant to be a high level overview of statutes and regulations relevant to the Coastal Plan. At worst the statement is misleading as while this Plan is likely to be the primary plan for giving effect to the <i>New Zealand Coastal Policy Statement</i> and coastal matters, it is not the only regulatory document. Other plans, including the Regional Policy Statement for Taranaki and the Regional Freshwater Plan, will also assist to give</p>                    |



| Submitter   | Submission point | Submitter's requests   | Council's response and decisions   |
|---|------------------|--|--|
|   |                  |  | <p>effect to the <i>New Zealand Coastal Policy Statement</i> and national matters of importance under section 6 of the RMA.</p> <p>In relation to the list of matters covered by the <i>New Zealand Coastal Policy Statement</i> policies, the Council agrees to granting the relief sought by the submitter by amending reference to "<i>indigenous biological diversity</i>" to refer to "<i>protection of indigenous biological diversity</i>".</p>   |
| 45 – Powerco  | 60               | <p><b>Amend</b></p> <p>Submitter seeks amendment to Section 2.2 [New Zealand Coastal Policy Statement] of the Plan to specifically recognise and provide for infrastructure. This could be achieved by adding an additional bullet point:</p> <p><a href="#"><i>Recognising and providing for infrastructure.</i></a></p>                    | <p><b>Decline</b></p> <p>A number of submitters sought to have their areas of interests explicitly identified in the commentary on the <i>New Zealand Coastal Policy Statement</i>, in this case recognition and provision for infrastructure.</p> <p>The Council notes the commentary is deliberately high level and that infrastructure is already adequately covered under references to development. The Council suggests that the Plan objectives, policies and rules adequately recognise and provide for infrastructure.</p>  |
| Further submissions – Transpower (26)                                 |                  | Support  |  |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd                    | 61               | <p><b>Amend</b></p> <p>Submitter seeks amendment to Section 2.2 [<i>New Zealand Coastal Policy Statement</i>] of the Plan to specifically recognise and provide for infrastructure. This could be achieved by adding an additional bullet point:</p> <p><a href="#"><i>Recognising and providing for infrastructure.</i></a></p>             | <p><b>Decline</b></p> <p>The submitter wishes to extend the scope of Section 2.2 of the Plan to include infrastructure.</p> <p>A number of submitters sought to have their areas of interests explicitly identified in the commentary on the <i>New Zealand Coastal Policy Statement</i>, in this case recognition and provision for infrastructure.</p> <p>The Council notes the commentary is deliberately high level that infrastructure is already adequately covered under references to '<i>development</i>'. The Council suggests that the Plan objectives, policies and rules adequately recognise and provide for infrastructure.</p> |
| <b>Section 2.3 – Marine and Coastal Area (Takutai Moana) Act 2011</b> |                  |  |  |
| 41 – Te Korowai o Ngāruahine Trust                                    | 62               | <p><b>Amend</b></p> <p>Submitter seeks amendment to Section 2.3 [Marine and Coastal Area (Takutai Moana) Act 2011] of the Plan to note that the iwi of Taranaki have claims before the Crown for both customary marine title and protected customary right and explain to the community what these statutory acknowledgements will mean.</p> | <p><b>Accept</b></p> <p>The Council agrees to the relief sought and to amending Section 2.3 of the Plan to insert a new sentence that notes that the iwi of Taranaki have claims before the Crown for both customary marine title and protected customary right. Commentary preceding the insertion already explains to the community what these statutory acknowledgements will mean.</p>   |
| Further submissions – Te Atiawa (58)                                  |                  | Support  |  |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions  |
|---|------------------|--|---|
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd  | 63               | <b>Support</b>   | <b>Accept in part</b>   |
|   |                  | Retain Section 2.3 of the Plan as notified.  | The submitter's support is noted. However, the Council notes that in response to relief sought by another submitter, minor amendments have been made to Section 2.3 [ <i>Marine and Coastal Area (Takutai Moana) Act 2011</i> ] to further explain that the iwi of Taranaki have claims before the Crown for both customary marine title and protected customary rights.  |
| <b>Section 2.5 – Other legislation</b>              |                  |  |   |
| 43 – Royal Forest and Bird Protection Society       | 64               | <b>Amend</b>   | <b>Decline</b>  |
|   |                  | <p>Submitter considers it helpful to explain that other legislation applies in the coastal environment and to outline the relationship these have to the Plan. In particular, Submitter seeks amendment to Section 2.5 [Other legislation] of the Plan to:</p> <ul style="list-style-type: none"> <li>consider the legislation and Acts under Policy 5 of the <i>New Zealand Coastal Policy Statement</i></li> <li>recognise the relationship between the Plan and the Exclusive Economic Zone and how the Plan addresses, or not, the effects that extend beyond the coastal marine area or into the coastal marine area</li> <li>explain the relationship between this Plan and other Acts/legislation.</li> </ul> | <p>The Council declines the relief sought.</p> <p>Section 2.5 of the Plan already highlights the need for activities to ensure they comply with other relevant legislation, regulations and bylaws. The Council therefore does not believe it necessary to specify or detail the relationship these might have with the Plan. Such detail was not required for the <i>New Zealand Coastal Policy Statement</i> and nor is it required for regional plans.</p> <p>The Council further notes that the contents of the Proposed Plan are consistent with the matters set out in Section 67 [Content of regional plans] of the RMA. Given that the Government has just released the <i>National Planning Standards</i> which set out the structure, content and form for councils across New Zealand to adopt – some care must be necessarily had with adopting too much 'optional' content to avoid plans becoming verbose. In the drafting of the Plan, Council has deliberately limited introductory and background content and detail so as to focus on the matters that must be included in a Plan (objectives, policies and rules).</p> <p>The Council notes that, in the development of the Plan, full consideration has been given to other relevant statutes and regulations. However, the Council does not believe that it is necessary for the Plan to detail/explain the relationship between the Plan and other statutes. The list of legislation in Section 2.5 is not an exhaustive list. However, it is intended to contain the most relevant statutes that may apply to the coastal marine area and already identifies the <i>Conservation Act</i> which is identified in Policy 5 of the <i>New Zealand Coastal Policy Statement</i>.</p> |
| Further submissions– Trans-Tasman Resources Ltd (6) |                  | Oppose in part/neutral in part   |   |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions  |
|---|------------------|--|---|
| 58 – Te Atiawa  | 65               | <b>Amend</b>   | <b>Accept</b>   |
|   |                  | Submitter seeks amendment to Section 2.5 [Other legislation] of the Plan to include iwi settlement legislation – specifically, the <i>Te Atiawa Iwi Claims Settlement Act 2016</i> .     | The submitter believes that it may be useful for Plan users to know that the iwi of Taranaki have claims before the Crown for both customary marine title and protected customary right.<br><br>The Council agrees to amending Section 2 of the Plan to include a new sub section relating to iwi management plans and to expand the scope of Section 2.5 [Other legislation] to reference Treaty of Waitangi settlement legislation, including the <i>Te Atiawa Iwi Claims Settlement Act</i> as requested by the submitter.     |
| 60 – Te Kaahui o Rauru  | 66               | <b>Amend</b>   | <b>Accept</b>   |
|   |                  | Submitter seeks amendment to Section 2.5 [Other legislation] of the Plan to include iwi settlement legislation – specifically, the <i>Nгаа Rauru Kītahi Claims Settlement Act 2005</i> . | The submitter believes that it may be useful for Plan users to know that the iwi of Taranaki have claims before the Crown for both customary marine title and protected customary right.<br><br>The Council agrees to amending Section 2 of the Plan to include a new sub section relating to iwi management plans and to expand the scope of Section 2.5 [Other legislation] to reference Treaty of Waitangi settlement legislation, including the <i>Nгаа Rauru Kītahi Claims Settlement Act</i> as requested by the submitter. |
| <b>NEW Section 2.6 – Iwi environmental management plans</b>   |                  |  |   |
| 50 – Te Kāhui o Taranaki Trust  | 67               | <b>Amend</b>   | <b>Accept</b>   |
|   |                  | Submitter seeks amendment of the Plan to include a new Section addressing iwi environmental management plans.  | The Council agrees to granting the relief sought by the submitter by including a new section addressing iwi environmental management plans.   |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) |                  | Support  |   |



| Submitter   | Submission point | Submitter's requests  | Council's response and decisions   |
|---|------------------|---|--|
| <b>Section 3.1 – Taranaki coastal environment</b>   |                  |   |  |
| 6 – Trans-Tasman Resources Ltd  | 68               | <b>Support</b><br>Submitter supports Plan overview of the Taranaki coastal environment as it appropriately recognises that some activities require a coastal location and recognises that Taranaki is a mineral producing region to New Zealand.  | <b>Accept</b><br>Support noted.  |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61)  |                  | Oppose  |  |
| 7 – Waikato Regional Council  | 69               | <b>Amend</b><br>The submitter notes that a source of sediment along the Waikato – Taranaki coastline is Mount Taranaki. While the exact quantity of sediment that travels along this coast is unknown, both activities inside and outside of the coastal marine area may affect the supply of the sediment and have a corresponding effect on coastal erosion and seeks amendment to Section 3.1 (or Policy 2 or similar relief) of the Plan to acknowledge that activities outside of the coastal marine area can have an effect on the coastal marine area. | <b>No relief necessary</b><br>The Council does not believe it is necessary to make any amendments to Section 3.1 of the Plan to further highlight that activities outside of the coastal marine area can have effects on the coastal marine area. Such matters are already acknowledged in the commentary in Section 3.1 relating to integrated management and coastal water quality. The Council also notes that this issue is further addressed within Policy 2(aa) of the Plan. |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Korowai o Ngāruahine Trust (41), Te Atiawa (58), Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support   |  |
| 21 – Climate Justice Taranaki   | 70               | <b>Amend</b><br>Submitter seeks amendment to text on page 13 [Appropriate use and development] of the Plan to note central government's recent announcement that there will be no new offshore oil and gas exploration permits and it will be restricting new permits to only onshore Taranaki over the next three years.   | <b>Decline</b><br>The Council acknowledges that the current Government has recently changed its stance on offshore oil and gas permits. However, the Council considers that amending the Plan to follow suit is an unnecessary level of detail and could potentially become out dated and/or inaccurate should this Government or successive government's change their position.   |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61)  |                  | Support   |  |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
|--|------------------|---|---|
| 21 – Climate Justice Taranaki                              | 71               | <b>Amend</b>  | <b>Accept</b>   |
|  |                  | Submitter seeks amendment to page 15 [Coastal hazards] of the Plan to read:<br><i>[...] The risk of, or vulnerability to, coastal hazards <del>may</del> increase over time due to climate change and sea level rise.</i>   | The Council agrees to granting the relief sought by the submitter and amending the commentary to note that climate change and sea level rise are heightening the risk of coastal hazards.<br><br>This relief and other reliefs sought by submitters reads as follows:<br><i>The risk of, <u>and</u> vulnerability to, coastal hazards <u>will</u> increase over time, <u>for instance</u> due to climate change and sea level rise.</i>   |
| 26 – Transpower NZ Ltd                                     | 72               | <b>Amend</b>  | <b>Accept in part</b>   |
|  |                  | Submitter seeks amendment to text in Section 3.1 of the Plan on appropriate use and development to read:<br><i>Some activities rely upon a location in or near the coastal marine area, are dependent on the use of coastal resources, <u>or have technical, operational or locational constraints that mean they require a coastal marine area location.</u> Taranaki's coastal resources and developments play a crucial role in both the regional and national economy [...]</i> | The submitter seeks amendments to the commentary to make it clear within the Plan that there are also technical, locational and/or operational reasons why an activity requires a coastal location which are not based solely on the use of the coastal resource itself.<br><br>The Council agrees that there are a number of instances where the location of infrastructure or activities in the coastal marine area is appropriate taking into account technical, operational or locational requirements. The Council agrees to amending the relevant paragraph to refer to “functional need” and “operational need” and note that these terms are defined in the <i>National Planning Standards</i> and include locational considerations. |
|  |                  | Further submissions – Powerco (45), Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd (46)  | Support in part   |
| Further submissions – Fonterra (47)                        |                  | Support   |   |
| 40 – Te Rūnanga o Ngāti Mutunga                            | 73               | <b>Support</b>  | <b>No relief necessary</b>  |
|  |                  | Submitter supports the discussions on the coastal environment in Section 3.1 of the Plan and the aim to achieve integrated management of the coastal marine area (but are not convinced integrated management is reflected in the rules of the Plan).   | The Council notes the submitter's support.<br><br>In relation to the submitter's concerns that integrated management is not reflected in the rules, the Council notes that while the rules pertain only to the coastal marine area (as intended), all rules are subject to the General Policies which cover the wider coastal environment and standards, terms and conditions and/or matters of discretion seek to address integrated management issues where relevant.   |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support   |   |
| 41 – Te Korowai o Ngāruahine Trust                         | 74               | <b>Amend</b>  | <b>Accept</b>   |
|  |                  | Submitter seeks amendment to Section 3.1 of the Plan to broaden the information, including reference the tauranga waka landing sites and the statutory acknowledgements that iwi have over a number of rivers and tributaries and land  | The Council agrees to minor changes to Section 3.1 of the Plan as requested by the submitter to include tauranga waka landing sites and also to recognise rivers  |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
|--|------------------|---|---|
|  |                  | areas within the coastal marine area environment, to promote readers' awareness and knowledge about the depth of relationship that Māori have with the coast.   | and tributaries and land areas identified in Appendix 2 [Statutory acknowledgements].   |
| Further submissions – Te Atiawa (58), Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support   | The amended section reads as follows:<br><i>Wāhi tapu, sites, or places of cultural significance, <a href="#">including tauranga waka landing sites</a>, taonga, and customary resources, are integral to the identity, well-being and cultural integrity of tangata whenua [...]</i><br><i>It is important that the relationship of tangata whenua with the coastal environment is recognised and provided for (refer 5 below). <a href="#">That includes rivers and tributaries and land areas identified in Appendix 2 [Statutory acknowledgements] that lie landward of the coastal marine area boundary.</a></i>   |
| 43 – Royal Forest and Bird Protection Society                              | 75               | <b>Amend</b><br>Submitter seeks amendment to Section 3.1 of the Plan by: <ul style="list-style-type: none"> <li>amending the third paragraph to recognise existing pressures on the coastal environment, including from beyond the coastal marine area, and that low current demand does not mean management of effects can be relaxed</li> <li>amending the text under “Integrated management” to recognise: the effects of subdivision, use and development on land in the coastal environment on the coastal marine area; that demand for activities in this area is high; the need to provide for migration of coastal habitat landward as a result of climate change.</li> </ul> | <b>Accept in part</b><br>Of note, proposals in this Plan represent an overall increase in the level of protection for coastal uses and values. As noted in previous requests for added commentary or background information, the Council agrees that background information, including Section 3.1 which provides an overview of the Taranaki coastal environment, be kept at a high level.<br>Notwithstanding the above, the Council agrees to minor amendments to Section 3.1 that partially address the reliefs sought by the submitter. It is proposed that the third paragraph of Section 3.1 be amended to include a new sentence that reads as follows:<br><i><a href="#">Notwithstanding generally low use and development, it remains important that adverse effects of use and development continue to be avoided, remedied or mitigated and that, as far as is practicable, take into account the wider coastal environment.</a></i> |
| Further submissions – Trans-Tasman Resources Ltd                           |                  | Oppose  |   |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61)                 |                  | Support   | Other consequential changes are proposed in the commentary under integrated management to also recognise that demand for activities and the effects of subdivision, use and development on land in the coastal environment can be high. However, the Council does not agree to the commentary being expanded to discuss the specifics of providing for the migration of coastal habitats landward due to climate change.  |

| Submitter                                     | Submission point | Submitter's requests  | Council's response and decisions  |
|---|------------------|---|---|
| 43 – Royal Forest and Bird Protection Society | 76               | <b>Amend</b>  | <b>Accept in part</b>   |
|   |                  | Submitter seeks further amendment to Section 3.1 of the Plan by deleting the text under “ <i>Appropriate use and development</i> ”. Alternatively amend to address as per submitters previous comments made on this matter.   | The submitter suggests that it is not appropriate to consider activities as “ <i>appropriate use and development</i> ” on the basis of the benefits of the activities. The Council agrees noting that the commentary does not get into the specifics of what is appropriate or not. Such determinations can only be made in reference to the Plan policies. Accordingly, the Council agrees to amending the heading to “ <i>Use and development</i> ” to more accurately reflect this section’s content. However, the Council does not agree to deleting the text itself. |
| Further submissions – Transpower (26)         |                  | Oppose  |   |
| 43 – Royal Forest and Bird Protection Society | 77               | <b>Amend</b>  | <b>Accept in part</b>   |
|   |                  | Submitter seeks further amendment to Section 3.1 of the Plan by amending the text under “ <i>Natural and historic heritage</i> ” to include “intrinsic” in the list of values (in the first paragraph) and to specify that natural heritage captures the characteristics and values in Policies 11, 13 and 15 of the <i>New Zealand Coastal Policy Statement</i> (or use wording consistent with those policies). | The Council agrees to amending Section 3.1 of the Plan to include “ <i>intrinsic</i> ” in the list of values (in the first paragraph) under “ <i>Natural and historic heritage</i> ”. However, the Council does not believe it is necessary to specify that natural heritage captures the characteristics and values in Policies 11, 13 and 15 of the <i>New Zealand Coastal Policy Statement</i> .   |

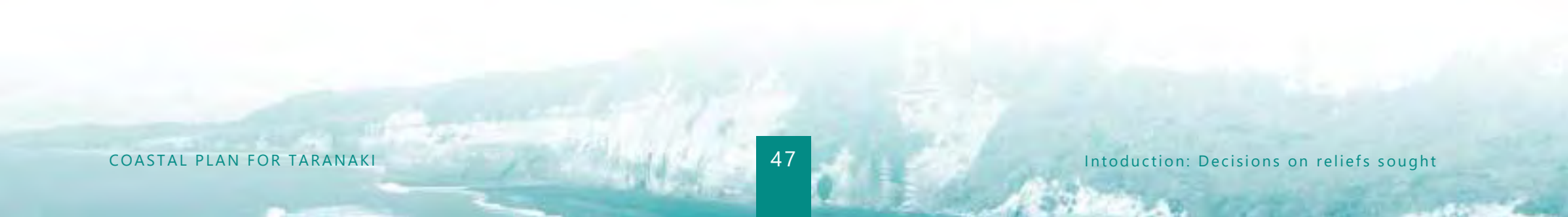
| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
|--|------------------|---|---|
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd | 78               | <p><b>Amend</b></p> <p>Submitter seeks amendment to the coastal hazards commentary in Section 3.1 of the Plan to read:</p> <p><i>The coastal environment is at high risk of coastal hazards <del>area</del>. Risks include tornados, coastal erosion, tsunami, storm surges, and cliff rock falls and slumps. The risk of, <del>or</del> and vulnerability to, coastal hazards may increase over time, <u>for instance</u> due to climate change and sea level rise.</i></p> <p><i>Although most natural processes that cause coastal hazards originate at sea, the major effects of these processes are nearly always felt on land. The Taranaki coastline is continually influenced by the natural forces of wind and waves. This, coupled with soft geology found in some localities around the coastline, means that the most significant coastal hazard in Taranaki is coastal erosion. Although coastal erosion and other hazards are generally a natural phenomenon, human activity in the coastal marine area may influence the susceptibility of people, property and the environment to loss or damage on account of coastal hazards. <u>It is important that use and development of the coastal marine area does not increase coastal hazard risk to people or property to unacceptable levels.</u></i></p> <p><i>Similarly, activities in the coastal marine area may also impact on the health or safety of people or property, including aircraft or navigational safety. It is important that <u>these activities do not use and development of the coastal marine area does not increase coastal hazard risk or</u> pose a threat to the health and safety of people or property (refer 7 below).</i></p> | <p><b>Accept</b></p> <p>The Council agrees to granting the relief sought in addition to the reliefs sought by other submitters. The amended section reads as follows:</p> <p><i>The coastal environment is at high risk of coastal hazards. Risks include tornados, coastal erosion, tsunami, storm surges, and cliff rock falls and slumps. The risk of, <u>and</u> vulnerability to, coastal hazards <u>will</u> increase over time, <u>for instance</u> due to climate change and sea level rise.</i></p> <p><i>Although most natural processes that cause coastal hazards originate at sea, the major effects of these processes are nearly always felt on land. The Taranaki coastline is continually influenced by the natural forces of wind and waves. This, coupled with the soft geology found in some localities around the coastline, means that the most significant coastal hazard in Taranaki is coastal erosion. Although coastal erosion and other hazards are generally a natural phenomenon, human activity in the coastal marine area may influence the susceptibility of people, property and the environment to loss or damage on account of coastal hazards. <u>It is important that use and development of the coastal marine area does not increase coastal hazard risk to people or property to unacceptable levels.</u></i></p> <p><i>Similarly, activities in the coastal marine area may also impact on the health or safety of people or property, including aircraft or navigational safety. It is important that <u>these activities do not</u> pose a threat to the health and safety of people or property (refer 7 below).</i></p> |
| Further submissions – Taranaki Energy Watch (51)   |                  | Oppose in part  |   |
| 58 – Te Atiawa                                     | 79               | <p><b>Support</b></p> <p>Submitter notes support for the discussion on the coastal environment which includes integrated management, coastal water quality, appropriate use and development, natural and historic heritage, tangata whenua values and relationships, public amenity and enjoyment and coastal hazards.</p>  | <p><b>Accept</b></p> <p>Support noted.</p>  |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
|--|------------------|--|---|
| <b>Section 3.2 – Managing the Taranaki coastal environment</b> |                  |  |   |
| 6 – Trans-Tasman Resources Ltd                                 | 80               | <b>Support</b><br>Retain objectives, policies, rules and methods that recognise and provide for appropriate use and development of natural resources (which under the RMA includes minerals) within the coastal environment.   | <b>Accept</b><br>Support noted.   |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61)     |                  | Oppose   |   |
| 26 – Transpower NZ   | 81               | <b>Support</b><br>Retain matters identified in Section 3.2 of the Plan to be addressed by Plan objectives, policies, rules and methods.  | <b>Accept</b><br>Support noted.   |
| 40 – Te Rūnanga o Ngāti Mutunga                                | 82               | <b>Amend</b><br>Submitter notes concerns that public access is not always appropriate, in this case, for cultural and ecological reasons. Submitter seeks amendment to point 6 in Section 3.2 [Matters to be addressed] of the Plan to read:<br><i>6. Ensuring people can continue to access, use and enjoy the Taranaki coast where cultural and ecological values are not adversely impacted upon.</i> | <b>Accept kind</b><br>The Council agrees that there are instances where coastal public access is not appropriate in addition to those mentioned by the submitter (e.g. ecological or public health and safety). Instances where coastal public access is not appropriate are detailed later in Policy 17. The Council therefore agrees to minor amendments to bullet point 6 to read:<br><i>6. Ensuring people can continue to access, use and enjoy the Taranaki coast, where and when it is appropriate to do so.</i> |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61)     |                  | Support  |   |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd             | 83               | <b>Amend</b><br>Submitter supports Section 3.2 [Matters to be addressed] of the Plan subject to amending bullet point 7 to read:<br><i>7. Ensuring use and development of the coastal marine area does not increase coastal hazard risk to unacceptable levels or pose a threat to the health and safety of people and property.</i>   | <b>Accept</b><br>The Council agrees to granting the relief sought by the submitter.   |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61)     |                  | Oppose   |   |



| Submitter   | Submission point | Submitter's requests   | Council's response and decisions  |
|---|------------------|--|---|
| 57 – Heritage New Zealand   | 84               | <p><b>Amend</b></p> <p>The submitter requests that Section 3.2 [Matters to be addressed] bullet point 5 be amended to refer to all “Māori” in place of “tangata whenua” to follow similar wording within the RMA. The submitter suggests that iwi/hapū that no longer hold mana whenua can still have important relationships with an area, although they no longer have mana whenua, and such situations need to be provided for within this objective.</p> <p>Submitter seeks amendment to bullet point 5 in Section 3.2 [Matters to be addressed] of the Plan to read:</p> <p><i>5. Ensuring the relationship of <del>Māori tangata whenua, including their traditions and cultural values</del> and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga are recognised and provided for in the management of Taranaki’s coastal environment.</i></p> | <p><b>Accept</b></p> <p>The Council agrees to granting the relief sought by the submitter to refer more generically to Māori, in place of tangata whenua. The Council notes support from iwi in further submissions. The amended provision reads as follows:</p> <p><i>5 Ensuring the relationship of <u>Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga</u> are recognised and provided for in the management of Taranaki’s coastal environment.</i></p> |
| Further submissions - Te Korowai o Ngāruahine Trust (41), Te Kotahitanga o Te Atiawa Trust (58) |                  | Support  |   |
| 58 - Te Atiawa  | 85               | <p><b>Amend</b></p> <p>Submitter supports how the Council intends to manage the Taranaki coastal environment as outlined in Section 3.2 of the Plan, however, the submitter’s concerns are that public access will not always be appropriate, in this case, for cultural reasons and requests amending bullet point 6 to read:</p> <p><i>6. Ensuring people can continue to access, use and enjoy the Taranaki Coast <u>where cultural values are not adversely impacted upon.</u></i></p>   | <p><b>Grant in kind</b></p> <p>There are other circumstances, where coastal public access is not appropriate (e.g. ecological or public health and safety). Instances where coastal public access is not appropriate are detailed later in Policy 17. The Council therefore agrees to minor amendments to bullet point 6 to read:</p> <p><i>6. Ensuring people can continue to access, use and enjoy the Taranaki coast, <u>where and when it is appropriate to do so.</u></i></p>                                      |
| Further submissions – Te Korowai o Ngāruahine Trust (41), Te Rūnanga o Ngāti Ruanui Trust (61)  |                  | Support  |   |

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## 4.3 Objectives

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
|--|------------------|---|---|
| <b>Objective 1 – Integrated management</b>                 |                  |   |   |
| 2 – Federated Farmers                                      | 86               | <b>Support</b>  | <b>Accept</b>   |
|  |                  | Submitter supports Objective 1 of the Plan as notified.   | Objective 1 is retained subject to the minor amendment in response to Submitter (20) below.   |
| 6 – Trans-Tasman Resources Ltd                             | 87               | <b>Support</b>  | <b>Accept</b>   |
|  |                  | Submitter supports Objective 1 of the Plan as notified.   | Objective 1 is retained subject to the minor amendment in response to Submitter (20) below.   |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Oppose  |   |
| 19 – South Taranaki District Council                       | 88               | <b>Amend</b>  | <b>Decline</b>  |
|  |                  | Submitter seeks amendment of Objective 1 of the Plan to add reference to working cooperatively with the territorial local authorities and iwi of the region.  | The relief sought by the submitter introduces an unnecessary level of specificity to the Plan objectives and risks excluding other elements of integrated management that are addressed later on in the policies and methods. The Council suggests it is more appropriate to provide this level of detail in the policies and methods that follow. Of particular note, the detail sought by the submitter is already included in Policy 2(g) of the Plan, which refers to working cooperatively with territorial authorities and tangata whenua (and others) and supporting methods of implementation.  |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support   |   |
| 20 – Meridian Energy Limited                               | 89               | <b>Amend</b>  | <b>Accept</b>   |
|  |                  | Submitter seeks amendment of Objective 1 of the Plan to read:<br><i>Management of the coastal environment, including the effects of <u>subdivision</u>, use and development on land, air and fresh water, is carried out in an integrated manner.</i> | The Council notes that subdivision falls outside the statutory functions of regional councils and is instead the responsibility of district and unitary councils pursuant to Section 31 of the RMA. However, in this instance the objective relates to integrated management which may include activities regulated by other parties. The Council therefore agrees that subdivision be referenced in the objective.<br><br>In addition to the relief suggested above, the Council also agrees to making consequential amendments to Policy 2 [Integrated management] clause (g) to recognise subdivision alongside use and development in areas beyond the coastal marine area. A new definition for “ <i>subdivision</i> ” is also agreed. |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
|--|------------------|---|--|
| 35 – Radio New Zealand Ltd                                 | 90               | <b>Support</b>  | <b>Accept</b>  |
|  |                  | Retain Objective 1 of the Plan as notified.   | Objective 1 is retained subject to the minor amendment in response to Submitter (20) above.  |
| 43 – Royal Forest and Bird Protection Society              | 91               | <b>Amend</b>  | <b>Accept in part</b>  |
|  |                  | Submitter seeks amendment of Objective 1 of the Plan to read:<br><i>Management of the coastal environment, including the effects of <u>subdivision</u>, use and development on land, air and fresh water, is carried out in an integrated manner, <u>including between regional and district council functions</u>.</i> | The Council notes that subdivision falls outside the statutory functions of regional councils and is instead the responsibility of district and unitary councils pursuant to Section 31 of the RMA. However, in this instance the objective relates to integrated management which may include activities regulated by other parties. The Council therefore agrees that subdivision be referenced in the objective.  |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support   | In addition to the relief suggested above, the Council also agrees to making consequential amendments to Policy 2 [Integrated management] clause (g) to recognise subdivision alongside use and development in areas beyond the coastal marine area. A new definition for “ <i>subdivision</i> ” is also granted.<br><br>In terms of suggested amendments to highlight integrated management between regional and district functions, the Council suggest it would be more appropriate to provide this level of detail in the policies and methods that follow. Of note, the detail sought by the submitter is already included in Policy 2(g) of the Plan, which refers to working cooperatively with territorial authorities (and others) and supporting methods of implementation. However, the Department of Conservation and many other agencies also have an important statutory role to play. |
| 45 – Powerco   | 92               | <b>Support</b>  | <b>Accept</b>  |
|  |                  | Retain Objective 1 of the Plan as notified.   | Objective 1 is retained subject to the minor amendment in response to Submitter (20) above.  |
| Further submissions – Port Taranaki Ltd (32)               |                  | Support   |  |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd         | 93               | <b>Support</b>  | <b>Accept</b>  |
|  |                  | Retain Objective 1 of the Plan as notified.   | Objective 1 is retained subject to the minor amendment in response to Submitter (20) above.  |
| 47 – Fonterra  | 94               | <b>Support</b>  | <b>Accept</b>  |
|  |                  | Retain Objective 1 of the Plan as notified.   | Objective 1 is retained subject to the minor amendment in response to Submitter (20) above.  |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
|--|------------------|--|--|
| <b>Objective 2 – Appropriate use and development</b> |                  |  |  |
| 2 – Federated Farmers                                | 95               | <b>Support</b>   | <b>Accept</b>  |
|  |                  | Retain Objective 2 of the Plan as notified.  | Objective 2 is retained subject to minor amendments as requested by other submitters.  |
| 6 – Trans-Tasman Resources Ltd                       | 96               | <b>Support</b>   | <b>Accept</b>  |
|  |                  | Retain Objective 2 of the Plan as notified.  | Objective 2 is retained subject to minor amendments as requested by other submitters.  |
| 12 – Chorus New Zealand Limited                      | 97               | <b>Support</b>   | <b>Accept</b>  |
|  |                  | Retain Objective 2 of the Plan as notified.  | Objective 2 is retained subject to minor amendments as requested by other submitters.  |
| 13 – Spark New Zealand Trading Limited               | 98               | <b>Support</b>   | <b>Accept</b>  |
|  |                  | Retain Objective 2 of the Plan as notified.  | Objective 2 is retained subject to minor amendments as requested by other submitters.  |
| 14 – Vodafone New Zealand Limited                    | 99               | <b>Support</b>   | <b>Accept</b>  |
|  |                  | Retain Objective 2 of the Plan as notified.  | Objective 2 is retained subject to minor amendments as requested by other submitters.  |
| 25 – New Zealand Petroleum and Minerals              | 100              | <b>Support</b>   | <b>Accept</b>  |
|  |                  | Retain Objective 2 of the Plan as notified.  | Objective 2 is retained subject to minor amendments as requested by other submitters.  |
| 26 – Transpower NZ Ltd                               | 101              | <b>Amend</b>   | <b>Grant in kind</b>   |
|  |                  | Submitter seeks amendment of Objective 2 of the Plan to read:<br><i>Natural and physical resources of the coastal environment are used efficiently, and activities that depend on the use and development of these resources, <u>or have technical, operational and/or locational requirements</u>, are provided for in appropriate locations.</i> | The Council agrees to amending Objective 2, and granting the relief sought in kind, by adopting slightly different language to that suggested by the submitter in order to maintain consistency with other areas of the Plan referring to functional need and operational need. The Council considers all matters requested by the |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions  |
|---|------------------|---|---|
| Further submissions – Powerco (45), Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd (46)                    |                  | Support in part   | submitter (technical and locational requirements) to be provided within the definitions of these terms.<br>The amended Objective reads as as follows:   |
| Further submissions – Fonterra (47)   |                  | Support   | <i>Natural and physical resources of the coastal environment are used efficiently, and activities <b>that have a functional need or an operational need</b>, that depend on the use and development of these resources, are provided for in appropriate locations.</i>  |
| 27 – Taranaki Chamber of Commerce   | 102              | <b>Support</b><br>Retain Objective 2 of the Plan as notified.   | <b>Accept</b><br>Objective 2 is retained subject to minor amendments as requested by other submitters.  |
| 32 – Port Taranaki  | 103              | <b>Amend</b><br>Submitter seeks amendment of Objective 2 of the Plan (or add new objective) to specifically address provision for ongoing development of strategically significant regional and national infrastructure, including Port Taranaki.   | <b>Accept</b><br>The Council agrees to amending Objective 2 to grant this and other related reliefs sought by the submitter.<br>The amended Objective reads as as follows:  |
| Further submissions – Powerco (45), Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd (46)                    |                  | Support in part   | <i>Natural and physical resources of the coastal environment are used efficiently, and activities <b>that have a functional need or an operational need</b>, that depend on the use and development of these resources, are provided for in appropriate locations.</i>  |
| 33 - New Zealand Defence Force  | 104              | <b>Support</b><br>Retain Objective 2 of the Plan as notified.   | <b>Accept</b><br>Objective 2 is retained subject to minor amendments as requested by other submitters.  |
| 43 – Royal Forest and Bird Protection Society   | 105              | <b>Amend</b><br>Submitter seeks amendment to Objective 2 of the Plan to read:<br><i>Objective 2: <b>Appropriate Efficient</b> use and development<br/>Natural and physical resources of the coastal environment are used efficiently, <del>and activities that depend on the use and development of these resources, are provided for in appropriate locations.</del></i> | <b>Grant in kind</b><br>The Council notes that relief sought by the submitter confines the focus of the objective to “efficient” use and development. As a result many activities that might otherwise have been considered appropriate would no longer be recognised and provided for if the efficiency criterion only is applied. In so doing this might mean that many activities that contribute to the social, economic and cultural well-being of people and communities could be unnecessarily restricted. |
| Further submissions – Trans-Tasman Resources Ltd (6), Transpower (26), Te Korowai o Ngaruahine Trust (41) |                  | Oppose  | The Council further suggests that the proposed relief would derogate from the <i>New Zealand Coastal Policy Statement</i> – particularly Objective 6 [Use and development] and Policies 6 [Activities in the coastal environment] and 9 [Ports], which generally recognise and provide for activities in the coastal environment.   |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions  |
|---|------------------|---|---|
|   |                  |   | The Council agrees to an alternative relief by amending the title of the objective to refer only to "Use and development".  |
| 45 – Powerco  | 106              | <b>Support</b>  | <b>Accept</b>   |
|   |                  | Retain Objective 2 of the Plan as notified.   | Support noted. Objective 2 is retained subject to minor amendments as requested by other submitters.  |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd  | 107              | <b>Support</b>  | <b>Accept</b>   |
|   |                  | Retain Objective 2 of the Plan as notified.   | Support noted. Objective 2 is retained subject to minor amendments as requested by other submitters.  |
| 47 – Fonterra   | 108              | <b>Amend</b>  | <b>Decline</b>  |
|   |                  | Submitter seeks amendment of Objective 2 of the Plan to read:<br><i>Natural and physical resources of the coastal environment are used efficiently, and activities, <u>including regionally important industry and infrastructure</u>, that depend on the use and development of these resources are provided for in appropriate locations.</i> | The Council declines the relief requested by the submitter and notes that regionally important infrastructure and industry is already adequately provided for within the Objective.<br><br>The Council notes that objectives are intentionally high level and considers that the amendment is unnecessarily specific and verbose. The Council notes that explicit recognition and provision for regionally important infrastructure and industries are provided for in the Plan policies. |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Korowai o Ngāruahine Trust (41) |                  | Oppose  |   |
| 59 - KiwiRail   | 109              | <b>Support</b>  | <b>Accept</b>   |
|   |                  | Retain Objective 2 of the Plan as notified.   | Support noted. Objective 2 is retained subject to minor amendments as requested by other submitters.  |
| <b>Objective 3 – Reverse sensitivity</b>  |                  |   |   |
| 2 – Federated Farmers   | 110              | <b>Support</b>  | <b>Accept</b>   |
|   |                  | Retain Objective 3 of the Plan as notified.   | Support noted. Objective 3 is retained subject to minor amendments as requested by other submitters.  |
| 12 – Chorus New Zealand Limited   | 111              | <b>Support</b>  | <b>Accept</b>   |
|   |                  | Retain Objective 3 of the Plan as notified.   | Support noted. Objective 3 is retained subject to minor amendments as requested by other submitters.  |

| Submitter                              | Submission point | Submitter's requests  | Council's response and decisions   |
|--|------------------|---|--|
| 13 – Spark New Zealand Trading Limited | 112              | <b>Support</b>  | <b>Accept</b>  |
|  |                  | Retain Objective 3 of the Plan as notified.   | Support noted. Objective 3 is retained subject to minor amendments as requested by other submitters.   |
| 14 – Vodafone New Zealand Limited      | 113              | <b>Support</b>  | <b>Accept</b>  |
|  |                  | Retain Objective 3 of the Plan as notified.   | Support noted. Objective 3 is retained subject to minor amendments as requested by other submitters.   |
| 20 – Meridian Energy Limited           | 114              | <b>Amend</b>  | <b>Accept</b>  |
|  |                  | Submitter seeks amendment to Objective 3 of the Plan to read:<br><i>The use and ongoing operation of nationally and regionally important infrastructure and other existing lawfully established activities is protected from new or inappropriate <u>subdivision</u>, use and development in the coastal environment</i>  | The Council notes that subdivision falls outside the statutory functions of regional councils and is instead the responsibility of district and unitary councils pursuant to Section 31 of the RMA. However, activities occurring within the CMA and regulated by the Council may be adversely impacted by subdivision, use and development outside the CMA and regulated by other parties. The Council therefore agrees with the submitter that subdivision should be referenced in the objective. A new definition for “ <i>subdivision</i> ” is also granted. |
| 23 – New Plymouth District Council     | 115              | <b>Support</b>  | <b>Accept</b>  |
|  |                  | Retain Objective 3 of the Plan as notified.   | Support noted. Objective 3 is retained subject to minor amendments as requested by other submitters.   |
| 26 – Transpower NZ Ltd                 | 116              | <b>Amend</b>  | <b>Accept</b>  |
|  |                  | Submitter supports Objective 3 of the Plan but seeks amendment of the title to read:<br><i>Objective 3 <del>Reverse-sensitivity</del> <u>Impacts on established operations and activities</u></i><br>The submitter contends that the relief sought would help to clarify the intent of the objective and is a more user friendly variant providing more direction for Plan users. | The Council agrees to granting the relief sought by amending the title of Objective 3 to read:<br><i><u>Impacts on established operations and activities.</u></i>  |
| 32 – Port Taranaki                     | 117              | <b>Support</b>  | <b>Accept</b>  |
|  |                  | Retain Objective 3 of the Plan as notified  | Support noted. Objective 3 is retained subject to minor amendments as requested by other submitters.   |



| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
|--|------------------|---|---|
| 33 - New Zealand Defence Force   | 118              | <b>Support</b>  | <b>Accept</b>   |
|  |                  | Retain Objective 3 of the Plan as notified.   | Support noted. Objective 3 is retained subject to minor amendments as requested by other submitters.  |
| 35 – Radio New Zealand Ltd   | 119              | <b>Support</b>  | <b>Accept</b>   |
|  |                  | Retain Objective 3 of the Plan as notified.   | Support noted. Objective 3 is retained subject to minor amendments as requested by other submitters.  |
| 43 – Royal Forest and Bird Protection Society  | 120              | <b>Amend</b>  | <b>Decline</b>  |
|  |                  | <p>The submitter believes that Objective 3 is in conflict with Policy 6(1)(e) of the <i>New Zealand Coastal Policy Statement</i> as it prioritises the protection of lawfully established activities over subsequent development, including new regionally significant infrastructure.</p> <p>Submitter seeks amendment of the Plan by deleting Objective 3:</p> <p><del><i>The use and ongoing operation of nationally and regionally important infrastructure and other existing lawfully established activities is protected from new or inappropriate use and development in the coastal environment.</i></del></p> | <p>The Council does not believe it is necessary or appropriate to delete Objective 3 noting that provision for new operations and activities in the coastal environment is already addressed in Objective 2 of the Plan.</p> <p>Objective 3 is viewed as upholding Policy 6(1) of the <i>New Zealand Coastal Policy Statement</i> as it provides protection for nationally and regionally important infrastructure. The objective also supports Policy 10 of the <i>National Policy Statement for Electricity Transmission</i> and the <i>National Environmental Standard for Telecommunication Facilities</i> which require the management of activities to avoid reverse sensitivity on the transmission and telecommunication networks.</p> <p>The Council further believes that it is appropriate and equitable that the Objective/Plan address the management of adverse effects on other lawfully established activities. The Council notes the wide level of support that has been indicated by other submitters for this Objective.</p> |
| Further submissions – Meridian Energy Ltd (20), Transpower NZ Ltd (26), New Zealand Defence Force (33), Radio New Zealand (35), Petroleum Exploration and Production Association of New Zealand (37) |                  | Oppose  |   |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61)   |                  | Support   |   |
| 45 – Powerco   | 121              | <b>Amend</b>  | <b>No relief required</b>   |
|  |                  | <p>Submitter seeks amendment to Objective 3 of the Plan to read:</p> <p><i>The use and ongoing operation, maintenance, and upgrading of nationally and regionally important infrastructure and other existing lawfully established activities is protected from new or inappropriate use and development in the coastal environment.</i></p>  | <p>The Council considers maintenance and upgrading to be already captured in the phrase “the use and ongoing operation” of nationally and regionally important infrastructure. The introduction of added terms is not only unnecessary but potentially confusing in that it terms such as upgrading are not used in Plan policies or rules relating to structures.</p>  |



| Submitter   | Submission point | Submitter's requests  | Council's response and decisions   |
|---|------------------|---|--|
| Further submissions – Meridian Energy Ltd (20)                                    |                  | Support in part   | <p><b>No relief required</b></p> <p>The Council considers maintenance and upgrading to be already captured in the phrase “<i>the use and ongoing operation</i>” of nationally and regionally important infrastructure. The introduction of added terms is not only unnecessary but potentially confusing in that the use of other terms such as “upgrading” are not used in Plan policies or rules.</p>  |
| Further submissions – Transpower (26)   |                  | Support   |  |
| Further submissions – Taranaki Energy Watch (51)                                  |                  | Oppose  |  |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd                                | 122              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Objective 3 of the Plan to read:<br/> <i>The use and ongoing operation, <u>maintenance, and upgrading</u> of nationally and regionally important infrastructure and other existing lawfully established activities is protected from new or inappropriate use and development in the coastal environment.</i></p> |  |
| Further submissions – Meridian Energy Ltd (20)                                    |                  | Support in part   |  |
| Further submissions – Department of Conservation (29), Taranaki Energy Watch (51) |                  | Oppose  |  |
| 47 – Fonterra   | 123              | <p><b>Support</b></p> <p>Retain Objective 3 of the Plan as notified.</p>  | <p><b>Accept</b></p> <p>Support noted. At the hearing, the submitter presented further on Objective 3 and noted that although amendments to Objective 3 are not opposed, a slight wording change is preferred to refer to the “proximity” to the infrastructure or activity. The Council consider this amendment adds clarity and captures the intent of the objective and agree to amending Objective 3 to read:<br/> <i>The use and ongoing operation of regionally important infrastructure and other existing lawfully established activities is protected from new <u>incompatible subdivision</u>, use and development <u>occurring in proximity to the infrastructure or activity</u> in the coastal environment.</i></p> |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions   |
|---|------------------|--|--|
| 59 - KiwiRail   | 124              | <b>Support</b>   | <b>Accept</b>  |
|   |                  | Retain Objective 3 of the Plan as notified.  | Support noted. Objective 3 is retained subject to minor amendments as requested by other submitters.   |
| <b>Objective 4 – Life-supporting capacity and mouri</b>   |                  |  |  |
| 43 – Royal Forest and Bird Protection Society   | 125              | <b>Support</b>   | <b>Accept</b>  |
|   |                  | Retain Objective 4 of the Plan as notified.  | Support noted. Objective 4 is retained.  |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd  | 126              | <b>Support</b>   | <b>Accept</b>  |
|   |                  | Retain Objective 4 of the Plan as notified.  | Support noted. Objective 4 is retained.  |
| <b>Objective 5 – Coastal water quality</b>  |                  |  |  |
| 29 – Department of Conservation   | 127              | <b>Amend</b>   | <b>Grant in kind</b>   |
|   |                  | To give effect to Policy 21 [Enhancement of water quality] of the <i>New Zealand Coastal Policy Statement</i> , the submitter seeks amendment to Objective 5 of the Plan to include provision for the restoration of water quality where appropriate.<br>Submitter seeks amendment to Objective 5 of the Plan to read:<br><i>Water quality in the coastal environment is maintained and enhanced <u>and where quality of water in the coastal environment has deteriorated, restore where practicable.</u></i> | For the purposes of increased certainty and clarity, the Council agrees to granting the relief sought in kind by amending the Objective in line with relief sought by other submitters.<br><br>The revised Objective reads as as follows:<br><i>Water quality in the coastal environment is maintained <u>where it is good, and enhanced where it is degraded.</u></i> |
|   |                  | Further submissions – Trans-Tasman Resources Ltd (6)   | Oppose   |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Korowai o Ngāruahine Trust (41), Te Atiawa (58), Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support  |  |
|   | 128              | <b>Amend</b>   | <b>Decline</b>   |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
|--|------------------|---|---|
| 43 – Royal Forest and Bird Protection Society                            |                  | Submitter supports Objective 5 of the Plan but seeks new Plan provisions to align with the <i>National Policy Statement for Freshwater Management</i> , including establishing numeric and descriptive water quality objectives/targets and setting standards for water bodies, and estuaries and sites at sea, in this Plan.   | <p>While a number of small consequential amendments are proposed to Plan provisions that may give effect to better alignment with the <i>National Policy Statement for Freshwater Management</i>, the Council considers the establishment and setting of numeric and descriptive water quality objectives/targets and setting standards for water bodies, and estuaries and sites at sea in the Plan unnecessary.</p> <p>Of note, Taranaki generally has good quality coastal water. This is primarily due to the relatively small number of major point source discharges to the coastal marine area but is also attributable to the nature of our very small and few estuaries, and the very turbulent, wild and open Tasman Sea. The setting of robust, scientifically validated nutrient and other limits for Taranaki coastal waters would be technically difficult and costly to link and justify with the maintenance and enhancement of specific coastal values and can be more effectively imposed through the consenting process associated with point source discharges.</p> |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd                       | 129              | <b>Support</b><br>Retain Objective 5 of the Plan as notified.   | <b>Accept</b><br>Support noted. Objective 5 is retained subject to minor amendments as requested by other submitters.   |
| Further submissions – Port Taranaki Ltd (32)                             | Support          |   |   |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61)               | Oppose           |   |   |
| 47 – Fonterra  | 130              | <b>Amend</b><br>The submitter does not consider it technically possible to both maintain and enhance water quality at the same time and seek amendments to direct the circumstances in which coastal water quality should be maintained or enhanced.<br>Submitter seeks amendment to Objective 5 of the Plan to read:<br><i>Water quality in the coastal environment is maintained <u>where it is good</u>, and enhanced <u>where it is degraded</u>.</i> | <b>Accept</b><br>For the purposes of increased certainty and clarity, the Council agrees to granting the relief sought.<br>The revised Objective would read as follows:<br><i>Water quality in the coastal environment is maintained <u>where it is good</u>, and enhanced <u>where it is degraded</u>.</i>   |
| Further submissions – Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) | Support          |   |   |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
|--|------------------|--|--|
| 48 – Taranaki District Health Board                        | 131              | <b>Support</b>   | <b>Accept</b><br><br>Support noted. Objective 5 is retained subject to minor amendments as requested by other submitters.  |
|  |                  | Retain Objective 5 of the Plan as notified.  |  |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Oppose   |  |
| 61 – Te Rūnanga o Ngāti Ruanui Trust                       | 132              | <b>Amend</b>   | <b>Grant in kind</b><br><br>The Council does not agree to granting the relief sought.<br><br>The Council notes that māuri has already been addressed in Objective 4, which relates to the life supporting capacity of coastal water, land and air. This is considered a more appropriate fit for māuri than Objective 5, which relates only to water quality (māuri is defined in the Regional Policy Statement as meaning essential life force or principle, a metaphysical quality inherent in all things, both animate and inanimate).<br><br>Water quality is likely to be only one component of māuri and excludes considerations such as the ecological functioning and health of the environment overall.<br><br>Following pre-hearing engagement, an alternative relief was identified. The Council agrees to amending the introduction to section 4 to highlight that objectives need to be read together, including the need to safeguard māuri values (as identified in Objective 5). |
|  |                  | Submitter seeks amendment to Objective 5 of the Plan to read:<br><i>Objective 5: Coastal water quality</i><br><i>Water quality <b>and mauri values</b> in the coastal environment is maintained and enhanced.</i>  |  |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40)      |                  | Support  |  |
| <b>Objective 6 – Natural character</b>                     |                  |  |  |
| 20 – Meridian Energy Limited                               | 133              | <b>Amend</b>   | <b>Accept in part</b><br><br>The Council agrees to amending Objective 6 so that it refers to subdivision. In addition of the relief suggested above, the Council will also make consequential amendments to Policy 8 [Areas of outstanding value] and including a new definition for “subdivision” in the definitions section of the Plan.<br><br>In relation to removing reference to “ <i>and is restored where appropriate</i> ”, the Council notes that restoration of natural character may be appropriate in some locations and that this approach is consistent with Policy 14 (a) [Restoration of natural character] of the <i>New Zealand Coastal Policy Statement</i> which requires the identification of areas and opportunities for restoration or rehabilitation of natural character.   |
|  |                  | Submitter seeks amendment to Objective 6 of the Plan to read:<br><i>The natural character of the coastal environment is preserved and protected from inappropriate <b>subdivision</b>, use and development <b>and is restored where appropriate</b>.</i> |  |

| Submitter                                      | Submission point | Submitter's requests  | Council's response and decisions  |
|--|------------------|---|---|
| 23 – New Plymouth District Council             | 134              | <b>Support</b><br>Retain Objective 6 of the Plan as notified.   | <b>Accept</b><br><br>Support noted. Objective 6 is retained subject to minor amendments as requested by other submitters.   |
| Further submissions – Meridian Energy Ltd (20) |                  | Support in part   |   |
| Further submissions – Port Taranaki Ltd (32)   |                  | Support   |   |
| 29 – Department of Conservation                | 135              | <b>Support</b><br>Retain Objective 6 of the Plan as notified.   | <b>Accept</b><br><br>Support noted. Objective 6 is retained subject to minor amendments as requested by other submitters.   |
| 26 – Transpower NZ Ltd                         | 136              | <b>Support</b><br>Retain Objective 6 of the Plan as notified.   | <b>Accept</b><br><br>Support noted. Objective 6 is retained subject to minor amendments as requested by other submitters.   |
| 43 – Royal Forest and Bird Protection Society  | 137              | <b>Amend</b><br>Submitter seeks amendment to Objective 6 of the Plan to read:<br><i>The natural character of the coastal environment is preserved and protected from inappropriate <u>subdivision</u>, use and development and is restored where <del>appropriate</del> degraded.</i> | <b>Accept in part</b><br><br>The Council agrees to amending Objective 6 so that it refers to subdivision as requested by the submitter.<br>A new definition for “subdivision” is also agreed.<br>In relation to replacing reference to “appropriate” with “degraded” the Council declines the relief sought noting that restoration of natural character may be appropriate in some locations where natural character has become degraded but not necessarily all locations. The Council notes that this approach is consistent with Policy 14 (a) [Restoration of natural character] of the <i>New Zealand Coastal Policy Statement</i> which requires the identification of areas and opportunities for restoration or rehabilitation of natural character. |
| Further submissions – Federated Farmers (2)    |                  | Oppose  |   |
| Further submissions – Meridian Energy Ltd (20) |                  | Support in part   |   |
| Further submissions – Transpower NZ Ltd (26)   |                  | Oppose in part  |   |
| 45 – Powerco                                   | 138              | <b>Support</b><br>Retain Objective 6 of the Plan as notified.   | <b>Accept</b><br><br>Support noted. Objective 6 is retained subject to minor amendments as requested by other submitters.   |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
|--|------------------|---|---|
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd   | 139              | <b>Support</b>  | <b>Accept</b>   |
|  |                  | Retain Objective 6 of the Plan as notified.   | Support noted. Objective 6 is retained subject to minor amendments as requested by other submitters.  |
| 47 – Fonterra  | 140              | <b>Support</b>  | <b>Accept</b>   |
|  |                  | Retain Objective 6 of the Plan as notified.   | Support noted. Objective 6 is retained subject to minor amendments as requested by other submitters.  |
| 59 - KiwiRail  | 141              | <b>Support</b>  | <b>Accept</b>   |
|  |                  | Retain Objective 6 of the Plan as notified.   | Support noted. Objective 6 is retained subject to minor amendments as requested by other submitters.  |
| <b>Objective 7 – Natural features and landscapes</b> |                  |   |   |
| 20 – Meridian Energy Limited                         | 142              | <b>Amend</b>  | <b>Accept</b>   |
|  |                  | Submitter seeks amendment to Objective 7 of the Plan to read:<br><i>The natural features and landscapes of the coastal environment are protected from inappropriate <u>subdivision</u>, use and development.</i>  | The Council agrees to amending Objective 7 so that it refers to subdivision alongside use and development.<br>A new definition for “ <i>subdivision</i> ” is also agreed. |
| 23 – New Plymouth District Council                   | 143              | <b>Support</b>  | <b>Accept</b>   |
|  |                  | Retain Objective 7 of the Plan as notified.   | Support noted. Objective 7 is retained subject to minor amendments as requested by other submitters.  |
| 26 – Transpower NZ Ltd                               | 144              | <b>Support</b>  | <b>Accept</b>   |
|  |                  | Retain Objective 7 of the Plan as notified.   | Support noted. Objective 7 is retained subject to minor amendments as requested by other submitters.  |
| 43 – Royal Forest and Bird Protection Society        | 145              | <b>Amend</b>  | <b>Accept</b>   |
|  |                  | Submitter seeks amendment to Objective 7 of the Plan to read:<br><i>The natural features and landscapes of the coastal environment is preserved and protected from inappropriate <u>subdivision</u>, use and development and is restored where <u>appropriate degraded</u>.</i> | The Council agree to amending Objective 7 so that it refers to subdivision alongside use and development.<br>A new definition for “ <i>subdivision</i> ” is also agreed.  |



| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
|--|------------------|--|--|
| 45 – Powerco                                       | 146              | <b>Support</b>   | <b>Accept</b>  |
|  |                  | Retain Objective 7 of the Plan as notified.  | Support noted. Objective 7 is retained subject to minor amendments as requested by other submitters.   |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd | 147              | <b>Support</b>   | <b>Accept</b>  |
|  |                  | Retain Objective 7 of the Plan as notified.  | Support noted. Objective 7 is retained subject to minor amendments as requested by other submitters.   |
| 47 – Fonterra                                      | 148              | <b>Support</b>   | <b>Accept</b>  |
|  |                  | Retain Objective 7 of the Plan as notified.  | Support noted. Objective 7 is retained subject to minor amendments as requested by other submitters.   |
| <b>Objective 8 – Indigenous biodiversity</b>       |                  |  |  |
| 23 – New Plymouth District Council                 | 149              | <b>Support</b>   | <b>Accept</b>  |
|  |                  | Retain Objective 8 of the Plan as notified.  | Support noted. Objective 8 is retained as notified.  |
| Further submissions – Port Taranaki Ltd (32)       |                  | Support  |  |
| 43 – Royal Forest and Bird Protection Society      | 150              | <b>Amend</b>   | <b>Decline</b>   |
|  |                  | Submitter seeks amendment to Objective 8 of the Plan to read:<br><i>[...] <u>protect indigenous biodiversity in the coastal environment.</u></i> | Objective 8 has two aspects. The first part of the Objective relates to all indigenous biodiversity in the coastal environment being “maintained and enhanced”, while the second part of the Objective relates to the protection of some aspects of biodiversity, i.e. significant indigenous biodiversity.<br><br>The Council does not believe it appropriate or necessary to ‘protect’ all aspects of indigenous biodiversity from the adverse effects of activities. The Section 5 purpose [Sustainable management] of the RMA involves use and development as well as protection. Not all aspects of indigenous biodiversity necessarily must be protected.<br><br>‘Protecting’ all indigenous biodiversity rather than “ <i>maintaining and enhancing</i> ” would be overly prescriptive. Of note the Objective already seeks to protect “significant indigenous biodiversity”, which is directly aligned with Policy 11 of the <i>New Zealand Coastal Policy Statement</i> . |
| Further submissions – Te Atiawa (58)               |                  | Support  |  |



| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
|--|------------------|--|---|
| 45 – Powerco                                       | 151              | <p><b>Amend</b></p> <p>Submitter seeks that Objective 8 of the Plan (and corresponding policies and rules) provide appropriately for the operation, maintenance and upgrade of existing regionally important infrastructure.</p> | <p><b>No relief necessary</b></p> <p>No precise details of amendments sought to Objective 8 have been provided. However, the Council notes that Section 4 of the Plan provides a suite of objectives that together provide for a broad range of values and uses, including nationally and regionally important infrastructure.</p> <p>Objectives relating to regionally important infrastructure are separately addressed in Objectives 2 and 3 of the Plan. In determining the weighing or priority given to particular values the Plan policies also apply. The Council does not believe any amendments to Objective 8 are therefore necessary.</p> <p>Notwithstanding the above, in response to reliefs sought elsewhere by the submitter (and others), consequential amendments have been made in other Plan provisions that further recognise and provide for the operation, maintenance and alteration (upgrade) of existing regionally important infrastructure.</p> |
| Further submissions – Transpower NZ (26)           |                  | Support  |   |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd | 153              | <p><b>Amend</b></p> <p>Seek that Objective 8 (and corresponding policies and rules) provide appropriately for the operation, maintenance and upgrade of existing regionally important infrastructure.</p>                        | <p><b>No relief necessary</b></p> <p>No precise details of amendments sought to Objective 8 have been provided. However, the Council notes that Section 4 of the Plan provides a suite of objectives that together provide for a broad range of values and uses, including nationally and regionally important infrastructure.</p> <p>Objectives relating to regionally important infrastructure are separately addressed in Objectives 2 and 3 of the Plan. In determining the weighing or priority given to particular values the Plan policies also apply. The Council do not believe any amendments to Objective 8 are therefore necessary.</p> <p>Notwithstanding the above, in response to reliefs sought elsewhere by the submitter (and others), consequential amendments have been made in other Plan provisions that further recognise and provide for the operation, maintenance and alteration (upgrade) of existing regionally important infrastructure.</p>   |
| Further submissions – Federated Farmers (2)        |                  | Support  |   |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
|--|------------------|--|--|
| <b>Objective 9 – Relationship of tangata whenua with the coastal environment</b> |                  |  |  |
| 48 – Taranaki District Health Board  | 154              | <p><b>Support</b></p> <p>Retain Objective 9 of the Plan as notified.</p>   | <p><b>Accept</b></p> <p>Support noted. Objective 9 is retained subject to minor amendments as requested by other submitters.</p>   |
| Further submissions – Port Taranaki Ltd (32)                                     |                  | <p>Support</p>   |  |
| 57 – Heritage New Zealand  | 155              | <p><b>Amend</b></p> <p>The submitter requests that Objective 9 be amended to refer to all “Māori” in place of “tangata whenua” to follow similar wording within the RMA. The submitter suggests that iwi/hapū that no longer hold mana whenua can still have important relationships with an area, although they no longer have mana whenua, and such situations need to be provided for within this objective.</p> <p>Submitter seeks amendment to the title and content of Objective 9 of the Plan to read:</p> <p><i>Objective 9: Relationship of <del>Māori tangata whenua</del> with the coastal environment</i><br/> <i>Traditional and continuing relationships of <del>Māori tangata whenua</del> and their cultures and traditions with the coastal environment <u>and their ancestral lands, water, sites, waahi tapu and other taonga</u>, including the role of tangata whenua as kaitiaki, are recognised and provided for and protected from inappropriate use and development of the coastal marine area.</i></p> | <p><b>Accept in part</b></p> <p>The Council notes that iwi, hapū and whanau themselves have not commented on this submission point nor sought any similar changes. Nor has relief of this type been sought from the wider Māori community or others. Tangata whenua is considered more appropriate in the Taranaki context whereby the Council seeks to explicitly recognise tangata whenua relationships with the coast in the Plan objectives and policies.</p> <p>Unless iwi authorities themselves seek a change (which they have not done to date), the Council agrees to retaining reference to tangata whenua (rather than all Māori) in the Objective. However, other amendments sought by the submitter to better align language with the RMA are also agreed.</p> <p>The revised Objective reads as as follows:</p> <p><i>Traditional and continuing relationships of tangata whenua and their cultures and traditions <u>with their ancestral lands, water, sites, waahi tapu and other taonga</u> in the coastal environment, including the role of tangata whenua as kaitiaki, are recognised and provided for.</i></p> |
| <b>Objective 10 – Treaty of Waitangi</b>   |                  |  |  |
| 41 – Te Korowai o Ngāruahine Trust   | 156              | <p><b>Amend</b></p> <p>The submitter supports the introduction of Te Tiriti o Waitangi because, through the Plan, it embeds the Treaty into the heart of decision making considerations.</p> <p>Submitter seeks amendment to Objective 10 of the Plan to:</p> <ul style="list-style-type: none"> <li>read “<u>...Give effect to The principles of</u> the Treaty of Waitangi including the principles of ... in the management of the coastal environment”</li> </ul>  | <p><b>Accept in part</b></p> <p>The Council notes the support from the submitter for the introduction of the Treaty of Waitangi into the objectives section of the Plan. However, the Council does not agree to amending the Objective to “give effect” to the Treaty of Waitangi as the current wording of the Objective is already consistent with Objective 3 and Policy 2 of the New Zealand Coastal Policy Statement, which requires persons exercising</p>   |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
|--|------------------|---|---|
|  |                  | <ul style="list-style-type: none"> <li>reference the following guiding principles: mai te maunga, Taranaki kite tai a Kupe, whakapapa, kaitiakitanga, manaakitanga, whanaungatanga, kawanatanga, and rangatiratanga.</li> </ul>   | <p>functions and powers under the RMA to “take into account”, rather than “give effect to”, the principles of the Treaty of Waitangi.</p> <p>The submitter further seeks that the Council reinstate (from the draft Plan) five values that encapsulate the relationship between iwi o Taranaki and the coastal environment. The Council agrees to granting this part of the relief sought and amending the Objective to refer to the guiding principles to improve the integration of Māori principles throughout the Plan.</p> <p>The amended Objective 10 reads as follows:</p> <p><i>The principles of the Treaty of Waitangi, including the principles of <a href="#">mai te maunga Taranaki kite tai a Kupe, whakapapa, kaitiakitanga, manaakitanga, whanaungatanga, kawanatanga, and rangatiratanga</a>, are taken into account in the management of the coastal environment.</i></p> |
| Further submissions – Trans-Tasman Resources Ltd (6) |                  | Oppose  |   |
| 48 – Taranaki District Health Board                  | 157              | <b>Support</b>  | <b>Accept</b>   |
|  |                  | Retain Objective 10 of the Plan as notified.  | Support noted. Objective 10 is retained subject to minor amendments as requested by other submitters.   |
| Further submissions – Port Taranaki Ltd (32)         |                  | Support   |   |
| 58 – Te Atiawa                                       | 158              | <b>Amend</b>  | <b>Decline</b>  |
|  |                  | Submitter seeks amendment to Objective 10 of the Plan to read:<br><i><a href="#">Give effect to</a> the principles of the Treaty of Waitangi, including the principles of kawanatanga, rangatiratanga, partnership, active participation, resource development and spiritual recognition, <del>are taken into account</del> in the management of the coastal environment.</i> | The Council does not agree to amending the Objective to “give effect” to the Treaty of Waitangi as the current wording of the Objective is already consistent with Objective 3 and Policy 2 of the <i>New Zealand Coastal Policy Statement</i> , which requires persons exercising functions and powers under the RMA to “take into account”, rather than “give effect to”, the principles of the Treaty of Waitangi.   |
| Further submissions – Trans-Tasman Resources Ltd (6) |                  | Oppose  |   |
| <b>Objective 11 – Historic heritage</b>              |                  |   |   |
| 20 – Meridian Energy Limited                         | 159              | <b>Amend</b>  | <b>Accept</b>   |
|  |                  | Submitter seeks amendment to Objective 11 of the Plan to read:<br><i>Historic heritage in the coastal environment is protected from inappropriate <a href="#">subdivision</a>, use and development.</i>   | The Council notes that the control of subdivision is not one of the Council's functions under section 30 of the RMA, however, it is permissible for regional plans to included reference to subdivision in relevant objectives and policies if it serves one of the Council's other functions, for example, integrated management.  |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
|--|------------------|--|---|
|  |                  |  | <p>The Council therefore agrees to amending the provision as sought by the submitter so that it refers to subdivision alongside use and development for the purpose of assisting the Council in integrated management matters.</p> <p>A new definition for “<i>subdivision</i>” is also agreed.</p>   |
| 43 – Royal Forest and Bird Protection Society              | 160              | <p><b>Support</b></p> <p>Retain Objective 11 of the Plan as notified.</p>  | <p><b>Accept</b></p> <p>Support noted. Objective 11 is retained as notified.</p>  |
| Further submissions – Port Taranaki Ltd (32)               |                  | Support  |   |
| 57 – Heritage New Zealand                                  | 161              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Objective 11 of the Plan to read:<br/> <del>Significant historic</del> <i>heritage in the coastal environment is protected from inappropriate use and development of the coastal marine area, and the extensive but limited knowledge of historic heritage in the coastal environment is recognised.</i></p> | <p><b>Grant in kind</b></p> <p>The Council note that the Plan already gives partial relief to the submitter in that Objective 11 refers to historic heritage generally rather than “<i>significant historic heritage</i>”.</p> <p>The submitter seeks further amendments to Objective 11 – similar in kind to Objective 6 of the <i>New Zealand Coastal Policy Statement</i> – to recognise the extensive but limited knowledge of historic heritage in the coastal environment.</p> <p>The Council notes that the issue of extensive, but limited knowledge of historic heritage in the coastal environment, has already been highlighted in the Section 32 Evaluation Report and the Council does not believe it is necessary to restate such matters in Plan objectives. The Council is also unclear as to how ‘recognition’ in a Plan objective would be monitored meaningfully. Accordingly, changes to the Objective itself are not agreed. Instead the Council agrees to an alternative relief involving consequential amendments in the background information of the Plan [Natural and historic heritage] to further highlight this issue.</p> |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support  |   |
| 61 – Te Rūnanga o Ngāti Ruanui Trust                       | 162              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Objective 11 of the Plan to read:<br/> Objective 11: <i>Cultural and Historic Heritage</i><br/> <i>Cultural and Historic heritage in the coastal environment is protected from inappropriate use and development.</i></p>  | <p><b>Accept</b></p> <p>The Council agrees to amending the Plan to grant the relief. The relief broadens the scope of the objective to address aspects of cultural heritage values that are not necessarily captured within the RMA definition of historic heritage. For example, cultural heritage may include values such as taonga species for which a new policy has been agreed.</p>   |
| Further submissions – Te Korowai o Ngāruahine Trust (41)   |                  | Support  |   |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
|--|------------------|--|--|
| <b>Objective 12 – Public use and enjoyment</b>             |                  |  |  |
| 2 – Federated Farmers                                      | 163              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Objective 12 of the Plan to read:<br/> <i>People's use and enjoyment of the coastal environment, including amenity values, traditional practices and public access to and within the coastal <u>environment marine area</u>, is maintained and enhanced.</i></p>   | <p><b>Decline</b></p> <p>The Council declines the relief sought.</p> <p>Objective 12 applies to the coastal environment to promote integrated management of the coast across environmental domains and across local authority jurisdictional boundaries in a manner consistent with Policy 4 of the <i>New Zealand Coastal Policy Statement</i>. Confining Objective 12 to only the coastal marine area would derogate from that intent.</p>   |
| 29 – Department of Conservation                            | 164              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Objective 12 of the Plan to read:<br/> <i><del>The public's people's</del> use and enjoyment of the coastal environment, including amenity values, traditional practices and public access to and within the coastal environment, is maintained and enhanced.</i></p>  | <p><b>Accept</b></p> <p>The submitter suggests that to improve alignment and consistency between Policy 18 [Public open spaces] of the <i>New Zealand Coastal Policy Statement</i> and Policy 17 of the Plan, the use of the term "public" should be used. It is noted that the word "people" can include private use.</p> <p>The Council agrees to granting the relief sought.</p>  |
| 40 – Te Rūnanga o Ngāti Mutunga                            | 165              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Objective 12 of the Plan to read:<br/> <i>People's use and enjoyment of the coastal environment, including amenity values, traditional practices and public access to and within the coastal environment is maintained and enhanced <u>without adversely impacting on cultural and environmental values</u>.</i></p> | <p><b>Grant in kind</b></p> <p>The submitter's concerns are that people's use and development of the coastal environment should be subject to the appropriate management of adverse effects on cultural and environmental values.</p> <p>The Council agrees to granting the relief sought in kind by amending Objective 12 to recognise that people's use and enjoyment of the coast should not be to the detriment of other uses and values. However, the Council does not believe it appropriate to specify or confine the Objective to the consideration of only those values specified in the submission. First, the suggested amendments by the submitter introduce a strict avoidance threshold with no regard to the significance of the effects. Second, the suggested amendments do not recognise other circumstances, where coastal public access should be subject to avoiding, remedying or mitigating adverse impacts on other uses and values (e.g. public health and safety). These are outlined later in Policy 17.</p> <p>Objective 12 will be amended to read:</p> |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support  |  |



| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
|--|------------------|--|--|
|  |                  |  | <i>The public's use and enjoyment of the coastal environment, including amenity values, traditional practices and appropriate public access to and within the coastal environment, is maintained and enhanced.</i>   |
| 41 – Te Korowai o Ngāruahine Trust                         | 166              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Objective 12 of the Plan to read:<br/> <i>People's use and enjoyment of the coastal environment, including amenity values, traditional practices and public access to and within the coastal environment is maintained and enhanced <u>without adversely impacting on cultural and environmental values.</u></i></p> | <p><b>Grant in kind</b></p> <p>The submitter's concerns are that people's use and development of the coastal environment should be subject to the appropriate management of adverse effects on cultural and environmental values.</p> <p>The Council agrees to granting the relief sought in kind by amending Objective 12 to recognise that people's use and enjoyment of the coast should not be to the detriment of other uses and values. However, the Council does not believe it appropriate to specify or confine the Objective to the consideration of only those values specified in the submission. First, the suggested amendments by the submitter introduce a strict avoidance threshold with no regard to the significance of the effects. Second, the suggested amendments do not recognise other circumstances, where coastal public access should be subject to avoiding, remedying or mitigating adverse impacts on other uses and values (e.g. public health and safety). These are outlined later in Policy 17.</p> <p>Objective 12 will be amended to read:<br/> <i>The public's use and enjoyment of the coastal environment, including amenity values, traditional practices and appropriate public access to and within the coastal environment, is maintained and enhanced.</i></p> |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support  |  |
| 43 – Royal Forest and Bird Protection Society              | 167              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Objective 12 of the Plan to recognise additional matters set out in Policy 16(a), Policy 18(a), (b), (d) and (e), Policy 19(1), (3) and (4), and Policy 20 of the <i>New Zealand Coastal Policy Statement</i>.</p>   | <p><b>No relief necessary</b></p> <p>No precise details of amendments sought to Objective 12 have been provided and the amendments sought by the submitter are considered unnecessary.</p> <p>The Council notes the Plan comprises of a suite of objectives, policies and methods, including rules that collectively give effect to the <i>New Zealand Coastal Policy Statement</i>. Plan provisions need to be read together (while also acknowledging the different statutory responsibilities and powers of territorial authorities and district plans for giving effect to specific elements of the <i>New Zealand Coastal Policy Statement</i>).</p> <p>The Council refers the submitter to Policies 17 [Public access], 18 [Amenity values], 19 [Surf breaks], of the Plan, and Implementation Methods 32 to 36 and 39, which specifically address Policy 16(a), Policy 18(a), (b), (d) and (e), Policy</p>  |
| Further submissions – Port Taranaki Ltd (32)               |                  | Oppose   |  |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
|--|------------------|--|--|
|  |                  |  | 19(1), (3) and (4), and Policy 20 of the <i>New Zealand Coastal Policy Statement</i> . Other Plan provisions also apply.   |
| 47 – Fonterra  | 168              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Objective 12 of the Plan to read:<br/> <i>People's use and enjoyment of the coastal environment, including amenity values, traditional practices and public access to and within the coastal environment, is maintained <del>and or</del> enhanced <u>where appropriate</u>.</i></p>                                 | <p><b>Accept in part</b></p> <p>There are two parts to the relief sought by the submitter.</p> <p>First, the submitter considers that it is not possible to maintain <u>and</u> enhance public access at the same time and requests that this be recognised by using an 'or' instead of an 'and'. The Council notes that this objective is not site specific and instead applies to the entire coastal environment and so is appropriate to maintain and enhance use and enjoyment across the coastal environment. In addition, the wording follows the wording used in the <i>New Zealand Coastal Policy Statement</i> policies 18 [Public open space] and Policy 19 [Walking access] which is considered appropriate to follow. The Council declines this part of the relief.</p> <p>Second, the submitter suggests there may be occasions where it is necessary to limit public access, even if only temporarily. The Council agrees that Objective 12 should be amended to recognise that people's use and enjoyment of the coast should not be to the detriment of other uses and values. Accordingly, Objective 12 will be amended to read:<br/> <i>The public's use and enjoyment of the coastal environment, including amenity values, traditional practices and <u>appropriate</u> public access to and within the coastal environment, is maintained and enhanced.</i></p> |
| Further submissions – Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) |                  | <p><b>Oppose</b></p>   |  |
| 48 – Taranaki District Health Board                                      | 169              | <p><b>Support</b></p> <p>Retain Objective 12 of the Plan as notified.</p>  | <p><b>Accept</b></p> <p>Support noted. Objective 12 is retained subject to minor amendments as requested by other submitters.</p>  |
| 58 – Te Atiawa   | 170              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Objective 12 of the Plan to read:<br/> <i>People's use and enjoyment of the coastal environment, including amenity values, traditional practices and public access to and within the coastal environment is maintained and enhanced <u>without adversely impacting on cultural and environmental values</u>.</i></p> | <p><b>Grant in kind</b></p> <p>The submitter's concerns are that people's use and development of the coastal environment should be subject to the appropriate management of adverse effects on cultural and environmental values.</p> <p>The Council agrees to granting the relief sought in kind by amending Objective 12 to recognise that people's use and enjoyment of the coast should not be to the detriment of other uses and values. However, the Council does not consider it appropriate to specify or confine the Objective to the consideration of specific values. First, the suggested amendments by the submitter introduce a strict avoidance threshold with no regard to the significance of the effects. Second, the</p>  |



| Submitter   | Submission point | Submitter's requests  | Council's response and decisions   |
|---|------------------|---|--|
|   |                  |   | <p>suggested amendments do not recognise other circumstances, where coastal public access should be subject to avoiding, remedying or mitigating adverse impacts on other uses and values (e.g. public health and safety). These are outlined later in Policy 17.</p> <p>Objective 12 will be amended to read:</p> <p><i>The public's use and enjoyment of the coastal environment, including amenity values, traditional practices and <b>appropriate</b> public access to and within the coastal environment, is maintained and enhanced.</i></p>  |
| 59 – KiwiRail   | 171              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Objective 12 of the Plan to read:</p> <p><i>People's use and enjoyment of the coastal environment, including amenity values, traditional practices and public access to and within the coastal environment, is maintained and enhanced <b>where appropriate</b>.</i></p>  | <p><b>Grant in kind</b></p> <p>The Council agrees that Objective 12 be amended to give effect to the submitter's request subject to minor amendment that also gives effect to relief sought by other submitters.</p> <p>The revised Objective reads as as follows:</p> <p><i>The public's use and enjoyment of the coastal environment, including amenity values, traditional practices and <b>appropriate</b> public access to and within the coastal environment, is maintained and enhanced.</i></p>  |
| Further submissions – Te Atiawa (58)                                    |                  | Oppose  |  |
| <b>Objective 13 – Coastal hazards risk and public health and safety</b> |                  |   |  |
| 2 – Federated Farmers   | 172              | <p><b>Support</b></p> <p>Retain Objective 13 of the Plan as notified.</p>   | <p><b>Accept</b></p> <p>Support noted. Objective 13 is retained subject to minor amendments as requested by other submitters.</p>  |
| 20 – Meridian Energy Limited  | 173              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Objective 13 of the Plan to read:</p> <p><i>The risk of social, cultural, environmental, and economic harm from coastal hazards is not increased and public health, safety and property is not compromised by <b>subdivision</b>, use and development of the coastal <b>environment</b> <del>marine area</del>.</i></p> | <p><b>Accept in part</b></p> <p>The relief sought by the submitter has two parts. First, it seeks to expand the scope of the Objective to address subdivision and, second, it seeks to expand its scope so that it applies to the coastal environment (rather than just the coastal marine area).</p> <p>In relation to expanding the scope of Objective 13 so that it applies to the coastal environment (rather than just the coastal marine area), the Council agrees that the objective should address the wider coastal environment. Accordingly, the Council agrees to amending the objective to refer to the coastal environment but note that reference to the coastal marine area at the end of the objective will be retained to</p> |

| Submitter                                     | Submission point | Submitter's requests   | Council's response and decisions  |
|---|------------------|--|---|
|   |                  |  | <p>reflect that the rules only addresses use and development within the coastal marine area.</p> <p>The Council agrees to amending Objective 13 (in line with reliefs sought by other submitters) to read as follows:</p> <p><i>The risk of social, cultural, environmental, and economic harm <b>in the coastal environment</b> from coastal hazards is not increased and public health, safety and property is not compromised by use and development of the coastal marine area.</i></p>   |
| 43 – Royal Forest and Bird Protection Society | 174              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Objective 13 of the Plan to address the wider coastal environment and to reflect the matters set out in Policy 24, Policy 25, Policy 26, and Policy 27 of the <i>New Zealand Coastal Policy Statement</i>.</p> | <p><b>Accept in part</b></p> <p>No precise details of amendments sought to Objective 13 have been provided.</p> <p>The Council agrees to minor amendment to Objective 13 to make clear that the objective applies to the wider coastal environment and that only the second part of the objective (relating to use and development) is specific to the coastal marine area.</p>   |
| Further submissions – Port Taranaki Ltd (32)  |                  | Oppose   | <p>However, as previously noted in submission point 165, the Council does not believe it necessary or appropriate to make further amendments to reflect the <i>New Zealand Coastal Policy Statement</i>.</p> <p>The Council notes the Plan comprises a suite of objectives, policies and methods, including rules that collectively give effect to the <i>New Zealand Coastal Policy Statement</i>. Plan provisions need to be read together (while also acknowledging the different statutory responsibilities and powers of territorial authorities and district plans for giving effect to specific elements of the <i>New Zealand Coastal Policy Statement</i>).</p> <p>The Council refers the submitter to Policies 20 [Coastal hazards], 21 [Natural hazard defences] and Implementation Methods 37 to 42, which specifically address matters set out in Policy 24, Policy 25, Policy 26, and Policy 27 of the <i>New Zealand Coastal Policy Statement</i>. Other Plan provisions may also apply.</p> <p>The Council agrees to amend Objective 13 (in line with reliefs sought by other submitters) to read as follows:</p> <p><i>The risk of social, cultural, environmental, and economic harm <b>in the coastal environment</b> from coastal hazards is not increased and public health, safety and property is not compromised by use and development of the coastal marine area.</i></p> |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions   |
|---|------------------|---|--|
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd  | 175              | <b>Amend</b>  | <b>Decline</b><br><br>The Council declines the relief sought by the submitter. An objective should clearly identify the resource management outcome sought and it is unusual for an objective to allow any increase in environmental risk. The Council is also concerned that reference to “unacceptable level” infers that some increase is allowed, which is contrary to Policy 25(a) of the <i>New Zealand Coastal Policy Statement</i> , which refers to “avoid increasing the risk of social, environmental and economic harm from coastal hazards”.  |
|   |                  | Submitter seeks amendment to Objective 13 of the Plan to read:<br><i>The risk of social, cultural, environmental, and economic harm from coastal hazards is not increased to unacceptable levels and public health, safety and property is not compromised by use and development of the coastal marine area.</i> |  |
|   |                  | Further submissions – Transpower (26), Petroleum Exploration and Production Association of New Zealand (37)   |  |
| Further submissions – Department of Conservation (29), Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Oppose  |  |
| 48 – Taranaki District Health Board   | 176              | <b>Support</b>  | <b>Accept</b><br><br>Support noted. Objective 13 is retained subject to minor amendments as requested by other submitters.   |
|   |                  | Retain Objective 13 of the Plan as notified   |  |
| <b>Objectives 1 – 14</b>  |                  |   |  |
| 41 – Te Korowai o Ngāruahine Trust  | 177              | <b>Amend</b>  | <b>Decline</b><br><br>The Council has deliberately chosen to make its Plan concise and focus its content matters on the mandatory content matters set out in Section 67 of the RMA to guide the setting of rules and consenting processes. As such, it contains very little or minimal optional content such as issues, explanations, and methods (other than rules).<br><br>Notwithstanding that, the Council appreciates the submitter's comments on the usefulness of the explanation of Plan provisions provided in the Section 32 Explanation Report and agrees that Council investigate developing a companion document or supporting guidance to the Plan to assist readers in the interpretation and application of Plan provisions. Of particular interest, would be the preparation of practice notes based on the Section 32 Evaluation Report to explain the intent of Plan provisions once adopted. |
|   |                  | Submitter seeks amendment to objectives section of the Plan to include commentary from the Section 32 Evaluation Report to explain the focus and intent of Plan objectives.   |  |

## 4.4 Policies

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
|--|------------------|---|--|
| <b>Section 5 – Preamble</b>  |                  |   |  |
| 43 – Royal Forest and Bird Protection Society  | 178              | <b>Support</b>  | <b>Decline</b>   |
|  |                  | <p>Submitter seeks amendment to the introduction of Section 5 of the Plan, on page 19, to read:</p> <p><i>Section 5.1 contains [...] which relate to:</i></p> <p><i>1. [...]</i></p> <p><i><u>1A. protection of significant and outstanding values and characteristics of the coastal environment [...]</u></i></p>   | <p>The Council notes that the bullet points relate to the third order headings adopted for the policies section of the Plan for the reader's ease of reference. The headings bundle similar policies by shared themes. Policies relating to the protection of significant and outstanding values and characteristics of the coastal environment are already addressed under the heading of "Natural form and functioning".</p>   |
| 43 – Royal Forest and Bird Protection Society  | 179              | <b>Amend</b>  | <b>Accept in part</b>  |
|  |                  | <p>Submitter seeks amendment to the introduction of Section 5.1 of the Plan, on page 20, to read:</p> <p><i>This section provides the overall direction for achieving integrated management <u>for the protection</u> of significant <u>and outstanding</u> values and matters in the coastal environment (i.e. both the coastal marine area and areas <u>landward</u> where coastal processes, influences or qualities are significant) in order to achieve the objectives of this Plan.</i></p> <p><i>The policies apply to all activities in the coastal environment, <del>regardless of which coastal management area the activity may fall within (coastal management areas are identified in Schedule 1 and their characteristics are described in Policy 1).</del></i></p> | <p>The Council agrees to amending the introduction of Section 5.1 but notes that the Plan policies cover use, development and protection of all coastal values not just "the protection of significant and outstanding values." The Council therefore has determined to adopt an alternative relief that takes into account reliefs sought in other submissions. The amended introduction reads as follows:</p> <p><i>This section provides the overall direction for achieving integrated management in the <b>coastal environment</b> (i.e. both the coastal marine area and areas <u>landward</u> where coastal processes, influences or qualities are significant <u>and as indicatively shown on the planning maps</u>) in order to achieve the objectives of this Plan.</i></p> <p><i>The policies apply to all activities in the coastal <u>environment</u>. <u>The policies set out a coastal management framework, provide for use and development, protect, maintain and enhance significant and outstanding values, and manage coastal hazards and risks to public health and safety.</u></i></p> |
| Further submissions – Powerco (45), Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd (46) |                  | Support in part   |  |
| 43 – Royal Forest and Bird Protection Society  | 180              | <b>Amend</b>  | <b>Accept</b>  |
|  |                  | <p>Submitter seeks amendment to the introduction of Section 5.1 of the Plan, on page 20, to clarify the extent of the coastal management areas set out in the planning maps.</p>  | <p>Both South Taranaki and New Plymouth district councils have commenced or are about to commence their respective district plan reviews, which includes a coastal protection zone. For the purposes of integrated management and to promote</p>   |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
|--|------------------|---|---|
| Further submissions – Department of Conservation (29)  |                  | Support   | <p>alignment between the respective regional and district plans, the Council agrees that the Plan (and associated GIS layers and planning maps) be amended to include an indicative extent of the coastal environment that is aligned with the coastal environment lines (or there equivalent) identified in the South Taranaki and New Plymouth district plans.</p> <p>Consequential amendments throughout the Plan, including Section 5.1, are further agreed to ensure appropriate linkages between Plan provisions, the schedules, and the planning maps.</p>   |
| 43 – Royal Forest and Bird Protection Society  | 181              | <p><b>Amend</b></p> <p>Submitter seeks amendment to the introduction of Section 5.1 of the Plan, on page 20, to clarify that the extent of the coastal management areas lists Policy 1(a), (b), (c) and (e) areas and that the Open Coast is not identified.</p>  | <p><b>Decline</b></p> <p>The Council notes that the Open Coast is identified in the Plan and it is not unreasonable to expect Plan readers to understand that the Open Coast coastal management area pertains to that part of the coastal marine area not already identified as being Outstanding, Estuary Unmodified, Estuary Modified and Port coastal management areas. Of note, this Policy is a continuation of an existing policy in the current Coastal Plan and for which there have been no issues previously identified by Plan users in relation to its interpretation and application.</p> <p>Notwithstanding the above, consequential amendments are agreed to Policy 1 to clarify that coastal management areas relate to the coastal marine area only.</p> |
| 57 – Heritage New Zealand  | 182              | <p><b>Amend</b></p> <p>Submitter seeks amendment to the introduction of Section 5 of the Plan, on page 19, to include an additional bullet point and read:<br/> <i>Section 5.1 contains [...] which relate to:</i><br/> <u><a href="#">Relationship of Māori and their culture and traditions with the coastal environment.</a></u></p> | <p><b>Grant in kind</b></p> <p>The Council notes that the bullet points relate to the third order headings adopted for the Policies section of the Plan for the reader's ease of reference. The headings bundle similar policies by shared themes. Policies relating to the relationship of Māori and their culture and traditions with the coastal environment are currently addressed under the heading of "Natural and historic heritage and values". However, recognition and provision for the relationship of Māori contains cultural elements specific to tangata whenua and additional to those covered by the natural heritage, the environment, and historic heritage policies.</p>   |
| Further submissions – Te Korowai o Ngāruahine Trust (41), Te Atiawa (58), Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support   | <p>The Council agrees to granting the relief sought and identifying tangata whenua culture, values and traditions with the coastal environment as a separate stand-alone heading. This heading will also be adopted within the policies section for the relationship of tangata whenua (Policy 16).</p>   |



| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
|--|------------------|--|--|
| 61 – Te Rūnanga o Ngāti Ruanui Trust                 | 183              | <p><b>Other</b></p> <p>Submitter notes that Plan policies do not cover the Exclusive Economic Zone and, for the purposes of integrated management, seeks that the Council follows the directions of the High Court and/or seek legal advice on the 'defect' of the RMA to ensure that the sustainable management purpose of the RMA is followed.</p>                                       | <p><b>No relief necessary</b></p> <p>Comments noted.</p>   |
| Further submissions – Trans-Tasman Resources Ltd (6) |                  | Neutral  |  |
| Further submissions – Te Atiawa (58)                 |                  | Support  |  |
| <b>Policy 1 – Coastal management areas</b>           |                  |  |  |
| 5 – Point Board Riders                               | 184              | <p><b>Support</b></p> <p>Submitter supports the inclusion of Policy 1(d)(iii) of the Plan. Retain as notified.</p>   | <p><b>Accept</b></p> <p>Support noted. Policy 1(d)(iii) is retained as notified.</p>   |
| 6 – Trans-Tasman Resources Ltd                       | 185              | <p><b>Support</b></p> <p>Submitter supports Policy 1(d)(i) of the Plan acknowledging the existing high energy wave environment and current coastal erosion in the open coast.</p>  | <p><b>Accept</b></p> <p>Support noted. Policy 1(d)(i) is retained as notified.</p>   |
| 15 – Surfbreak Protection Society                    | 186              | <p><b>Support</b></p> <p>Submitter supports the inclusion of Policy 1 (d)(iii) of the Plan. Retain as notified.</p>  | <p><b>Accept</b></p> <p>Support noted. Policy 1(d)(iii) is retained as notified.</p>   |
| 20 – Meridian Energy Limited                         | 187              | <p><b>Amend</b></p> <p>Submitter seeks amendment to the first paragraph of Policy 1 of the Plan to read: <i>Manage the coastal <del>marine area environment</del> in a way that recognises that some areas have values, characteristics or uses that are vulnerable or sensitive to the effects of some activities, or that have different management needs than other areas [...]</i></p> | <p><b>Accept</b></p> <p>Policy 1 has two parts. The first part, to which the relief applies to the whole coastal environment and recognises that some areas have different values, characteristics, uses, vulnerabilities, sensitivities or management needs to other areas. The second part relates to the coastal management areas, which are of relevance to the rules in and relate to the coastal marine area only.</p> <p>The Council agrees to granting the relief sought by the submitter as the concept of some areas having different values, characteristics, uses, vulnerabilities, sensitivities or management needs to other areas applies to the wider coastal environment and not just the coastal marine area. However, the second part of the policy clearly relates to identifying the five coastal management areas to which rules will specifically</p> |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions   |
|---|------------------|---|--|
|   |                  |   | <p>apply. The Council further agrees to other consequential amendments to Policy 1 to clarify that the coastal management areas apply only to the coastal marine area.</p> <p>The proposed amendments reads as as follows:</p> <p><i>Manage the coastal <b>environment</b> in a way that recognises that some areas have values, characteristics or uses that are more vulnerable or sensitive to the effects of some activities, or that have different management needs than other areas.</i></p> <p><i>In managing the use, development and protection of resources <b>in the coastal marine area</b> under the Plan, recognition will be given to the following coastal management areas (identified in Schedule 1) and their distinguishing values, characteristics and uses: [...]</i></p> |
| 23 – New Plymouth District Council                        | 188              | <b>Support</b>  | <b>Accept</b>  |
|   |                  | Retain Policy 1 of the Plan as notified.  | Policy 1 is retained subject to minor amendments as requested by other submitters.   |
| 26 – Transpower NZ Ltd                                    | 189              | <b>Support</b>  | <b>Accept</b>  |
|   |                  | Retain Policy 1 of the Plan as notified.  | Policy 1 is retained subject to minor amendments as requested by other submitters.   |
| 28 – Grant Knuckey  | 190              | <b>Amend</b>  | <b>Decline</b>   |
|   |                  | Submitter seeks amendment to Policy 1 of the Plan by incorporating mana whenua values from Policy 16 [Relationship of tangata whenua] into Policy 1.      | The Council notes the introductory sentence to Section 5 of the Plan on page 19 that “... <b>when assessing an activity, all relevant general and activity-based policies are to be considered and no individual policy viewed in isolation.</b> ” It is therefore unnecessary to cross reference Policy 16 (and other policies) in Policy 1 for it to be considered. Both Policy 1 and 16 will be considered together (plus the other General Policies and relevant Activity-specific Policies) in the assessment of any resource consent applications.   |
| 28 – Grant Knuckey  | 191              | <b>Amend</b>  | <b>Decline</b>   |
|   |                  | Submitter seeks amendment to Policy 1 of the Plan by identifying two new marine spatial coastal management areas – wahi tapu areas and wahi taonga areas. | The Council declines the relief sought in that the relief is unnecessary and has already been given effect to in the Plan, albeit in a different manner than that sought by the submitter.   |
| Further submissions – Trans-Tasman Resources Ltd (6)      |                  | Oppose  | Policy 1 sets out a zonal approach for the application of rules in the coastal marine area. The coastal marine area has been divided into five coastal management areas based upon shared values, characteristics, uses, vulnerability or sensitivity, and different management needs. The zones allow rules to ‘bundle’ compatible activities or effects of these activities together and restrict activities or effects which are  |
| Further submissions –Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support   |  |



| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
|--|------------------|---|--|
|  |                  |   | <p>incompatible. The coastal management areas enables some activities, and restricts other activities.</p> <p>The Council notes that Policy 1 is based upon the current coastal management regime, which included similar coastal management areas and has largely been effective in managing adverse effects in the coastal marine area.</p> <p>Notwithstanding the above, across all the coastal management areas and at a finer spatial scale, there will be specific sites and places with regionally significant values located within the coastal management area. They include sites, places and attributes identified as significant for their natural character, indigenous biodiversity, historic heritage and amenity values. Through this Coastal Plan review considerable effort has been made to identify and/or map sites of significance to tangata whenua in Schedule 5B of the Plan and associated planning maps. These sites include wahi tapu areas and wahi taonga areas to ensure that any adverse effects on these sites and places are properly considered and adverse effects avoided, remedied or mitigated. The Council notes that supporting policies and rules in the Plan apply relating to the protection of wahi tapu, wahi taonga and other significant sites of significance to Māori.</p> |
| 29 – Department of Conservation  | 192              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 1(d) [Open Coast] of the Plan to include a new characteristic to read:<br/> <u>v) provide important habitats for marine species.</u></p> | <p><b>Grant in kind</b></p> <p>The submitter refers to the Section 32 Evaluation Report which recognizes that within the open coast there is a range of marine habitats that none of the other management areas have.</p>  |
| Further submissions – Trans-Tasman Resources Ltd (6)   |                  | Oppose  | <p>The Council agrees to granting the relief sought in kind by amending Policy 1(d)(ii) to refer to marine systems (which encompass, amongst other things, reef systems that provide habitats for marine life), and migration paths, breeding areas and nursery areas for marine mammals and seabirds. The Council further agrees that, as a consequential amendment, Policy 1(d)(ii) is split into two clauses and that the values of mahinga kai are identified separately.</p>  |
| Further submissions – Te Korowai o Ngāruahine Trust (41), Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support   | <p>The revised Policy 1(d) reads as as follows:<br/> [...]<br/> (ii) include marine systems <u>and</u> habitat, <u>including migratory paths, breeding areas for marine mammals and seabirds;</u><br/> (iiA) <u>include marine systems and marine life</u> valued by Māori for mahinga kai; [...]</p>  |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
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| 32 – Port Taranaki   | 193              | <p><b>Amend</b></p> <p>Submitter generally supports Policy 1 but questions the relevance or significance of Clause (e)(v) and recommends deleting it:</p> <p><i>(v) can have significant effects on areas outside of the Port, including contributing to coastal erosion along the New Plymouth foreshore</i></p> | <p><b>Accept</b></p> <p>The Council agrees that activities able to have significant effects outside the area of operation and able to have an impact on coastal erosion are not confined to the Port and agrees to delete the clause.</p>   |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Atiawa (58)  |                  | Oppose  |   |
| 40 – Te Rūnanga o Ngāti Mutunga  | 194              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 1(b) and (c) of the Plan to re-instate (from the Draft Coastal Plan) the following characteristics for Estuaries Unmodified and Estuaries Modified:</p> <p><i>[...] valued by Māori for Mahinga Kai.</i></p>   | <p><b>Accept</b></p> <p>The Council agrees to amending Policy 1(b) and (c) as through the exercise of mapping sites of significance to Māori, inevitably estuaries have been identified as important for a variety of reasons including mahinga kai. However, the Council agrees to broadening the relief to 'capture' not just mahinga kai values but other potential cultural, spiritual, historical and traditional associations.</p> <p>The amended Policy 1(b) and (c) will include a new clause that reads as follows:</p> <p><i>[...] are valued by Māori for taonga species, and cultural, spiritual, historical and traditional associations.</i></p>  |
| Further submissions – Te Korowai o Ngāruahine Trust (41), Te Rūnanga o Ngāti Ruanui Trust (61)                 |                  | Support   |   |
| 41 – Te Korowai o Ngāruahine Trust   | 195              | <p><b>Amend</b></p> <p>Submitter seeks amendment of Policy 1 of the Plan to recognise the place of marine spatial planning and ecosystem based management and other associated environmental and kaitiaki plans and recognise Māori values within each of the coastal management areas.</p>                       | <p><b>No relief necessary</b></p> <p>No precise details of amendments sought to Policy 1 have been provided but the Council believes that Plan provisions, when read as a whole, give effect to the relief sought by the submitter and no further change is necessary.</p> <p>Policy 1 already includes an element of marine spatial planning. It sets out a zonal approach for the application of rules in the coastal marine area. The coastal marine area has been divided into five coastal management areas based upon shared values, characteristics, uses, vulnerability or sensitivity, and different management needs. The zones allow rules to 'bundle' compatible activities or effects of these activities together and restrict activities or effects which are incompatible. The coastal management areas enables some activities, and restricts other activities.</p> <p>Notwithstanding the above, across all the coastal management areas and at a finer spatial scale, there will be specific sites and places with regionally significant values. Through this Coastal Plan review considerable effort has been made to identify and/or map these values in the Plan schedules and associated planning maps, which include wahi tapu areas and wahi taonga areas to ensure that any adverse effects on</p> |
| Further submissions – Te Korowai o Ngāruahine Trust (41), Te Atiawa (58), Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support   |   |

| Submitter                                     | Submission point | Submitter's requests   | Council's response and decisions  |
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|   |                  |  | these sites and places are properly considered and adverse effects avoided, remedied or mitigated.  |
| 43 – Royal Forest and Bird Protection Society | 196              | <p><b>Other</b></p> <p>Submitter seeks discussion around Policy 1 to determine whether the characteristics listed under Outstanding Value, Estuaries Unmodified, Estuaries Modified, Open Coast and Port require all characteristics to apply together as indicated by the use of “and” within the listings.</p>   | <p><b>No relief necessary</b></p> <p>Comments noted.</p> <p>The Council notes that the matters listed are but a general description of distinguishing values, characteristics and uses that underpin the identification of the five very broad coastal management areas. The Council has discussed this matter further with the submitter as part of the pre-hearing engagement process. It was noted that all these characteristics <u>broadly</u> apply in the specified coastal management area but it is not necessary for all these characteristics to apply in every locality within the coastal management area.</p>           |
| Further submissions – Port Taranaki Ltd (32)  |                  | Support in part  |   |
| 43 – Royal Forest and Bird Protection Society | 197              | <p><b>Other</b></p> <p>Submitter questions whether the current wording of Policy 1 of the Plan, and its subheadings, account for the protection of biodiversity and associated values or merely define large management areas, which then have their values protected or uses provided through other policies. If this is the case it is unclear where these protective provisions are.</p>  | <p><b>No relief necessary</b></p> <p>No relief is sought. However, as previously noted, Policy 1 is a general description of distinguishing values, characteristics and uses that underpin the identification of the five coastal management areas.</p> <p>In relation to the “<i>protective provisions</i>” the Council refers the submitter to the rest of the Plan. The Council notes the introductory sentence to Section 5 on page 19 that “...<b>when assessing an activity, regard will be had to all relevant general and activity-based policies are to be considered and no individual policy viewed in isolation.</b>”</p> |
| Further submissions – Port Taranaki Ltd (32)  |                  | Support in part  | The Council believes the ‘suite’ of General Policies plus relevant Activity Policies triggered by use and development activities in the coastal marine area address, amongst other things, the use and development and protection of natural and physical coastal resources.  |
| 43 – Royal Forest and Bird Protection Society | 198              | <p><b>Amend</b></p> <p>Submitter seeks amendment to the Plan by deleting Policy 1 of the Plan<br/>OR<br/>Amend Policy 1 by:</p> <ul style="list-style-type: none"> <li>setting out an area based management approach based on mapped and scheduled areas. Refer to relevant policies to identify characteristics in those areas which are not already for those areas in a schedule AND move the amended policy to section 5.2 so that it</li> </ul> | <p><b>Accept in part</b></p> <p>The Council agrees to amending Policy 1 to give partial effect to the relief sought by the submitter but in a way that also addresses issues/matters raised by other submitters.</p> <p>The submitter’s concerns with the coastal management area approach are noted. However, the Council notes that the approach has been in place since 1997 and to date no issues have been identified in relation to its application. The current Coastal Plan, which includes the same zonal approach and has an equivalent policy, has</p>   |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
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|  |                  | <p>clearly sets out a management approach only within the coastal marine area and applies only to the activities which are controlled under rules in the plan</p> <ul style="list-style-type: none"> <li>amending the description of the management approach as per the submitter's suggestions relating to Section 1.7 above and Policies 1(a), (b), (c), (d) and (e) below</li> <li>including a statement that explains that Policy 1 does not provide direction for subdivision, use or development activities within the management areas.</li> </ul>   | <p>been demonstrated to be efficient and effective in managing adverse effects in the coastal marine area through interim reviews and state of the environment monitoring. The Council therefore does not believe it necessary nor appropriate to delete Policy 1.</p> <p>Notwithstanding the above, the Council notes other amendments that give partial relief to other reliefs sought by the submitter. These include amendments to the Policy 1 plus other inconsequential changes in Section 1.7 of the Plan to clarify that the application of the coastal management areas (i.e. spatial extent) applies only to the coastal marine area.</p>  |
| Further submissions – Port Taranaki Ltd (32)   |                  | Oppose  |   |
| Further submissions – Powerco (45), Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd (46) |                  | Support/Oppose in part  |   |
| 43 – Royal Forest and Bird Protection Society  | 199              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 1(a) of the Plan to read:</p> <p><i>In managing the use, development and protection of resources under the Plan, recognition will be given to the following coastal management areas (identified in Schedule 1) and their distinguishing values, characteristics and uses:</i></p> <p>(a) Outstanding Value: <del>Coastal areas of outstanding value (identified in Schedule 2) that characteristically:</del></p> <p><del>(i) are areas of outstanding natural character and/or outstanding natural features or landscapes;</del></p> <p><del>(ii) contain values and attributes that are exceptional, including in relation to landforms, land cover, biodiversity, cultural and heritage associations, and visual qualities identified in Schedule 2 (refer corresponding Policy 7);</del></p> <p><del>(iii) contain marine areas with legal protection, including Parininihi Marine Reserve, Ngā Motu/Sugar Loaf Islands Marine Protected Area and Tapuae Marine Reserve (identified in Schedule 1); and</del></p> <p><del>(iv) are iconic to the region's identity and sense of place—These coastal management areas represent those areas that have been identified to meet the criteria under Policy 8: Outstanding Natural Character and Policy 9: Outstanding Natural Features and Landscapes. They are listed in Schedule 1(a) and shown</del></p> | <p><b>Accept in part</b></p> <p>The Council does not consider it is appropriate or necessary to paraphrase and reference the <i>New Zealand Coastal Policy Statement</i> or other policies in the Plan.</p> <p>The Council also does not consider it necessary to amend Policy 1(a) to delete references to the distinguishing values, characteristics and uses set out in Clauses (ii), (iii) and (iv). The Council notes that Policy 1(a) is similar to an equivalent policy in the current Plan for which no issues have been identified in relation to its interpretation and application. The Council notes requests by other submitters seeking to have additional values identified.</p> <p>Notwithstanding the above, the Council agrees to granting relief in part by amending Policy 1(a) based upon the relief sought by the submitter (and others) that reads as follows:</p> <p>(a) Outstanding Value: <u>refers to those areas listed in Schedule 1(a) and are identified as having outstanding natural character and/or outstanding natural features or landscapes values. These areas</u> characteristically:</p> <p>(i) contain values and attributes that are exceptional [...]</p> |

| Submitter                                     | Submission point | Submitter's requests   | Council's response and decisions  |
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|   |                  | <i>on the Planning maps. The values and characteristics of these identified areas are set out in Schedule 2.</i>   |   |
| Further submissions – Port Taranaki (32)      |                  | Oppose   |   |
| 43 – Royal Forest and Bird Protection Society | 200              | <b>Amend</b><br>Submitter seeks amendment to Policy 1(a) of the Plan to include specific provisions for marine reserves and protected marine areas under relevant policies.  | <b>Decline</b><br>The Council does not consider it is necessary in Taranaki to include specific provisions for marine reserves and protected marine areas. In Taranaki, all marine reserves already have a high level of protection via the Plan as they have been identified and assessed as Outstanding Value coastal management areas and as 'significant indigenous biodiversity'. Separate stand-alone policies would be unnecessary and redundant.<br>The Council further highlights that constraints on use and development also apply under other legislation, including the <i>Marine Reserves Act 1971</i> and the <i>Fisheries Act 1996</i> .  |
| Further submissions – Port Taranaki (32)      |                  | Oppose   |   |
| 43 – Royal Forest and Bird Protection Society | 201              | <b>Amend</b><br>Submitter seeks amendment to Policy 1(b) of the Plan to read:<br><i>In managing the use, development and protection of resources under the Plan, recognition will be given to the following coastal management areas (identified in Schedule 1) and their distinguishing values, characteristics and uses:</i><br>[...]<br><i>(b) Estuaries Unmodified: <del>Estuaries, not identified in (a) or (c) of this policy, that are permanently open to tidal movements and characteristically:</del></i><br><i>(i) provide a natural focal point for human activity but are generally not significantly modified and are surrounded by minimal urban development and unmodified environments;</i><br><i>(ii) have significantly different and more complex natural processes than the open coast; and</i><br><i>(iii) provide important habitats, migration paths, breeding areas and nursery areas for marine and bird life.</i><br><i><u>These coastal management areas are those estuaries that are permanently open to tidal movements. These areas do not include estuaries identified as Outstanding value areas. They are listed in schedule 1(b) and shown on the</u></i> | <b>Accept in part</b><br>The Council does not believe it is appropriate or necessary to paraphrase and reference the <i>New Zealand Coastal Policy Statement</i> or other policies in the Plan.<br>The Council also does not believe it necessary to amend Policy 1(b) to delete references to the distinguishing values, characteristics and uses set out in Clauses (i), (ii) and (iii). The Council notes that Policy 1(b) is similar to an equivalent policy in the current Plan for which no issues have been identified in relation to its interpretation and application. The Council further notes requests by other submitters seeking to have additional values identified in this Policy.<br>Notwithstanding the above, the Council agrees to amending Policy 1(b) to partially give effect to the changes sought by the submitter that reads as follows:<br><i>(b) Estuaries Unmodified: <u>refers to those</u> estuaries that are permanently open to tidal movements and listed in Schedule 1(b). <u>These areas do not include estuaries identified in (a) or (c) of this policy</u> and characteristically:</i><br><i>(i) <u>have high natural character</u>, [...]</i> |



| Submitter                                     | Submission point | Submitter's requests  | Council's response and decisions  |
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|   |                  | <p><i><u>Planning maps. In determining the values and characteristic in these estuaries have particular regard to Policy 14 Indigenous Biodiversity, Policy X High natural character, Policy X other natural character, Policy X other natural features.</u></i></p>  |   |
| Further submissions – Port Taranaki Ltd (32)  |                  | Oppose  |   |
| 43 – Royal Forest and Bird Protection Society | 202              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 1(c) of the Plan to read:</p> <p><i>In managing the use, development and protection of resources under the Plan, recognition will be given to the following coastal management areas (identified in Schedule 1) and their distinguishing values, characteristics and uses:</i></p> <p>[...]</p> <p><i>(c) Estuaries Modified: <del>Pātea, Waiwhakaiho and Waitara estuaries that are permanently open to tidal movements and characteristically:</del></i></p> <p><i><del>(i) have been modified by flood protection works and placement of structures;</del></i></p> <p><i><del>(ii) are surrounded by urban, extensively modified environments;</del></i></p> <p><i><del>(iii) have significantly different and more complex natural processes than the open coast; and</del></i></p> <p><i><del>(iv) provide important habitats, migration paths, breeding areas and nursery areas for marine and bird life.</del></i></p> <p><i><u>These coastal management areas are those estuaries that are permanently open to tidal movements and have been modified. These areas do not include estuaries identified as Outstanding value areas or Estuary Unmodified. They are listed in schedule 1(b) and shown on the Planning maps.</u></i></p> <p><i><u>In determining the values and characteristic in these estuaries have particular regard to Policy 14 Indigenous Biodiversity, Policy X High natural character, Policy X other natural character, Policy X other natural features and landscapes and Policy XX water quality.</u></i></p> | <p><b>Accept in part</b></p> <p>The Council does not believe it is appropriate or necessary to paraphrase and reference the <i>New Zealand Coastal Policy Statement</i> or other policies in the Plan.</p> <p>The Council also does not believe it necessary to amend Policy 1(c) to delete references to the distinguishing values, characteristics and uses set out in Clauses (i), (ii), (iii) and (iv). The Council notes that Policy 1(c) is similar to an equivalent policy in the current Plan for which no issues have been identified in relation to its interpretation and application. The Council further notes requests by other submitters seeking to have additional values identified in this Policy.</p> <p>Notwithstanding the above, the Council agrees to amend Policy 1(c) to give partial effect to some of the changes sought by the submitter. The amended Policy 1(c) reads as follows:</p> <p><i>(c) Estuaries Modified: <u>refers to the Pātea, Waiwhakaiho and Waitara estuaries that are permanently open to tidal movements and listed in Schedule 1(c). These areas characteristically:</u></i></p> <p>[...]</p> |
| Further submissions – Port Taranaki (32)      |                  | Oppose  |   |

| Submitter                                     | Submission point | Submitter's requests   | Council's response and decisions   |
|---|------------------|--|--|
| 43 – Royal Forest and Bird Protection Society | 203              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 1(d) of the Plan to read:<br/> <i>In managing the use, development and protection of resources under the Plan, recognition will be given to the following coastal management areas (identified in Schedule 1) and their distinguishing values, characteristics and uses:</i><br/> [...]</p> <p><i>(d) Open Coast: <del>Areas of the open coast not identified in (a), (b), (c) and (e) of this Policy that characteristically:</del></i></p> <p><i><del>(i) are subject to a high energy westerly wave environment and the coastal land behind the foreshore is generally naturally eroding;</del></i></p> <p><i><del>(ii) include reef systems that provide habitat to marine life, and are valued by Māori for mahinga kai;</del></i></p> <p><i><del>(iii) include nationally and regionally important surf breaks identified in Schedule 7 (refer corresponding Policy 19); and</del></i></p> <p><i><del>(iv) contain fisheries that are recreationally, culturally and commercially valuable. This coastal management area represents the remaining areas of the coastal marine area not identified in (a), (b), (c) and (e) of this Policy, this includes estuaries which are not permanently open to the sea.</del></i></p> <p><i><u>All other policies of the plan are relevant to determining values and characteristics of the coastal environment in this area.</u></i></p> | <p><b>Accept in part</b></p> <p>The Council does not believe it is appropriate or necessary to paraphrase and reference the <i>New Zealand Coastal Policy Statement</i> or other policies in the Plan.</p> <p>The Council also do not believe it necessary to amend Policy 1(d) to delete references to the distinguishing values, characteristics and uses set out in Clauses (i), (ii), (iii) and (iv). The Council notes that Policy 1(d) is similar to an equivalent policy in the current Plan for which no issues have been identified in relation to its interpretation and application. The Council further notes requests by other submitters seeking to have additional values identified in this Policy.</p> <p>Notwithstanding the above, the Council agrees to amend Policy 1(d) to give partial effect to some of the changes sought by the submitter. The amended Policy 1(d) reads as follows:</p> <p><i>(d) Open Coast: <u>refers to remaining areas of the coastal marine area</u> not identified in (a), (b), (c) and (e) of this Policy that characteristically: [...]</i></p> |
| Further submissions – Port Taranaki (32)      |                  | Oppose   |  |
| 43 – Royal Forest and Bird Protection Society | 204              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 1(e) of the Plan to read:<br/> <i>In managing the use, development and protection of resources under the Plan, recognition will be given to the following coastal management areas (identified in Schedule 1) and their distinguishing values, characteristics and uses:</i><br/> [...]</p> <p><i>(e) Port: <u>Port Taranaki, which is a highly modified environment that characteristically:</u></i></p> <p><i><u>(i) enables people and communities to provide for their economic wellbeing;</u></i></p>  | <p><b>Accept in part</b></p> <p>The Council does not believe it is appropriate or necessary to paraphrase and reference the <i>New Zealand Coastal Policy Statement</i> or other policies in the Plan.</p> <p>The Council also do not believe it necessary to amend Policy 1(e) to delete references to the distinguishing values, characteristics and uses set out in Clauses (i), (ii), (iii), (iv) and (v). The Council notes that Policy 1(e) is similar to an equivalent policy in the current Plan for which no issues have been identified in relation to its interpretation and application. The Council further notes requests by other submitters seeking to have additional values identified in this Policy.</p>   |



| Submitter   | Submission point | Submitter's requests  | Council's response and decisions   |
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|   |                  | <p><del>(ii) contains nationally and regionally important infrastructure;</del></p> <p><del>(iii) contains port related activities that are accepted as appropriate uses of this coastal management area;</del></p> <p><del>(iv) has low levels of natural character, although is located adjacent to an area of outstanding value; and</del></p> <p><del>(v) can have significant effects on areas outside of the Port, including contributing to coastal erosion along the New Plymouth foreshore.</del></p> <p><u>This coastal management area represents the operational management area of Port Taranaki. The operational considerations and provisions for development capacity are set out in Policy X.</u></p> <p><u>In determining the values and characteristic in these estuaries have particular regard to Policy X Port of Taranaki, Policy 14 Indigenous Biodiversity, Policy X High natural character, Policy X other natural character, Policy X other natural features and landscapes and Policy XX water quality.</u></p> | <p>Notwithstanding the above, the Council agrees to amend Policy 1(e) to give partial effect to some of the changes sought by the submitter. The amended Policy 1(e) reads as follows:</p> <p>(e) Port: <u>refers to the operational management area of Port Taranaki. The area is a highly modified environment that characteristically:</u></p> <p>[...]</p>   |
| Further submissions – Port Taranaki (32)                                |                  | Oppose  |  |
| 43 – Royal Forest and Bird Protection Society                           | 205              | <p><b>Amend</b></p> <p>Submitter seeks amendment to the Plan to include a new Policy specific to the Port of Taranaki and consistent with Policy 9 [Port] of the <i>New Zealand Coastal Policy Statement</i>.</p>   | <p><b>Decline</b></p> <p>The Council does not believe it is appropriate or necessary to include a new policy specific to the Port to give effect to Policy 9 of the <i>New Zealand Coastal Policy Statement</i>.</p>   |
| Further submissions– Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd (46) |                  | Support in part   | <p>The Council notes the introductory sentence to Section 5 on page 19 that “...<b>when assessing an activity, regard will be had to all relevant general and activity-based policies are to be considered and no individual policy viewed in isolation.</b>” It is therefore unnecessary to include a new policy specific to the Port when matters outlined in Policy 9 of the <i>New Zealand Coastal Policy Statement</i> have been more fully covered and addressed via Policy 1 [Coastal management areas], Policy 5 [Use and development], Policy 6 [Regionally important infrastructure] and Policy 7 [Reverse sensitivity]. These and the other General Policies and relevant Activity Policies will contribute to the efficient and safe operation of Port Taranaki.</p> |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
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| 45 – Powerco   | 206              | <p><b>Amend</b></p> <p>Submitter supports Policy 1 of the Plan subject to an amendment that recognises the existence of existing infrastructure in areas of Outstanding Value, Estuaries Unmodified and Estuaries Modified, unless the mapping is amended such that this is not the case. Seek amendment to policies 1(a), 1(b) and 1(c) to read: <a href="#"><u>these areas may contain regionally important infrastructure.</u></a></p> | <p><b>Decline</b></p> <p>The Council declines the relief sought by the submitter in that the suggested amendments are for a value or attribute that is not a distinguishing feature of the coastal management area (i.e. regionally important infrastructure could be located anywhere in Taranaki).</p> <p>Policy 1 sets out a zonal approach for the application of rules in the coastal marine area. The coastal marine area has been divided into five broad coastal management areas based upon shared values, characteristics, uses, vulnerability or sensitivity, and different management needs. The zones allow rules to 'bundle' compatible activities or effects of these activities together and restrict activities or effects which are incompatible. The coastal management areas enable some activities, and restrict other activities.</p> <p>As noted in Policy 1(a), (b) and (c) the listed matters refer to attributes and values characteristic of the area. There is no value in identifying values and attributes (already recognised and provided for by policies elsewhere) and which can occur anywhere in the coastal marine area.</p> |
| Further submissions – Transpower (26)                      | Support          |   |   |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) | Oppose           |   |   |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd         | 207              | <p><b>Amend</b></p> <p>Submitter supports Policy 1 of the Plan subject to an amendment that recognises the existence of existing infrastructure in areas of Outstanding Value, Estuaries Unmodified and Estuaries Modified, unless the mapping is amended such that this is not the case. Seek amendment to policies 1(a), 1(b) and 1(c) to read: <a href="#"><u>these areas may contain regionally important infrastructure.</u></a></p> | <p><b>Decline</b></p> <p>The Council declines the relief sought by the submitter in that the suggested amendments are for a value or attribute that is not a distinguishing feature of the coastal management area.</p> <p>Policy 1 sets out a zonal approach for the application of rules in the coastal marine area. The coastal marine area has been divided into five broad coastal management areas based upon shared values, characteristics, uses, vulnerability or sensitivity, and different management needs. The zones allow rules to 'bundle' compatible activities or effects of these activities together and restrict activities or effects which are incompatible. The coastal management areas enable some activities, and restrict other activities.</p> <p>As noted in Policy 1(a), (b) and (c) the listed matters refer to attributes and values characteristic of the area. There is no value in identifying values and attributes (already recognised and provided for by policies elsewhere) and which can occur anywhere in the coastal marine area.</p>  |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) | Oppose           |   |   |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
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| 47 – Fonterra  | 208              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 1 of the Plan to include a new clause (d)(v) that reads:</p> <p><i>(d) Open Coast: Areas of the open coast not identified in (a), (b), (c) and (e) of this Policy characteristically:</i></p> <p>[...]</p> <p><i>(v) may contain infrastructure, structures and activities that enable people and communities to provide for their economic and social wellbeing.</i></p> | <p><b>Decline</b></p> <p>The Council declines the relief sought in that the suggested amendments are for a value or attribute that is not a distinguishing feature of the coastal management area.</p> <p>Policy 1 sets out a zonal approach for the application of rules in the coastal marine area. The coastal marine area has been divided into five broad coastal management areas based upon shared values, characteristics, uses, vulnerability or sensitivity, and different management needs. The zones allow rules to 'bundle' compatible activities or effects of these activities together and restrict activities or effects which are incompatible. The coastal management areas enable some activities, and restrict other activities.</p> <p>As noted in Policy 1(a), (b) and (c) the listed matters refer to attributes and values characteristic of the area. There is no value in identifying values and attributes (already recognised and provided for by policies elsewhere) and which can occur anywhere in the coastal marine area.</p> |
| Further submissions – Transpower (26), Powerco (45)  |                  | Support  |   |
| 58 – Te Atiawa   | 209              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 1(b) and (c) of the Plan to re-instate (from the Draft Coastal Plan) the following characteristics for Estuaries Unmodified and Estuaries Modified:</p> <p>[...] <i>valued by Māori for Mahinga Kai.</i></p>  | <p><b>Accept</b></p> <p>The Council agrees to amend Policy 1(b) and (c) as through the exercise of mapping sites of significance to Māori, inevitably estuaries have been identified as important for a variety of reasons, including mahinga kai. However, in making the amendment the Council would seek to recognise wider cultural, spiritual, historical and traditional associations. The new clause reads as follows:</p> <p>[...] <i>are valued by Māori for taonga species, and cultural, spiritual, historical and traditional associations.</i></p>  |
| Further submissions – Te Korowai o Ngāruahine Trust (41), Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support  |   |
| 59 - KiwiRail  | 210              | <p><b>Support</b></p> <p>Retain Policy 1 of the Plan as notified.</p>  | <p><b>Accept</b></p> <p>Policy 1 is retained subject to minor amendments as requested by other submitters that does not change the policy intent.</p>   |
| 61 – Te Rūnanga o Ngāti Ruanui Trust   | 211              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 1(a) of the Plan (and associated schedules) to include:</p> <ul style="list-style-type: none"> <li>• Tangahoe – Hawera – Manutahi Reef system</li> <li>• Patea Beach and the Patea River Estuary</li> </ul>   | <p><b>Decline</b></p> <p>Policy 1(a) identifies coastal management areas of outstanding (exceptional) natural character and/or outstanding natural features and landscapes across the Taranaki region. Outstanding Value coastal management areas were based upon the current Coastal Plan. However, through the Coastal Plan review additional investigations were carried out, which resulted in a few additional sites being identified. However,</p>  |

| Submitter                            | Submission point | Submitter's requests  | Council's response and decisions  |
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|                                      |                  | <ul style="list-style-type: none"> <li>Ohawe – Manawapou – Waihi Beaches.</li> </ul>  | <p>that assessment did not identify the aforementioned areas as being exceptional for their natural character and/or for their natural features and landscapes. This finding is consistent with South Taranaki District Council conclusions as encapsulated in their Proposed District Plan.</p> <p>The Council notes that the submitter has not introduced any new information in support of these sites being outstanding natural character, features or landscapes.</p> <p>Notwithstanding the above, the Council suggests granting the relief may not be necessary as the Plan already recognises the aforementioned sites as being 'regionally significant' for a variety of reasons, including for the cultural and historical heritage values. The Tangahoe - Hawera – Manutahi reef system is identified in Schedule 3, the Patea Beach and the Patea River Estuary are identified in Schedule 5B, while the Ohawe – Manawapou – Waihi beaches are identified in Schedule 6. The aforementioned places are also identified in Appendix 2 [Statutory acknowledgement] of the Plan (and associated planning maps).</p>  |
| 61 – Te Rūnanga o Ngāti Ruanui Trust | 212              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 1(b) of the Plan (and associated schedules) to include:</p> <ul style="list-style-type: none"> <li>Huroto Stream</li> <li>Waihi Stream</li> <li>Katewheta Stream</li> <li>Waikaikai Stream</li> <li>Mangaroa Stream</li> <li>Kaikura Stream</li> <li>Whenuakura River</li> <li>Manawapou River.</li> </ul> | <p><b>Accept in part</b></p> <p>The Council agrees to granting the relief in part.</p> <p>Policy 1(b) identifies larger estuaries based upon those identified in the current Plan. They are generally described as having high/unmodified natural character unmodified.</p> <p>With the exception of the Whenuakura River, which is already identified as an Estuary Unmodified, the streams identified by the submitter are relatively small and for spatial mapping and coastal management purposes there is little to differentiate these streams from other streams recognising that, when mapping the stream mouths, the RMA definition of the coastal marine area, where the line crosses these rivers, is “...the point upstream that is calculated by multiplying the width of the river mouth by 5.”</p> <p>Notwithstanding the above, of note the aforementioned stream mouths are recognised and have been mapped at a finer spatial scale to recognise that they are regionally significant for their cultural and historic heritage (and other) values. The aforementioned places are identified in Schedule 5B and Appendix 2 [Statutory acknowledgement] of the Plan (and associated planning maps).</p> |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
|--|------------------|--|---|
| 61 – Te Rūnanga o Ngāti Ruanui Trust                                     | 213              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 1(b), (c) and (d) of the Plan to include the following characteristics for coastal management areas Estuaries Unmodified, Estuaries Modified and Open Coast:</p> <p><i>[...] provide for taonga species, cultural and traditional associations and cultural heritage.</i></p> | <p><b>Accept in part</b></p> <p>The Council agrees to amend Policy 1(b) and (c) as through the exercise of mapping sites of significance to Māori, inevitably estuaries have been identified as important for a variety of reasons. The Council agrees to granting the relief, alongside other potential cultural, spiritual, historical and traditional associations:</p> <p><i>[...] are valued by Māori for mahinga kai, taonga species, cultural, spiritual, historical and traditional associations.</i></p>   |
| Further submissions – Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) |                  | Support  | <p>However, the Policy 1(d) is retained as currently notified. The Council notes that Policy 1(d)(ii) and (iv) already contain a cultural component and therefore no changes to that part of the policy are considered necessary.</p>   |
| <b>NEW Policy 1A – Coastal management areas (Port)</b>                   |                  |  |   |
| 43 – Royal Forest and Bird Protection Society                            | 214              | <p><b>Amend</b></p> <p>Submitter seeks amendment to the Plan to include a new Policy specific to the Port of Taranaki and consistent with Policy 9 [Port] of the <i>New Zealand Coastal Policy Statement</i>.</p>  | <p><b>Decline</b></p> <p>The Council does not believe it is appropriate or necessary to include a new policy specific to the Port to give effect to Policy 9 of the <i>New Zealand Coastal Policy Statement</i>.</p>  |
| Further submissions – Port Taranaki Ltd (32)                             |                  | Oppose   | <p>The Council notes the introductory sentence to Section 5 on page 19 that “...<b>when assessing an activity, regard will be had to all relevant general and activity-based policies are to be considered and no individual policy viewed in isolation.</b>” It is therefore unnecessary to include a new policy specific to the Port when matters outlined in Policy 9 of the <i>New Zealand Coastal Policy Statement</i> have been more fully covered and addressed via Policy 1 [Coastal management areas], Policy 5 [Use and development], Policy 6 [Regionally important infrastructure] and Policy 7 [Reverse sensitivity]. These and the other General Policies and relevant Activity-specific Policies will contribute to the efficient and safe operation of Port Taranaki.</p> |
| <b>Policy 2 – Integrated management</b>                                  |                  |  |   |
| 2 – Federated Farmers  | 215              | <p><b>Support</b></p> <p>Submitter notes support of Policy 2 of the Plan as notified</p>   | <p><b>Accept</b></p> <p>Support noted. Policy 2 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.</p>  |



| Submitter   | Submission point | Submitter's requests   | Council's response and decisions   |
|---|------------------|--|--|
| 7 – Waikato Regional Council  | 216              | <p><b>Other</b></p> <p>Submitter seeks that the Council consider, in its Coastal Plan, provisions related to integrated management, cross-boundary issues and the need to work collaboratively with the Waikato Regional Council, which may include incorporating a new section with cross boundary related provisions, or expanding Policy 2 to more explicitly state how cross-boundary matters will be managed through collaboration.</p> | <p><b>No relief necessary</b></p> <p>Submitter's comments are noted.</p> <p>The Council notes that as part of the development of the Proposed Coastal Plan the Council considered all matters relating to the structure, format and content of a revised Plan including a stand-alone section setting out integrated management/cross boundary provisions and determined on the approach as adopted in the proposal, which includes a stand-alone Policy but also includes other Plan provisions that contribute to more effective integrated management including Plan objectives, General Policies and Implementation Methods that apply across the coastal environment.</p> |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Atiawa (58) |                  | Support  |  |
| 7 – Waikato Regional Council  | 217              | <p><b>Other</b></p> <p>Notes the Waikato Regional Council will be working collaboratively with other agencies on a long-term strategy on coastal erosion and flooding for the Mokau area.</p>  | <p><b>No relief necessary</b></p> <p>Comments noted.</p>   |
| Further submissions – Te Atiawa (58)                                  |                  | Support  |  |
| 12 – Chorus New Zealand Limited                                       | 218              | <p><b>Support</b></p> <p>Retain Policy 2 of the Plan as notified.</p>  | <p><b>Accept</b></p> <p>Support noted. Policy 2 is retained subject to amendments sought by other submitters.</p>  |
| 13 – Spark New Zealand Trading Limited                                | 219              | <p><b>Support</b></p> <p>Retain Policy 2 of the Plan as notified.</p>  | <p><b>Accept</b></p> <p>Support noted. Policy 2 is retained subject to amendments sought by other submitters.</p>  |
| Further submissions – Port Taranaki Ltd (32)                          |                  | Support  |  |
| 14 – Vodafone New Zealand Limited                                     | 220              | <p><b>Support</b></p> <p>Retain Policy 2 of the Plan as notified.</p>  | <p><b>Accept</b></p> <p>Support noted. Policy 2 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.</p>   |

| Submitter                            | Submission point | Submitter's requests   | Council's response and decisions   |
|--------------------------------------|------------------|--|--|
| 19 – South Taranaki District Council | 221              | <p><b>Amend</b></p> <p>Submitter notes support for this policy but requests amendment to Policy 2(e) and (g) of the Plan to add reference to working cooperatively with the territorial local authorities of the region and iwi.</p>   | <p><b>No relief necessary</b></p> <p>In relation to amending Policy 2(e) and (g) to add reference to working cooperatively with the territorial local authorities of the region and iwi, the Council notes that Clause (g) already references this and no further amendments are considered necessary except to correct the Policy reference in (g) to refer to Policy 16 [Relationship of tangata whenua].</p>  |
| 19 – South Taranaki District Council | 222              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 2(g) of the Plan noting that reference to Policy 15 is in error and should be corrected to Policy 16.</p>   | <p><b>Accept</b></p> <p>The Council agrees to granting the relief sought to correct a typographical error in the Proposed Plan.</p>  |
| 20 – Meridian Energy Limited         | 223              | <p><b>Amend</b></p> <p>Submitter seeks minor amendments to Policy 2(b) and (e) of the Plan to clarify that they apply only to the Taranaki region:</p> <p><i>Provide for the integrated management of the coastal environment by:</i></p> <p>[...]</p> <p><i>(b) implementing policies, methods and rules in other regional plans <a href="#">for Taranaki</a> in relation to managing adverse effects associated with diffuse and direct discharges to freshwater and air, and soil disturbance;</i></p> <p>[...]</p> <p><i>(e) considering the effects of activities in the coastal marine area on outstanding natural features and landscapes or areas of outstanding natural character identified in other regional or district plans <a href="#">for the Taranaki Region</a>.</i></p> | <p><b>Accept</b></p> <p>The Council agrees to amending Policy 2 to clarify in Clauses 2(b) and (e) that the Taranaki region is the area being managed.</p>   |
| Further submissions – Te Atiawa (58) |                  | Oppose   |  |
| 20 – Meridian Energy Limited         | 224              | <p><b>Amend</b></p> <p>Amend Clause (c) of Policy 2 of the Plan to clarify what is meant by “cross-media effects”.</p>   | <p><b>Accept</b></p> <p>Cross-media effects refer to effects that may traverse environmental domains, e.g. activities that occur on land such as a discharge that have an impact on water quality. The Council agrees to amending Policy 2 to clarify the concept of cross-media effects by deleting Clause (c) and inserting a new Clause (aa) that reads as follows:</p> <p><i><a href="#">(aa) recognising ki uta ki tai by taking into account the interconnected nature of resources and natural processes in the management of adverse effects across air, land, fresh water bodies and the coastal environment; [...]</a></i></p> |



| Submitter                       | Submission point | Submitter's requests   | Council's response and decisions   |
|---------------------------------|------------------|--|--|
| 21 – Climate Justice Taranaki   | 225              | <p><b>Amend</b></p> <p>Submitter notes support for this policy but suggests amendment to Policy 2(g) of the Plan to add reference to working cooperatively with government departments and authorities (e.g. Environmental Protection Authority) to avoid, mitigate and manage any potential impacts from activities proposed/conducted in the Exclusive Economic Zone (e.g. seabed and petroleum mining), on Taranaki's coastal environment.</p>  | <p><b>No relief necessary</b></p> <p>Support noted. In relation to amending Policy 2(g) to add reference to working cooperatively with the government departments and authorities, the Council notes that Clause (g) already references this and further amendment to specify which departments under what scenarios is not considered necessary.</p>  |
| 26 – Transpower NZ Ltd          | 226              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 2(f) of the Plan to read:<br/> <i>Provide for the integrated management of the coastal environment by: [...]</i><br/> <i>(f) managing natural and physical coastal resources in a manner that <b>recognises and provides for</b> <del>has regard to</del> the social, economic and cultural objectives and well-being of the community, and the functional, <b>technical, operational</b> and/or <b>locational</b> constraints of nationally or regionally important infrastructure [...]</i></p> | <p><b>Accept</b></p> <p>The submitter requests this policy is amended to provide a stronger directive approach. The submitter suggests that the amendment would give better effect to Policy 1 and Policy 3 of the <i>National Policy Statement for Electricity Transmission</i>. The Council agrees to granting the relief sought by the submitter with minor word changes to maintain consistent wording with other areas of the Plan. The amended Policy 2(f) reads as follows:<br/> <i>[...]</i><br/> <i>(f) managing natural and physical resources in a manner that <b>recognises and provides for</b> the social, economic and cultural objectives and well-being of the community and the functional <b>needs and/or operational needs</b> of regionally important infrastructure <b>and industry</b>; and [...]</i></p>   |
| 29 – Department of Conservation | 227              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 2(c) of the Plan to clarify how taking into account the potential for cross media effects and the connections between freshwater bodies and coastal water will provide for integrated management.</p>   | <p><b>Accept in part</b></p> <p>The submitter suggests that Policy 2(c) is unclear and would like to know how Clause (c) of Policy 2 will provide for integrated management of the coastal area. Integrated management, for the purposes of the Plan, means managing use, development and protection of natural and physical resources as a whole. It recognises that natural and physical resources exist as parts of complex and inter-connected social and biophysical systems, where effects on one part of the system may affect other parts of the system. Integrated management also recognises that the management of systems involves a number of agencies with different roles and responsibilities. Clause (c) – management of cross-media effects – is therefore an essential part of integrated coastal management.</p> <p>Cross-media effects refer to effects that may traverse environmental domains, e.g. activities that occur on land such as a discharge that have an impact on water quality. In the case of the coastal marine area, activities inside the coastal marine area may</p> |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
|--|------------------|--|--|
|  |                  |  | <p>have an adverse effect on the wider coastal environment, or vice versa. Therefore, such effects need to be recognised and taken into account when implementing the Plan.</p> <p>No precise details of amendments sought to Policy 2(a) have been provided. However, the Council, in response to this and other submissions, agree to amend Policy 2 to clarify the concept of cross-media effects by deleting Clause (c) and inserting a new Clause (aa) that reads as follows:</p> <p><i>(aa) recognising ki uta ki tai by taking into account the interconnected nature of resources and natural processes in the management of adverse effects across air, land, fresh water bodies and the coastal environment: [...]</i></p> |
| 35 – Radio New Zealand Ltd                               | 228              | <p><b>Support</b></p> <p>Retain Policy 2 of the Plan as notified</p>   | <p><b>Accept</b></p> <p>Support noted. Policy 2 is retained subject to amendments sought by other submitters.</p>  |
| 40 – Te Rūnanga o Ngāti Mutunga                          | 229              | <p><b>Support</b></p> <p>Submitter seeks amendment to Policy 2(a) of the Plan to read:</p> <p><i>Provide for the integrated management of the coastal environment by: [...]</i></p> <p><i>(a) implementing policies under section 5.1 of the Plan in managing the effects of activities (positive and <del>negative</del> <b>adverse</b>) undertaken in the coastal marine area on significant values and characteristics of the wider coastal environment [...]</i></p> | <p><b>Accept</b></p> <p>The Council agrees to granting the relief sought noting that the use of “adverse” provide a clearer meaning of Policy 2 and makes it consistent with wording elsewhere in the Proposed Plan and the RMA.</p>   |
| Further submissions – Te Korowai o Ngāruahine Trust (41) |                  | Support  |  |
| 43 – Royal Forest and Bird Protection Society            | 230              | <p><b>Amend</b></p> <p>Submitter suggests that the current wording of Policy 2 of the Plan does not give effect to Policy 4 [Integration] and Policy 5 [Land or waters managed of held under other acts] of the <i>New Zealand Coastal Policy Statement</i> and is not consistent with the purpose of the RMA set out in Section 5.</p>  | <p><b>Decline</b></p> <p>No precise details of amendments sought to Policy 2 have been provided but the Council believes that Plan provisions, when read as a whole, give effect to the relief sought by the submitter and no further change is necessary.</p> <p>The Council notes that there is no <i>New Zealand Coastal Policy Statement</i> requirement for a single agency, and/or a single planning document, to give effect to all its policies. The Proposed Coastal Plan is one of a number of planning instruments necessary to give effect to the <i>New Zealand Coastal Policy Statement</i>. Other agencies and other planning instruments also have a role to play.</p>   |

| Submitter                                     | Submission point | Submitter's requests   | Council's response and decisions  |
|---|------------------|--|---|
|   |                  |  | The Council further notes the introductory sentence to Section 5 on page 19 that “... <b>when assessing an activity, regard will be had to all relevant general and activity-based policies are to be considered and no individual policy viewed in isolation.</b> ” The Council believes the ‘suite’ of General Policies plus relevant Activity Policies triggered by use and development activities in the coastal marine area address, amongst other things, the matters set out in Policy 4 [Integration] and Policy 5 [Land or waters managed or held under other acts] of the <i>New Zealand Coastal Policy Statement</i> and is consistent with the purpose of the RMA as set out in Section 5 of the Act.   |
| 43 – Royal Forest and Bird Protection Society | 231              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 2(a) of the Plan to read:<br/> <i>Provide for the integrated management of the coastal environment by:</i><br/> <i>(a) implementing policies under section 5.1 of the Plan in managing the <u>location, form and limits</u> effects of activities <del>(positive and negative)</del> undertaken in the coastal marine area <u>to protect and preserve the indigenous biodiversity, natural character, natural feature and landscape on significant</u> values and characteristics of the wider coastal environment; [...]</i></p> | <p><b>Accept in part</b></p> <p>Aspects of the relief sought to Policy 2(a) seem to be district plan oriented and unnecessary confines the scope of the Policy to the protection and preservation of indigenous biodiversity, natural character, and natural feature and landscapes. Other matters addressed within Section 5.1 [General Policies] of the Plan are excluded. The relief sought further confines the scope of the Policy to focus only on the “protection” of specific natural and physical resources to the exclusion of recognising and providing for use and development.</p> <p>The Council notes that the matters/values that the submitter wishes to protect are adequately provided for in other Policies within the Plan, for example Policy 9 [Natural character and natural features and landscapes] and Policy 14 [Indigenous Biodiversity]. The Council encourages Plan users to read the policies section as a whole, as intended, and recognise that all policies apply.</p> <p>Notwithstanding the above, the Council agrees to making some of the changes to Policy 2(g) that give partial relief to the changes sought by the submitter. The amended Policy 2(g) reads as follows:<br/> <i>Provide for the integrated management of the coastal environment by:</i><br/> <i>(a) implementing Plan provisions in managing the effects of activities (positive and <u>adverse</u>) by <u>having regard to the location, form and limits of the activity</u> undertaken in the coastal marine area on significant values and characteristics of the wider coastal environment; [...]</i></p> |
| Further submissions – Radio New Zealand (35)  |                  | Oppose   |   |
| 43 – Royal Forest and Bird Protection Society | 232              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 2(b) of the Plan to read:<br/> <i>Provide for the integrated management of the coastal environment by: [...]</i></p>  | <p><b>Decline</b></p> <p>The submitter considers the term “manage” to be uncertain and points out that “avoidance” is required by the <i>New Zealand Coastal Policy Statement</i>.</p>  |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
|--|------------------|--|--|
|  |                  | <i>(b) implementing policies, methods and rules in other regional plans in relation to <b>managing</b> adverse effects associated with diffuse and direct discharges to freshwater and air, and soil disturbance; [...]</i>  | The Council is unclear as to what the concerns are. It is the Council's view that managing adverse effects is an accurate description of what the Plan is attempting to do. It is not the Council's view that the <i>New Zealand Coastal Policy Statement</i> adopts a strictly "avoidance" regime. As previously noted in other submission points, the policies must be read together. In addition to the General Policies, Activity-specific Policies 22 to 30 provide additional guidance and direction that, when read together, give effect to the <i>New Zealand Coastal Policy Statement</i> .  |
| 43 – Royal Forest and Bird Protection Society            | 233              | <b>Amend</b><br><br>Submitter seeks amendment to Policy 2(e) of the Plan to read:<br><i>Provide for the integrated management of the coastal environment by:</i><br><i>(e) considering the effects of activities in the coastal marine area on outstanding natural features and landscapes or areas of outstanding natural character <b>or significant indigenous biodiversity</b> identified in other regional or district plans; [...]</i> | <b>Accept</b><br><br>The Council agrees to granting the relief sought noting that activities in the coastal marine area can quite clearly have adverse effects on significant indigenous biodiversity as identified in other regional or district plans. The amended Policy 2(e) reads as follows:<br><br><i>(e) considering the effects of activities in the coastal marine area on outstanding natural features and landscapes or areas of outstanding natural character <b>or significant indigenous biodiversity</b> identified in other regional or district plans <b>for the Taranaki region</b>; [...]</i>  |
| Further submissions – Te Korowai o Ngāruahine Trust (41) |                  | Support  |  |
| 43 – Royal Forest and Bird Protection Society            | 234              | <b>Amend</b><br><br>Submitter expresses concern regarding Policy 2(c) of the Plan, which contains terminology that does not have a common meaning.   | <b>Accept</b><br><br>The submitter has not expanded upon this comment and the Council assumes they refer to "cross media effects". In response to this and other submissions, the Council agrees to amending Policy 2 by deleting Clause (c) and inserting a new Clause (aa) that adopts a more plain English reading but also includes the principle of ki uta ki tai or interconnectedness.<br><br>The new Clause (aa) reads as follows:<br><br><i>(aa) recognising ki uta ki tai by taking into account the interconnected nature of resources and natural processes in the management of adverse effects across air, land, fresh water bodies and the coastal environment; [...]</i> |

| Submitter                                     | Submission point | Submitter's requests  | Council's response and decisions  |
|---|------------------|---|---|
| 43 – Royal Forest and Bird Protection Society | 235              | <b>Amend</b>  | <b>No relief necessary</b>  |
|   |                  | Submitter seeks amendment Policy 2(d) or Schedule 1 of the Plan to specify which areas have legal protection.   | The Council notes that all policies must be read together. Policy 1(a)(iii) already identifies marine areas with legal protection, these being Parininihi Marine Reserve, Ngā Motu/Sugar Loaf Islands Marine Protected Area and Tapuae Marine Reserve. Furthermore, the associated planning maps also specify which marine areas have legal protection. Further Plan changes as requested by the submitter to Policy 2(d) or Schedule 1 are not considered necessary.   |
| 43 – Royal Forest and Bird Protection Society | 236              | <b>Amend</b>  | <b>Accept in part</b>   |
|   |                  | Submitter seeks amendment to Policy 2(g) of the Plan to provide for collaboration consistent with Policies 4 and 5 of the <i>New Zealand Coastal Policy Statement</i> .   | The submitter suggests that Policy 2(g) is uncertain as it appears to limit collaboration to Policy 15 matters [Historic heritage] of the Plan and seek that the Policy align with Policies 4 [Integration] and 5 [Land or water managed or held under other acts] of the <i>New Zealand Coastal Policy Statement</i> .<br><br>The submitter has identified a drafting error in the Policy whereby reference to working collaboratively with tangata whenua in accordance with Policy 15 [Historic heritage] is meant to be a reference to Policy 16 [Relationship with tangata whenua]. The Council agrees to the drafting error being corrected while noting that Policy 2 (and other relevant policies in the Plan), when read as a whole, already give effect to Policies 4 [Integration] and 5 [Land or water managed or held under other acts] of the <i>New Zealand Coastal Policy Statement</i> . |
| 45 – Powerco                                  | 237              | <b>Amend</b>  | <b>Accept</b>   |
|   |                  | Submitter supports Policy 2 of the Plan subject to the amendment of Policy 2(f) to read:<br><i>Provide for the integrated management of the coastal environment by: [...]</i><br><i>(f) managing natural and physical <del>coastal</del> resources in a manner that has regard to the social, economic and cultural objectives and well-being of the community and the functional <u>need</u> and/or location constraints of nationally or regionally important infrastructure; and [...]</i> | The Council agrees with the submitter that reference to “ <i>functional need</i> ” provides more clarity to Plan users noting that this has been defined in the Plan. Further to this, the Plan also defines “operational needs” which encompasses locational constraints which is agreed to be included following functional needs in Policy 2(f).<br><br>The amended Policy 2(f) reads as as follows:<br><i>(f) managing natural and physical resources in a manner that <u>recognises and provides for</u> the social, economic and cultural objectives and well-being of the community and the functional <u>needs and/or operational needs</u>, of regionally important infrastructure; <u>and industry</u> [...]</i>  |



| Submitter   | Submission point | Submitter's requests   | Council's response and decisions  |
|---|------------------|--|---|
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd                      | 238              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 2(f) of the Plan to read:<br/> <i>Provide for the integrated management of the coastal environment by: [...]</i><br/> <i>(f) managing natural and physical <del>coastal</del> resources in a manner that has regard to the social, economic and cultural objectives and well-being of the community and the functional <u>need</u> and/or location constraints of nationally or regionally important infrastructure; and[...]</i></p>                               | <p><b>Accept</b></p> <p>As per the Council's response in submission point 237 above.</p>  |
| Further submissions – Transpower (26)                                   |                  | Support  |   |
| 47 – Fonterra   | 239              | <p><b>Amend</b></p> <p>Submitter generally supports Policy 2 of the Plan subject to an amendment to Policy 2(f) to read:<br/> <i>Provide for the integrated management of the coastal environment by: [...]</i><br/> <i>(f) managing natural and physical coastal resources in a manner that has regard to the social, economic and cultural objectives and well-being of the community and the functional and/or location constraints of nationally or regionally important infrastructure <u>and industry</u>; [...]</i></p> | <p><b>Accept</b></p> <p>The submitter supports Policy 2 but believes the provisions should be extended to include regionally significant industry alongside regionally significant infrastructure. This request is made as the submitter considers that it is appropriate to recognise nationally and regionally important industry to the same extent as infrastructure, given the contribution of significant industry to the social and economic wellbeing of the region.</p> <p>The Council notes that the Policy relates to integrated management and that it may be appropriate to consider regionally important industry, the Council agrees with the submitter and grant the relief sought.</p> |
| Further submissions – Federated Farmers (2)                             |                  | Support  |   |
| Further submissions –Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) |                  | Oppose   |   |
| 48 – Taranaki District Health Board                                     | 240              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 2(g) of the Plan to read:<br/> <i>Provide for the integrated management of the coastal environment by: [...]</i><br/> <i>(g) working collaboratively with government departments, territorial authorities, <u>district health boards</u>, other agencies, and tangata whenua in accordance with Policy 15 [...]</i></p>   | <p><b>Accept</b></p> <p>The submitter requests specific reference to “district health boards” in Policy 2(g). The Council believes that the suggested amendment to explicitly recognise the close working relationship between it and the Taranaki District Health Board, particularly in relation to coastal water quality, is appropriate and agree that Policy 2(g) be amended accordingly.</p>  |

| Submitter                                | Submission point | Submitter's requests   | Council's response and decisions  |
|--|------------------|--|---|
| 50 – Te Kāhui o Taranaki Trust           | 241              | <b>Amend</b>   | <b>Accept</b>   |
|  |                  | Submitter seeks amendment to Policy 2(a) of the Plan to read:<br><i>Provide for the integrated management of the coastal environment by:</i><br><i>(a) implementing policies under section 5.1 of the Plan in managing the effects of activities (positive and <b>negative adverse</b>) undertaken in the coastal marine area on significant values and characteristics of the wider coastal environment [...]</i> | The Council agrees to granting the relief sought by the submitter noting that the use of the term “adverse” provides Plan users with a clearer meaning of Policy 2 and makes it consistent with wording elsewhere in the Proposed Plan and the RMA. |
| 51 – Taranaki Energy Watch               | 242              | <b>Support</b>   | <b>Accept</b>   |
|  |                  | Submitter supports the integrated management principles of Policy 2 of the Plan, in particular integrated activities to oil and gas activities that cross jurisdictional boundaries as well as being managed under multiple regimes.   | Support noted. Policy 2 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.  |
| 58 – Te Atiawa                           | 243              | <b>Support</b>   | <b>Accept</b>   |
|  |                  | Submitter supports the integrated management principles of Policy 2 of the Plan, in particular integrated activities to oil and gas activities that cross jurisdictional boundaries as well as being managed under multiple regimes.   | Support noted. Policy 2 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.  |
| 58 – Te Atiawa                           | 244              | <b>Support</b>   | <b>Accept</b>   |
|  |                  | Submitter seeks amendment to Policy 2 of the Plan to read:<br><i>Provide for integrated management of the coastal environment by:</i><br><i>(a) implementing policies under section 5.1 of the Plan in managing the effects of activities (positive and <b>negative adverse</b>) undertaken in the coastal marine area on significant values and characteristics of the wider coastal environment [...]</i>        | The Council agrees to granting the relief sought by the submitter noting that the use of the term “adverse” provides Plan users with a clearer meaning of Policy 2 and makes it consistent with wording elsewhere in the Proposed Plan and the RMA. |
| 59 - KiwiRail                            | 245              | <b>Support</b>   | <b>Accept</b>   |
|  |                  | Retain Policy 2(f) of the Plan as notified.  | Support noted. Policy 2(f) is retained subject to minor amendments as requested by other submitters that do not change the policy intent.   |
| <b>Policy 3 – Precautionary approach</b> |                  |  |   |
| 5 – Point Board Riders                   | 246              | <b>Support</b>   | <b>Accept</b>   |
|  |                  | Retain Policy 3 of the Plan as notified.   | Policy 3 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.   |



| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
|--|------------------|---|--|
| 20 – Meridian Energy Limited                                   | 247              | <p><b>Support</b></p> <p>Retain Policy 3 of the Plan as notified.</p>   | <p><b>Accept in part</b></p> <p>Policy 3 is retained subject to minor amendments that deletes reference to “<i>adaptative management</i>” as requested by other submitters noting that the amendment does not change the policy intent.</p> <p>The submitter presented a hearing statement for the Hearing Panel’s consideration and requested that “<i>adaptive management</i>” be returned to the Plan as per the notified version (as opposed to the Section 42A report) and considers that the reference would be useful for Plan users.</p> <p>The Council does not agree noting that adaptive management is not precluded from consideration during consent applications as part of a precautionary approach. Further, the Council would be concerned that if it is referenced within the policy that Plan users may assume that adaptive management approaches are inherently precautionary. That is not necessarily the case. It is the Council’s view tha inclusion of the term “<i>adaptive management</i>” reduces certainty and clarity for Plan users applying Policy 3.</p> <p>The Council agrees with the recommendations set out in the Section 42A report and the Hearing Panel’s report and agrees that Policy 3 be retained subject to minor amendments deleting reference to “<i>adaptative management</i>”.</p> |
| Further submissions 32 – Port Taranaki Ltd (32), Fonterra (47) |                  | Support   |  |
| 29 – Department of Conservation                                | 248              | <p><b>Support</b></p> <p>Retain Policy 3 of the Plan as notified.</p>   | <p><b>Accept</b></p> <p>Policy 3 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.</p>  |
| 37 – Petroleum Exploration and Production Association of NZ    | 249              | <p><b>Support</b></p> <p>Retain Policy 3 of the Plan as notified.</p>   | <p><b>Accept</b></p> <p>Policy 3 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.</p>  |
| 43 – Royal Forest and Bird Protection Society                  | 250              | <p><b>Amend</b></p> <p>The submitter references Policy 3 [Precautionary approach] of the <i>New Zealand Coastal Policy Statement</i> and notes that “adaptive management” is not included within the parameters of the precautionary approach. The submitter suggests that because it is not referenced within the <i>New Zealand Coastal Policy Statement</i> it should not be included within Policy 3 as it is not inherently precautionary but is, instead, a trial and error approach.</p> | <p><b>Accept</b></p> <p>The Council does not agree that adaptive management equates to a “<i>trial and error approach</i>”. Adaptive management requires that decisions, following the granting of a resource consent, be periodically reviewed and adjusted depending on monitoring and established trigger points. Thus, adaptive management may be useful for the management of some, but not all activities, in particular activities that are protracted and involve a number of decisions to be made throughout the life of the activity.</p>  |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
|--|------------------|--|--|
|  |                  | Submitter seeks amendment to Policy 3 of the Plan to remove reference to "adaptive management".  | Case law has determined that adaptive management can correctly be applied in relation to the requirements of the <i>New Zealand Coastal Policy Statement</i> even though it is not explicitly provided for within the Policy Statement itself.   |
| Further submissions – Trans-Tasman Resources Ltd (6), Meridian Energy Ltd (20), Petroleum Exploration and Production Association of New Zealand (37) |                  | Oppose   | Notwithstanding the above, the Council agrees with the submitter that it is not necessary to explicitly reference "adaptive management" within Policy 3.   |
| Further submissions – Taranaki Energy Watch (51)   |                  | Support  | The Council agrees to deleting reference to "adaptive management" in Policy 3. The reference is unnecessary and could be viewed as encouraging its application in circumstances where it might not be appropriate. However, the Council notes that deleting the term from the Policy would not preclude a resource consent application from considering adaptive management under the appropriate circumstances.   |
| 43 – Royal Forest and Bird Protection Society  | 251              | <b>Amend</b><br><br>The submitter requests that Policy 3 include reference to the effects of climate change in order to provide for Policy 3(2) of the <i>New Zealand Coastal Policy Statement</i> which requires a precautionary approach to be adopted to use and management of coastal resources potentially vulnerable to the effects of climate change.<br><br>Submitter seeks rewording of Policy 3 of the Plan to include reference to the effects of climate change and give effect to Policy 3 of the <i>New Zealand Coastal Policy Statement</i> . | <b>No relief necessary</b><br><br>The Council agrees the precautionary approach is necessary for resources that may be vulnerable to the effects of climate change. However, explicit reference to climate change within Policy 3 is not considered necessary as it has been provided for elsewhere in the Plan.<br><br>The Council notes that all policies must be read together and there are additional policies that incorporate a precautionary approach to climate change. In particular, Policies 20 [Coastal hazards] and 46 [Reclamation] require structures, reclamations and works to be assessed over at least 100 year time frame to take into account the expected effects of climate change and sea level rise. The Council believes that Policy 3 is appropriately pitched at a high level to promote its broad application to all coastal related issues rather than just climate change. |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61)   |                  | Support  |  |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd   | 252              | <b>Support</b><br><br>Retain Policy 3 of the Plan as notified.   | <b>Accept</b><br><br>Policy 3 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.   |
| 50 – Te Kāhui o Taranaki Trust   | 253              | <b>Amend</b><br><br>Submitter seeks amendment to Policy 3 of the Plan to read:<br><br><i>Adopt <del>a precautionary approach, which may include using</del> an adaptive management approach, where the effects of any activity on the coastal environment are uncertain, unknown, or little understood, but potentially significantly adverse.</i>   | <b>Decline</b><br><br>The Council notes that Policy 3 and the adoption of the precautionary approach contributes to giving effect to Policy 3 [Precautionary approach] of the <i>New Zealand Coastal Policy Statement</i> . The <i>New Zealand Coastal Policy Statement</i> requires coastal plans to adopt a precautionary approach toward proposed activities where the effects to the coastal environment are uncertain, unknown, or little understood.   |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
|--|------------------|--|---|
| Further submissions – Taranaki Energy Watch (51)   |                  | Oppose   | Given the coastal environment is a dynamic environment, the effects of activities may often be uncertain, unknown or little understood. Accordingly, it is considered appropriate that Policy 3 adopt a cautious approach when uncertain about the effects of use and development activities in the coastal management area.  |
| 55 –Kiwis Against Seabed Mining  | 254              | <b>Other</b><br>Submitter states that the precautionary approach should be applied to objectives, policies and rules in the plan that relate to oil and gas, fishing and seabed mining activities.   | <b>No relief necessary</b><br>The Council notes that all General Policies and relevant Activity-specific Policies need to be read together. Policy 3 is a General Policy that applies when considering all use and development activities in the coastal marine area, including oil and gas, fishing and sea bed mining activities regulated under this Plan.   |
| Further submissions – Petroleum Exploration and Production Association of New Zealand (37) |                  | Oppose   |   |
| Further submissions – Taranaki Energy Watch (51), Te Rūnanga o Ngāti Ruanui Trust (61)     |                  | Support  |   |
| 56 – Greenpeace  | 255              | <b>Other</b><br>Submitter states that the precautionary approach should be applied to objectives, policies and rules in the Plan that relate to oil and gas, fishing and seabed mining activities.   | <b>No relief necessary</b><br>The Council notes that all General Policies and relevant Activity-specific Policies need to be read together. Policy 3 is a General Policy that applies when considering all use and development activities in the coastal marine area, including oil and gas, fishing and sea bed mining activities regulated under this Plan.   |
| Further submissions – Petroleum Exploration and Production Association of New Zealand (37) |                  | Oppose   |   |
| Further submissions – Taranaki Energy Watch (51), Te Rūnanga o Ngāti Ruanui Trust (61)     |                  | Support  |   |
| 58 – Te Atiawa   | 256              | <b>Amend</b><br>Submitter seeks amendment to Policy 3 of the Plan to read:<br><i>Adopt <del>a precautionary approach, which may include using</del> an adaptive management approach, where the effects of any activity on the coastal environment are uncertain, unknown, or little understood, but potentially significantly adverse.</i> | <b>Decline</b><br>The Council notes that Policy 3 and the adoption of the precautionary approach contributes to giving effect to Policy 3 [Precautionary approach] of the <i>New Zealand Coastal Policy Statement</i> . The <i>New Zealand Coastal Policy Statement</i> requires coastal plans to adopt a precautionary approach toward proposed activities where the effects to the coastal environment are uncertain, unknown or little understood. |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions  |
|---|------------------|---|---|
| Further submissions – Taranaki Energy Watch (51)                        |                  | Oppose  | Given the coastal environment is a dynamic environment, the effects of activities may often be uncertain, unknown or little understood. Accordingly, it is considered appropriate that Policy 3 adopt a cautious approach when uncertain about the effects of use and development activities in the coastal management area.  |
| <b>Policy 4 – Extent and characteristics of the coastal environment</b> |                  |   |   |
| 2 – Federated Farmers   | 257              | <p><b>Amend</b></p> <p>Submitter generally supports Policy 4 of the Plan but would like the Plan to be amended to map the coastal environment.</p>                      | <p><b>Accept</b></p> <p>Support noted.</p> <p>The Council has worked closely with New Plymouth and South Taranaki district councils in identifying and mapping coastal areas of outstanding natural character and outstanding natural features and landscapes. Both district councils have commenced or about to commence their respective district plan reviews, which includes a coastal protection zone.</p> <p>For the purposes of integrated management and to promote alignment between the respective regional and district plans, the Council agrees to amend the Proposed Plan (and associated GIS layers and planning maps) to include an indicative extent of the coastal environment that is aligned with the coastal environment lines (or their equivalent) identified in the South Taranaki and New Plymouth district plans.</p> <p>Of note Policy 4 is still retained and aligns with Policy 1 of the <i>New Zealand Coastal Policy Statement</i>. Through the consenting process there will be opportunities for Council to further consider the indicative line and to confirm the extent and characteristics of the coastal environment on a case-by-case basis.</p> |
| 19 – South Taranaki District Council                                    | 258              | <p><b>Support</b></p> <p>Retain Policy 4 of the Plan as notified.</p>   | <p><b>Accept</b></p> <p>Support noted. Policy 4 is retained subject to amendments to include a coastal environment line.</p>  |
| Further submissions – Port Taranaki Ltd (32)                            |                  | Support   |   |
| 29 – Department of Conservation   | 259              | <p><b>Amend</b></p> <p>Submitter seeks amendment to or deletion of Policy 4 of the Plan to instead identify and map the landward extent of the coastal environment.</p> | <p><b>Grant in kind</b></p> <p>Policy 4 gives effect to Policy 1 of the <i>New Zealand Coastal Policy Statement</i> in that it identifies the characteristics of the coastal environment line. The Council has worked closely with New Plymouth and South Taranaki district councils in identifying and mapping coastal areas of outstanding natural character and outstanding natural features and landscapes. Both district councils have commenced or about to</p>   |

| Submitter | Submission point | Submitter's requests | Council's response and decisions  |
|-----------|------------------|----------------------|---|
|           |                  |                      | <p>commence their respective district plan reviews, which includes a coastal protection/environment zone.</p> <p>The Council does not agree to deleting Policy 4. The Council considers that it is important for Policy 4 to continue to recognise and provide for opportunities, through the consenting process, to further consider the extent and characteristics of the coastal environment on a case-by-case basis.</p> <p>The reader is referred to the Department of Conservation's guidance on the <i>New Zealand Coastal Policy Statement</i>. The guidance simply describes 'coastal environment' as that part of the environment in which the coast is a significant part or element. However, the guidance also notes the difficulties in setting out an abstract definition which is capable of simple and ready application to any given situation. What constitutes the coastal environment will vary from place to place and according to the position from which a place is viewed.</p> <p>Notwithstanding the above, in the interests of certainty and clarity, the Council agrees to amend Policy 4 (and associated GIS layers and planning maps) to identify an indicative landward extent of the coastal environment that is aligned with the coastal environment lines (or their equivalent) identified in the South Taranaki and New Plymouth district plans. Such a line would make it easier for the submitter (and others) to assess whether activities are likely to fall within or outside the coastal environment.</p> <p>The amended Policy 4 reads as follows:</p> <p><i>Determine the inland extent of the coastal environment for the purposes of policies under Section 5.1 of the Plan by:</i></p> <p><i><u>(a) having particular regard to areas identified in a district plan or proposed district plan as being the coastal environment or equivalent (map link); and</u></i></p> <p><i><u>(b) on a case-by-case basis, recognising:</u></i></p> <p><i><u>(i) areas <u>landward of the coastal environment line</u> where coastal processes, influences or qualities are significant, including <u>areas at risk from coastal hazards; coastal vegetation and coastal habitat of indigenous species; elements and features of natural character, landscapes, visual qualities or amenity values; inter-related coastal marine and terrestrial systems; and may include items of cultural and historic heritage and physical resources and built facilities.</u></u></i></p> |



| Submitter                                      | Submission point | Submitter's requests  | Council's response and decisions   |
|--|------------------|---|--|
| 35 – Radio New Zealand Ltd                     | 260              | <p><b>Amend</b></p> <p>The submitter considers the current wording of Policy 4 to be too broad and may be difficult to implement in practice. They would also like clarification as to whether the Radio New Zealand Ltd facilities fall within or outside of the “coastal environment”, because it is not clear what the threshold is for “significance” of coastal processes or influences.</p> <p>Submitter seeks amendment to Policy 4 of the Plan to read:</p> <p><i>Determine the inland extent of the coastal environment for the purpose of policies under Section 5.1 of the Plan on a case-by-case basis by having regard to:</i></p> <p><i>(a) areas where coastal processes, influences or qualities are significant, <u>and where activities may cause adverse effects on significant values and characteristics in the coastal marine area, including coastal lakes, lagoons, tidal estuaries, saltmarshes, coastal wetlands and the margins of these areas [...]</u></i></p> | <p><b>Grant in kind</b></p> <p>The reader is referred to the Department of Conservation’s guidance on the <i>New Zealand Coastal Policy Statement</i>. The guidance simply describes ‘coastal environment’ as that part of the environment in which the coast is a significant part or element. However, the guidance also notes the difficulties in setting out an abstract definition which is capable of simple and ready application to any given situation. What constitutes the coastal environment will vary from place to place and according to the position from which a place is viewed.</p> <p>The Council declines amending Policy 4(a) in the manner suggested by the submitter but does agree with amending the Plan to provide greater certainty in relation to where the coastal environment lies. It is agreed that the Plan (and associated GIS layers and planning maps) be amended to identify the indicative extent of the coastal environment that is aligned with the coastal environment lines (or their equivalent) identified in the South Taranaki and New Plymouth district plans. Such a line would make it easier for the submitter to assess whether their facilities fall within or outside the coastal environment.</p> <p>The revised Policy reads as follows:</p> <p><i>Determine the inland extent of the coastal environment for the purposes of policies under Section 5.1 of the Plan by:</i></p> <p><i>(a) <u>having particular regard to areas identified in a district plan or proposed district plan as being the coastal environment or equivalent (map link);</u></i></p> <p><i>(b) <u>on a case-by-case basis, recognising:</u></i></p> <p><i><del>(i)</del> <u>areas landward of the coastal environment line where coastal processes, influences or qualities are significant, including areas at risk from coastal hazards; coastal vegetation and coastal habitat of indigenous species; elements and features of natural character, landscapes, visual qualities or amenity values; inter-related coastal marine and terrestrial systems; and may include items of cultural and historic heritage and physical resources and built facilities.</u></i></p> |
| 43 – Royal Forest and Bird Protection Society  | 261              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 4 of the Plan to remove “case-by-case”.</p>  | <p><b>Decline</b></p> <p>The Council agrees to an alternative relief that, while declining the exact relief sought by the submitter, may address some of their concerns.</p>   |
| Further submissions – Meridian Energy Ltd (20) |                  | Support in part   | <p>For the purposes of integrated management and to promote alignment between the respective regional and district plans, the Council agrees to amend Policy 4 (and associated GIS layers and planning maps) to identify an indicative landward extent of</p>  |



| Submitter                                     | Submission point | Submitter's requests  | Council's response and decisions  |
|---|------------------|---|---|
|   |                  |   | <p>the coastal environment that is aligned with the coastal environment lines (or their equivalent) identified in the South Taranaki and New Plymouth district plans. However, the Council considers that it is important for Policy 4 to continue to recognise and provide for opportunities, through the consenting process, to further consider the extent and characteristics of the coastal environment on a case-by-case basis.</p> <p>The reader is referred to the Department of Conservation's guidance on the <i>New Zealand Coastal Policy Statement</i>. The guidance notes that the term 'coastal environment' is an environment in which the coast is a significant part or element. However, the guidance notes the difficulties in setting out an abstract definition which is capable of simple and ready application to any given situation. What constitutes the coastal environment will vary from place to place and according to the position from which a place is viewed and potential changes to that environment over time.</p> |
| 43 – Royal Forest and Bird Protection Society | 262              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 4 of the Plan to capture the extent and characteristics in Policy 1 of the <i>New Zealand Coastal Policy Statement</i></p> <p>OR</p> <p>Alternatively amend Policy 4 to refer to the extent of the coastal environment set out on the planning maps and that the maps identify the landward extent as per Policy 1 of the <i>New Zealand Coastal Policy Statement</i>.</p> | <p><b>Accept</b></p> <p>The submitter (and others) are seeking certainty in terms of delineating the landward extent of the coastal environment.</p> <p>Policy 4 gives effect to Policy 1 of the <i>New Zealand Coastal Policy Statement</i> in that it identifies the characteristics of the coastal environment line. Council has worked closely with New Plymouth and South Taranaki district councils in identifying and mapping coastal areas of outstanding natural character and outstanding natural features and landscapes. Both district councils have commenced or about to commence their respective district plan reviews, which includes a coastal protection/environment zone.</p>   |
| Meridian Energy Ltd (20)                      |                  | Support in part   | <p>For the purposes of integrated management and to promote alignment between the respective regional and district plans it is agreed that Policy 4 (and associated GIS layers and planning maps) be amended to include an indicative extent of the coastal environment that is aligned with the coastal environment lines (or their equivalent) identified in the South Taranaki and New Plymouth district plans.</p>  |
| Further submissions – Radio New Zealand (35)  |                  | Support in part/Oppose in part  | <p>At the hearing, the submitter spoke further to the issue of alignment between the Policy 4 of the Plan and Policy 1 of the <i>New Zealand Coastal Policy Statement</i>. Specific amendments to the Policy were suggested that provided for case-by-case considerations by restating the matters set out in Policy 1(d) to (i) of the <i>New Zealand Coastal Policy Statement</i> into Policy 4 of the Plan.</p> <p>In response to this, the Hearing Panel agreed in part to the relief sought by the submitter and recommended further changes to Policy 4(b) that closer align with</p>   |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
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|  |                  |   | <p>Policy 1 of the <i>New Zealand Coastal Policy Statement</i>. The Council agrees with the recommendations of the Hearing Panel. The revised Policy reads as follows:</p> <p><i>Determine the inland extent of the coastal environment for the purposes of policies under Section 5.1 of the Plan by:</i></p> <p><i>(a) <u>having particular regard to areas identified in a district plan or proposed district plan as being the coastal environment or equivalent (map link); and</u></i></p> <p><i>(b) <u>on a case-by-case basis, recognising:</u></i></p> <p><i>(i) <u>areas landward of the coastal environment line where coastal processes, influences or qualities are significant, including areas at risk from coastal hazards; coastal vegetation and coastal habitat of indigenous species; elements and features of natural character, landscapes, visual qualities or amenity values; inter-related coastal marine and terrestrial systems; and may include items of cultural and historic heritage and physical resources and built facilities.</u></i></p>  |
| 45 – Powerco   | 263              | <p><b>Amend</b></p> <p>The submitter notes that Policy 4 sets out a case-by-case approach to defining the coastal environment. The submitter believes that such an approach is neither efficient nor effective and would lead to significant costs and uncertainties, including potential disputes as to whether the Coastal Plan for Taranaki is relevant to a particular activity. The submitter suggests deleting the Policy as currently worded and replacing it with comprehensive mapping of the coastal environment (not just the coastal marine area).</p> <p>Submitter seeks amendment to the Plan by deleting Policy 4 and referring to a comprehensive map of the coastal environment in its place:</p> <p><i><del>Policy 4: Extent and characteristics of the coastal environment to determine the inland extent of the coastal environment for the purposes of policies under Section 5.1 of the Plan on a case-by-case basis by having regard to:</del></i></p> <p><i><del>(a) <u>areas where coastal processes, influences or qualities are significant, including coastal lakes, lagoons, tidal estuaries, saltmarshes, coastal wetlands and the margins of those areas; and</u></del></i></p> <p><i><del>(b) <u>the geographic extent to which activities within the coastal</u></del></i></p> | <p><b>Grant in kind</b></p> <p>The reader is referred to the Department of Conservation's guidance on the <i>New Zealand Coastal Policy Statement</i>. The guidance notes that the term 'coastal environment' is an environment in which the coast is a significant part or element. However, the guidance notes the difficulties in setting out an abstract definition which is capable of simple and ready application to any given situation. What constitutes the coastal environment will vary from place to place and according to the position from which a place is viewed.</p> <p>The Council does not agree to amending Policy 4(a) in the manner suggested by the submitter but does agree with amending the Plan to provide more certainty in relation to where the coastal environment lies. It is agreed that the Plan (and associated GIS layers and planning maps) be amended to include an indicative extent of the coastal environment that is aligned with the coastal environment lines (or their equivalent) identified in the South Taranaki and New Plymouth district plans.</p> <p>In addition, the Council agrees to amend Policy 4 to have particular regard to the coastal environment line while also providing for case-by-case considerations based upon matters set out in Policy 1 of the <i>New Zealand Coastal Policy Statement</i>. The revised Policy reads as follows:</p> |
| Further submissions – Meridian Energy Ltd (20), Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Oppose  | <p><i>Determine the inland extent of the coastal environment for the purposes of policies under Section 5.1 of the Plan by:</i></p>   |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
|--|------------------|--|--|
| Further submissions – Transpower NZ Ltd (26)       |                  | Support  | (a) <u>having particular regard to areas identified in a district plan or proposed district plan as being the coastal environment or equivalent (map link);</u>  |
| Further submissions – Fonterra (47)                |                  | Support in part  | <p>(b) <u>on a case-by-case basis, recognising:</u></p> <p><del>(i) areas <u>landward of the coastal environment line</u> where coastal processes, influences or qualities are significant, including <u>areas at risk from coastal hazards; coastal vegetation and coastal habitat of indigenous species; elements and features of natural character, landscapes, visual qualities or amenity values; inter-related coastal marine and terrestrial systems; and may include items of cultural and historic heritage and physical resources and built facilities, coastal lakes, lagoons, tidal estuaries, saltmarshes, coastal wetlands and the margins of these areas; and</u></del></p> <p><del>(ii) the geographic extent to which activities within the coastal marine area may cause adverse effects on significant values and characteristics landward of the coastal marine area.</del></p>  |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd | 264              | <p><b>Amend</b></p> <p>The submitter notes that Policy 4 sets out a case-by-case approach to defining the coastal environment. The submitter believes that such an approach is neither efficient nor effective and would lead to significant costs and uncertainties, including potential disputes as to whether the Coastal Plan is relevant to a particular activity. The submitter is unclear on whether the Council considers the existing terminals of oil companies to be within the coastal environment. The submitter suggests deleting the Policy as currently worded and replacing it with comprehensive mapping of the coastal environment (not just the coastal marine area).</p> <p>Submitter seeks amendment to the Plan by deleting Policy 4:</p> <p><del><i>Policy 4: Extent and characteristics of the coastal environment to determine the inland extent of the coastal environment for the purposes of policies under Section 5.1 of the Plan on a case-by-case basis by having regard to:</i></del></p> <p><del><i>(a) areas where coastal processes, influences or qualities are significant, including coastal lakes, lagoons, tidal estuaries, saltmarshes, coastal wetlands and the margins of these areas; and</i></del></p> <p><del><i>(b) the geographic extent to which activities within the coastal marine area may cause adverse effects on significant values and characteristics landward of the coastal marine area.</i></del></p> | <p><b>Grant in kind</b></p> <p>The reader is referred to the Department of Conservation's guidance on the <i>New Zealand Coastal Policy Statement</i>. The guidance notes that the term 'coastal environment' is an environment in which the coast is a significant part or element. However, the guidance notes the difficulties in setting out an abstract definition which is capable of simple and ready application to any given situation. What constitutes the coastal environment will vary from place to place and according to the position from which a place is viewed.</p> <p>The Council agrees to an alternative relief to that sought by the submitter by amending Policy 4(a) to provide more certainty in relation to where the coastal environment lies. The Plan (and associated GIS layers and planning maps) will be amended to include an indicative extent of the coastal environment that is aligned with the coastal environment lines (or their equivalent) identified in the South Taranaki and New Plymouth district plans.</p> <p>In addition, the Council agrees to amend Policy 4 to have particular regard to the coastal environment line while also providing for case-by-case considerations based upon matters set out in Policy 1 of the <i>New Zealand Coastal Policy Statement</i>. The revised Policy reads as follows:</p> <p><i>Determine the inland extent of the coastal environment for the purposes of policies under Section 5.1 of the Plan by:</i></p> |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
|--|------------------|--|---|
|  |                  |  | <p>(a) <u>having particular regard to areas identified in a district plan or proposed district plan as being the coastal environment or equivalent (map link);</u></p> <p>(b) <u>on a case-by-case basis, recognising:</u></p> <p><del>(f)</del> <u>areas landward of the coastal environment line where coastal processes, influences or qualities are significant, including areas at risk from coastal hazards; coastal vegetation and coastal habitat of indigenous species; elements and features of natural character, landscapes, visual qualities or amenity values; inter-related coastal marine and terrestrial systems; and may include items of cultural and historic heritage and physical resources and built facilities.</u></p>   |
| 47 – Fonterra  | 265              | <p><b>Support</b></p> <p>Retain Policy 4 of the Plan as notified.</p>  | <p><b>Accept</b></p> <p>Support noted. Policy 4 is retained subject to amendments to include a coastal environment line. It is further noted that the Policy has been amended to closer align with Policy 1 of the <i>New Zealand Coastal Policy Statement</i>.</p>   |
| <b>Policy 5 – Appropriate use and development of the coastal environment</b> |                  |  |   |
| 2 – Federated Farmers  | 266              | <p><b>Support</b></p> <p>Retain Policy 5 of the Plan as notified.</p>  | <p><b>Accept</b></p> <p>Support noted. Policy 5 is retained subject to amendments made to offer relief to other submitters concerns where appropriate.</p>  |
| 6 – Trans-Tasman Resources Ltd   | 267              | <p><b>Amend</b></p> <p>Submitter seeks amendments to Policy 5(b), (e), (f) and (g) of the Plan to recognise benefits from non-renewable resources and for the purposes of certainty and clarity in their interpretation and to read as follows:</p> <p><i>Determine whether use and development of the coastal environment is in an appropriate place and form and within appropriate limits by having regard to:</i></p> <p>(a) <i>the functional need for [...]</i></p> <p>(b) <i>the benefits to be derived from the activity at a local, regional and national level, including the potential contribution of aquaculture and marine based <u>renewable</u> energy <u>or mineral</u> resources;</i></p> <p>[...]</p> | <p><b>Accept in part</b></p> <p>The Council considers the inclusion of “renewable energy” within Policy 5(b) to be in line with the requirements of Policy 6(1)(g) [Activities in the coastal environment] of the <i>New Zealand Coastal Policy Statement</i> to take into account the potential for renewable resources.</p> <p>However, the Council considers the addition of mineral resources within the Policy to also be in line with Policy 6(2)(a) of the <i>New Zealand Coastal Policy Statement</i> whereby contributions to social, economic and cultural wellbeing of people and communities from use and development, including (but not limited to) the potential for renewable marine energy are recognised. Therefore, the Council agrees to granting the relief in part whereby the scope of Policy 5(b) is broadened to explicitly recognise mineral resources alongside aquaculture, renewable energy and other marine based</p> |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
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|  |                  | <p>(e) the degree to which the activity will be threatened by, or contribute to, coastal hazard risk, or <del>pose a threat to</del> public health and safety <u>risks</u> with particular reference to Policy 20;</p> <p>(f) the degree to which the activity contributes to the <u>maintenance</u>, enhancement or restoration of natural or historic heritage including by buffering areas and sites of historical heritage value;</p> <p>(g) the degree to which the activity contributes to the <u>maintenance</u>, enhancement or restoration of public access or public use of the coast including for recreation; [...]</p> | <p>energy plus other consequential changes to the Policy as requested by other submitters to read:</p> <p>[...]</p> <p>(b) the benefits to be derived from the <u>other activities</u> at a local, regional and national level, including <u>the existing and potential contribution of petroleum and mineral resources, and</u> the potential contribution of <u>agriculture, aquaculture, and renewable energy resources</u>; [...]</p> <p>The Council also agrees to recognising “maintenance” in (f) and (g).</p> |
| Further submissions – Karen Pratt (9), Department of Conservation (29), Te Atiawa (58), Te Rūnanga o Ngāti Ruanui Trust (61)   |                  | Oppose  |   |
| Further submissions – Petroleum Exploration and Production Association of New Zealand (37), Powerco (45), Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd (46), Taranaki Energy Watch (51) |                  | Support   |   |
| 6 – Trans-Tasman Resources Ltd   | 268              | <b>Amend</b>  | <b>Accept</b>   |
|  |                  | Submitter seeks amendment to Policy 5(c) of the Plan to recognise that an alternative assessment, and the need for an activity to be the best practicable option is not always required, particularly where there are no significant adverse effects.   | The Council agrees, for the purpose of certainty and clarity, to amend Policy 5(c) to state that having regard to possible alternative may include consideration of best practicable options for preventing or minimising adverse effects on the environment. The amended clause reads as as follows:   |
| Further submissions – Karen Pratt (9), Taranaki Energy Watch (51), Te Atiawa (58)  |                  | Oppose  | (c) the appropriateness of the proposed design, methodology, location or route of the activity in the context of the receiving environment and any possible alternatives, <u>including best practicable options for preventing or minimising adverse effects on the environment</u> [...]   |
| Further submissions –Powerco (45)  |                  | Support   |   |
| 12 – Chorus New Zealand Limited  | 269              | <b>Support</b>  | <b>Accept</b>   |
|  |                  | Retain Policy 5 of the Plan as notified.  | Support noted. Policy 5 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.  |



| Submitter   | Submission point | Submitter's requests  | Council's response and decisions  |
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| 13 – Spark New Zealand Trading Limited                          | 270              | <b>Support</b>  | <b>Accept</b>   |
|   |                  | Retain Policy 5 of the Plan as notified.  | Support noted. Policy 5 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.  |
| 14 – Vodafone New Zealand Limited                               | 271              | <b>Support</b>  | <b>Accept</b>   |
|   |                  | Retain Policy 5 of the Plan as notified.  | Support noted. Policy 5 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.  |
| 19 – South Taranaki District Council                            | 272              | <b>Support</b>  | <b>Accept</b>   |
|   |                  | Retain Policy 5 of the Plan as notified.  | Support noted. Policy 5 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.  |
| 20 – Meridian Energy Limited                                    | 273              | <b>Amend</b>  | <b>Accept</b>   |
|   |                  | <p>Submitter seeks amendment to Policy 5 of the Plan to read:</p> <p><i>Policy 5: Appropriate <u>subdivision</u>, use and development in the coastal environment</i></p> <p><i>Determine whether <u>subdivision</u>, use and development of the coastal environment is in an appropriate place and form and within appropriate limits by having regard to: [...]</i></p>  | <p>Submitter suggests that Policy 5 would better reflect Policy 25 [Subdivision, use, and development in areas of coastal hazard risk] of the <i>New Zealand Coastal Policy Statement</i> by including references to “subdivision”.</p> <p>The Council agrees that the Policy applies to the coastal environment and therefore may apply to activities such as subdivision for which other parties (i.e. territorial authorities) have statutory responsibilities. The Council therefore agrees to amending Policy 5 to include reference to subdivision alongside other use and development.</p> <p>A new definition for “<i>subdivision</i>” will also be included in the Plan.</p> |
| 25 – New Zealand Petroleum and Minerals                         | 274              | <b>Amend</b>  | <b>Accept</b>   |
|   |                  | <p>Submitter seeks amendment to Policy 5(b) of the Plan to recognise benefits from petroleum and mineral resources to read:</p> <p><i>Determine whether use and development of the coastal environment is in an appropriate place and form and within appropriate limits by having regard to: [...]</i></p> <p><i>(b) the benefits to be derived from the activity at a local, regional and national level, including the potential contribution of aquaculture and marine based energy resources, <u>and the existing and potential contribution of petroleum and mineral resources</u>; [...]</i></p> | <p>The Council believes that there should be explicit recognition of the economic and social benefits that petroleum and mineral resources provide the region and requests amending Policy 5 to achieve this. The Council agrees to amend Policy 5(b) to read:</p> <p><i>(b) the benefits to be derived from <u>other activities</u> at a local, regional and national level, including <u>the existing and potential contribution of agricultural, petroleum and mineral resources, and the potential contribution of aquaculture and renewable energy resources</u>; [...]</i></p>  |
| Further submissions – Trans-Tasman Resources Ltd (6), Petroleum |                  | Support   |   |



| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
|--|------------------|---|---|
| Exploration and Production Association of New Zealand (37)                 |                  |   |   |
| Further submissions – Taranaki Energy Watch (51)                           |                  | Support in part   |   |
| Further submissions – Te Atiawa (58), Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Oppose  |   |
| 26 – Transpower NZ Ltd   | 275              | <p><b>Amend</b></p> <p>Submitter seeks an amendment to Policy 5 of the Plan to read:</p> <p><del>Determine whether Provide for use and development of the coastal environment is in an appropriate place and form and within appropriate limits by having regard to:</del></p> <p>(a) the functional need <u>or technical, operational and/or locational need</u> for the activity to be located in the coastal marine area; <del>conversely, activities that do not have a functional need to be located in the coastal marine area should not be located there (unless the non-marine related activity complements the intended use and function of the area)</del> [...]</p> | <p><b>Accept in part</b></p> <p>The suggested amendments have two parts. The Council agrees to granting part of the relief sought by the submitter.</p> <p>The Council notes that Policy 5 provides direction and guidance on the 'appropriateness' of use and development. The Council does not believe it appropriate that the Policy be amended to provide for <u>all</u> use and development, as some use and development is clearly not appropriate having regard to other policies in the Plan.</p> <p>Notwithstanding the above, the Council agrees to amend Policy 5(a) to refer to operational requirements (as well as functional needs) for activities located in the coastal marine area. These are terms that have been adopted and defined in the <i>National Planning Standards</i>. However, alternative amendments have been adopted to give effect to reliefs sought by other submitters that do not change the policy intent. The revised Policy reads as follows:</p> <p><u>Consider whether subdivision and use and development of the coastal environment is in an appropriate location and form, and within appropriate limits, by having regard to (but not limited to) the following:</u></p> <p>(a) the functional need <u>or operational need</u> for the activity to be located in the coastal marine area. <u>Activities that do not have a functional need or operational need to be located in the coastal marine area generally should not be located there (unless the non-marine related activity complements the intended use and function of the area);</u> [...]</p> |
| Further submissions – Trans-Tasman Resources Ltd (6)                       |                  | Support in part/Neutral in part   |   |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61)                 |                  | Oppose  |   |
| 32 – Port Taranaki   | 276              | <p><b>Amend</b></p> <p>The submitter suggests that Policy 5 does not adequately recognise important security and public safety issues facing ports and seeks amendments to Clause</p>   | <p><b>Grant in kind</b></p> <p>The Council notes that Policy 5 contains a suite of considerations and must be read in conjunction with the other General Policies and relevant Activity-specific Policies.</p>  |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
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|  |                  | <p>(g) that qualifies the enhancement or restoration of public access to exclude the Port and other area where public safety and security needs would be jeopardised.</p> <p>Submitter seeks an amendment to Policy 5(g) to read as follows:</p> <p><i>Determine whether use and development of the coastal environment is in an appropriate place and form and within appropriate limits by having regard to: [...]</i></p> <p><i>(g) the degree to which the activity contributes to the enhancement or restoration of public access or public use of the coast including for recreation, <u>unless the type of activity, and the need to maintain public safety, makes enhancement or restoration of public access inappropriate</u>; [...]</i></p> | <p>Policy 5(e) already addresses public health and safety risks while Policy 17 [Public access] sets out circumstances where public access would not be appropriate. Accordingly, the Council does not believe it necessary or appropriate to paraphrase other Plan provisions. Indeed there are risks in creating legal uncertainty and ambiguity in doing so.</p> <p>The Council agrees to an alternative relief whereby Policy 5(g) is amended to refer to 'appropriate' public access or use. Policy 17 would then apply and provides the guidance and direction on what constitutes appropriate public access and use in the coastal environment.</p> |
| Further submissions – Trans-Tasman Resources Ltd (6), Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd (46) |                  | Support  |  |
| Further submissions – Taranaki Energy Watch (51)   |                  | Oppose   |  |
| 35 – Radio New Zealand Ltd   | 277              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 5(a) of the Plan to read:</p> <p><i>Determine whether use and development of the coastal environment is in an appropriate place and form and within appropriate limits by having regard to:</i></p> <p><i>(a) the functional need for the activity to be located in the coastal marine area <u>or the coastal environment</u>. Conversely, activities that do not have a functional need to be located in the coastal marine area <u>or the coastal environment</u> generally should not be located there [...]</i></p>   | <p><b>Decline</b></p> <p>The Council declines the relief sought by the submitter.</p> <p>The Council notes that Policy 5(a) is deliberately confined to activities being located in the coastal marine area because they have a functional need or operational need. This reflects the coastal marine area being a public space. The Council does not believe that such restrictions are necessary or appropriate on the landward part of the coastal environment.</p>   |
| Further submissions – Powerco (45)   |                  | Support  |  |
| Further submissions – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd (46)                                 |                  | Support in part  |  |
| 40 – Te Rūnanga o Ngāti Mutunga  | 278              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 5 of the Plan to include a new clause to read (based on Policy 4(d) from the Draft Coastal Plan):</p> <p><i>Determine whether use and development of the coastal environment is in an appropriate place and form and within appropriate limits by having regard to: [...]</i></p>   | <p><b>No relief necessary</b></p> <p>The Council notes the concerns of the submitter with regards to managing activities to avoid, remedy or mitigate adverse effects on the values and attributes of coastal areas of outstanding value, significant indigenous biodiversity, historic heritage and amenity values but believe that the relief is not necessary on the basis that these</p>   |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
|--|------------------|--|---|
|  |                  | <i>(dd) avoiding, remedying or mitigating adverse effects on the values and attributes of coastal areas of outstanding value, significant indigenous biodiversity and significant historic heritage and significant amenity values in accordance with policies 8, 11, 12 and 15.</i>   | <p>concerns are addressed separately and in more detail within Policy 8 [Areas of outstanding value], Policy 14 [Indigenous biodiversity], Policy 15 [Historic heritage] and Policy 18 [Amenity values].</p> <p>It is important to note that the General Policies (and relevant Activity-specific Policies) must be read as a whole and it is not necessary or useful to repeat or paraphrase the provisions of other policies.</p>   |
| 40 – Te Rūnanga o Ngāti Mutunga                  | 279              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 5(j)(iii) of the Plan to read:</p> <p><i>Determine whether use and development of the coastal environment is in an appropriate place and form, and within appropriate limits, by having regard to:</i></p> <p><i>(j) the degree and significance of actual or potential adverse effects of the activity on the environment, including consideration of: [...]</i></p> <p><i>(iii) the efficacy of measures to avoid, remedy or mitigate such effects, or provide environmental compensation where effects cannot be <u>avoided</u>, remedied or mitigated [...]</i></p> | <p><b>Decline</b></p> <p>The Council notes that effects can always be avoided (e.g. cease operations) but that there is an expectation that in circumstances that adverse effects cannot be avoided then, at the very least, effects should be remedied or mitigated.</p> <p>Policy 5(j)(iii) deliberately targets those circumstances where residual effects remain despite measures to avoid, remedy or mitigate various adverse effects. In that situation environmental compensation could be considered. However, it should not be an option in lieu of an avoidance policy.</p>   |
| Further submissions – Taranaki Energy Watch (51) |                  | Oppose   |   |
| 41 – Te Korowai o Ngāruahine Trust               | 280              | <p><b>Amend</b></p> <p>Submitter supports Policy 5 of the Plan with the recognition that has been given to the extent to which an activity may be commensurate to Māori values, culture, practices and traditions but seek amendment to Policy 5 to reinstate references (from the Draft Coastal Plan) to the protection of indigenous biodiversity, historic heritage and amenity values of the coastal environment.</p>  | <p><b>No relief necessary</b></p> <p>The Council notes the concerns of the submitter with regards to managing activities to avoid, remedy or mitigate adverse effects on the values and attributes of coastal areas of outstanding value, significant indigenous biodiversity, historic heritage and amenity values, but believes that the relief is not necessary on the basis that these concerns are already adequately addressed within Policy 8 [Areas of outstanding value], Policy 14 [Indigenous biodiversity], Policy 15 [Historic heritage] and Policy 18 [Amenity values].</p> <p>It is important to note that the policies must be read as a whole and it is not necessary or useful to repeat or paraphrase the provisions of other policies in this Policy.</p> |

| Submitter                                     | Submission point | Submitter's requests   | Council's response and decisions   |
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| 43 – Royal Forest and Bird Protection Society | 281              | <p><b>Amend</b></p> <p>The submitter expresses concern regarding the application of Policy 5 and seeks an amendment to the Plan to better provide for Policies 11, 13, 15, 17 and 20 of the <i>New Zealand Coastal Policy Statement</i> and achieve Plan objectives by identifying:</p> <ul style="list-style-type: none"> <li>• appropriate places or specify appropriate forms or limits</li> <li>• any areas where particular activities are inappropriate</li> <li>• appropriate places for aquaculture.</li> </ul>  | <p><b>Decline</b></p> <p>The submitter is seeking a level of specificity not considered appropriate or necessary in the Plan.</p> <p>As previously discussed all policies must be read as a whole and it is not necessary or useful to repeat or paraphrase the provisions of the <i>New Zealand Coastal Policy Statement</i>. Nor is it considered necessary or appropriate to identify/specify/map appropriate places, forms or limits and conversely identify/specify/map where particular activities are inappropriate. Such matters would generally require a more nuanced consideration having regard to the various policies through the consenting process.</p> <p>The Council further notes that there is no aquaculture in Taranaki and nor is there likely to be given the wild and rugged nature of the Taranaki coastal marine area. However, in the event that there was a proposal, the 'appropriateness' of and location would be easily determined in accordance with the General Policies.</p>   |
| Further submissions – Transpower NZ Ltd (26)  |                  | Oppose   |  |
| 43 – Royal Forest and Bird Protection Society | 282              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 5 of the Plan to</p> <ul style="list-style-type: none"> <li>• insert "location" instead of "place"</li> <li>• amend Policy 5(b) to remove reference to "aquaculture" from Clause (b) due to the uncertainty of which locations this activity would be allowed and to recognise the potential for renewable energy consistent with Policy 6(2)(a) of the <i>New Zealand Coastal Policy Statement</i> and if necessary to provide for Policy 8(c) of the <i>New Zealand Coastal Policy Statement</i>.</li> <li>• remove reference in Clause (j)(ii) to Policy 1 given it does not set out the values and characteristics which require protection under the <i>New Zealand Coastal Policy Statement</i> and is therefore maybe misleading and ambiguous.</li> </ul> <p>The changes sought to Policy 5 are as follows:</p> <p><i>Determine whether use and development of the coastal environment is in an appropriate <del>place</del> location and form and within appropriate limits by having regard to:</i></p> <p><i>(a) the functional need for [...]</i></p> | <p><b>Accept in part</b></p> <p>At the hearing, the submitter presented some alternative relief to address their concerns that Policy 5 could be used independently of and derogate from the policy intent of other General Policies when determining what use and development might be "appropriate" within the coastal environment.</p> <p>The Council agrees that, for the purposes of certainty and clarity, Policy 5 be amended to refer to 'consider' instead of 'determine' at the onset of the policy and also to clarify that Clauses (a) to (j) are not the only considerations to determine the appropriateness of use and development within the coastal environment. The Council further agrees to amending the Policy to refer to "appropriate locations", which provides consistency with wording adopted in other Plan provisions.</p> <p>The beginning of Policy 5 reads as as follows:</p> <p><i>Consider whether <u>subdivision and</u> use and development of the coastal environment is in an appropriate <u>location</u> and form, and within appropriate limits, by having regard to (but not limited to) the following: [...]</i></p> <p>The Council further agrees to amending Clause (j)(ii) to delete reference to Policy 1. Policy 1 only refers to the coastal management areas while other policies in the Plan (recognising that all General Policies must be read together) are at a finer spatial</p> |

| Submitter    | Submission point | Submitter's requests  | Council's response and decisions  |
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|              |                  | <p><i>(b) the benefits to be derived from the activity at a local, regional and national level, including the potential contribution of <del>aquaculture and</del> marine based energy resources</i></p> <p>[...]</p> <p><i>(j) the degree and significance of actual or potential adverse effects of the activity on the environment, including consideration of:</i></p> <p><i>(i) cumulative effects of otherwise minor activities;</i></p> <p><i>(ii) the sensitivity of the environment <del>with particular reference to Policy 1;</del> [...]</i></p>  | <p>scale and are likely to be more applicable when determining the sensitivity of the environment.</p> <p>In relation to deleting reference to aquaculture, the Council declines that part of the relief sought. Policy 8 [Aquaculture] of the <i>New Zealand Coastal Policy Statement</i> requires those exercising functions and powers under the RMA to recognise the potential contribution of aquaculture by, amongst other things, including provisions for such activities in Coastal Plan. However, unlike other regions, the nature of the Taranaki coast is such that it is not suited to traditional aquaculture activities due to the very rough seas and high turbidity offshore and nil demand for space for aquaculture. Taranaki has no aquaculture and so far has not had to identify Aquaculture Management Areas. Notwithstanding that, some explicit but limited policy recognition in the Plan for potential aquaculture activities is considered appropriate should changes in technology or in potential species for marine farming occur over the life of the Plan.</p> <p>In relation to amending the Policy to recognise the importance of renewable energy, the Council believes this has already been provided for within the current drafting of Policy 5(b) of the Plan, which reads "...<i>the benefits would be derived from the activity at a local, regional and national level, including the potential contribution of aquaculture and marine based <u>renewable</u> energy resources [...]</i>".</p> <p>However, the Council notes that other requested amendments have also been made to broaden the scope of Clause (b) to read:</p> <p><i>(b) the benefits to be derived from <u>other activities</u> at a local, regional and national level, including <u>the existing and potential contribution of agricultural, petroleum and mineral resources, and</u> the potential contribution of aquaculture and renewable energy resources; [...]</i></p> |
| 45 – Powerco | 283              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 5(a) and (c) of the Plan to more clearly convey the intent of the Policy and to read as follows:</p> <p><i>Determine whether use and development of the coastal environment is in an appropriate place and form and within appropriate limits by having regard to:</i></p> <p><i>(a) the functional need for the activity to be located in the coastal marine area.</i><br/> <del>Conversely, a</del><i>Activities that do not have a functional need to be located in the coastal marine area generally should not be located there (unless the non-marine related activity complements the intended use and function of the area);</i></p> | <p><b>Accept in part</b></p> <p>The Council agrees to amending Policy 5(a) but notes consequential changes made to Clause (c) in response to other submitters that reads as follows:</p> <p><i>Consider whether <u>subdivision and</u> use and development of the coastal environment is in an appropriate <u>location</u> and form, and within appropriate limits, by having regard to <u>(but not limited to) the following:</u></i></p> <p><i>(a) the functional need <u>or operational need</u> for the activity to be located in the coastal marine area. <u>Activities that do not have a functional need or operational need</u> to be located in the coastal marine area generally should not be located there (unless the</i></p>  |



| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
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|  |                  | <p>[...]</p> <p>(c) the appropriateness of the proposed design, <del>and</del> methodology, <del>and</del> whether it is the best practicable option, location or route of the activity in the context of the receiving environment and any possible alternatives; [...]</p>  | <p>non-marine related activity complements the intended use and function of the area); [...]</p> <p>(c) the appropriateness of the proposed design, methodology, location or route of the activity in the context of the receiving environment and any possible alternatives, <u>including best practicable options for preventing or minimising adverse effects on the environment</u>; [...]</p>   |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd | 284              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 5(a), (c) and (e) of the Plan to read:</p> <p><i>Determine whether use and development of the coastal environment is in an appropriate place and form and within appropriate limits by having regard to:</i></p> <p>(a) the functional need for the activity to be located in the coastal marine area. <del>Conversely, a</del> activities that do not have a functional need to be located in the coastal marine area generally should not be located there (unless the non-marine related activity complements the intended use and function of the area);</p> <p>[...]</p> <p>(c) the appropriateness of the proposed design, <del>and</del> methodology, <del>and</del> whether it is the best practicable option, location or route of the activity in the context of the receiving environment and any possible alternatives;</p> <p>[...]</p> <p>(e) The degree to which the activity will be <del>threatened by, or contribute to,</del> <u>subject to unacceptable risks or exacerbate adverse effects arising from</u> coastal hazards <del>risk</del>, or pose a threat to public health and safety with particular reference to Policy 20; [...]</p> | <p><b>Accept in part</b></p> <p>The Council agrees to amending Policy 5(a) with additional changes made to Clauses (c) and (e) to give effect to reliefs sought by other submitters and to reflect that often little can be done to control the coastal hazard risk. The amended Clauses (c) and (e) reads as as follows:</p> <p>(c) the appropriateness of the proposed design, methodology, location or route of the activity in the context of the receiving environment and any possible alternatives, <u>including best practicable options for preventing or minimising adverse effects on the environment</u>; [...]</p> <p>(e) the degree to which the activity will be <u>subject to unacceptable risks or exacerbated</u> coastal hazards, or public health and safety with particular reference to Policy 20; [...]</p> |
| 47 – Fonterra                                      | 285              | <p><b>Amend</b></p> <p>Submitter believes that it is appropriate to provide for structures in the coastal marine area that have an operational requirement to be located in the coastal environment and not limit Policy 5(a) to those activities that have a functional need only.</p> <p>Submitter seeks amendment to Policy 5(a) of the Plan to read:</p> <p><i>Determine whether use and development of the coastal environment is in an appropriate place and form and within appropriate limits by having regard to:</i></p>  | <p><b>Accept</b></p> <p>The Council agrees to granting the relief sought by the submitter. The amendment of Policy 5(a) would provide for activities that might not have "functional need" to be located within the coastal marine area but nevertheless their operational needs or constraints justify their presence there.</p>  |



| Submitter                                    | Submission point | Submitter's requests  | Council's response and decisions  |
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|  |                  | <i>(a) the functional need <b>or operational requirement</b> of the activity to be located in the coastal marine area. Conversely, activities that do not have a functional need <b>or operational requirement</b> to be located in the coastal marine area generally should not be located there (unless the non-marine related activity complements the intended use and function of the area); [...]</i>   |   |
| Further submissions – Transpower NZ Ltd (26) |                  | Support in part   |   |
| 47 – Fonterra                                | 286              | <p><b>Amend</b></p> <p>Submitter requests specific recognition of the contribution that industries, such as dairy processing, make to the economic and social well-being of the region</p> <p>Submitter seeks amendment to Policy 5(b) of the Plan to read:</p> <p><i>Determine whether use and development of the coastal environment is in an appropriate place and form and within appropriate limits by having regard to:</i></p> <p><i>(b) the benefits to be derived from the activity at a local, regional and national level, including the potential contribution of <b>dairy manufacturing</b>, aquaculture and marine based renewable resources. [...]</i></p> | <p><b>Grant in kind</b></p> <p>At the hearing of submissions, the submitter noted that Policy 5 already refers to specific industries with reference to petroleum and mineral resources, aquaculture and renewable energy resources and considers that reference to 'dairy manufacturing' should also be made.</p> <p>The Council notes that reference to petroleum and mineral resources, aquaculture and renewable energy resources are consistent with those activities identified in Policy 6 (1)(a), Policy 6 (2)(a) and Policy 8 of the <i>New Zealand Coastal Policy Statement</i>. Notwithstanding that, the Council acknowledges that agriculture is the largest industry in the region and therefore agrees with the submitter that the importance of agriculture to this region is a point of difference from many other regions and it should be acknowledged in the Policy.</p> <p>The Council agrees to an alternative relief whereby Policy 5(b) is amended to refer to "agriculture", which encompasses, but is not limited to dairy manufacturing.</p> |
| 48 – Taranaki District Health Board          | 287              | <p><b>Support</b></p> <p>Retain Policy 5 of the Plan as notified.</p>   | <p><b>Accept</b></p> <p>Support noted. Policy 5 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.</p>  |
| 50 – Te Kāhui o Taranaki Trust               | 288              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 5(j)(iii) of the Plan to read:</p> <p><i>Determine whether use and development of the coastal environment is in an appropriate place and form and within appropriate limits by having regard to:</i></p> <p><i>[...]</i></p>   | <p><b>Decline</b></p> <p>The Council notes that effects can always be avoided (e.g. cease operations) but that there is an expectation that in circumstances that adverse effects cannot be avoided then, at the very least, effects should be remedied or mitigated.</p> <p>Policy 5(j)(iii) deliberately targets those circumstances where residual effects remain despite measures to avoid, remedy or mitigate various adverse effects. In that situation environmental compensation could be considered. However, it should not be an option in lieu of an avoidance policy.</p>   |

| Submitter                  | Submission point | Submitter's requests   | Council's response and decisions   |
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|                            |                  | <i>(j)(iii) the efficacy of measures to avoid, remedy or mitigate such effects, or provide environmental compensation where effects cannot be <b>avoided</b>, remedied or mitigated [...]</i>  |  |
| 51 – Taranaki Energy Watch | 289              | <b>Amend</b><br>Submitter seeks amendment to Policy 5(j) of the Plan to incorporate the precautionary approach.  | <b>Decline</b><br>The Council declines the relief sought as this matter is already addressed in a separately stand-alone policy (Policy 3) that also applies alongside other relevant policies when considering use and development in the coastal marine area.  |
| 58 – Te Atiawa             | 290              | <b>Amend</b><br>Submitter seeks amendment to Policy 5 of the Plan to include a new clause and read (based on Policy 4(d) from the Draft Coastal Plan):<br><i>[...] <b>avoiding, remedying or mitigating adverse effects on the values and attributes of coastal areas of outstanding value, significant indigenous biodiversity and significant historic heritage and significant amenity values in accordance with policies 8, 11, 12 and 15.</b></i>   | <b>No relief necessary</b><br>The Council notes the concerns of the submitter with regards to managing activities to avoid, remedy or mitigate adverse effects on the values and attributes of coastal areas of outstanding value, significant indigenous biodiversity, historic heritage and amenity values, but believes that the relief is not necessary on the basis that these concerns are already addressed within Policy 8 [Areas of outstanding value], Policy 14 [Indigenous biodiversity], Policy 15 [Historic heritage] and Policy 18 [Amenity values].<br>It is important to note that the policies must be read as a whole and it is not necessary or useful to repeat or paraphrase the provisions of other policies. |
| 58 – Te Atiawa             | 291              | <b>Amend</b><br>Submitter seeks amendment to Policy 5(j)(iii) of the Plan to read:<br><i>Determine whether use and development of the coastal environment is an appropriate place and form and within appropriate limits by having regard to: [...]</i><br><i>(j) the degree and significance of actual or potential adverse effects of the activity on the environment, including consideration of: [...]</i><br><i>(iii) the efficacy of measures to avoid, remedy or mitigate such effects, or provide environmental compensation where effects cannot be <b>avoided</b>, remedied or mitigated [...]</i> | <b>Decline</b><br>The Council notes that effects can always be avoided (e.g. cease operations) but that there is an expectation that in circumstances that adverse effects cannot be avoided then, at the very least, effects should be remedied or mitigated.<br>Policy 5(j)(iii) deliberately targets those circumstances where residual effects remain despite measures to avoid, remedy or mitigate various adverse effects. In that situation environmental compensation could be considered. However, it should not be an option in lieu of an avoidance policy.   |
| 59 – KiwiRail              | 292              | <b>Support</b><br>Retain Policy 5 of the Plan as notified.   | <b>Accept</b><br>Support noted. Policy 5 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.  |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
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| 60 – Te Kaahui o Rauru   | 293              | <p><b>Other</b></p> <p>In relation to Policy 5 of the Plan, submitter seeks clarification as to why the aspirations of iwi to “develop, use or protect” was removed from equivalent policy in the Draft Coastal Plan.</p>   | <p><b>No relief necessary</b></p> <p>In relation to the submitter’s query, following consultation on the Draft Plan, amendments were made to the Plan to highlight to the reader that all General Policies need to be considered collectively (and not individually) in the application of regional rules. It was therefore unnecessary to constantly cross reference individual General Policies to other policies and indeed there are risks inherent in ‘cherry picking’ such policies (while being silent on others).</p>   |
| <b>NEW Policy 5A – Aquaculture</b>   |                  |   |   |
| 43 – Royal Forest and Bird Protection Society                                      | 294              | <p><b>Amend</b></p> <p>Submitter seeks amendment to the Plan by:</p> <ul style="list-style-type: none"> <li>• including a new policy that identifies appropriate places for aquaculture; AND</li> <li>• until ‘appropriate’ places are identified, ensuring Plan provisions: <ul style="list-style-type: none"> <li>– exclude aquaculture activities from Outstanding Value, Estuaries Unmodified, Estuaries Modified coastal management areas</li> <li>– state that consents will not be granted for aquaculture in any area with the values and characteristics set out in Policy 14 of the Plan (as revised to address submitter’s relief)</li> <li>– aquaculture proposals must be consistent with General Policies 1 to 21 of the Plan.</li> </ul> </li> </ul> | <p><b>Decline</b></p> <p>The Council does not consider it appropriate or necessary to identify appropriate places for aquaculture as the Taranaki coastal marine area is not currently conducive to aquaculture activities. The nature of the Taranaki coast is such that it is not suited to traditional aquaculture activities due to the very rough seas and high turbidity offshore and nil demand for space for aquaculture. Taranaki has no aquaculture and so far has not had to identify Aquaculture Management Areas.</p> <p>As a result, the Council suggests that the other reliefs requested by the submitter are not necessary. However, the Council notes that in all instances of resource consent applications all the General Policies (1 to 21) and the relevant Activity-specific policies apply and will be considered.</p> |
| Further submissions – Department of Conservation (29)                              |                  | Support   |   |
| <b>Policy 6 – Activities important to the well-being of people and communities</b> |                  |   |   |
| 2 – Federated Farmers  | 295              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 6 of the Plan to read:<br/> <i>Recognise and provide for new and existing infrastructure <b>and farming activities</b> of regional importance or of significance to the social, economic and cultural well-</i></p>  | <p><b>Decline</b></p> <p>The Council recognises that farming is regionally significant but declines the relief sought as Policy 6 addresses regionally important infrastructure assets – particularly those required to be provided for through national environmental standards and the</p>  |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
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|  |                  | <i>being of people and communities in Taranaki, subject to appropriate management of adverse environmental effects.</i>   | resulting obligations that regional and district councils recognise and provide for these assets. This approach is consistent with other second generation regional plans around New Zealand.  |
| Further submissions – Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) |                  | Oppose  | The Council agrees to minor changes to the Policy to clarify that policy direction and guidance is on regionally important infrastructure (for which there is a definition). Of note farming activities are already adequately provided for under Policy 5, which determines the 'appropriateness' of <u>all</u> use and development activities in the coastal environment by having regard to the benefits to be derived from activities at a local, regional and national level. Policy 5(b) is also agreed to be amended to recognise the existing and potential contribution of agricultural activities to this region.  |
| 19 – South Taranaki District Council                                     | 296              | <b>Support</b><br>Retain Policy 6 of the Plan as notified.  | <b>Accept</b><br>Support noted. Policy 6 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.  |
| 20 – Meridian Energy Limited   | 297              | <b>Support</b><br>Retain Policy 6 of the Plan as notified.  | <b>Accept</b><br>Support noted. Policy 6 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.  |
| 23 – New Plymouth District Council                                       | 298              | <b>Support</b><br>Retain Policy 6 of the Plan as notified.  | <b>Accept</b><br>Support noted. Policy 6 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.  |
| 26 – Transpower NZ Ltd   | 299              | <b>Amend</b><br><br>The submitter supports the intent of Policy 5 but is concerned that infrastructure that is “nationally significant” may not be interpreted to also be “ <i>regionally significant</i> ”. The submitter further wishes to include explicit recognition of the benefits of a reliable and secure supply of electricity. The submitter believes that such amendments would give better effect to Policy 1 of the <i>National Policy Statement on Electrical Transmission</i> .<br><br>Submitter seeks amendment to Policy 6 of the Plan to read:<br><br><i>Recognise and provide for new and existing infrastructure of <u>national or</u> regional importance or of significance to the social, economic and cultural well-being of people and communities in Taranaki, <u>including recognition of the benefits of a</u></i> | <b>Accept in part</b><br><br>Of note the Plan's definition of “ <i>regionally important infrastructure</i> ” includes infrastructure of regional and national importance and includes the national electricity grid. The Council does not agree to granting the relief in the manner sought by the submitter and note that inconsequential amendments are agreed to the Plan to remove reference to “ <i>nationally important infrastructure</i> ” where it is used to promote consistency in the use of terminology throughout the Plan.<br><br>Notwithstanding the above, the Council does agree to amending Policies 5 and 6 in response to issues raised by the submitter. The amendments include the addition of a new sub clause for Policy 5 which reads: |

| Submitter                          | Submission point | Submitter's requests  | Council's response and decisions   |
|------------------------------------|------------------|---|--|
|                                    |                  | <p><i>reliable, secure and efficient supply of electricity</i>, subject to appropriate management of adverse environmental effects;[...]</p> <p>OR</p> <p>Amend the Plan to include a standalone policy which recognises and provides for the benefits of a reliable, secure and efficient supply of electricity.</p> | <p>[...]</p> <p><i>(aa) whether the activity relates to the use, operation, maintenance and alteration of regionally important infrastructure</i> [...]</p> <p>The Council further agrees to amending the heading and content of Policy 6 to include reference to the safe and efficient operation of regionally important infrastructure to read (the Council notes additional amendments as sought by other submitters are also included):</p> <p><i>Policy 6: Benefits of regionally important infrastructure</i></p> <p>Recognise <i>the benefits of</i> new and existing regionally important <i>infrastructure</i> to the social, economic and cultural well-being of people and communities in Taranaki, <i>and provide for the safe and efficient operation of regionally important infrastructure</i> subject to appropriate <i>avoidance, remediation or mitigation</i> of adverse environmental effects.</p> <p>A new Policy 6A [Management of adverse effects of the National Grid] is also agreed to.</p> |
| Further submissions – Powerco (45) |                  | Support in part   |  |
| 27 – Taranaki Chamber of Commerce  | 300              | <p><b>Support</b></p> <p>Retain Policy 6 of the Plan as notified.</p>   | <p><b>Accept</b></p> <p>Support noted. Policy 6 is retained, however, amendments have been made to offer relief to other submitters' concerns where appropriate.</p>   |
| 32 – Port Taranaki                 | 301              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 6 of the Plan to better reflect the intention to capture Regionally Important Infrastructure as defined in the definitions section of the Plan.</p>  | <p><b>Accept</b></p> <p>The Council agrees to amending Policy 6 (and making consequential amendments to Policy 5) to specifically refer to "regionally important infrastructure".</p> <p>The revised Policy reads as follows:</p> <p>Recognise <i>the benefits of</i> new and existing regionally important <i>infrastructure</i> to the social, economic and cultural well-being of people and communities in Taranaki, <i>and provide for the safe and efficient operation of regionally important infrastructure</i> subject to appropriate <i>avoidance, remediation or mitigation</i> of adverse environmental effects.</p>   |
| 33 - New Zealand Defence Force     | 302              | <p><b>Support</b></p> <p>Retain Policy 6 of the Plan as notified.</p>   | <p><b>Accept</b></p> <p>Support noted. Policy 6 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.</p>   |
|                                    | 303              | <b>Support</b>  | <b>Accept</b>  |



| Submitter   | Submission point | Submitter's requests   | Council's response and decisions   |
|---|------------------|--|--|
| 35 – Radio New Zealand Ltd                                  |                  | Retain Policy 6 of the Plan as notified.   | Support noted. Policy 6 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.   |
| 37 – Petroleum Exploration and Production Association of NZ | 304              | <b>Support</b>   | <b>Accept</b>  |
|   |                  | Retain Policy 6 of the Plan as notified.   | Support noted. Policy 6 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.   |
| 43 – Royal Forest and Bird Protection Society               | 305              | <b>Amend</b>   | <b>Accept</b>  |
|   |                  | <p>Submitter seeks amendment to Policy 6 to:</p> <ul style="list-style-type: none"> <li>provide for new infrastructure as set out in the <i>National Policy Standard – Electricity Transmission</i></li> <li>provide for activities regulated under the <i>National Environmental Standards</i></li> <li>provide for maintenance to enable the safe operation of existing regionally important infrastructure</li> <li>provide for new regionally important infrastructure consistent with Policy 5 (subject to submitter's amendments)</li> <li>provide for activities subject to appropriate avoidance, remediation or mitigation of adverse environmental effects.</li> </ul> | <p>It is the Council's view that Policy 6 already provides the reliefs sought by the submitter. The Council also refers the submitter to the definition of "regionally important infrastructure" which includes infrastructure and activities covered by national environmental standards.</p> <p>Notwithstanding the above, for the purposes of certainty and clarity, the Council agrees to minor changes to Policy 6 that do not change the policy intent.</p> <p>The revised policy reads as follows:</p> <p>Recognise <i>the benefits of</i> new and existing regionally important <i>infrastructure</i> to the social, economic and cultural well-being of people and communities in Taranaki, <i>and provide for the safe and efficient operation of regionally important infrastructure</i> subject to appropriate <i>avoidance, remediation or mitigation</i> of adverse environmental effects.</p> |
| Further submissions – Transpower NZ Ltd (26)                |                  | Support in part  | A new Policy 6A [Management of adverse effects of the National Grid] is also proposed.   |
| Further submissions – Port Taranaki Ltd (32)                |                  | Oppose   |  |
| 45 – Powerco  | 306              | <b>Amend</b>   | <b>Accept</b>  |
|   |                  | <p>Submitter seeks amendment to Policy 6 of the Plan to read:</p> <p>Recognise and provide for <i>the safe and efficient operation of</i> new and existing infrastructure of regional importance or of significance to the social, economic and cultural well-being of people and communities in Taranaki, subject to appropriate management of adverse environmental effects.</p>   | Accept amendment to Policy 6 to provide for the safe and efficient operation of infrastructure.  |
|   | 307              | <b>Amend</b>   | <b>Accept</b>  |



| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
|--|------------------|--|---|
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd                 |                  | Submitter seeks amendment to Policy 6 of the Plan to read:<br><i>Recognise and provide for <b>the safe and efficient operation of</b> new and existing infrastructure of regional importance or of significance to the social, economic and cultural well-being of people and communities in Taranaki, subject to appropriate management of adverse environmental effects.</i>   | Accept amendment to Policy 6 to provide for the safe and efficient operation of regionally important infrastructure.  |
| 47 – Fonterra  | 308              | <b>Amend</b><br><br>The submitter seeks the inclusion of "industry" alongside infrastructure within Policy 6 as industry also contributes to the social and economic well-being of local and regional communities and suggest that the amendment will provide for the expansion or substantial upgrade of necessary infrastructure and industry while still being subject to appropriate management of adverse environmental effects.<br><br>Submitter seeks amendment to Policy 6 of the Plan to read:<br><i>Recognise and provide for new and existing infrastructure <b>and industry</b> of regional importance or of significance to the social, economic and cultural well-being of people and communities in Taranaki, subject to appropriate management of adverse environmental effects.</i> | <b>Decline</b><br><br>The Council recognises that industry, either individually or cumulatively, may indeed be regionally significant but declines the relief as Policy 6 addresses infrastructure assets – particularly those required to be provided for through national environmental standards and the resulting obligations that regional and district councils recognise and provide for these assets. This approach is consistent with other second generation regional plans.<br><br>The Council agrees to minor changes to Policy 6 to clarify that the policy direction and guidance relates to regionally important infrastructure (for which there is a definition). Of note industrial activities are already provided for under Policy 5, which determines the 'appropriateness' of use and development in the coastal environment by having regard to the benefits to be derived from activities at a local, regional and national level. |
| Further submissions- Federated Farmers (2)                         |                  | Support  |   |
| 59 – KiwiRail  | 309              | <b>Support</b><br><br>Retain Policy 6 of the Plan as notified.   | <b>Accept</b><br><br>Support noted. Policy 6 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.   |
| <b>Policy 7 – Impacts on established operations and activities</b> |                  |  |   |
| 2 – Federated Farmers  | 310              | <b>Support</b><br><br>Retain Policy 7 of the Plan as notified.   | <b>Accept</b><br><br>Support noted. Policy 7 is retained subject to amendments as requested by other submitters that do not change the policy intent.   |
| 12 – Chorus New Zealand Ltd  | 311              | <b>Support</b><br><br>Retain Policy 7 of the Plan as notified.   | <b>Accept</b><br><br>Support noted. Policy 7 is retained subject to amendments as requested by other submitters that do not change the policy intent.   |

| Submitter                            | Submission point | Submitter's requests  | Council's response and decisions  |
|--------------------------------------|------------------|---|---|
| 13 – Spark New Zealand Trading Ltd   | 312              | <b>Support</b>  | <b>Accept</b>   |
|                                      |                  | Retain Policy 7 of the Plan as notified.  | Support noted. Policy 7 is retained subject to amendments as requested by other submitters that do not change the policy intent.  |
| 14 – Vodafone New Zealand Ltd        | 313              | <b>Support</b>  | <b>Accept</b>   |
|                                      |                  | Retain Policy 7 of the Plan as notified.  | Support noted. Policy 7 is retained subject to amendments as requested by other submitters that do not change the policy intent.  |
| 19 – South Taranaki District Council | 314              | <b>Support</b>  | <b>Accept</b>   |
|                                      |                  | Retain Policy 7 of the Plan as notified.  | Support noted. Policy 7 is retained subject to amendments as requested by other submitters that do not change the policy intent.  |
| 20 – Meridian Energy Ltd             | 315              | <b>Support</b>  | <b>Accept</b>   |
|                                      |                  | Retain Policy 7 of the Plan as notified.  | Support noted. Policy 7 is retained subject to amendments as requested by other submitters that do not change the policy intent.  |
| 26 – Transpower NZ Ltd               | 316              | <b>Support</b>  | <b>Accept</b>   |
|                                      |                  | Retain Policy 7 of the Plan as notified.  | Support noted. Policy 7 is retained subject to amendments as requested by other submitters that do not change the policy intent.  |
| 35 – Radio New Zealand Ltd           | 317              | <b>Support</b>  | <b>Accept</b>   |
|                                      |                  | Retain Policy 7 of the Plan as notified.  | Support noted. Policy 7 is retained subject to amendments as requested by other submitters that do not change the policy intent.  |
| 45 – Powerco                         | 318              | <b>Amend</b>  | <b>Accept</b>   |
|                                      |                  | <p>The submitter suggests that Policy 7 is not considered sufficiently directive to give effect to Objective 3 [Reverse Sensitivity] of the Plan or Policy 1 of the <i>Regional Policy Statement</i>.</p> <p>Submitter seeks amendment to Policy 7 of the Plan to read:</p> <p><del>Avoid, remedy or mitigate the adverse effects of activities, including reverse sensitivity impacts, on existing lawfully established activities Restricting the establishment or intensification of activities that may result in reverse sensitivity effects by:</del></p> | <p>The Council agrees to amend Policy 7 in line with the relief sought by the submitter (noting some minor changes are made to align the reading of the Policy with other policies in the Plan).</p> <p>The revised Policy reads as as follows:</p> <p><u>Protect existing lawfully established activities from reverse sensitivity effects that may arise from the establishment of new activities or the intensification of existing activities by:</u></p> |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
|--|------------------|---|--|
|  |                  | <p><u><i>(a) avoiding significant adverse effects on infrastructure of national or regional importance</i></u></p> <p><u><i>(b) avoiding, remedying or mitigating other adverse effects on infrastructure of national or regional importance</i></u></p> <p><u><i>(c) avoiding, remedying or mitigating adverse effects on other activities.</i></u></p>  | <p><u><i>(a) avoiding significant adverse effects on regionally important infrastructure;</i></u></p> <p><u><i>(b) avoiding, remedying or mitigating other adverse effects on regionally important infrastructure; and other activities.</i></u></p>   |
| Further submissions – Transpower NZ Ltd (26)       |                  | Support   |  |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd | 319              | <p><b>Amend</b></p> <p>Submitter suggests that Policy 7 is not sufficiently directive to give effect to Objective 3 [Reverse Sensitivity] of the Plan or Policy 1 of the RPS and seeks amendment to Policy 7 of the Plan to read:</p> <p><del><i>Avoid, remedy or mitigate the adverse effects of activities, including reverse sensitivity impacts, on existing lawfully established activities</i></del> <u><i>Restricting the establishment or intensification of activities that may result in reverse sensitivity effects by:</i></u></p> <p><u><i>(a) avoiding significant adverse effects on infrastructure of national or regional importance;</i></u></p> <p><u><i>(b) avoiding, remedying or mitigating other adverse effects on infrastructure of national or regional importance;</i></u></p> <p><u><i>(c) avoiding, remedying or mitigating adverse effects on other activities.</i></u></p> | <p><b>Accept</b></p> <p>The Council agrees to amend Policy 7 in line with the relief sought by the submitter (noting some minor changes are made to align the reading of the policy with other policies in the Plan).</p> <p>The revised Policy reads as as follows:</p> <p><u><i>Protect existing lawfully established activities from reverse sensitivity effects that may arise from the establishment of new activities or the intensification of existing activities by:</i></u></p> <p><u><i>(a) avoiding significant adverse effects on regionally important infrastructure;</i></u></p> <p><u><i>(b) avoiding, remedying or mitigating other adverse effects on regionally important infrastructure; and other activities.</i></u></p> |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
|--|------------------|---|--|
| 47 – Fonterra                                    | 320              | <p><b>Amend</b></p> <p>The submitter supports the inclusion of Policy 7 but suggests amendments are required to make the Policy clearer for Plan users.</p> <p>Submitter seeks amendments to Policy 7 of the Plan to read:</p> <p><i>Avoid, <del>remedy or mitigate</del> the <del>adverse effects</del> <u>reverse sensitivity effects from of new activities, including reverse sensitivity impacts,</u> on existing lawfully established activities.</i></p>   | <p><b>Accept in part</b></p> <p>The Council agrees to amend Policy 7 but agrees to alternative wording to that sought by the submitter to provide clearer policy direction in relation to the management of reverse sensitivity effects.</p> <p>The revised Policy reads as as follows:</p> <p><u>Protect existing lawfully established activities from reverse sensitivity effects that may arise from the establishment of new activities or the intensification of existing activities by:</u></p> <p><u>(a) avoiding significant adverse effects on regionally important infrastructure;</u></p> <p><u>(b) avoiding, remedying or mitigating other adverse effects on regionally important infrastructure; and other activities.</u></p> <p>At the hearing, the submitter presented further on Policy 7 requesting that the policy be reworded to refer to the “<i>establishment of new sensitive activities</i>” and “<i>other existing sensitive activities</i>”. The Council does not consider that reference to “sensitive” adds any additional value or clarification for Plan users and considers that reverse sensitivity is a well known and understood concept and that the changes are unnecessary for Plan users. The Council does not agree to changes in this manner.</p> |
| Further submissions – Taranaki Energy Watch (51) |                  | Oppose  |  |
| 59 – KiwiRail                                    | 321              | <p><b>Support</b></p> <p>Retain Policy 7 of the Plan as notified.</p>   | <p><b>Accept</b></p> <p>Support noted. Policy 7 is retained subject to amendments as requested by other submitters that do not change the policy intent.</p>   |
| Further submissions – Port Taranaki Ltd (32)     |                  | Support   |  |
| <b>Policy 8 – Areas of outstanding value</b>     |                  |   |  |
| 2 – Federated Farmers                            | 322              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 8 of the Plan to read:</p> <p><i>Protect the visual quality and the physical, ecological and cultural integrity of coastal areas of outstanding value identified in Schedule 1 from inappropriate use and development by:</i></p> <p><i>(a) avoiding adverse effects of activities on the values and characteristics identified in Schedule 2 that contribute to areas:</i></p> <p><i>(i) having outstanding natural character; and/or</i></p> | <p><b>Decline</b></p> <p>The Council declines the relief sought.</p> <p>The Council notes that activities undertaken adjoining Outstanding Value areas can, over time, adversely affect the values associated with an outstanding area. Seascapes and visual corridors are important values associated with natural features and landscapes and therefore require protection as per Policy 15 of the <i>New Zealand Coastal Policy Statement</i>. Accordingly, for the purposes of integrated coastal management, it would be inappropriate to exclude consideration of the wider</p>  |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
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|  |                  | <p>(ii) being outstanding natural features and landscape; within <del>or adjoining</del> coastal management area – Outstanding Value; <del>and (b) maintaining significant seascapes and visual corridors associated with outstanding natural features and landscapes, including views from within the landscapes or features, and views of the landscapes and features.</del></p>  | <p>landscape and would derogate from Council's efforts seeking to give effect to Policies 13 and 15 of the <i>New Zealand Coastal Policy Statement</i>.</p>   |
| Further submissions – Trans-Tasman Resources Ltd (6)   |                  | Support in part/neutral in part   |   |
| Further submissions – Port Taranaki Ltd (32), Powerco (45), Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd (46) |                  | Support in part   |   |
| Further submissions –Te Rūnanga o Ngāti Mutunga (40), Te Atiawa (58), Te Rūnanga o Ngāti Ruanui Trust (61)     |                  | Oppose  |   |
| 6 – Trans-Tasman Resources Ltd   | 323              | <p><b>Amend</b></p> <p>The submitter is unsatisfied with Policy 8 as the current wording would require the avoidance of all adverse effects no matter how trivial or transitory. While the current wording is consistent with wording within the <i>New Zealand Coastal Policy Statement</i> (Policy 13 1(a) [Preservation of natural character] and Policy 15(a) [Natural features and natural landscapes]) the Supreme Court in <i>King Salmon</i> recognised that those <i>New Zealand Coastal Policy Statement</i> policies were not intended to ban any effects, no matter how minor, or transitory.</p> <p>Submitter seeks amendment to Policy 8 to read:</p> <p><i>Protect the visual quality and the physical, ecological and cultural integrity of coastal areas of outstanding value identified in Schedule 1 from inappropriate use and development by:</i></p> <p>(a) avoiding adverse effects of activities <del>(other than minor or transitory effects)</del> on the values and characteristics identified in Schedule 2 that contribute to areas: [...]</p> | <p><b>Decline</b></p> <p>The Council agrees that minor or transitory effects are not necessarily required to be avoided within Policy 8. In the recent <i>King Salmon</i> decision, the Supreme Court ruled that avoidance policies do not necessarily rule out minor and transitory effects.</p> <p>Notwithstanding that, the Council does not consider it necessary to include explicit recognition of minor and transient effects within Plan policies. Indeed there are risks in doing so. The Council believes that it is more appropriate for the interpretation of Plan policies to rely on case law when determining the extent of effects which are necessary to be avoided. The current wording reflects the wording of the <i>New Zealand Coastal Policy Statement</i> and will ensure that any evolution of case law can be taken into consideration during the consenting process.</p> |
| Further submissions – Karen Pratt (9), Bruce Boyd (11), Te Rūnanga o Ngāti Mutunga (40), Taranaki energy       |                  | Oppose  |   |



| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
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| Watch (51), Te Atiawa (58), Te Rūnanga o Ngāti Ruanui Trust (61)                       |                  |  |   |
| Further submissions – Powerco (45), Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd (46) |                  | Support  |   |
| 19 – South Taranaki District Council   | 324              | <b>Amend</b><br>Retain Policy 8 as notified.   | <b>Accept</b><br>Support noted. Policy 8 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.   |
| 26 – Transpower NZ Ltd   | 325              | <b>Amend</b><br>Submitter seeks amendment to Policy 8 of the Plan to delete Clause (b) or replace it with a new clause specifically addressing the National Grid. The submitter wishes that the Plan clearly recognise that the planning and development of transmission infrastructure in the coastal parts of the rural environment should 'seek to avoid' rather than 'avoid' adverse effects on the values and characteristics of outstanding natural landscapes and areas of high natural character. The submitter believes that current wording would be unreasonably restrictive in respect of the planning and development of transmission infrastructure. Further, the submitter explains that Policy 8 of the <i>National Policy Statement of Electricity Transmission</i> requires the National Grid to 'seek to avoid'.<br>Proposed amendments read as follows:<br><i>Protect the visual quality and the physical, ecological and cultural integrity of coastal areas of outstanding value identified in Schedule 1 from inappropriate use and development by:</i><br>[...]<br><del>(b) maintaining significant seascapes and visual corridors associated with outstanding natural features and landscapes, including views from within the landscapes or features, and views of the landscapes and features.</del><br>OR<br><u>(b) specific to the National Grid, seeking to avoid adverse effects of activities associated with the National Grid on the values and characteristics identified in Schedule 2 that contribute to areas:</u> | <b>Accept</b><br>The Council agrees to amending the Plan to include a new National Grid specific policy that addresses the concerns raised by the submitter and gives effect to the <i>National Policy Statement for Electricity Transmission</i> (NPS-ET). In particular, the Council recognises that the NPS-ET directs the National Grid to "seek to avoid" adverse effects which is reflected in the policy. The new Policy reads as follows:<br><b><u>Policy 6A: Management of adverse effects of the National Grid</u></b><br><u>Where the National Grid has a functional need or operational need to locate in the coastal environment, manage the adverse effects arising from their activities by:</u><br><br><u>(a) recognising there may be some areas in the coastal environment where avoidance of adverse effects is required to protect the identified special values of those areas;</u><br><br><u>(b) seeking to avoid adverse effects on:</u><br><u>(i) areas of outstanding value;</u><br><u>(ii) significant indigenous biodiversity;</u><br><u>(iii) historic heritage as identified in schedules 5A and 5B; and</u><br><u>(iv) nationally or regionally significant surf breaks as identified in Schedule 7A and B;</u><br><u>(c) where it is not practicable to avoid adverse effects on the values of the areas listed in (b) above because of the functional needs or operational needs of the National Grid, remedy or mitigate adverse effects on those values; and</u><br><u>(d) avoiding, remedying or mitigating other adverse effects.</u> |



| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
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|  |                  | <p><i>(i) having outstanding natural character; and/or</i><br/> <i>(ii) being outstanding natural features and landscape;</i><br/> <i>within or adjoining coastal management area – Outstanding Value [...]</i></p>   | Supplementary evidence presented by the submitter at the hearing, suggested a variation of the above based upon discussions with the Department of Conservation and Royal Forest and Bird Society. However, at the time of writing this report, neither of these parties have indicated their support for their suggested amendments. The Council therefore agrees to retaining the suggested wording for Policy 6A  |
| 29 – Department of Conservation                      | 326              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 8 to read:<br/> <i>Protect the visual quality and the physical, ecological and cultural integrity of coastal areas of outstanding value identified in Schedule 42 from inappropriate use and development by [...]</i></p>  | <p><b>Accept</b></p> <p>Schedule 1 identifies the five coastal management areas, including those of Outstanding Value, and is specific to the coastal marine area. Schedule 2 provides additional information specific to coastal areas of Outstanding Value and which applies to both the coastal marine area and landward components of the coastal environment. The Council therefore agrees that the suggested amendment be accepted to ensure the broader consideration of values, characteristics and attributes that make these areas outstanding, irrespective of being on the seaward or landward parts of the coastal environment.</p>   |
| Further submissions – Trans-Tasman Resources Ltd (6) |                  | Support   |  |
| 43 – Royal Forest and Bird Protection Society        | 327              | <p><b>Amend</b></p> <p>The submitter suggests that the approach under Policy 8 limits the identification of outstanding natural features and landscapes to those areas set out in Schedules 1 and 2. This creates uncertainty as to whether the plan would recognise or enable the identification of other outstanding areas landward of the CMA.</p> <p>The submitter further suggests that the lack of criteria setting out the values and characteristics upon which the outstanding natural features and landscapes were determined means it is uncertain whether the scheduled areas achieve Policy 13 [Preservation of natural character] and 15 [Natural Features and natural landscapes] of the <i>New Zealand Coastal Policy Statement</i>.</p> <p>Submitter seeks amendment to the Plan by deleting Policy 8.</p> | <p><b>Decline</b></p> <p>The Council does not believe it necessary or appropriate to delete Policy 8 of the Plan.</p> <p>The issue raised by the submitter refers to the inclusions and identification criteria of the Scheduled areas that relate to Policy 8. Of note, the Council has worked closely with the New Plymouth and South Taranaki district councils in identifying, mapping and describing natural character, features and landscapes along the Taranaki coastline. Much of this work was addressed in a separate report <i>Regional Landscape Study of the Taranaki Coastal Environment</i>, which was prepared and consulted on as part of the Coastal Plan review. This work and consultation on the report informed the section 32 analysis relating to the Plan.</p> <p>Given that coastal areas of outstanding value should, by their definition of being outstanding or exceptional, be clearly identifiable (and that Schedule 2 of the Plan already identifies such areas), the Council does not believe it is necessary to revisit this work.</p> |
| 43 – Royal Forest and Bird Protection Society        | 328              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 8 of the Plan to read:</p>   | <p><b>Accept in part</b></p> <p>Schedule 1 identifies the five coastal management areas, including those of Outstanding Value, and is specific to the coastal marine area. Schedule 2 provides additional information specific to coastal areas of Outstanding Value and which</p>   |

| Submitter                                    | Submission point | Submitter's requests   | Council's response and decisions  |
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|  |                  | <p>Protect the visual quality and the physical, ecological and cultural integrity of coastal areas of outstanding value, <u>including those areas identified in Schedule 42</u> from inappropriate use and development by:</p> <p>(a) avoiding adverse effects of activities, <u>including those areas on the values and characteristics identified in Schedule 2, that contribute to areas: [...]</u></p>   | <p>applies to both the coastal marine area and landward components of the coastal environment. The Council therefore agrees that the suggested amendment to refer to Schedule 2 (rather than Schedule 1) be accepted to promote the broader consideration of values, characteristics and attributes that make these areas outstanding, irrespective of being on the seaward or landward parts of the coastal environment.</p> <p>In relation to the other amendments sought, the Council considers Schedule 2 to be a complete and comprehensive list of areas of outstanding value. Therefore, reference to “including” is not appropriate. However, notwithstanding the above, the Council considers that the values identified in Schedule 2 may not be definitive and agree with the submitter that there may be scope for additional values to be included over time.</p> <p>The Council agrees to amending the Policy 8 of the Plan to read as follows:</p> <p><i>Policy 8 Areas of outstanding value</i></p> <p>[...]</p> <p>(a) avoiding adverse effects of activities on the values and characteristics, <u>including those identified in Schedule 2 [...]</u></p> |
| 45 – Powerco                                 | 329              | <p><b>Amend</b></p> <p>Submitter seeks that the Council revisit mapping of areas of outstanding natural features and landscapes</p> <p>OR</p> <p>amend Policy 8 of the Plan to recognise the presence of infrastructure within areas of outstanding natural features and landscapes by adding a new clause (c) to read:</p> <p><i>Protect the visual quality and the physical, ecological and cultural integrity of coastal areas of outstanding value identified in Schedule 1 from inappropriate use and development by: [...]</i></p> <p><u>(c) recognising the need to provide for the ongoing operation, maintenance, and upgrade of existing infrastructure.</u></p> | <p><b>Decline</b></p> <p>The Council declines the relief sought by the submitter. Of note, the Council has worked closely with the New Plymouth and South Taranaki district councils in identifying and mapping coastal areas of outstanding natural character and outstanding natural features and landscapes and there is alignment between the plans in relation to the areas identified. Mapping was appropriately based on values and attributes of the area rather than the presence (or otherwise) of particular use and development.</p> <p>In relation to the alternative relief of amending Policy 8, the Council does not believe any relief is necessary. It is noted that all General Policies must be read together. Policies 5, 6 and 7 already recognise the need to provide for the ongoing operation, maintenance, and upgrade of existing infrastructure.</p>  |
| Further submissions – Transpower NZ Ltd (26) |                  | Support  |   |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
|--|------------------|--|--|
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61)         |                  | Oppose   |  |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd                 | 330              | <p><b>Amend</b></p> <p>Submitter seeks that the Council revisit mapping of areas of outstanding natural features and landscapes</p> <p>OR</p> <p>amend Policy 8 of the Plan by adding a new clause (c) to read:</p> <p><i>Protect the visual quality and the physical, ecological and cultural integrity of coastal areas of outstanding value identified in Schedule 1 from inappropriate use and development by: [...]</i></p> <p><i>(c) recognising the need to provide for the ongoing operation, maintenance, and upgrade of existing infrastructure.</i></p> | <p><b>Decline</b></p> <p>The Council declines the relief sought by the submitter. Of note, the Council has worked closely with the New Plymouth and South Taranaki district councils in identifying and mapping coastal areas of outstanding natural character and outstanding natural features and landscapes and there is alignment between the plans in relation to the areas identified. Mapping was appropriately based on values and attributes of the area rather than the presence (or otherwise) of particular use and development.</p> <p>In relation to the alternative relief of amending Policy 8, the Council does not believe any relief is necessary. It is noted that all General Policies must be read together. Policies 5, 6 and 7 already recognise the need to provide for the ongoing operation, maintenance, and upgrade of existing infrastructure.</p> |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61)         |                  | Oppose   |  |
| 60 – Te Kaahui o Rauru   | 331              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 8 to include “underwater” visual quality as part of seascape.</p>   | <p><b>No relief necessary</b></p> <p>The Council suggests that Policy 8 already addresses underwater visual quality where that attribute contributes to the sensory or associative values identified in Schedule 2 of the Plan for coastal areas of outstanding values.</p> <p>In addition, Policy 8 reads “(b) maintaining significant seascapes and visual corridors associated with outstanding natural features and landscapes, <u>including views from within the landscapes or features, and views of the landscapes and features</u>”. The Council considers that underwater visual quality is encompassed by the underlined provision where the underwater visual quality of the area is significant.</p> <p>No change is therefore considered necessary.</p>  |
| <b>Policies 8 to 15 – Natural and historic heritage and values</b> |                  |  |  |
| 41 – Te Korowai o Ngāruahine Trust                                 | 332              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policies 8 to 15 of the Plan to delete reference to <del>significant adverse effects</del> and replace with <u>adverse effects</u>.</p>  | <p><b>Decline</b></p>  |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
|--|------------------|--|---|
| Further submissions – Transpower NZ Ltd (26)   |                  | Oppose   | <p>Use of the term “<i>significant adverse effects</i>” in policies of the Plan is deliberate. The application of the term will depend upon its context but indicates adverse effects on values and uses of the coastal environment that are more than minor.</p> <p>All activities have some effect and granting the relief would unnecessarily preclude many use and development activities across the coastal environment, regardless of the benefits of the activity and or whether the effects were minor or transitional. Policies 8(a), 12, 14(a) and 15(a) already require a high level of protection through the avoidance of all adverse effects on areas of outstanding value, areas where coastal water is to be restored, significant indigenous biodiversity and historic heritage. However, a tiered level of protection has deliberately been adopted whereby other policies provide a lower but still very high level of protection relating to avoiding significant adverse effects on other natural and historic heritage values (refer Policy 9, 13, 14(b) and 15(b)). The Policy references to “<i>significant adverse effects</i>” is deliberate and, in the Council's view, appropriate.</p> |
| Further submissions –Te Rūnanga o Ngāti Mutunga (40), Taranaki Energy Watch (51), Te Atiawa (58), Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support  |   |
| <b>Policy 9 – Natural character and natural features and landscapes</b>  |                  |  |   |
| 2 – Federated Farmers  | 333              | <b>Support</b>   | <b>Accept</b>   |
|  |                  | Submitter supports the list of matters to have regard to in Policy 9 of the Plan.  | Support noted. Policy 9 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.  |
| 19 – South Taranaki District Council   | 334              | <b>Support</b>   | <b>Accept</b>   |
|  |                  | Retain Policy 9 of the Plan as notified.   | Support noted. Policy 9 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.  |
| 20 – Meridian Energy Ltd   | 335              | <b>Amend</b>   | <b>Accept in part</b>   |
|  |                  | <p>The submitter believes that the current wording suggests that natural character must be enhanced or restored and argues this not consistent with Policy 14 [Restoration of natural character] of the <i>New Zealand Coastal Policy Statement</i> or Policy 10 of the proposed plan.</p> <p>In addition, the submitter considers Clause (iv) of Policy 8 to be outside the scope of the Policy as it relates to historic heritage covered by Policy 15 [Historic heritage].</p> <p>Submitter seeks amendment to Policy 9(a)(i) of the Plan and deletion of Clause (iv) as follows:</p> | <p>The Council agrees that Policy 9(a)(i) be amended to refer to the maintenance of natural character alongside enhancement and restoration, and accept this part of the relief sought by the submitter.</p> <p>However, in relation to deleting Clause (vi), the Council believes it is appropriate for activities to have regard for, amongst other things, maintaining the integrity of historic heritage. The definition of historic heritage refers to any natural and physical resources that contribute to an understanding and appreciation of New Zealand's history and cultures and includes the wider surroundings. The Council therefore</p>  |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions  |
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|   |                  | <p>Protect the visual quality and the physical, ecological and cultural integrity of coastal areas of outstanding value identified in Schedule 1 from inappropriate use and development by:</p> <p>(a) avoiding significant adverse effects, and avoiding, remedying or mitigating other adverse effects on natural character and natural features and landscapes by having regard to the extent to which the activity:</p> <p>(i) <u>maintains or</u> contributes to the enhancement or restoration of natural character;</p> <p>[...]</p> <p>(iv) <u>maintains the integrity of historic heritage.</u></p> | agrees that Policy 9(a)(iv) is retained as notified (subject to minor amendments sought by another submitter).  |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61)            |                  | Oppose   |   |
| 23 – New Plymouth District Council                                    | 336              | <p><b>Support</b></p> <p>Retain Policy 9 of the Plan as notified.</p>  | <p><b>Accept</b></p> <p>Support noted. Policy 9 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.</p>  |
| 29 – Department of Conservation                                       | 337              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 9 of the Plan to read:</p> <p>Protect <u>all other areas of the natural character, features, and landscapes of the coastal environment not identified in Schedule 2</u> by: [...]</p>   | <p><b>Accept</b></p> <p>The submitter considers that Policy 9 offers a broader, wider range of considerations and policies for the protection of natural character that should also apply to areas of outstanding value. The Council agrees to granting the relief as requested so that Policy 9 reads:</p> <p>Protect <u>the natural character, features and landscapes of the coastal environment not addressed in Policy 8</u>-by: [...]</p> |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Atiawa (58) |                  | Support  |   |
| 35 – Radio New Zealand Ltd  | 338              | <p><b>Support</b></p> <p>Retain Policy 9 of the Plan as notified.</p>  | <p><b>Accept</b></p> <p>Support noted. Policy 9 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.</p>  |
| 37 – Petroleum Exploration and Production Association of NZ           | 339              | <p><b>Amend</b></p> <p>Submitter supports Policy 9 of the Plan but seeks amendment to the Policy to avoid subjective language such as “<i>sympathetic</i>” and to refer to positive actions (such as maintain or minimise) rather than negative language. The submitter suggests Policy 9 to read:</p>   | <p><b>Accept</b></p> <p>Subjective wording can create grey areas and issues of interpretation for Plan users. The Council therefore agrees that more directive terminology is appropriate to clarify the intent of Policy 9 and agrees that the Policy be amended to read:</p>  |



| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
|--|------------------|---|---|
|  |                  | <p>Protect the visual quality and the physical, ecological and cultural integrity of coastal areas of outstanding value identified in Schedule 1 from inappropriate use and development by:</p> <p>(a) avoiding significant adverse effects, and avoiding, remedying and mitigating other adverse effects on natural character and natural features and landscapes by having regard to the extent to which the activity:</p> <p>(i) <del>contributes to the</del> enhance<del>ment</del> or restore<del>sation</del> of natural character</p> <p>(ii) is compatible with the existing level of modification to the environment including by having particular regard for Policy 1</p> <p>(iii) is appropriate <del>for the context of the area</del> within the surrounding landscape, its representativeness and ability to accommodate change</p> <p>(iv) is of an appropriate form, scale and design to <del>be sympathetic</del> <u>minimise effects on the character, visual amenity and quality of</u> <del>to</del> the existing landforms, features and vegetation (excluding high visibility markers required for safety or conservation purposes) [...]</p> | <p>Protect <u>the natural character, features and landscapes of</u> the coastal environment by: [...]</p> <p>(a) avoiding significant adverse effects, and avoiding, remedying and mitigating other adverse effects on natural character and natural features and landscapes by having regard to the extent to which the activity:</p> <p><u>(i) maintains, enhances or restores</u> natural character;</p> <p>(ii) is compatible with the existing level of modification to the environment, including by having particular regard to Policy 1;</p> <p>(iii) is appropriate within the surrounding landscape, its representativeness and ability to accommodate change;</p> <p>(iv) is of an appropriate form, scale and design to <u>minimise adverse effects on values of</u> the existing landforms, features and vegetation (excluding high visibility markers required for safety or conservation purposes) or is of a temporary nature and any adverse effects are of a short duration and are reversible; [...]</p> |
| Further submissions – Trans-Tasman Resources Ltd (6) |                  | Support in part/Oppose in part  |   |
| Further submissions – Taranaki Energy Watch (51)     |                  | Support in part   |   |
| 40 – Te Rūnanga o Ngāti Mutunga                      | 340              | <p><b>Amend</b></p> <p>Submitter seeks an amendment to Policy 9(a)(vi) of the Plan to read:</p> <p>Protect the visual quality and the physical, ecological and cultural integrity of coastal areas of outstanding value identified in Schedule 1 from inappropriate use and development by:</p> <p>(a) avoiding significant adverse effects, and avoiding, remedying or mitigating other adverse effects on natural character and natural features and landscapes by having regard to the extent to which the activity:</p> <p>[...]</p> <p>(vi) Maintain the integrity of <u>historical and cultural</u> heritage.</p>   | <p><b>Accept</b></p> <p>The submitter would like this Policy to maintain consistent wording with other Policies within the section by including specific reference to “historical and cultural heritage” and to reflect the values attached to the sites of significance in Schedule 5B.</p> <p>The Council agrees to the relief sought noting that natural character, features and landscapes may have broader cultural, spiritual and traditional associations not necessarily captured in the RMA definition of “historic heritage”.</p>   |



| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
|--|------------------|---|--|
| 40 – Te Rūnanga o Ngāti Mutunga                          | 341              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 9 of the Plan by including a new Clause (b) to differential between 'natural character' and 'natural features and landscapes' to read as follows:</p> <p><u>(b) Recognise that natural character is not the same as natural features and landscapes or amenity values and may include matters such as:</u></p> <p><u>(i) Natural elements, processes and patterns:</u></p> <p><u>(ii) Biophysical, ecological, geological and geomorphological aspects:</u></p> <p><u>(iii) Natural landforms such as headlands, peninsulas, cliffs, dunes, wetlands, reefs, freshwater springs and surf breaks:</u></p> <p><u>(iv) The natural movement of water and sediment:</u></p> <p><u>(v) The natural darkness of the night sky:</u></p> <p><u>(vi) Places or areas that are wild or scenic:</u></p> <p><u>(vii). A range of natural character from pristine to modified and</u></p> <p><u>(viii). Experiential attributes, including the sounds and smell of the sea; and their context or setting.</u></p> | <p><b>Decline</b></p> <p>The submitter considers that the requested addition would bring the policy in line with the <i>New Zealand Coastal Policy Statement</i> and add depth to the definition of natural character as protected in the Plan.</p> <p>The requested addition represents an unnecessarily high level of detail, which is essentially supporting information. Such matters were previously addressed in a separate report <i>Regional Landscape Study of the Taranaki Coastal Environment</i>, which was prepared and consulted on as part of the Coastal Plan review.</p> <p>The Council further notes that the detail provided by the submitter has already been considered by the Council and has informed the drafting of the Plan and its mapping. Recognition that natural character, natural feature, natural landscapes and amenity values is encompassed within the Plan's definition for those terms, even if those characteristics are not expressly or independently mentioned.</p> <p>The Council considers the proposed relief sought by the submitter is unnecessary and does not agree to amending the Policy as sought by the submitter.</p> |
| Further submissions – Te Korowai o Ngāruahine Trust (41) |                  | Support   |  |
| 43 – Royal Forest and Bird Protection Society            | 342              | <p><b>Amend</b></p> <p>Submitter seeks amendment to the Plan by deleting Policy 9.</p>  | <p><b>Decline</b></p> <p>The submitter contends that Policy 9 of the Plan is uncertain. The submitter suggests that the inclusion of significant areas of indigenous vegetation and historic heritage in the policy overlaps and creates inconsistency with Policies 14 and 15 of the Plan.</p> <p>The submitter further suggests that the policy does not recognise that natural character is different to natural features and landscapes, nor does it provide for the assessment or identification required under Policies 13 and 15 of the <i>New Zealand Coastal Policy Statement</i>.</p> <p>The Council does not agree to deleting Policy 9. The Council considers that the Plan has given full effect to the <i>New Zealand Coastal Policy Statement</i>, including undertaking a regional landscape study of the Taranaki coastal environment. Notwithstanding the above, Council agrees amendments to Policy 9 to address some of the concerns raised by the submitter (refer submission point 343 below).</p>   |
| Further submissions – Port Taranaki Ltd (32)             |                  | Oppose  |  |

| Submitter                                     | Submission point | Submitter's requests  | Council's response and decisions  |
|---|------------------|---|---|
| 43 – Royal Forest and Bird Protection Society | 343              | <b>Amend</b>  | <p><b>Accept in part</b></p> <p>The submitter is concerned that Policy 9 does not provide for avoidance of adverse effects for outstanding values which may not be identified in Schedule 2.</p> <p>The submitter is also concerned that there are inconsistencies with directive policies for protection. In particular, it is the submitter's view that Clause (a)(v) is uncertain as the provisions do not currently identify significant areas of vegetation, nor does it reflect the protection required by Policy 14 [Indigenous biodiversity] of the Plan.</p> <p>The Council agrees to granting relief in relation to Policy 8 (submission point 328) and consider this relief to address the first part of the submitters concern in Policy 9. As a result, Policy 8(a) is agreed to be amended to not limit its application only to the effects of activities in values and characteristics <u>identified</u> in Schedule 2.</p> <p>The Council further agrees to amending Policy 9 (a)(v) as requested by the submitter as the suggestion is more directive and aligns language to that used elsewhere in the Plan.</p> <p>At the hearing of submissions, the submitter indicated that the relief proposed addressed some of their concerns but that further amendments are required to better align with the <i>New Zealand Coastal Policy Statement</i>, particularly in relation to 'high natural character' areas. The Hearing Panel agrees with the submitter and the Council agrees to amend Policy 9 to include a new clause that reads as follows:</p> <p><i><u>(ix) in areas of high natural character in the coastal marine area, minimises to the extent practicable, seabed and foreshore disturbances and modifications, placement of structures, and discharges of contaminants.</u></i></p> |
|   |                  | <p>Submitter seeks amendments to Policy 9 of the Plan by:</p> <ul style="list-style-type: none"> <li>including a new clause that reads:<br/><i>Protect the natural character, features, and landscapes of the coastal environment by: [...]</i><br/><i><u>(ix) avoiding adverse effects of activities on natural character of the coastal environment with outstanding natural character and on outstanding natural features.</u></i></li> <li>amending Policy 9(a)(v) to read:<br/><i><u>(v) maintains the integrity of significant areas of indigenous vegetation protects significant indigenous biodiversity and maintains or enhances indigenous biodiversity [...]</u></i></li> </ul> |   |
|   |                  | <p>Further submissions2 – Federated Farmers (2), Port Taranaki Ltd (32)</p> <p>Oppose</p>   |   |
| Further submissions – Radio New Zealand (35)  |                  | Oppose in part  |   |
| 45 – Powerco                                  | 344              | <p><b>Amend</b></p> <p>The submitter wishes to revisit whether regionally important infrastructure falls within areas of natural character and natural features and landscapes, or for Policy 9 to recognise the presence of regionally important infrastructure within areas of outstanding natural features and landscapes. The submitter seeks that mapping of areas of natural character and natural features and landscapes be revisited</p> <p>OR</p> <p>that the policy enables the ongoing operation, maintenance and upgrade of such infrastructure by amending Policy 9 of the Plan to include a new clause (ix) to read:</p>   | <p><b>Decline</b></p> <p>The Council does not believe the requested amendment is necessary. Of note, the Council has worked closely with the New Plymouth and South Taranaki district councils in identifying, mapping and describing natural character, features and landscapes along the Taranaki coastline. Much of this work was addressed in a separate report <i>Regional Landscape Study of the Taranaki Coastal Environment</i>, which was prepared and consulted on as part of the Coastal Plan review. The Council does not believe it is necessary to revisit this work. Mapping was appropriately based on values and attributes of the area rather than the presence (or otherwise) of particular use and development.</p>   |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
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|  |                  | <p><i>Protect the visual quality and the physical, ecological and cultural integrity of coastal areas of outstanding value identified in Schedule 1 from inappropriate use and development by:</i></p> <p><i>(a) avoiding significant adverse effects, and avoiding, remedying or mitigating other adverse effects on natural character and natural features and landscapes by having regard to the extent to which the activity:</i></p> <p>[...]</p> <p><u><i>(ix) is necessary to provide for the safe and efficient operation, maintenance, upgrade and development of regionally important infrastructure.</i></u></p>  | <p>In relation to the alternative relief of amending Policy 9, the Council does not consider that any relief is necessary. The Council notes all General Policies must be read together. Policies 5, 6 and 7 already recognise the need to provide for the ongoing operation, maintenance, and upgrade of existing infrastructure.</p>  |
| Further submissions – Transpower NZ Ltd (26)               |                  | Support  |   |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Oppose   |   |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd         | 345              | <p><b>Amend</b></p> <p>The submitter wishes to revisit whether regionally important infrastructure falls within areas of natural character and natural features and landscapes, or for Policy 9 to recognise the presence of regionally important infrastructure within areas of outstanding natural features and landscapes. The submitter seeks that mapping of areas of natural character and natural features and landscapes be revisited</p> <p>OR</p> <p>that the policy enables the ongoing operation, maintenance and upgrade of such infrastructure by amending Policy 9 of the Plan to include a new clause (ix) to read:</p> <p><i>Protect the visual quality and the physical, ecological and cultural integrity of coastal areas of outstanding value identified in Schedule 1 from inappropriate use and development by:</i></p> <p><i>(a) avoiding significant adverse effects, and avoiding, remedying or mitigating other adverse effects on natural character and natural features and landscapes by having regard to the extent to which the activity:</i></p> <p>[...]</p> | <p><b>Decline</b></p> <p>The Council does not consider the requested amendment is necessary. Of note, the Council has worked closely with the New Plymouth and South Taranaki district councils in identifying, mapping and describing natural character, features and landscapes along the Taranaki coastline. Much of this work was addressed in a separate report <i>Regional Landscape Study of the Taranaki Coastal Environment</i>, which was prepared and consulted on as part of the Coastal Plan review. The Council does not believe it is necessary to revisit this work. Mapping was appropriately based on values and attributes of the area rather than the presence (or otherwise) of particular use and development.</p> <p>In relation to the alternative relief of amending Policy 9, the Council does not believe any relief is necessary. It is also noted that all General Policies must be read together. Policies 5, 6 and 7 already recognise the need to provide for the ongoing operation, maintenance, and upgrade of existing infrastructure.</p> |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
|--|------------------|---|--|
|  |                  | <i>(ix) is necessary to provide for the safe and efficient operation, maintenance, upgrade and development of regionally important infrastructure.</i>  |  |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Oppose  |  |
| 58 – Te Atiawa   | 346              | <p><b>Amend</b></p> <p>The submitter would like Policy 9 to use consistent wording with other Policies and to reflect the values associated with sites of significance in Schedule 5B. Submitter seeks amendment to Policy 9(a)(vi) of the Plan to read:</p> <p><i>Protect the visual quality and the physical, ecological and cultural integrity of coastal areas of outstanding value identified in Schedule 1 from inappropriate use and development by:</i></p> <p><i>(a) avoiding significant adverse effects, and avoiding, remedying or mitigating other adverse effects on natural character and natural features and landscapes by having regard to the extent to which the activity:</i></p> <p>[...]</p> <p><i>(vi) maintain the integrity of <b>cultural</b> historic heritage.</i></p> | <p><b>Accept</b></p> <p>The submitter would like this Policy to maintain consistent wording with other Policies within the section by including specific reference to “historical and cultural heritage” and to reflect the values attached to the sites of significance in Schedule 5B.</p> <p>The Council agrees to granting the relief sought noting that natural character, features and landscapes may have broader cultural, spiritual and traditional associations not necessarily captured in the RMA definition of “historic heritage”.</p> |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support   |  |
| 61 – Te Rūnanga o Ngāti Ruanui Trust                       | 347              | <p><b>Amend</b></p> <p>The submitter would like Policy 9 to use consistent wording with other Policies and to reflect the values associated with sites of significance in Schedule 5B. Submitter seeks amendment to Policy 9(a)(vi) of the Plan to read:</p> <p><i>Protect the visual quality and the physical, ecological and cultural integrity of coastal areas of outstanding value identified in Schedule 1 from inappropriate use and development by:</i></p> <p><i>(a) avoiding significant adverse effects, and avoiding, remedying or mitigating other adverse effects on natural character and natural features and landscapes by having regard to the extent to which the activity:</i></p> <p>[...]</p> <p><i>(vi) maintain the integrity of <b>cultural</b> historic heritage.</i></p> | <p><b>Accept</b></p> <p>The submitter would like this Policy to maintain consistent wording with other Policies within the section by including specific reference to “historical and cultural heritage” and to reflect the values attached to the sites of significance in Schedule 5B.</p> <p>The Council agrees to granting the relief sought noting that natural character, features and landscapes may have broader cultural, spiritual and traditional associations not necessarily captured in the RMA definition of “historic heritage”.</p> |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
|--|------------------|---|--|
| <b>NEW Policy 9A – Criteria for identifying areas of outstanding or high natural character</b> |                  |   |  |
| 43 – Royal Forest and Bird Protection Society  | 348              | <p><b>Amend</b></p> <p>Submitter seeks amendment to the Plan to include a new Policies that:</p> <ul style="list-style-type: none"> <li>• determines/identifies areas of Outstanding Natural Character</li> <li>• to preserve areas of High Natural Character</li> <li>• for other natural character in all areas of the coastal environment</li> <li>• to provide a basis for determining outstanding natural features and landscapes</li> <li>• other natural features and landscapes in all areas of the coastal environment.</li> </ul> | <p><b>Grant in kind</b></p> <p>The Council does not believe the requested amendment is necessary. Of note, the Council has worked closely with the New Plymouth and South Taranaki district councils in identifying, mapping and describing natural character, features and landscapes along the Taranaki coastline. Much of this work was addressed in a separate report <i>Regional Landscape Study of the Taranaki Coastal Environment</i>, which was prepared and consulted on as part of the Coastal Plan review. It was this work, which was used for determining and identifying outstanding natural features and landscapes but also examined natural character across the entirety of the Taranaki coastline.</p> |
| Further submissions20 – Meridian Energy Ltd (20, Port Taranaki Ltd (32)                        |                  | Oppose  | <p>The Council further notes that the Plan already contains policies addressing the protection of natural character, features and landscapes (Policies 8, 9 and 10) and do not believe additional policies are necessary or appropriate. All General Policies apply to any use and development activities in the coastal marine area and must be read together.</p>  |
| Further submissions – Department of Conservation – (29)  |                  | Support   | <p>At the hearing, the submitter supported some of the changes proposed by officers to address some of their concerns but strongly advocated for the inclusion of mapped areas of 'high natural character' in addition to amendments to Policy 9.</p>  |
| Further submissions – Powerco (45)   |                  | Oppose in part/Oppose   |  |
| Further submissions – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd (46)                       |                  | Oppose in part  | <p>The Council agree that Policy 9 be amended as previously discussed in submission point 343. The Hearing Panel further recommended granting the submitter relief in kind by amending relevant planning maps to identify those areas already identified in the Plan as having high (or higher) natural character in the coastal marine area - these being outstanding areas and estuaries unmodified, i.e:</p> <ul style="list-style-type: none"> <li>• Whitecliffs</li> <li>• Mimi Estuary</li> <li>• Paritutu</li> <li>• Ngā Motu (Sugar Loaf Islands)</li> <li>• Tapuae</li> <li>• Hangatahua River</li> <li>• Oaonui (Sandy Bay)</li> <li>• Kaupokonui</li> </ul>   |



| Submitter   | Submission point | Submitter's requests  | Council's response and decisions   |
|---|------------------|---|--|
|   |                  |   | <ul style="list-style-type: none"> <li>• Kapuni</li> <li>• Whenuakura</li> <li>• Waipipi Dunes</li> <li>• Project Reef</li> <li>• North and South Traps</li> <li>• Waverley Beach</li> <li>• Waitotara</li> <li>• Urenui estuary</li> <li>• Onaero estuary</li> <li>• Waiongana estuary</li> <li>• Oākura estuary</li> <li>• Waingongoro estuary</li> <li>• Tangahoe estuary</li> <li>• Manawapou estuary</li> <li>• plus any additional areas identified in Appendix II of the <i>Regional Policy Statement for Taranaki</i> as having high natural character (refer to submission point 1320 for further information).</li> </ul> <p>The Council agrees to amendments identified by the Hearing Panel above.</p> |
| <b>Policy 10 – Restoration of natural character</b> |                  |   |  |
| 19 – South Taranaki District Council                | 349              | <b>Support</b><br>Retain Policy 10 of the Plan as notified. | <b>Accept</b><br>Support noted. Policy 10 is retained as notified.   |
| Further submissions – Port Taranaki Ltd (32)        |                  | Support   |  |
| 43 – Royal Forest and Bird Protection Society       | 350              | <b>Support</b><br>Retain Policy 10 of the Plan as notified. | <b>Accept</b><br>Support noted. Policy 10 is retained as notified.   |
| 45 – Powerco  | 351              | <b>Support</b><br>Retain Policy 10 of the Plan as notified. | <b>Accept</b><br>Support noted. Policy 10 is retained as notified.   |



| Submitter   | Submission point | Submitter's requests  | Council's response and decisions  |
|---|------------------|---|---|
| Further submissions – Federated Farmers (2), Transpower NZ Ltd (26)   |                  | Support   |   |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd  | 352              | <b>Support</b><br>Retain Policy 10 of the Plan as notified.   | <b>Accept</b><br>Support noted. Policy 10 is retained as notified.  |
| 49 – Cam Twigley  | 353              | <b>Amend</b><br>Submitter seeks amendment to Policy 10 of the Plan to include the restoration and rehabilitation of natural character within the Significant Surfing Area.  | <b>No relief necessary</b><br>No precise details of amendments sought to Policy 10 have been provided. However, the Council suggests that Policy 10 does not need the level of specificity sought by the submitter and through this Plan (but also through other planning mechanisms) opportunities already exist to investigate supporting the restoration and rehabilitation of natural character within the Significant Surfing Area.<br>Policy 10 recognises that the natural character of parts of the coastal environment may be degraded and seeks to provide for the restoration or rehabilitation of the coast where this appropriate. Sensitive or vulnerable coastal habitat types have been highlighted. Rules and other (non regulatory) methods will be used to implement the Policy. |
| <b>Policy 11 – Coastal water quality</b>  |                  |   |   |
| 6 – Trans-Tasman Resources Ltd  | 354              | <b>Amend</b><br>The submitter questions the practical application of how to maintain and enhance coastal water quality at the same time and seeks to amend Policy 11 of the Plan to read:<br><i>Maintain <del>or and</del> enhance coastal water quality by avoiding, remedying and mitigating the adverse effects of activities on [...]</i> | <b>Accept in part</b><br>The Council agrees but considers an additional relief to that requested by the submitter is necessary whereby Policy 11 is amended to specify and limit the circumstances where coastal water quality will be maintained or enhanced.<br>The revised Policy reads as follows:<br><i>Maintain <u>coastal water quality where it is good or where it is degraded</u> by avoiding, remedying and mitigating the adverse effects of activities on: [...]</i>   |
| Further Submissions – Federated Farmers (2)   |                  | Support in part   |   |
| Further Submissions – Te Rūnanga o Ngāti Mutunga (40), Te Atiawa (58), Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Oppose  |   |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
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| 19 – South Taranaki District Council                     | 355              | <b>Support</b>   | <b>Accept</b>   |
|  |                  | Retain Policy 11 of the Plan as notified.  | Support noted. Policy 11 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.   |
| Further submissions – Port Taranaki Ltd (32)             |                  | Support  |   |
| 40 – Te Rūnanga o Ngāti Mutunga                          | 356              | <b>Support</b>   | <b>Accept</b>   |
|  |                  | Retain Policy 11 of the Plan as notified.  | Support noted. Policy 11 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.   |
| 43 – Royal Forest and Bird Protection Society            | 357              | <b>Support</b>   | <b>Accept</b>   |
|  |                  | Retain Policy 11 of the Plan as notified (but seek an additional Policy 11A – refer below).  | Support noted. Policy 11 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.   |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd       | 358              | <b>Support</b>   | <b>Accept</b>   |
|  |                  | Retain Policy 11 of the Plan as notified.  | Support noted. Policy 11 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.   |
| 47 – Fonterra  | 359              | <b>Amend</b>   | <b>Accept</b>   |
|  |                  | The submitter questions the practical application of how to maintain and enhance coastal water quality at the same time and seeks amendment to Policy 11 of the Plan to read:<br><i>Maintain <b>coastal water quality where it is good</b> and enhance coastal water quality <b>where it is degraded</b> by avoiding, remedying and mitigating the adverse effects of activities on: [...]</i> | The Council agrees to granting the relief sought by the submitter so that Policy 11 more clearly specifies and limits the circumstances where coastal water quality will be maintained or enhanced as requested by the submitter. |
| Further submissions – Te Korowai o Ngāruahine Trust (41) |                  | Support  |   |
| 48 – Taranaki District Health Board                      | 360              | <b>Support</b>   | <b>Accept</b>   |
|  |                  | Retain Policy 11 of the Plan as notified.  | Support noted. Policy 11 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.   |
| 58 – Te Atiawa   | 361              | <b>Support</b>   | <b>Accept</b>   |
|  |                  | Retain Policy 11(b) of the Plan as notified.   | Support noted. Policy 11(b) is retained as notified.  |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions  |
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| 60 – Te Kaahui o Rauru  | 362              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 11 of the Plan to include native species of value to Māori.</p>  | <p><b>Decline</b></p> <p>The Council does not agree to amending Policy 11 of the Plan to expand its scope to reference native species of value to Māori. Presence or abundance of native species are not necessarily a meaningful indicator of coastal water quality with some taonga species being quite tolerant of reduced water quality.</p> <p>The Council notes Schedule 3 of the Plan identifies areas where there is localised degradation of water quality, which (through Policy 12) will be targeted for enhancement. Of note these 'degraded areas' do contain native species of value to Māori, including shellfish. The issue is not the presence or abundance of these species but <i>E. coli</i> levels are such that there are restrictions on the harvesting of these species.</p> <p>The Council further notes that all General Policies need to be read together and that other policies and agreed changes to the Plan may address some of the issues of concern. Native species, including species of value to Māori, are implicitly provided for in Policy 11 in that avoiding, remedying and mitigating adverse effects of activities on the life supporting capacity of coastal water, the māuri and wairua of coastal water and the integrity and functioning of natural coastal processes will contribute to the maintenance and enhancement of native species of value to Māori. Native species are also covered by Policy 14 [Indigenous biodiversity] and Policy 15 [Historic heritage]. The Council further agree that a new Policy 14B be included in the Plan to recognise and provide for the maintenance and enhancement of taonga species. In giving effect to the Plan all General Policies and relevant Activity-specific policies must be read together.</p> |
| 61 – Te Rūnanga o Ngāti Ruanui Trust                                | 363              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 11 of the Plan to read:</p> <p><i>Policy 11: Coastal water quality <b>and mauri values</b></i><br/> <i>Maintain and enhance coastal water quality <b>and mauri values</b> by avoiding, remedying and mitigating the adverse effects of activities on:</i><br/> <i>[...]</i><br/> <i>(a) the <b>mauri or</b> life-supporting capacity of coastal water;</i></p> | <p><b>No relief necessary</b></p> <p>The Council notes that māuri values are already addressed within the Policy in Clause (b) and that it is not necessary to repeat the reference as the Policy is already clearly identifying māuri to be a component of coastal water quality. The Council considers that no further relief is necessary.</p>   |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Korowai o |                  | Support   |   |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
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| Ngāruahine Trust (41), Te Atiawa (58)                                    |                  |  |  |
| <b>NEW Policy 11A – Water quality limits</b>                             |                  |  |  |
| 43 – Royal Forest and Bird Protection Society                            | 364              | <b>Amend</b><br>Submitter seeks amendment to the Plan to include a new Policy 11A [Coastal water quality limits] to achieve Objective 5 [Coastal water quality]. The new Policy would set water quality targets and standards for freshwater and coastal water in the coastal environment to ensure that upstream water quality does not result in adverse effects in the coastal environment. | <b>Decline</b><br><br>The submitter does not specify what attributes and numerics would be acceptable for coastal water quality and marine health. The Council notes concerns that the adoption of standardised and universal water quality targets and standards would have a perverse outcome in that such targets are likely to be too high or too low depending upon uses and values in the locality. Such matters are best dealt with through the consenting process where the type, scale and significance of the activity and the vulnerability and sensitivities of the receiving environment (including cultural interests), and an appropriate mixing zone may be considered on a case-by-case basis.<br><br>The Council's approach involves taking into account recognised national/international guideline values as appropriate. The Council notes that Taranaki only has seven major municipal and/or industrial discharges to the coastal marine area and that coastal water quality is generally good. In localities where that is not the case, a new Policy 12 has been included in the Plan seeking the restoration of local coastal water quality. |
| Further submissions – Port Taranaki Ltd (32)                             |                  | Oppose   |  |
| Further submissions – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd (46) |                  | Oppose in part   |  |
| <b>Policy 12 – Restoration of coastal water quality</b>                  |                  |  |  |
| 15 – Surfbreak Protection Society  | 365              | <b>Amend</b><br>The submitter believes that Policy 12 does not provide adequate protection of the awa and coastal areas. The submitter is concerned that waiting until there are significant effects could impact on shellfish gathering, cultural activities, and water based recreational activities and seeks that the word “ <i>significant</i> ” be deleted from the policy.              | <b>Decline</b><br><br>The Council notes that pursuant to the RMA, the Council will, as a minimum be maintaining Taranaki's generally high coastal water quality. Any activity may have an adverse effect on water quality but, for most activities, their effects are localised or temporal and/or effects can be mitigated.<br><br>Policy 12 is a new policy that seeks to restore coastal water quality where it has been degraded. It recognises localised adverse effects where there is <u>already</u> significant adverse effect on coastal ecosystems, natural habitats or water based recreational activities, or is restricting existing uses such as shellfish gathering and cultural activities (these areas are identified in Schedule 3). The use of the term “ <i>significant</i> ” is deliberate and appropriate and provides context to where restoration will be  |
|  |                  |  |  |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions  |
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|   |                  |  | promoted. It is also consistent with national directions set out in Policy 21 of the <i>New Zealand Coastal Policy Statement</i> . The Council retains Policy 12 as notified. |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd  | 366              | <b>Support</b>   | <b>Accept</b>   |
|   |                  | Retain Policy 12 of the Plan as notified.  |   |
| Further submissions – Port Taranaki Ltd (32)  |                  | Support  |   |
| 61 – Te Rūnanga o Ngāti Ruanui Trust  | 367              | <b>Amend</b>   | <b>No relief necessary</b>  |
|   |                  | Submitter seeks amendment to Policy 12 of the Plan to read:<br><i>Policy 12: Restoration of coastal water quality <b>and mauri values</b>.</i>   |   |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) |                  | Support  |   |
| <b>Policy 13 – Coastal air quality</b>  |                  |  |   |
| 6 – Trans-Tasman Resources Ltd  | 368              | <b>Amend</b>   | <b>Decline</b>  |
|   |                  | Submitter seeks amendment to Policy 13 of the Plan to read:<br><i>Maintain <b>or and</b> enhance coastal air quality by avoiding, remedying and mitigating the adverse effects of activities on the life supporting capacity of air.</i> |   |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions   |
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| Further Submissions – Federated Farmers (2)   |                  | Support in part  | The Council notes that the Policy is not site specific and applies regionally to all coastal air. It is suggested that it is indeed appropriate to maintain <u>and</u> enhance coastal air quality. Policy 13 is aligned with the wording from the <i>New Zealand Coastal Policy Statement</i> and other policies within the Plan.   |
| Further Submissions – Te Rūnanga o Ngāti Mutunga (40), Te Atiawa (58), Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Oppose   |  |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd  | 369              | <b>Support</b><br>Retain Policy 13 of the Plan as notified.  | <b>Accept</b><br>Support noted. Policy 13 is retained.   |
| Further submissions – Port Taranaki Ltd (32)  |                  | Support  |  |
| <b>Policy 14 Indigenous biodiversity</b>  |                  |  |  |
| 6 – Trans-Tasman Resources Ltd  | 370              | <b>Amend</b><br>Submitter seeks amendment to Policy 14 of the Plan to read:<br><i>Protect areas of significant indigenous biodiversity in the coastal environment and maintain and enhance indigenous biodiversity by:</i><br>(a) <i>avoiding adverse effects of activities on:</i><br>(i) <i>indigenous taxa that are nationally threatened or at risk (<del>declining</del>), or <del>regionally distinctive</del>, including those identified in Schedule 4A;</i><br>(ii) <i>taxa that are internationally threatened including those identified in Schedule 4A;</i><br>(iii) <i>indigenous ecosystems and vegetation types that are threatened in the coastal environment, or <del>are naturally rare</del>, as identified in Schedule 4A;</i><br>(iv) <i>habitats of indigenous species where the species are at the limit of their natural range, or are naturally rare;</i><br>(v) <i>areas containing nationally significant examples of indigenous community types; and</i><br>(vi) <i>areas set aside for full or partial protection of indigenous biological diversity under other legislation; and</i> | <b>Decline</b><br>The submitter believes there are issues between the Schedules and Policy 14 that sets out to avoid significant adverse effects and avoid, remedy or mitigate other effects on ecosystems and habitats set out in Schedule 4B. However, the submitter does not specify what these issues are.<br>The relief sought involves amending Policy 14 of the Plan and has four parts: <ul style="list-style-type: none"> <li>Reference to 'at risk' taxa in Clause (a)(i) to be confined to 'at risk (declining) taxa:<br/>The Council does not agree to granting this relief as it would be inconsistent with Policy 11(a)(i) of the <i>New Zealand Coastal Policy Statement</i>, which requires activities to avoid adverse effects on indigenous taxa listed as 'at risk' in the New Zealand Threat Classification System lists. According to that list 'at risk' taxa can be further categorised as 'declining', 'recovering', 'relict' and 'naturally uncommon'. All four categories of 'at risk' taxa are appropriately captured by the Policy as currently notified.</li> <li>Delete reference in Clause (a) to 'regionally distinctive' taxa:</li> </ul> |



| Submitter   | Submission point | Submitter's requests  | Council's response and decisions  |
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|   |                  | <p>(b) avoiding significant adverse effects and avoiding, remedying and mitigating other adverse effects of activities on:</p> <p>(i) areas of predominantly indigenous vegetation in the coastal environment;</p> <p>(ii) habitats in the coastal environment that are important during the vulnerable life stage of indigenous species including:</p> <p>i. estuaries;</p> <p>ii. spawning areas (e.g. snapper-trevally spawning area in the North Taranaki Bight between Mōhakatino River and Pariokariwa Point);</p> <p>iii. areas that provide passage for diadromous species;</p> <p>iv. marine mammal resting, feeding and breeding areas; and</p> <p>v. bird roosting and nesting areas;</p> <p>(iii) indigenous ecosystems and habitats found only in the coastal environment and which are particularly vulnerable to modification including estuaries, lagoons, coastal wetlands, dunelands, intertidal zones, rocky reef systems, eelgrass, and saltmarsh <del>areas, and sensitive marine benthic habitats as identified in Schedule 4B, [...]</del></p> | <p>The Council does not agree to granting this relief as it would be inconsistent with Bio Policy 4 of the <i>Regional Policy Statement</i>, which refers to, amongst other things, the presence of regionally distinctive species as a criteria for identifying significant indigenous biodiversity values in Taranaki. The category also contributes to giving effect to Policy 11(a)(iv) of the <i>New Zealand Coastal Policy Statement</i>. It is the Council's view that Policy 14 should recognise the local context and provide for the protection of indigenous species that are locally significant to the Taranaki region, irrespective of their national threat status.</p> <ul style="list-style-type: none"> <li>Delete reference to 'naturally rare' ecosystems and vegetation types:<br/>The Council does not agree to granting this relief as it would be inconsistent with Policy 11(a)(iii) of the <i>New Zealand Coastal Policy Statement</i>, which requires activities to avoid adverse effects on indigenous ecosystems and vegetation types that are "naturally rare".</li> <li>Delete reference in Clause (b)(iii) to "sensitive marine benthic habitats":<br/>The Council declines the relief sought. Sensitive benthic habitats refer to marine habitats identified in the report <a href="https://www.trc.govt.nz/assets/Documents/Plans-policies/CoastalPlanReview/SensitiveHabitats.PDF">https://www.trc.govt.nz/assets/Documents/Plans-policies/CoastalPlanReview/SensitiveHabitats.PDF</a> that have low tolerance to habitat damage and for which the time for the habitat to recover from any damage would be significant. Given the sensitivity and vulnerability of such marine habitats, the Council considers it appropriate that they be recognised and provided for in Policy 14(b)(iii) of the Plan.</li> </ul> |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Atiawa (58), Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Oppose  |   |
| 19 – South Taranaki District Council  | 371              | <p><b>Support</b></p> <p>Retain Policy 14 of the Plan as notified.</p>  | <p><b>Accept</b></p> <p>Support noted. Policy 14 is retained subject to minor amendments as requested by other submitter that do not change the policy intent.</p>  |
| 23 – New Plymouth District Council  | 372              | <p><b>Support</b></p> <p>Retain Policy 14 of the Plan as notified.</p>  | <p><b>Accept</b></p> <p>Support noted. Policy 14 is retained subject to minor amendments as requested by other submitter that do not change the policy intent.</p>  |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |         |
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| 26 – Transpower NZ Ltd                               | 373              | <b>Amend</b>  | <b>Grant in kind.</b><br><br>The submitter requests that the Policy be aligned to address the requirements for the National Grid with regards to the <i>National Policy Statement for Electricity Transmission</i> (NPSET). Policy 4 of the NPSET requires the provision of effective operation, maintenance, upgrade and development of the electrical transmission network.<br><br>Of note, both the <i>New Zealand Coastal Policy Statement</i> (NZCPS) and the NPSET contain direction for how effects on biodiversity are managed. The NPSET includes a direction for the National Grid to “seek to avoid adverse effects” while the NZCPS applies to a broader range of activities.<br><br>The Council notes that Policy 14(b) is aligned with Policy 11(b) [Indigenous biological diversity] of the NZCPS and is considered appropriate as written. Granting the relief sought by the submitter would significantly derogate from the policy intent of the NZCPS. As an alternative relief, noting that the policy intent of different national policy directions such as the NZCPS and NPSET need to be balanced and weighed against each other, the Council agrees to the inclusion of a new Policy 6A that more explicitly addresses the management of adverse effects arising from the National Grid. All General Policies, including Policy 6A and 14 of the Plan, must be read together.<br><br>Refer to submission point 626 for further discussion on Policy 6A [Management of adverse effects of the National Grid]. |         |
|  |                  | Submitter seeks amendment to Policy 14(b) of the Plan to read:<br><i>Protect areas of significant indigenous biodiversity in the coastal environment and maintain and enhance indigenous biodiversity by:</i><br>[...]<br><i>(b) avoiding significant adverse effects and avoiding, remedying and mitigating other adverse effects of activities on:</i><br><i>(i) areas of predominantly indigenous vegetation in the coastal environment;</i><br><i>(ii) habitats in the coastal environment that are important during the vulnerable life stage of indigenous species including:</i><br><i>i. estuaries;</i><br><i>ii. spawning areas (e.g. snapper-trevally spawning area in the North Taranaki Bight between Mōhakatino River and Pariokariwa Point);</i><br><i>iii. areas that provide passage for diadromous species;</i><br><i>iv. marine mammal resting, feeding and breeding areas; and</i><br><i>v. bird roosting and nesting areas;</i><br><br><u><i>unless following a route, site and method selection process, the activity is necessary for the provision of regionally important infrastructure, avoidance of adverse effects is not practicable and adverse effects are remedied or mitigated to the extent reasonably practicable; [...]</i></u> |  |         |
|  |                  | Further submissions – Port Taranaki Ltd (32)  |  | Support |
|  |                  | Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61)  |  | Oppose  |
| 28 – Grant Knuckey                                   | 374              | <b>Amend</b>  | <b>Decline</b><br><br>Policy 14 relates to maintenance, enhancement and protection of indigenous biodiversity. Of note, Policy 15 addresses matters relating to historic heritage which encompasses those sites identified as wāhi tapu and wāhi taonga. Therefore, the  |         |
| Further submissions – Trans-Tasman Resources Ltd (6) | Oppose           | Submitter seeks amendment to Policy 14 of the Plan to refer to maintenance, enhancement and restoration of the mauri of wāhi tapu and wāhi taonga areas.  |  |         |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
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| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support  | <p>Council does not believe it is necessary or appropriate to address other values within this particular policy.</p> <p>All General Policies need to be read as a suite of policies. The Council recognises that Māori have traditional and continuing relationships with indigenous biodiversity. The identification of wāhi tapu and wāhi taonga sites and places have been identified and mapped where the information has been available. Under Policies 14 and 15 of the Plan, the consideration of indigenous biodiversity and historic heritage, which includes sites of significance to Māori including wāhi tapu and wāhi taonga areas, would be considered together.</p>   |
| 29 – Department of Conservation                            | 375              | <p><b>Amend</b></p> <p>It is the submitter's view that since the Plan has not defined or mapped areas of significant indigenous biodiversity it is not appropriate to refer to "areas" of significant indigenous biodiversity. Further, the submitter suggests that to incorporate only those areas that have been mapped would limit the protection of indigenous biodiversity to those areas and requests that Policy 14 be expanded to include all indigenous biodiversity in the coastal area.</p> <p>Submitter seeks amendment to Policy 14 of the Plan to read:</p> <p><i>Protect <del>areas of</del> significant indigenous biodiversity in the coastal environment and maintain and enhance indigenous biodiversity by [...]</i></p> | <p><b>Accept</b></p> <p>The Council notes that the Policy's reference to "areas" do not refer to mapped areas as suggested by the submitter. The Council further notes that the Plan's definition of significant indigenous biodiversity reads as meaning areas or habitats that meet criterion set out within this Policy.</p> <p>Notwithstanding that, the Council agrees to granting the relief sought in that it represents a small change that better aligns the Policy with the Plan's adopted definition of "significant indigenous biodiversity".</p> <p>The revised Policy, including amendment sought by another submitter, reads as as follows:</p> <p><i>Protect <del>areas of</del> significant indigenous biodiversity in the coastal environment <del>and maintain and enhance indigenous biodiversity</del> by: [...]</i></p> |
| Further submissions – Trans-Tasman Resources Ltd (6)       |                  | Support  | <p><i>Protect <del>areas of</del> significant indigenous biodiversity in the coastal environment <del>and maintain and enhance indigenous biodiversity</del> by: [...]</i></p>  |
| 40 – Te Rūnanga o Ngāti Mutunga                            | 376              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 14(a) of the Plan to read:</p> <p><i>Protect areas of significant indigenous biodiversity in the coastal environment and maintain and enhance indigenous biodiversity by:</i></p> <p><i>(a) avoiding adverse effects of activities on[...]</i></p> <p><i>(vii) taonga species as identified by tangata whenua [...]</i></p>   | <p><b>Grant in kind</b></p> <p>The relief sought by the submitter would have the perverse outcome of derogating from the relationship of tangata whenua culture, values and traditions with the coastal environment. Given the importance of some of these species as mahinga kai, their inclusion in Policy 14 (with its strong avoidance direction) would potentially preclude/restrict customary activities (such as harvesting, fishing) that have adverse effects on their populations, abundance and distribution.</p>  |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support  | <p>The Council therefore agrees to an alternative relief that provides for strong recognition and provision for taonga species in the Plan. It is agreed that a new Policy 14B be included to ensure activities avoid, remedy or mitigate adverse effects on taonga species. It is further agreed that a definition for taonga species be provided and a new schedule included to identify taonga species.</p>  |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
|--|------------------|---|--|
|  |                  |   | <p>The new Policy 14B reads as follows:</p> <p><b><u>Policy 14B: Taonga species</u></b></p> <p><u>Maintain or enhance taonga species as identified in Schedule 4C by:</u></p> <p><u>(a) avoiding significant adverse effects of activities on the habitat of taonga species, mahinga kai, tāiapure or mataitai and customary uses and values unless:</u></p> <p><u>the activity is necessary for the provision of regionally important infrastructure, avoidance of adverse effects is not practicable and adverse effects are remedied or mitigated to the extent practicable; and</u></p> <p><u>(b) avoiding, remedying or mitigating other adverse effects of activities on taonga species habitat, mahinga kai, tāiapure or mataitai.</u></p> <p>The definition for “Taonga species” reads as follows:</p> <p><b><u>Taonga species means the species of birds, plants and animals identified as such by treaty settlements and described in Schedule 4C.</u></b></p> |
| 40 – Te Rūnanga o Ngāti Mutunga                          | 377              | <p><b>Amend</b></p> <p>Submitter seeks amendment of Policy 14 of the Plan to include a new Clause (c) that reads:</p> <p><i>Protect areas of significant indigenous biodiversity in the coastal environment and maintain and enhance indigenous biodiversity by: [...]</i></p> <p><b><u>(c) recognising and providing for the role of tangata whenua as kaitiaki, when identifying and managing significant areas of indigenous biodiversity in the coastal area.</u></b></p> | <p><b>Grant in kind</b></p> <p>The Council agrees to granting an alternative relief to that sought by the submitter. The Council believes that Policy 16 [Relationship of tangata whenua] is the more relevant policy for recognising the role of tangata whenua as kaitiaki and that that role is not confined to coastal indigenous biodiversity. The Council notes that all General Policies (and relevant Activity-specific Policies) must be read together. Accordingly, the Council agrees to amending Policy 16 to explicitly recognise and provide for the role of tangata whenua as kaitiaki across <u>all</u> aspects of managing use, development and protection in the coastal environment (rather than just biodiversity).</p>  |
| Further submissions – Te Korowai o Ngāruahine Trust (41) |                  | Support   | <p>The amendment to Policy 16 reads as as follows:</p> <p><i>Recognise and provide for the relationship of tangata whenua culture, values and traditions with the coastal environment, <b><u>including the role of tangata whenua as kaitiaki,</u></b> and take into account the principles of the Treaty of Waitangi.</i></p>   |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
|--|------------------|--|--|
| 41 – Te Korowai o Ngāruahine Trust                         | 378              | <p><b>Amend</b></p> <p>Submitter seeks amendment of Policy 14 of the Plan by:</p> <ul style="list-style-type: none"> <li>referencing Schedule 5B of the Plan</li> <li>expanding the scope of the Policy to also address taonga species.</li> </ul> | <p><b>Grant in kind</b></p> <p>The relief sought by the submitter would have the perverse outcome of derogating from the relationship of tangata whenua culture, values and traditions with the coastal environment. Given the importance of some of these species as mahinga kai, their inclusion in Policy 14 (with its strong avoidance direction) would potentially preclude/restrict any activity (such as harvesting) that has adverse effects on their populations, abundance and distribution.</p> <p>The Council therefore agrees to an alternative relief that provides for strong recognition and provision for taonga species. It is agreed that a new Policy 14B be included to ensure activities avoid, remedy or mitigate adverse effects on taonga species. It is further agreed that a definition for taonga species be provided and a new schedule included to identify taonga species.</p> <p>The new Policy 14B reads as as follows:</p> <p><b><u>Policy 14B: Taonga species</u></b></p> <p><i>Maintain or enhance taonga species as identified in Schedule 4C by:</i></p> <p><i>(a) avoiding significant adverse effects of activities on the habitat of taonga species, mahinga kai, tāiapure or mataitai and customary uses and values unless:</i></p> <p><i>the activity is necessary for the provision of regionally important infrastructure, avoidance of adverse effects is not practicable and adverse effects are remedied or mitigated to the extent practicable; and</i></p> <p><i>(b) avoiding, remedying or mitigating other adverse effects of activities on taonga species habitat, mahinga kai, tāiapure or mataitai.</i></p> <p>The definition for “Taonga species” reads as as follows:</p> <p><b><u>Taonga species means the species of birds, plants and animals identified as such by treaty settlements and described in Schedule 4C.</u></b></p> |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support  |  |
| 42 – Ngati Rahiri Hapū                                     | 379              | <p><b>Other</b></p> <p>Submitter seeks clarification as to whether shellfish and crayfish, and the habitat for both, are protected by Policy 14 of the Plan.</p>   | <p><b>No relief necessary</b></p> <p>The Council notes that significant indigenous biodiversity protected in Policy 14 are identified in Schedule 4A. While shellfish and crayfish are not identified in that Schedule as threatened, at risk or regionally distinctive species (and as defined by the Plan) they are nevertheless protected under Policy 14. Of particular note, the primary habitats of these species are largely reefs, which have a very high level of protection in the Plan compared with other marine habitats.</p>   |



| Submitter                                     | Submission point | Submitter's requests   | Council's response and decisions  |
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|   |                  |  | <p>The Council notes however that, in response to reliefs sought by other submitters, other changes are proposed to the Plan to better recognise and protect taonga species. The Council agrees to amending the Plan to include a new Policy 4B to ensure activities avoid, remedy or mitigate adverse effects on taonga species. It is further agreed that a definition for taonga species be provided and a new schedule included to identify taonga species that may include shellfish and crayfish.</p> <p>The new Policy 14B reads as as follows:</p> <p><b><u>Policy 14B: Taonga species</u></b><br/> <u>Maintain or enhance taonga species as identified in Schedule 4C by:</u><br/> <u>(a) avoiding significant adverse effects of activities on the habitat of taonga species, mahinga kai, tāiapure or mataitai and customary uses and values unless:</u><br/> <u>the activity is necessary for the provision of regionally important infrastructure, avoidance of adverse effects is not practicable and adverse effects are remedied or mitigated to the extent practicable; and</u><br/> <u>(b) avoiding, remedying or mitigating other adverse effects of activities on taonga species habitat, mahinga kai, tāiapure or mataitai.</u></p> <p>The definition for “Taonga species” reads as as follows:<br/> <u>Taonga species means the species of birds, plants and animals identified as such by treaty settlements and described in Schedule 4C.</u></p> |
| 43 – Royal Forest and Bird Protection Society | 380              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 14 of the Plan by removing reference to “maintaining and enhancing indigenous biodiversity” so that it sets out the characteristics and values to be protected under Policy 11 of the <i>New Zealand Coastal Policy Statement</i></p> <p>AND</p> <p>Include a separate policy for the maintenance and enhancement of indigenous biodiversity in the coastal environment</p> <p>AND</p> <p>Include guidance on relevant habitats under Clause (a)(iv).</p> | <p><b>Accept in part</b></p> <p>The Council agrees to largely granting the reliefs sought by the submitter. Policy 14 is directly aligned with Policy 11 [Indigenous biodiversity] of the <i>New Zealand Coastal Policy Statement</i>. Although the matters covered in Policy 14 cover most aspects of indigenous biodiversity, the submitter, quite rightly, points out that indigenous biodiversity is much broader than those aspects highlighted in Policy 14. The Council therefore agrees to amending the Plan to include a separate stand-alone policy to address the remaining aspects of indigenous biodiversity not otherwise covered by Policy 14.</p> <p>The new Policy 14A reads as as follows:<br/> <b><u>Policy 14A: Indigenous biodiversity</u></b><br/> <u>Maintain or enhance indigenous biodiversity generally in the coastal environment by:</u><br/> <u>(a) as far as is practicable, avoiding, remedying and mitigating the adverse effects of activities on indigenous biodiversity; and</u></p>   |
| Further submissions – Powerco (45)            |                  | Oppose in part   |   |



| Submitter                                     | Submission point | Submitter's requests   | Council's response and decisions  |
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|   |                  |  | <p><i><u>(b) when assessing adverse effects on indigenous biodiversity, having regard to the extent of effects, including consideration of:</u></i></p> <p><i><u>(i) the association of the ecological site and values with other interrelated, but not necessarily contiguous, ecological sites and values;</u></i></p> <p><i><u>(ii) the nature, location, extent and design of the proposed development and the effects of these factors on indigenous biodiversity;</u></i></p> <p><i><u>(iii) the degree to which indigenous biodiversity values will be lost, damaged, destroyed, or enhanced, recognising that:</u></i></p> <p><i><u>i. the scale of the effect of an activity is proportional to the size and sensitivity of the ecological area and associated indigenous biodiversity values;</u></i></p> <p><i><u>ii. discrete, localised or otherwise minor effects not impacting on the ecological area may be acceptable; and</u></i></p> <p><i><u>iii. activities with transitory effects may be acceptable, where they can demonstrate the effects are not long-term and/or irreversible.</u></i></p> <p>In relation to adding guidance in the Plan on relevant habitats under Clause (a)(iv), habitats of indigenous species where the species are at the limit of their natural range, or are naturally rare. The Council does not believe this level of specificity is necessary or appropriate for a regulatory plan. While the Council contains some information on the distribution and abundance of some indigenous biodiversity species, currently such information is generally fragmented and incomplete. The Council suggests that such guidance more appropriately sits outside a Plan so that it can be easily developed and amended over time as better information is gathered.</p> <p>At the hearing, the submitter sought additional amendments to Policy 14 to include a new Clause (c) that refers to controlling the effects of activities in significant marine animal and seabird areas consistent with Policy 14(a) and (b) of the notified Plan. The Council agrees that these areas require special mention and that clauses (a) and (b) may apply depending. The Council agrees to amending Policy 14 to include a new clause that reads as follows:</p> <p><i><u>(c) avoiding, remedying or mitigating the adverse effects of activities in significant marine animal and seabird areas consistent with (a) and (b) above.</u></i></p> |
| 43 – Royal Forest and Bird Protection Society | 381              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 14 of the Plan or add a new policy to identify areas of significant indigenous biodiversity including criteria for determination.</p> | <p><b>Decline</b></p> <p>The submitter when presenting at the hearing supports the Council being able to identify 'significant indigenous biodiversity' areas through resource consent processes and through any future surveys and assessment processes. The Council believes the Council can already do this through its current policy framework.</p>  |

| Submitter | Submission point | Submitter's requests  | Council's response and decisions   |
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|           |                  | <p>At the hearing, the submitter further submitted on this point and sought the addition of a new clause to identify areas of significant indigenous biodiversity based upon a new appendix setting out suggested 'significance' criterion.</p> | <p>The Council notes that BIO Policy 4 of the <i>Regional Policy Statement</i> already provides the relief sought by the submitter. BIO Policy 4 reads:</p> <p><i>"When identifying ecosystems, habitats and areas with significant indigenous biodiversity values, matters to be considered will include:</i></p> <p><i>(a) the presence of rare or distinctive indigenous flora and fauna species; or</i></p> <p><i>(b) the representativeness of an area; or</i></p> <p><i>(c) the ecological context of an area.</i></p> <p><i>Once identified as significant, consideration should be given to the sustainability of the area to continue to be significant in future when deciding on what action to be taken (if any) should reasonably and practicably be taken to protect the values of the area."</i></p> <p>The above criteria adopted in the <i>Regional Policy Statement for Taranaki</i> for identifying significant indigenous biodiversity has been effective as demonstrated by the Council's significant involvement and success in promoting passive and active protection of terrestrial, freshwater and marine sites identified as having regionally significant values.</p> <p>The Council does not believe it is necessary for all regional plans to repeat policies set out in other planning instruments and indeed there are risks in unnecessarily paraphrasing other policy instruments (of note the criterion suggested by the submitter in their Appendix is based upon proposals relating to a proposed <i>National Policy Statement for Indigenous Biodiversity</i> that has not even been consulted on yet).</p> <p>The Council suggest that 'criterion' type policies be left for inclusion in the <i>Regional Policy Statement for Taranaki</i>, which both regional and district plans must then give effect to. The Council notes that the <i>Regional Policy Statement</i> is due to be reviewed in 2020 and it would be timely to review its 'significance criteria' taking into account the submitter's suggestions and any new Government directions such as a proposed <i>National Policy Statement for Indigenous Biodiversity</i>. The Council agrees to the inclusion of a new Implementation Method that commits the Council to this course of action. The new Implementation Method (section 6.2) 8B reads as follows:</p> <p><u><i>Review and, if necessary, amend the Regional Policy Statement for Taranaki to set out criteria for assessing the significance of natural character, natural features and landscapes, and indigenous biodiversity.</i></u></p> |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
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| 43 – Royal Forest and Bird Protection Society            | 382              | <p><b>Amend</b></p> <p>The submitter is concerned that Policy 14(a)(iii) is not broad enough or will not allow for protection of ecosystems or vegetation that may be identified as threatened or naturally rare at a later date. Submitter seeks an amendment to Policy 14(a)(iii) of the Plan to read:</p> <p><i>Protect areas of significant indigenous biodiversity in the coastal environment and maintain and enhance indigenous biodiversity by:</i></p> <p><i>(a) avoiding adverse effects of activities on: [...]</i></p> <p><i>(iii) indigenous ecosystems and habitats found only in the coastal environment and which are particularly vulnerable to modification including estuaries, lagoons, coastal wetlands, dunelands, intertidal zones, rocky reef systems, eelgrass, saltmarsh, and sensitive marine benthic habitats <del>as</del>, including those identified in Schedule 4B; [...]</i></p> | <p><b>No relief necessary</b></p> <p>The relief sought is unnecessary as the Policy already notes that the listed types are not an exclusive list.</p> <p><i>iii) indigenous ecosystems and habitats found only in the coastal environment and which are particularly vulnerable to modification <b>including</b> [emphasis added] estuaries, lagoons, coastal wetlands, dunelands, intertidal zones, rocky reef systems, eelgrass, saltmarsh, and sensitive marine benthic habitats as identified in Schedule 4B; [...]</i></p>   |
| Further submissions – Te Korowai o Ngāruahine Trust (41) |                  | Support   |  |
| 43 – Royal Forest and Bird Protection Society            | 383              | <p><b>Other</b></p> <p>Submitter comments that Policy 14 of the Plan is unclear about how Clause (a) (<i>avoiding adverse effects of activities on: [...]</i>) and clause (b) (<i>avoiding significant adverse effects and avoiding, remedying and mitigating other adverse effects of activities on; [...]</i>) will be achieved to give effect to the <i>New Zealand Coastal Policy Statement</i>.</p>  | <p><b>No relief necessary</b></p> <p>The Council notes that the means for achieving all of the policies are set out under the methods section and/or the rules. In particular, methods relating to indigenous biodiversity are explicitly covered in Methods 13 to 20 and also more broadly within the entire Methods section of the Plan. Rules also apply that prohibit or restrict activities where they impact on indigenous biodiversity.</p> <p>The Council further notes that these issues are also covered within the methods of implementation within the indigenous biodiversity section of the <i>Regional Policy Statement for Taranaki</i> and again in the <i>Biodiversity Strategy for the Taranaki Regional Council</i>. The Council therefore considers that this issue is addressed sufficiently within the Plan and also within the <i>Regional Policy Statement</i>.</p> |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd       | 384              | <p><b>Other</b></p> <p>Submitter seeks that the Council ensure Policy 14 of the Plan and corresponding rules provide appropriately for the operation, maintenance and upgrade of existing regionally important infrastructure.</p>  | <p><b>No relief necessary</b></p> <p>Comments noted. The Council notes that all the General Policies (and relevant Activity-specific Policies) need to be read together, which includes considering Policies 5 [Use and development] and 6 [Regionally important infrastructure] of the Plan alongside biodiversity considerations set out in Policy 14.</p>   |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
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| 47 – Fonterra  | 385              | <b>Support</b>  | <b>Accept</b>   |
|  |                  | Retain Policy 14 as notified.   | Support noted. Policy 14 is retained subject to minor amendments as requested by other submitter that do not change the policy intent.  |
| 58 – Te Atiawa   | 386              | <b>Amend</b>  | <b>Grant in kind</b>  |
|  |                  | <p>Submitter seeks amendment to Policy14(a) of the Plan to include a new clause to read:</p> <p><i>Protect areas of significant indigenous biodiversity in the coastal environment and maintain and enhance indigenous biodiversity by:</i></p> <p><i>(a) avoiding adverse effects of activities on [...]</i></p> <p><i><u>(vii) Taonga species as identified by tangata whenua [...]</u></i></p> | <p>The relief sought by the submitter would have the perverse outcome of derogating from the relationship of tangata whenua culture, values and traditions with the coastal environment. Given the importance of some of these species as mahinga kai, their inclusion in Policy 14 (with its strong avoidance direction) would potentially preclude/restrict customary activities (such as harvesting) that has adverse effects on their populations, abundance and distribution.</p> <p>The Council therefore agrees to an alternative relief that provides for strong recognition and provision for taonga species. It is agreed that a new Policy 14A be included to ensure activities avoid, remedy or mitigate adverse effects on taonga species. It is further agreed that a definition for taonga species be provided and a new schedule included to identify taonga species.</p> <p>The new Policy 14B reads as as follows:</p> <p><u><i>Policy 14B: Taonga species</i></u></p> <p><u><i>Maintain or enhance taonga species as identified in Schedule 4C by:</i></u></p> <p><u><i>(a) avoiding significant adverse effects of activities on the habitat of taonga species, mahinga kai, tāiapure or mataitai and customary uses and values unless:</i></u></p> <p><u><i>the activity is necessary for the provision of regionally important infrastructure, avoidance of adverse effects is not practicable and adverse effects are remedied or mitigated to the extent practicable; and</i></u></p> <p><u><i>(b) avoiding, remedying or mitigating other adverse effects of activities on taonga species habitat, mahinga kai, tāiapure or mataitai.</i></u></p> <p>The Council also agree to amending the Plan to include a definition for “Taonga species” to read:</p> <p><u><i>Taonga species means the species of birds, plants and animals identified as such by treaty settlements and described in Schedule 4C.</i></u></p> |
| Further submissions – Trans-Tasman Resources Ltd (6)     |                  | Oppose  |   |
| Further submissions – Te Korowai o Ngāruahine Trust (41) |                  | Support   |   |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
|--|------------------|--|---|
| 58 – Te Atiawa   | 387              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 14 to of the Plan include a new clause (c) that reads:</p> <p><i>Protect areas of significant indigenous biodiversity in the coastal environment and maintain and enhance indigenous biodiversity by: [...]</i></p> <p><i>(c) recognising and providing for the role of tangata whenua as kaitiaki, when identifying and managing significant areas of indigenous biodiversity in the coastal area.</i></p> | <p><b>Grant in kind</b></p> <p>The Council does not agree to granting the relief noting that it relates to a framework setting out tiered protection of indigenous biodiversity rather than identifying particular relationships for implementing the policy. The Council notes that the relief proposed only addresses the role of tangata whenua as kaitiaki and is silent on the role of others parties who may also have a significant involvement and/or interest in indigenous biodiversity protection.</p> <p>Rather than making changes to Policy 14, the Council agrees to an alternative relief that may partially give effect to the submitters wish for the role of tangata whenua as kaitiaki to be recognised. The Council agrees to minor amendment to Policy 16 to explicitly recognise for the role of tangata whenua as kaitiaki across all aspects of managing use, development and protection in the coastal environment (rather than just biodiversity). The Council notes that all General Policies (and relevant Activity-specific Policies) must be read together.</p> <p>The amendment to Policy 16 reads as as follows:</p> <p><i>Recognise and provide for the relationship of tangata whenua culture, values and traditions with the coastal environment, including the role of tangata whenua as kaitiaki, and take into account the principles of the Treaty of Waitangi.</i></p> |
| Further submissions – Te Korowai o Ngāruahine Trust (41), Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support  |   |
| 60 – Te Kaahui o Rauru   | 388              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 14 of the Plan to include native species of value to Māori.</p>   | <p><b>Grant in kind</b></p> <p>The relief sought by the submitter would have the perverse outcome of derogating from the relationship of tangata whenua culture, values and traditions with the coastal environment. Given the importance of some of these species as mahinga kai, their inclusion in Policy 14 (with its strong avoidance direction) would potentially preclude/restrict customary activities (such as harvesting) that has adverse effects on their populations, abundance and distribution.</p> <p>The Council therefore agrees to an alternative relief that provides for strong recognition and provision for taonga species. It is agreed that a new Policy 14B be included to ensure activities avoid, remedy or mitigate adverse effects on taonga species. It is further agreed that a definition for taonga species be provided and a new schedule included to identify taonga species.</p> <p>The new Policy 14B reads as as follows:</p> <p><i>Policy 14B: Taonga species</i></p> <p><i>Maintain or enhance taonga species as identified in Schedule 4C by:</i></p>   |
| Further submissions – Te Korowai o Ngāruahine Trust (41), Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support  |   |



| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
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|  |                  |   | <p><u>(a) avoiding significant adverse effects of activities on the habitat of taonga species, mahinga kai, tāiapure or mataitai and customary uses and values unless:</u><br/> <u>the activity is necessary for the provision of regionally important infrastructure, avoidance of adverse effects is not practicable and adverse effects are remedied or mitigated to the extent practicable; and</u></p> <p><u>(b) avoiding, remedying or mitigating other adverse effects of activities on taonga species habitat, mahinga kai, tāiapure or mataitai.</u></p> <p>The Council also agrees to amending the Plan to include a definition for "Taonga species" to read as follows:<br/> <u>Taonga species means the species of birds, plants and animals identified as such by treaty settlements and described in Schedule 4C.</u></p>  |
| 61 – Te Rūnanga o Ngāti Ruanui Trust                 | 389              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 14(a) of the Plan to read:<br/> <i>Protect areas of significant indigenous biodiversity in the coastal environment and maintain and enhance indigenous biodiversity by:</i><br/> <i>(a) avoiding adverse effects of activities on [...]</i><br/> <u>(iv) taonga species protected under Taranaki iwi Deed of Settlement, as identified in Schedule 4C; [...]</u></p> | <p><b>Grant in kind</b></p> <p>The relief sought by the submitter would have the perverse outcome of derogating from the relationship of tangata whenua culture, values and traditions with the coastal environment. Given the importance of some of these species as mahinga kai, their inclusion in Policy 14 (with its strong avoidance direction) would potentially preclude/restrict customary activities (such as harvesting) that has adverse effects on their populations, abundance and distribution.</p> <p>The Council therefore agrees to an alternative relief that provides for strong recognition and provision for taonga species. It is agreed that a new Policy 14B be included to ensure activities avoid, remedy or mitigate adverse effects on taonga species. It is further agreed that a definition for taonga species be provided and a new schedule included to identify taonga species.</p> <p>The new Policy 14B reads as follows:<br/> <u>Policy 14B: Taonga species</u><br/> <u>Maintain or enhance taonga species as identified in Schedule 4C by:</u><br/> <u>(a) avoiding significant adverse effects of activities on the habitat of taonga species, mahinga kai, tāiapure or mataitai and customary uses and values unless:</u><br/> <u>the activity is necessary for the provision of regionally important infrastructure, avoidance of adverse effects is not practicable and adverse effects are remedied or mitigated to the extent practicable; and</u><br/> <u>(b) avoiding, remedying or mitigating other adverse effects of activities on taonga species habitat, mahinga kai, tāiapure or mataitai.</u></p> |
| Further submissions – Trans-Tasman Resources Ltd (6) |                  | Oppose  | <p>The Council therefore agrees to an alternative relief that provides for strong recognition and provision for taonga species. It is agreed that a new Policy 14B be included to ensure activities avoid, remedy or mitigate adverse effects on taonga species. It is further agreed that a definition for taonga species be provided and a new schedule included to identify taonga species.</p> <p>The new Policy 14B reads as follows:<br/> <u>Policy 14B: Taonga species</u><br/> <u>Maintain or enhance taonga species as identified in Schedule 4C by:</u><br/> <u>(a) avoiding significant adverse effects of activities on the habitat of taonga species, mahinga kai, tāiapure or mataitai and customary uses and values unless:</u><br/> <u>the activity is necessary for the provision of regionally important infrastructure, avoidance of adverse effects is not practicable and adverse effects are remedied or mitigated to the extent practicable; and</u><br/> <u>(b) avoiding, remedying or mitigating other adverse effects of activities on taonga species habitat, mahinga kai, tāiapure or mataitai.</u></p>  |



| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
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|  |                  |   | The Council also agree to amending the Plan to include a definition for "Taonga species" to read:<br><i><u>Taonga species means the species of birds, plants and animals identified as such by treaty settlements and described in Schedule 4C.</u></i>  |
| <b>Policy 15 – Historic heritage</b>                       |                  |   |  |
| 2 – Federated Farmers                                      | 390              | <b>Amend</b><br><br>Submitter seeks that historic heritage sites should be accurately mapped to give certainty and that normal farming activities are recognised as co-existing with heritage values and enabled to continue.   | <b>No relief necessary</b><br><br>The submitter's comments have been noted. However, the Council does not believe any relief is necessary. Historic heritage sites, in or adjoining the coastal marine area, have been mapped where possible. In many cases accurate mapping of historic heritage on the seabed is not possible.   |
| 20 – Meridian Energy Ltd                                   | 391              | <b>Amend</b><br><br>Submitter seeks amendment to Policy 15 of the Plan to read:<br><i>Protect historic heritage in the coastal environment from inappropriate <u>subdivision</u>, use and development by: [...]</i>   | <b>Accept</b><br><br>The submitter wishes to include "subdivision" within Policy 15 to be consistent with Policy 15 [Natural features and natural landscapes] of the <i>New Zealand Coastal Policy Statement</i> . The Council notes that subdivision falls outside the statutory functions of regional councils and is instead the responsibility of district and unitary councils pursuant to Section 31 of the RMA. However, for the purpose of integrated management, the Council agrees to amending Policy 15 to include reference to subdivision. This relief is similar in kind to other reliefs sought by the submitter whereby Objective 11 [Cultural and historic heritage] has been amended to reference subdivision.<br><br>A new definition for "subdivision" is also agreed.                               |
| 40 – Te Rūnanga o Ngāti Mutunga                            | 392              | <b>Amend</b><br><br>Submitter wishes to see a greater level of protection within Policy 15(b) of the Plan by removing the word "significant" to read:<br><i>Protect historic heritage in the coastal environment from inappropriate use and development by: [...]</i><br><i>(b) avoiding <del>significant</del> adverse effects and avoiding, remedying and mitigating other adverse effects on the [...]</i> | <b>Decline</b><br><br>The level of protection that Policy 15(b) provides sites of significance to Māori is considered appropriate by the Council. Policy 15(b) represents a high level of protection but does allow activities that have less than minor adverse effects and/or where the effects maybe transitory. Granting the relief sought by the submitter by deleting the term "significant" would make the Policy unnecessarily broad and prohibitive.<br><br>Of note, the relief sought by the submitter would also have the perverse outcome of derogating from the relationship of tangata whenua culture, values and traditions with the coastal environment. For example, sites of significance to Māori identified in Schedule 5B of the Plan include a large number of kaimoana sites. Granting the relief |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support   |  |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions   |
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|   |                  |   | sought, where all effects must be avoided, would potentially preclude/restrict customary activities (such as harvesting).  |
| 41 – Te Korowai o Ngāruahine Trust  | 393              | <b>Amend</b><br>Submitter seeks amendment to Policy 15(d) of the Plan to specifically recognise the role of kaitiaki and mātauranga supplied by tangata whenua/mana whenua and their experts. | <b>Grant in kind</b><br>The Council does not agree to granting the relief as proposed by the submitter. The Council notes that Policy 15 sets out a framework for the tiered protection of historic heritage. Policy 15(d) already referring to the outcomes of consultation with relevant bodies or individuals, including local iwi and hapū. Amending the Policy to include an amended Clause, focusing on the roles of one organisations or stakeholder group (while remaining silent on other relevant organisations and groups) is not considered appropriate or necessary.<br>Rather than making changes to Policy 15, the Council agree to an alternative relief that may partially give effect to the submitter's wish for the role of tangata whenua as kaitiaki to be recognised. The Council agrees to minor amendment to Policy 16 to explicitly recognise for the role of tangata whenua as kaitiaki across all aspects of managing use, development and protection in the coastal environment (rather than just historic heritage). The Council notes that all General Policies (and relevant Activity-specific Policies) must be read together. The Council further agrees to other consequential changes to the methods of the Plan that incorporate the concept of mātauranga Māori based methods or cultural indicators into resource consent conditions. |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Atiawa (58), Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support   |  |
| 45 – Powerco  | 394              | <b>Support</b><br>Retain Policy 15 of the Plan as notified.   | <b>Accept</b><br>Support noted. Policy 15 is retained subject to minor amendment as requested by another submitter that does not change the policy intent.   |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd  | 395              | <b>Support</b><br>Retain Policy 15 of the Plan as notified.   | <b>Accept</b><br>Support noted. Policy 15 is retained subject to minor amendment as requested by another submitter that does not change the policy intent.   |
| Further submissions – Port Taranaki Ltd (32)  |                  | Support   |  |

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| 57 – Heritage new Zealand                                  | 396              | <b>Support</b>  | <b>Accept</b>   |
|  |                  | Retain Policy 15 of the Plan as notified.   | Support noted. Policy 15 is retained subject to minor amendment as requested by another submitter that does not change the policy intent.   |
| 58 – Te Atiawa   | 397              | <b>Amend</b>  | <b>Decline</b>  |
|  |                  | Submitter seeks amendment to Policy 15(b) of the Plan to read:<br><i>Protect historic heritage in the coastal environment from inappropriate use and development by: [...]</i><br>[...]<br><i>(b) avoiding <b>significant</b> adverse effects and avoiding, remedying and mitigating other adverse effects on the associated values with sites of significance to Māori identified in Schedules 5A.</i>   | The Council declines the relief sought. The relief sought would potentially restrict all activities in or near Māori sites of significant, even if such activities would only have minor or transitional effects.<br>See above response to Te Rūnanga o Ngāti Mutunga for additional details and considerations (submission point 392).   |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support   |   |
| 58 – Te Atiawa   | 398              | <b>Amend</b>  | <b>No relief necessary</b>  |
|  |                  | Submitter seeks amendment to Policy 15(d) of the Plan to include a new Clause (x) that reads:<br><i>Protect historic heritage in the coastal environment from inappropriate use and development by:</i><br>[...]<br><i>(d) when assessing adverse effects on historic heritage, giving regard to the extent of effects, including consideration of:</i><br>[...]<br><i><b>(x) evidence supplied by tangata whenua including that of kaumatua and pukenga.</b></i> | The Council further notes that Policy 15(d)(viii) and (ix) already refer to assessments of adverse effects on historic heritage taking into consideration any investigations and documentation of the site and the outcome of consultation with iwi and hapū, which could include evidence supplied by kaumatua and pukenga. Amending the Policy to include a new Clause, focusing on one potential source of information, is not considered necessary.<br>At the hearing, the submitter noted concern for sites not scheduled in the Plan and considers that Policy 15(d) and (e) do not provide sufficient protections for unscheduled sites. The Council recognises the concern of the submitter, but notes it's efforts to identify all known sites of significance in the Plan's schedules. Inevitably over the life of the Plan new sites may be identified. These 'new' sites may be included in the schedules through a plan change. The Council considers that, in the interim, Policy 15(c) and (d) will apply. |
| Further submissions – Te Korowai o Ngāruahine Trust (41)   |                  | Support   |   |
| 61 – Te Rūnanga o Ngāti Ruanui Trust                       | 399              | <b>Amend</b>  | <b>Decline</b>  |
|  |                  | Submitter seeks amendment to Policy 15 of the Plan to read:<br><i>Policy 15: <b>Cultural and</b> Historic heritage</i>  | The Council does not consider it necessary or appropriate to include reference to "cultural" alongside "Historic heritage". Historic heritage has a broad definition under  |

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|           |                  | <p>Protect <u>cultural and</u> historic heritage in the coastal environment from inappropriate use and development by:</p> <p>(a) avoiding adverse effects on the values associated with Category A archaeological sites of significance and <u>cultural and</u> historic areas identified in Schedule 5A <u>and GIS map layer #</u>;</p> <p>(b) avoiding significant adverse effects, and avoiding, remedying and mitigating other adverse effects on the values associated with <u>cultural heritage</u> sites of significance to Māori identified in Schedules 5A and 5B <u>and GIS map layer #</u>;</p> <p>(c) avoiding, remedying or mitigating adverse effects on the values associated with all other <u>cultural and</u> historic heritage sites, including those identified in Schedule 5 <u>and GIS map layer #</u> and those identified by New Zealand Archaeological Association's ArchSite (Archaeological Site Recording Scheme) <u>and tangata whenua</u>;</p> <p>(d) when assessing adverse effects on <u>cultural and</u> historic heritage, giving regard to the extent of effects, including consideration of:</p> <p>i. the association of the site with other interrelated, but not necessarily contiguous, cultural and historic heritage sites and their collective significance in the context of historic landscapes and areas;</p> <p>ii. the degree to which <u>cultural and</u> historic heritage values will be lost, damaged, destroyed, or enhanced;</p> <p>iii. the nature, location, extent, design and appearance of the proposed development and the effects of these factors on <u>cultural and</u> historic heritage values;</p> <p><u>iv. the location of the proposed development in terms of the Cultural Zone (buffer zone between the proposed development and the cultural and historic heritage sites) identified on GIS map layer # and the effects of its location on cultural heritage values</u>;</p> <p>v. the classification given to the <u>cultural and</u> historic heritage, as set out in Schedule 5A and the reasons for which it has been scheduled;</p> <p>vi. the extent to which the <u>cultural and</u> historic heritage has been damaged by natural events, weather, or environmental factors and any subsequent risk to public safety;</p> <p><u>vii. spatial planning considerations which involves (but not limited to) neighbouring rural nature, landscape, cultural history values and development-</u></p> | <p>Section 2 of the RMA and includes reference to cultural qualities as well as sites of significance to Māori. Section 2 definition of "historic heritage" reads as follows:</p> <p>"...historic heritage means:</p> <p>(a) those natural and physical resources that contribute to an understanding and appreciation of New Zealand's history and cultures, deriving from any of the following qualities:</p> <p>(i) archaeological,</p> <p>(ii) architectural,</p> <p>(iii) cultural,</p> <p>(iv) historic,</p> <p>(v) scientific,</p> <p>(vi) technological, and</p> <p>(b) includes—</p> <p>(i) historic sites, structures, places, and areas; and</p> <p>(ii) archaeological sites, and</p> <p>(iii) sites of significance to Māori, including wāhi tapu, and</p> <p>(iv) surroundings associated with the natural and physical resources."</p> <p>The Council also have concerns that these and other amendments would reduce certainty in the application of Plan provisions including rules. It is currently quite clear what is meant by the term historic heritage and that it includes sites of significance to Māori and cultural aspects. That is not the case with the term "cultural heritage", which potentially has a much broader meaning in the context of this policy.</p> <p>Notwithstanding the above, the Council has agreed to changes elsewhere in the Plan to strengthen references to cultural heritage. This included expanding the scope of Objective 11 to refer to cultural heritage, the inclusion of a new policy (and schedule) addressing taonga species, and new standards, terms and conditions addressing the protection of taonga species and sites of significance.</p> <p>Other suggested changes by the submitter include referencing the GIS map layer. This was considered unnecessary as the schedule includes all appropriate map links and referencing tangata whenua in Policy 15 (c) was considered unnecessary as such matters are more appropriately addressed in (b) which provides a higher level of protection.</p> |

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|   |                        | <p><u>related interests; identification of conflicting activities that would impact on mana whenua issues, areas of interest and cultural significance;</u></p> <p>viii the importance (if any) of land surrounding the <u>cultural and</u> historic heritage;</p> <p>ix. the degree of compliance with Heritage New Zealand's Pohere Taonga Archaeological requirements;</p> <p>x. any investigation and documentation of the site to provide a historical record; and</p> <p>xi. the outcome of any consultation <u>including written approvals</u> with any relevant body or individual, such as Heritage New Zealand Pohere Taonga, the Department of Conservation, or local iwi and/or hapū; [...]</p>  | The submitter also sought reliefs that rely on a cultural zone. The submitter does not identify how or what would be considered a cultural zone or how such zones would be identified.   |
| Further submissions – Trans-Tasman Resources Ltd (6)    | Oppose (cultural zone) |  |  |
| Further submissions –Te Korowai o Ngāruahine Trust (41) | Support                |  |  |
| Further submissions – Te Atiawa (58)                    | Oppose                 |  |  |
| <b>Policy 16 – Relationship of tangata whenua</b>       |                        |  |  |
| 6 – Trans-Tasman Resources Ltd                          | 400                    | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 16(i) and (j) of the Plan to read:</p> <p><i>Recognise and provide for the relationship of tangata whenua culture, values and traditions with the coastal environment and take into account the principles of the Treaty of Waitangi, and kaitiakitanga. The Taranaki Regional Council will provide opportunities for tangata whenua to actively participate in the resource management process where decisions are being made on issues of significance to tangata whenua by:</i></p> <p>[...]</p> <p>(i) requiring that resource consent applications or plan change applications <u>assess <del>provide</del> cultural and/or historic heritage/archaeological impacts assessments and/or archaeological assessments where relevant appropriate;</u> and</p> | <p><b>Decline</b></p> <p>The Council declines the relief sought by the submitter.</p> <p>In relation to amending Clause (i), the Council suggests that the current wording is appropriate in that it notes that cultural impact assessments will be provided where appropriate. What is appropriate will depend upon individual circumstances and the wider context. Such matters are routinely canvassed and effectively addressed as part of any consenting process. The Council notes that the Policy does not require cultural impact assessments to be provided in <u>all</u> circumstances (which is the matter of concern to the submitter). The suggested amendments to Policy 16(1), as supplied by the submitter, were not considered appropriate as it is not the duty of the applicant to assess – only tangata whenua can do this and the policy is about tangata whenua rather than wider historic heritage matters.</p> |



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|   |                  | <i>(j) <del>involving taking into account any views of tangata whenua in the development of on any relevant proposed</del> consent conditions, compliance monitoring plans and/or enforcement procedures <del>where appropriate</del>.</i>  | Similarly, in relation to amending Clause (j) the Council notes that the Policy is seeking to involve tangata whenua in resource management processes where it is appropriate. Providing tangata whenua with opportunities to actively participate in resource management processes requires more than this Council just taking into account their views. Again the Council suggests that the current wording is appropriate in that it requires tangata whenua involvement, where appropriate.   |
| Further submissions – Federated Farmers (2)   |                  | Support in part   |   |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Korowai o Ngāruahine Trust (41), Te Atiawa (58), Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Oppose  |   |
| 15 – Surfbreak Protection Society   | 401              | <b>Support</b>  | <b>Accept</b>   |
|   |                  | Retain Policy 16 of the Plan as notified.   | Support noted. Policy 16 is retained subject to minor amendments as requested by other submitter that do not change the policy intent.  |
| Further submissions – Port Taranaki Ltd (32)  |                  | Support   |   |
| 19 – South Taranaki District Council  | 402              | <b>Support</b>  | <b>Accept in part</b>   |
|   |                  | Retain Policy 16 of the Plan as notified.   | Support noted. Policy 16 is retained subject to minor amendments as requested by other submitter that do not change the policy intent.  |
| 40 – Te Rūnanga o Ngāti Mutunga   | 403              | <b>Amend</b>  | <b>Accept in part</b>   |
|   |                  | Submitter seeks amendment to Policy 16 of the Plan to read:<br><i>Recognise and provide for the relationship of tangata whenua culture, values and traditions with the coastal environment and take into account the principles of the Treaty of Waitangi, and kaitiakitanga. The Taranaki Regional Council will provide opportunities for tangata whenua to actively participate in the resource management process where decisions are being made on issues of significance to tangata whenua by:</i><br><i>(a) taking into account any relevant iwi planning documents <u>and consider providing practical assistance to iwi or hapū who have indicated a wish to develop iwi/hapū resource management plans:</u></i><br>[...] | The submitter seeks a number of amendments to Policy 16 relating to iwi/hapū involvement in the resource management process. The Council notes that many of the requests are actually methods and are already provided for in other, more appropriate, areas of the Plan and do not require repeating within this Policy. For example, the relief sought in (a) is a method that is already provided for in Section 5 [Methods of implementation] of the Plan, and more specifically Methods 22 and 26, which refers to the Council actively supporting and assisting in surveys, research and investigations and technical advice and support for preparing iwi planning documents.<br><br>Notwithstanding the above, the Council agrees to amending Policy 16 to further strengthen tangata whenua involvement in RMA processes under the Plan, including |



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|  |                  | <p><u>(k) the Council ensures the active involvement of the appropriate iwi/hapū in management of the coastal environment when activities may affect their interests and values;</u></p> <p><u>(l) provide for opportunities for iwi/hapū to exercise kaitiakitanga over waters, forest, lands and fisheries in the coastal environment through such measures as:</u></p> <p><u>(i) bringing cultural understanding to monitoring of natural resources</u></p> <p><u>(ii) providing appropriate methods for the management, maintenance and protecting of the Taonga of tangata whenua</u></p> <p><u>(iii) having regards to regulations, rules or bylaws relating to ensuring sustainability of fishing resources such as taiapure, mahinga mataitai or other non-commercial Māori customary fishing</u></p> <p><u>(m) where proposals are likely to have an adverse effect on the mauri of the coastal environment, the Council shall consider imposition of consent conditions that incorporate the use of mātauranga Māori based methods or cultural indicators that recognise and express Māori values to monitor the effects of the activity on the mauri of the natural and physical resources of the coastal environment.</u></p> | <p>a new Clause (k) (plus other consequential changes sought by other submitters) that reads as follows:</p> <p><i>Recognise and provide for the relationship of tangata whenua culture, values and traditions with the coastal environment, <u>including the role of tangata whenua as kaitiaki</u>, and take into account the principles of the Treaty of Waitangi.</i></p> <p><i>The Taranaki Regional Council will provide opportunities for <u>working in partnership with</u> tangata whenua to actively participate in the resource management process where decisions are being made on issues of significance to tangata whenua by:</i></p> <p>[...]</p> <p><u>(k) considering consent conditions that incorporate the use of mātauranga Māori based methods or cultural indicators that recognise and express Māori values to monitor the effects of the activity on the mauri of the natural and physical resources of the coastal environment.</u></p> <p>The Council further agrees to amending the Plan to include a new Policy and Schedule addressing the protection of taonga species plus amendments to Implementation Methods.</p> |
| Further submissions – Te Korowai o Ngāruahine Trust (41), Te Atiawa (58), Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support   |   |
| 41 – Te Korowai o Ngāruahine Trust   | 404              | <p><b>Amend</b></p> <p>Submitter supports the inclusion of Policy 16 of the Plan but seeks amendments to read:</p> <p><i>Recognise and provide for the relationship of tangata whenua culture, values and traditions with the coastal environment and take into account the principles of the Treaty of Waitangi, and kaitiakitanga. The Taranaki Regional Council will provide opportunities for tangata whenua to actively participate in the resource management process where decisions are being made on issues of significance to tangata whenua by:</i></p> <p><u>(a) taking into account any relevant iwi planning documents, <i>including but not limited to Environmental Plans, Management Plans, Kaitiaki Plans and Marine Spatial Plans</i>;</u></p>   | <p><b>Accept in part</b></p> <p>The submitter seeks a number of amendments to Policy 16 relating to iwi/hapū involvement in the resource management process.</p> <p>The Council agrees to granting in part most of the requests sought in relation to Policy 16, with some rewording to provide internal consistency with other areas of the Plan, to further strengthen tangata whenua involvement in RMA processes under the Plan. The Council further agrees to amending the Plan to include a new Policy and Schedule addressing the protection of taonga species plus amendments to Implementation Methods.</p> <p>The revised Policy 16 reads as as follows:</p>  |

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|  |                  | <p>[...]</p> <p>(d) <u>responding to requests for taking into account</u> Mana Whakahono a Rohe <u>that provide agreements about how to enhance the opportunities for collaboration with iwi may contribute to resource management practices;</u></p> <p>[...]</p> <p>(g) providing for the appointment of a person(s)...</p> <p>(h) <u>providing for the inclusion of and</u> recognising the importance of mātauranga [...]</p> <p>(i) requiring that resource consent applications or plan change applications provide cultural impact assessment and/or archaeological assessments where <u>deemed</u> appropriate <u>and/or necessary by iwi;</u></p> <p>[...]</p> <p><u>(k) providing for and responding to the considerations of tino rangatiratanga, kaitiakitanga, tikanga, customary values and practices, wāhi tapu and taonga tapu species in matters of significance and relevance to tangata whenua;</u></p> <p><u>(l) development of cultural monitoring practices and expertise;</u></p> <p><u>(m) actively protecting sites of significance, wāhi tapu and taonga tapu.</u></p> | <p>Recognise and provide for the relationship of tangata whenua culture, values and traditions with the coastal environment, <u>including the role of tangata whenua as kaitiaki</u>, and take into account the principles of the Treaty of Waitangi.</p> <p>The Taranaki Regional Council will provide opportunities for <u>working in partnership with</u> tangata whenua to actively participate in the resource management process where decisions are being made on issues of significance to tangata whenua by:</p> <p>(a) taking into account any relevant iwi planning document, <u>including but not limited to environmental plans, management plans, kaitiaki plans and marine spatial plans recognised by an iwi authority;</u></p> <p>(b) taking into account any relevant memorandum of understanding <u>or kaitiaki agreement with</u> the iwi authorities;</p> <p>(c) implementing the relevant legal requirements of Treaty settlements, including representation on Council committees; and taking into account other aspects of Treaty settlements including, statements of association, protection principles and statutory acknowledgements;</p> <p>(d) <u>give effect to</u> Mana Whakahono a Rohe <u>that provide agreements about how</u> iwi <u>may contribute to resource management processes;</u></p> <p>(e) providing for tikanga Māori and interpretation services for the use of Māori language in presenting evidence;</p> <p>(f) providing for marae-based pre-hearing meetings and hearings where appropriate;</p> <p>(g) providing for the appointment of a person(s) with recognised expertise in tikanga Māori to any hearing committee where a resource consent application raises significant issues for tangata whenua, <u>in consultation with the relevant iwi authority;</u></p> <p>(h) recognising the importance of mātauranga Māori, customary, traditional and intergenerational knowledge;</p> <p>(i) requiring that resource consent applications or plan change applications provide cultural impact assessments and/or archaeological assessments where appropriate;</p> <p>(j) <u>taking into account any views of</u> tangata whenua <u>on any relevant proposed consent conditions, compliance monitoring plans and/or enforcement procedures; and</u></p> <p><u>(k) considering consent conditions that incorporate the use of mātauranga Māori based methods or cultural indicators that recognise and express Māori values to monitor the effects of the activity on the mauri of the natural and physical resources of the coastal environment.</u></p> |
| Further submissions – Trans-Tasman Resources Ltd (6)                       |                  | Oppose (Clause (i))  |   |
| Further submissions – Te Atiawa (58), Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support  |   |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
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| 48 – Taranaki District Health Board                                      | 405              | <p><b>Amend</b></p> <p>The submitter would like to enhance the partnership with tangata whenua whilst acknowledging holistic views of the environment. Submitter seeks amendments to Policy 16 of the Plan to read:</p> <p><i>Recognise and provide for the relationship of tangata whenua culture, values and traditions with the coastal environment and take into account the principles of the Treaty of Waitangi, and kaitiakitanga. The Taranaki Regional Council will provide opportunities for <u>working in partnership with</u> tangata whenua to actively participate in the resource management process where decisions are being made on issues of significance to tangata whenua by:</i></p> <p><i>(a) <u>encouraging taking into account</u> the use of relevant iwi planning document [...]</i></p> | <p><b>Accept in part</b></p> <p>The Council agrees to amending Policy 16 to include reference to “working in partnership with tangata whenua”.</p> <p>However, the Council declines the requested amendment for “<i>encouraging</i>” to replace “<i>taking into account</i>”. “<i>Taking into account</i>” will require the Council to be aware of the relevant iwi planning document and to take into consideration the planning provisions included. However, the Council does not believe it is the role of the Council to “<i>encourage</i>” the use of iwi planning documents. Indeed there might be occasion when iwi management provisions (which have not gone through a RMA or public plan process) are inconsistent with Coastal Plan provisions and might be inappropriate to encourage their use/application.</p> |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61)               |                  | Oppose  |   |
| 57 – Heritage New Zealand  | 406              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 16(b) of the Plan to read:</p> <p><i>(b) Taking into account any relevant memorandum of understanding <u>or kaitiaki agreement with between the Taranaki Regional Council and the iwi authorities</u>;</i></p> <p>OR</p> <p>Alternatively, amend Policy 13(a)(ii) to reference kaitiaki agreements.</p>  | <p><b>Accept</b></p> <p>The submitter wishes to amend Policy 16(b) to include reference to kaitiakitanga agreements. The Council agrees to granting the relief sought by stating that the Council will take into account any kaitiakitanga agreements alongside any memorandum of understanding agreements.</p>   |
| Further submissions – Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) |                  | Support   |   |
| 58 – Te Atiawa   | 407              | <p><b>Amend</b></p> <p>The submitter wishes to adapt the wording of Policy 16 to better reflect their view on the Council's legal obligation to consult and involve Māori in decision making. The submitter seeks amendment to Policy 16 of the Plan to read:</p> <p><i>Recognise and provide for the relationship of tangata whenua cultural, values and traditions with the coastal environment and take into account the principles of the Treaty of Waitangi, and kaitiakitanga. The Taranaki Regional Council will provide opportunities for tangata whenua to actively participate in the resource</i></p>  | <p><b>Decline</b></p> <p>The Council declines the relief sought on the basis that they believe the Plan provisions do give effect to Council's statutory obligations to consult and involve Māori in resource management. The Council notes that active participation in resource management is not necessarily the same thing as decision-making. Clauses (a) to (k) provide a suite of mechanisms for providing and enhancing tangata whenua involvement in RMA processes. Some of them such as (g) [Māori representation on Council committees] have a decision making component. However, most relate to</p>  |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
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|  |                  | <i>management process, <u>including decision-making</u>, where decisions are being made on issues of significance to tangata whenua by:</i>   | mechanisms for enabling or promoting tangata whenua involvement and input into different planning, consenting and implementation processes. Ultimately, Council is responsible under the RMA for local decisions relating to its section 30 RMA functions.   |
| Further submissions – Te Korowai o Ngāruahine Trust (41), Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support   |  |
| 58 – Te Atiawa   | 408              | <b>Amend</b><br><br>Submitter seeks amendment to Policy 16(a) of the Plan to read:<br><i>(a) taking into account any relevant iwi planning documents <u>and consider providing practical assistance to iwi or hapū who have indicated a wish to develop iwi/hapū resource management plans. [...]</u></i>   | <b>Decline</b><br><br>The Council declines the relief sought. It is suggested that the submitter's request is a method rather than a policy. The Council notes that the requested amendment is already covered in Implementation Methods 24, 25, 26 and 28 of the Plan and it is not necessary to repeat these provisions within the Policies section.   |
| Further submissions – Te Korowai o Ngāruahine Trust (41)                                       |                  | Support   |  |
| 58 – Te Atiawa   | 409              | <b>Amend</b><br><br>Submitter seeks amendment to Policy 16 of the Plan by adding a new Clause (k) and (l) to read:<br><i>(k) <u>provide for review conditions on coastal permits where necessary to address unforeseen adverse effects on sites of significance to Māori as in Schedule 5 which may arise from the exercise of the consent;</u></i><br><i>(l) <u>provide for opportunities for tangata whenua to exercise kaitiakitanga over waters and fisheries in the coastal environment through such measures as:</u></i><br><i>(i) <u>bringing cultural understanding to monitoring of natural resources; and</u></i><br><i>(ii) <u>providing appropriate methods for the management, maintenance and protection of the taonga and tangata whenua; and</u></i><br><i>(iii) <u>having regards to regulations, rules or bylaws relating to ensuring sustainability of fishing resources such as taiapure, mahinga mataitai or other non-commercial Māori customary fishing.</u></i> | <b>Accept in part</b><br><br>The submitter wishes to broaden Policy 16 to address unforeseen adverse effects on sights of significance to Māori with the inclusion of a new clause (k) and provide for the role of tangata whenua as kaitiaki with the inclusion of a new clause (l).<br><br>The Council notes that many of the requests are already provided for in other, more appropriate, areas of the Plan so do not require repeating within this Policy. For example, protection of sites of significance to Māori, is already fully addressed within Policy 15 [Historic heritage]. Other suggested amendments are actually methods. Rather than restating matters covered in other policies or restating methods as policies, the Council agrees to alternative reliefs to better recognise and provide for tangata whenua values. The reliefs include the inclusion of a new Policy 14B (and associated Schedule) that includes avoiding, remedying or mitigating adverse effects on taonga species habitat, mahinga kai, tāiapure or mataitai and the inclusion of a new Clause, reframed to align with relief sought by other submitters, to read:<br><i>(k) <u>considering consent conditions that incorporate the use of mātauranga Māori based methods or cultural indicators that recognise and express Māori values to monitor the effects of the activity on the mauri of the natural and physical resources of the coastal environment.</u></i> |
| Further submissions – Trans-Tasman Resources Ltd (6)   |                  | Oppose (Clause (k))   |  |
| Further submissions – Te Korowai o Ngāruahine Trust (41)                                       |                  | Support   |  |



| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
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| 60 - Te Kaahui o Rauru   | 410              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 16(g) of the Plan to include the right of local iwi/hapū to choose said person of expertise, as long as there has been no illustrated conflict of interest.</p>   | <p><b>Grant in kind</b></p> <p>Policy 16 (g) allows a person of tikanga Māori expertise the ability to be heard in any hearing committee if a resource consent application raises significant issues for tangata whenua.</p> <p>The Council considers that consultation with iwi authorities when providing for the appointment of the person of expertise is necessary and appropriate and agrees that Policy 16(g) be amended to read:</p> <p><i>(g) providing for the appointment of a person(s) with recognised expertise in tikanga Māori to any hearing committee where a resource consent application raises significant issues for tangata whenua. <u>in consultation with the relevant iwi authority;</u></i></p>  |
| Further submissions – Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) |                  | Support  |   |
| 60 - Te Kaahui o Rauru   | 411              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 16(h) of the Plan to read:<br/><i>(h) recognising <u>and providing for</u> the importance of matauranga maaori, customary, traditional and intergenerational knowledge [...]</i></p>  | <p><b>Grant in kind</b></p> <p>The Council agrees to an alternative relief to that sought by the submitter but which better recognises and provides for mātauranga Māori.</p> <p>The Council, in response to this and other submitter requests, agrees to the inclusion of a new clause that further strengthens consideration of mātauranga Māori that reads:</p> <p><i><u>(k) considering consent conditions that incorporate the use of mātauranga Māori based methods or cultural indicators that recognise and express Māori values to monitor the effects of the activity on the mouri of the natural and physical resources of the coastal environment.</u></i></p>  |
| Further submissions – Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) |                  | Support  |   |
| 61 – Te Rūnanga o Ngāti Ruanui Trust                                     | 412              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 16 of the Plan to clearly articulate tangata whenua participation and to list existing formal relationships between tangata whenua and councils (include reference to any agreement document). Besides Mana Whakahono a Rohe/Iwi Participation Arrangements, this includes (but not limited to) Transfer of Powers under Section 33 of the RMA, Memoranda of Understanding, co-management agreements, specific consultation processes with tangata whenua, and details of agreement as determined in consultation with tangata whenua.</p> <p>Amendments to Policy 16 read as follows:<br/><i>Recognise and provide for the relationship of tangata whenua culture, values and traditions with the coastal environment and take into account the principles of the Treaty of Waitangi, and kaitiakitanga. The Taranaki Regional Council will <u>provide</u></i></p> | <p><b>Accept in part</b></p> <p>The Council notes consequential changes to Policy 16 that accept in part the relief sought by submitter.</p> <p>The Council does not consider that it is appropriate or necessary to list formal agreements and consultative processes with iwi in a Policy. Such matters are operational detail rather than policy considerations and are already recognised and provided for in the Plan methods of Implementation. For example, Method 11 already refers to the consideration of section 33 transfer of powers, Method 30 refers to memoranda of understandings, and Method 31 refers to tangata whenua representation on Council's standing committees. The methods are deliberately high level. Specifying or listing particular agreements would inevitably lead to details in the Plan becoming out dated as new or amended agreements are reached and</p> |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
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|  |                  | <p><del>opportunities ensure the active participation of</del> <i>tangata whenua</i> <del>to actively participate</del> in the resource management process where decisions are being made on issues of significance to <i>tangata whenua</i> by:</p> <p>[...]</p> <p>(c) implementing the relevant legal requirements of Treaty settlements, including representation on Council committees; and <del>have regard to taking into account</del> other aspects of Treaty settlements including, statements of association, protection principles and statutory acknowledgements;</p> <p>(d) <del>responding to requests for Mana Whakahono a Rohe to enhance the opportunities for collaboration with iwi provide for Mana Whakahono a Rohe. Transfer of Powers under section 33 of the RMA, Memoranda of Understanding, co-management agreements, specific consultation processes including details of agreement as determined in consultation with tangata whenua to enhance the opportunities for collaboration with iwi;</del></p> <p>[...]</p> <p>(i) requiring that resource consent applications, <del>notice of requirements</del> or plan change applications provide cultural impact assessments and/or archaeological assessments where <del>deemed</del> appropriate <del>by mana whenua or heritage authorities;</del></p> <p>(j) <del>recognise the matters/values identified and proposed for protection by mana whenua in the cultural impact assessment;</del> [...]</p> | <p>recognising iwi interest in developing and reaching agreement on Mana a Whakahono a Rohe provisions of the RMA.</p> <p>Notwithstanding the above, amendments are proposed in Policy 16 to accommodate some of the amendments sought by this and other submitters. The changes proposed will strengthen mechanisms for recognising and providing for <i>tangata whenua</i> involvement in RMA processes under the Plan.</p> <p>The revised Policy reads as as follows:</p> <p><i>Recognise and provide for the relationship of tangata whenua culture, values and traditions with the coastal environment, including the role of tangata whenua as kaitiaki, and take into account the principles of the Treaty of Waitangi.</i></p> <p><i>The Taranaki Regional Council will provide opportunities for working in partnership with tangata whenua to actively participate in the resource management process where decisions are being made on issues of significance to tangata whenua by:</i></p> <p>(a) taking into account any relevant iwi planning document, <del>including but not limited to environmental plans, management plans, kaitiaki plans and marine spatial plans recognised by an iwi authority;</del></p> <p>(b) taking into account any relevant memorandum of understanding <del>or kaitiaki agreement with</del> the iwi authorities;</p> <p>(c) implementing the relevant legal requirements of Treaty settlements, including representation on Council committees; and taking into account other aspects of Treaty settlements including, statements of association, protection principles and statutory acknowledgements;</p> <p>(d) <del>give effect to</del> Mana Whakahono a Rohe <del>that provide agreements about how iwi may contribute to resource management processes;</del></p> <p>(e) providing for tikanga Māori and interpretation services for the use of Māori language in presenting evidence;</p> <p>(f) providing for marae-based pre-hearing meetings and hearings where appropriate;</p> <p>(g) providing for the appointment of a person(s) with recognised expertise in tikanga Māori to any hearing committee where a resource consent application raises significant issues for <i>tangata whenua</i>, <del>in consultation with the relevant iwi authorities;</del></p> <p>(h) recognising the importance of mātauranga Māori, customary, traditional and intergenerational knowledge;</p> <p>(i) requiring that resource consent applications or plan change applications <del>assess cultural and/or historic heritage impacts assessments</del> where <del>relevant;</del></p> |
| Further submissions – Trans-Tasman Resources Ltd (6)                     |                  | Oppose  |  |
| Further submissions – Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) |                  | Support   |  |



| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
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|  |                  |  | <p>(j) <u>taking into account any views of tangata whenua on any relevant proposed consent conditions, compliance monitoring plans and/or enforcement procedures; and</u></p> <p>(k) <u>considering consent conditions that incorporate the use of mātauranga Māori based methods or cultural indicators that recognise and express Māori values to monitor the effects of the activity on the mouri of the natural and physical resources of the coastal environment.</u></p>  |
| <b>NEW Policy 16A – Relationship of tangata whenua</b> |                  |  |   |
| 28 – Grant Knuckey                                     | 413              | <p><b>Amend</b></p> <p>Submitter seeks amendment to the Plan to include policies for the Taranaki Regional Council to partner with mana whenua to maintain and enhance coastal values in the coastal marine area, including the establishment of ecological bottom lines or agreed targets for maintaining the natural character, biodiversity and cultural resources of the coastal marine area and whenua.</p>                                 | <p><b>Accept in part</b></p> <p>No precise details of amendments sought to the Plan have been provided but the submitter is seeking the inclusion of additional policies.</p> <p>The Council notes that, in response to a number of submitters, consequential amendments have been made to Policy 16 that may partially give effect to the relief sought by the submitter.</p> <p>The submitter also refers to the setting of ecological bottom lines or agreed targets for maintaining the natural character, biodiversity and cultural resources of the coastal marine area and whenua. Council note that all General Policies (and relevant Activity-specific Policies must be read together). These policies already address values associated with natural character, indigenous biodiversity, and historic heritage, which includes sites of significance to Māori. In response to submissions, the Council agrees to amend the Plan to include a new Policy 14A and B that addresses the protection of biodiversity generally plus taonga species.</p> |
| <b>Policy 17 – Public access</b>                       |                  |  |   |
| 2 – Federated Farmers                                  | 414              | <p><b>Amend</b></p> <p>Submitter seeks that Policy 17 of the Plan be amended to read:</p> <p><i>Maintain and <u>as far as practical</u> enhance <u>where a demand exists</u>, public access to, along and adjacent to the coastal <del>environment</del> <u>marine area</u>, <u>while minimising conflict with other land users</u> by:</i></p> <p>(a) avoiding, remedying or mitigating any adverse effects of activities on public access;</p> | <p><b>Accept in part</b></p> <p>The Council agrees to granting the relief sought by the submitter, in part.</p> <p>In particular, the Council agrees that Policy 17 be amended to align with Policy 19(2) of the <i>New Zealand Coastal Policy Statement</i> which refers to the “coastal marine area” (rather than coastal environment). The amendments do not change the policy intent of the Policy as it still quite clearly applies to the landward parts of the coastal environment adjacent to the coastal marine area.</p>  |

| Submitter | Submission point | Submitter's requests  | Council's response and decisions   |
|-----------|------------------|---|--|
|           |                  | <p><i>(b) promoting the enhancement or restoration of public access including for the connection of areas of public open space, access to mahinga kai, access to sites of historical and/or cultural importance, improving outdoor recreation opportunities, access to surf breaks and providing access for people with disabilities; and</i></p> <p><i>(c) <del>only</del> imposing a restriction on public access, including vehicles, where such a restriction is necessary to:</i></p> <p><i>(i) protect significant natural or historic heritage values;</i></p> <p><i>(ii) protect dunes, estuaries and other sensitive natural areas or habitats;</i></p> <p><i>(iii) protect sites and activities of cultural value to Māori;</i></p> <p><i>(iv) protect threatened or at risk indigenous species and rare and uncommon ecosystem types as identified in Schedule 4A;</i></p> <p><i>(v) protect public health or safety, including where the safety of other coastal or beach users is threatened by inappropriate use of vehicles on beaches and vessels offshore;</i></p> <p><i>(vi) provide for defence purposes in accordance with the Defence Act 1990 or port or airport purposes;</i></p> <p><i>(vii) avoid or reduce conflict between public uses of the coastal marine area and its margins;</i></p> <p><i>(viii) provide for temporary activities or special events;</i></p> <p><i>(ix) ensure a level of security consistent with the activity, including protection of equipment; <del>or</del></i></p> <p><i><u>(x) to maintain a level of security for lawfully established activities, users and management of areas within or adjacent to the coastal marine areas;</u></i></p> <p><i><u>(xi) where the coastal marine area is in private ownership; or</u></i></p> <p><i>(xii) provide for other exceptional circumstances where restriction to public access is justifiable;</i></p> <p><i>and alternative access routes for the public have been considered and provided where practicable.</i></p> <p><i><u>Public access over private land remains at the discretion of the landowner.</u></i></p> | <p>However, the submitter has also sought other changes to address their concerns on conflict between coastal public access and private ownership. Some of these changes were considered unnecessary in that public access over private land is subject to other legislation, are already adequately addressed within the Policy, and/or are not decision making considerations.</p> <p>Changes to the Policy in response to this submission (and other submitters) are as follows:</p> <p><i>Maintain and enhance public access to, along and adjacent to the coastal <u>marine area</u> by: [...]</i></p> <p><i>(b) promoting the enhancement or restoration of public access, <u>where demand exists</u>, including for the connection of areas of public open soace, improving outdoor recreation opportunities, access to surf breaks and providing access for people with disabilities; and</i></p> <p><i>(c) imposing a restriction on public access, including vehicles, where such a restriction is necessary to: [...]</i></p> <p><i>(ix) ensure a level of security <u>for lawfully established activities</u> consistent with the activity, including protection of equipment; [...]</i></p> |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
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| Further submissions – Te Korowai o Ngāruahine Trust (41), Te Atiawa (58), Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Oppose   |   |
| Further submissions – Taranaki Energy Watch (51)   |                  | Oppose in part   |   |
| 5 – Point Board Riders   | 415              | <b>Support</b>   | <b>Accept</b>   |
|  |                  | Submitter supports policy promoting the enhancement or restoration of public access in the circumstances listed in Policy 17(b) of the Plan.   | Support noted. Policy 17(b) is retained subject to minor amendments as requested by other submitter that does not change the policy intent.   |
| 6 – Trans-Tasman Resources Ltd   | 416              | <b>Support</b>   | <b>Accept</b>   |
|  |                  | Submitter supports recognition in Policy 17(c)(vii) and (ix) of the Plan that in some circumstances there may be a need to restrict access to parts of the coastal environment.  | Support noted. Policy 17(c)(viii) and (ix) is retained subject to minor amendment as requested by another submitter that does not change the policy intent.   |
| 15 – Surfbreak Protection Society  | 417              | <b>Support</b>   | <b>Accept</b>   |
|  |                  | Submitter supports policy promoting the enhancement or restoration of public access in the circumstances listed in Policy 17(b) of the Plan.   | Support noted. Policy 17(b) is retained subject to minor amendments as requested by other submitter that does not change the policy intent.   |
| 20 – Meridian Energy Ltd   | 418              | <b>Amend</b>   | <b>Accept</b>   |
|  |                  | Submitter seeks amendment to Policy 17 of the Plan to read:<br><i>Maintain and enhance public access to, along and adjacent to the coastal <del>environment</del> marine area by: [...]</i>  | The Council agree to granting the relief sought by the submitter.   |
| 20 – Meridian Energy Ltd   | 419              | <b>Amend</b>   | <b>Decline</b>  |
|  |                  | Submitter seeks amendment to Policy 17(c)(vii) of the Plan to clarify what sort of conflict it seeks to avoid or reduce between public uses of the coastal marine area and its margins. It is their view that the intention of the clause has not been clarified sufficiently. | No precise details of amendments sought to the Policy 17(c)(vii) to address the submitter's concerns have been provided. However, the Council notes that the Oxford Dictionary defines "conflict" as a serious disagreement or argument, typically a protracted one. What constitutes a conflict is likely to be determined on a case-by-case basis and depends upon a wider context.<br><br>The Council therefore does not believe it is necessary to specify or list what constitutes conflict in the Policy and indeed there would be risks in doing so. Any referencing of specific conflicts is unlikely to cover all situations and circumstances. Potentially some conflicts could be unnecessarily identified and others not listed. Of |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
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|  |                  |   | note, the language is consistent with Policy 19(3)(f) of the <i>New Zealand Coastal Policy Statement</i> .  |
| 22 – Lyndon DeVantier  | 420              | <b>Amend</b>  | <b>Decline</b>  |
|  |                  | Submitter support aspirations in Policy 17 of the Plan but opposed to Policy 17(c)(viii) providing for restrictions on public access necessary to provide for temporary activities or special events.   | Of note, the language in Policy 17(c)(viii) of the Plan is consistent with Policy 19(3)(f) of the <i>New Zealand Coastal Policy Statement</i> , which the Council must give effect to.  |
| 33 - New Zealand Defence Force   | 421              | <b>Support</b>  | <b>Accept</b>   |
|  |                  | Retain Policy 17 of the Plan as notified, particularly clause (c)(vi).  | Support noted. Policy 17(c)(vi) is retained as currently notified.  |
| 35 – Radio New Zealand Ltd   | 422              | <b>Support</b>  | <b>Accept</b>   |
|  |                  | Retain Policy 17 of the Plan as notified.   | Support noted. Policy 17 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.   |
| 40 – Te Rūnanga o Ngāti Mutunga  | 423              | <b>Amend</b>  | <b>Accept</b>   |
|  |                  | Submitter does not support the promotion of public access to all of the iwi's sites of significance as detailed in Schedule 5B and requests to amend Policy 17(b) of the Plan to read:<br><i>Maintain and enhance public access to, along and adjacent to the coastal environment-by:</i><br>[...]<br><i>(b) promoting the enhancement or restoration of public access including for the connection of public open space, <b>access to mahinga kai, access to sites of historical and/or cultural importance</b> improving outdoor recreation [...]</i> | The Council agrees that it may be inappropriate and unnecessary to promote public access to sites of significance to Māori and agrees to granting the relief sought by the submitter (i.e. by deleting reference to access to mahinga kai, and sites of historical and/or cultural importance in Policy 17(b)).   |
| 41 – Te Korowai o Ngāruahine Trust                                     | 424              | <b>Amend</b>  | <b>Accept</b>   |
|  |                  | Submitter notes concerns regarding public access to sites of significance to Māori and seeks amendment to Policy 17 of the Plan so as to not enhance public access to the coastal environment where that activity comprises the sites of significance (Schedule 5A and B) and where that access would adversely affect indigenous biodiversity, wāhi tapu and wāhi taonga.  | The Council agrees to amending Policy 17(b) to remove reference to mahinga kai and sites of historical and/or cultural importance. In line with relief requested by this and other submitters, Policy 17(b) reads as follows:<br><i>(b) promoting the enhancement or restoration of public access including for the connection of public open space, improving outdoor recreation [...]</i> |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Atiawa (58), |                  | Support   | The other concerns addressed by the submitter are already recognised and provided for in Policy 18(c), which identifies instances for which public access may be restricted. Clause (c)(i) identifies significant natural or historic heritage values, (iii)  |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
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| Te Rūnanga o Ngāti Ruanui Trust (61)                                     |                  |  | identifies sites and activities of cultural value to Māori, and (iv) identifies indigenous species and eco system types identified in Schedule 4A.   |
| 42 – Ngati Rahiri Hapū   | 425              | <b>Amend</b><br>Submitter notes concerns regarding public access to sites of significance to Māori and seeks amendment to Policy 17(b) of the Plan to protect cultural sites from public access. | <b>Accept</b><br>The Council agrees to amending Policy 17(b) to remove reference to mahinga kai and sites of historical and/or cultural importance. In line with relief requested by this and other submitters, Policy 17(b) reads as follows:<br><i>(b) promoting the enhancement or restoration of public access including for the connection of public open space improving outdoor recreation [...]</i>  |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61)               |                  | Support  |  |
| 45 – Powerco   | 426              | <b>Support</b><br>Retain Policy 17 of the Plan as notified.  | <b>Accept</b><br>Support noted. Policy 17 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.   |
| Further submissions – Port Taranaki Ltd (32)                             |                  | Support  |  |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd                       | 427              | <b>Support</b><br>Retain Policy 17 of the Plan as notified.  | <b>Accept</b><br>Support noted. Policy 17 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.   |
| 47 – Fonterra  | 428              | <b>Support</b><br>Retain Policy 17 of the Plan as notified.  | <b>Accept</b><br>Support noted. Policy 17 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.   |
| 48 – Taranaki District Health Board                                      | 429              | <b>Support</b><br>Retain Policy 17 of the Plan as notified.  | <b>Accept</b><br>Support noted. Policy 17 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.   |
| 52 – Emily Bailey  | 430              | <b>Amend</b><br>Submitter seeks amendment to Policy 17(c) of the Plan to restrict public access to cultural sites and privately owned land.  | <b>Accept</b><br>The Council agrees with the submitter that restrictions on public access may be inappropriate in relation to cultural sites and privately owned land. However, it is the view of Council that these concerns are already recognised and provided for in the Policy. In particular, Policy 17(c)(iii) addresses restrictions to protect sites and activities of cultural value to Māori. However, to address the submitter's concerns, the |
| Further submissions – Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) |                  | Support  |  |



| Submitter                         | Submission point | Submitter's requests   | Council's response and decisions  |
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|                                   |                  |  | <p>Council agrees to amending Policy 17(b) to remove reference to promoting access to mahinga kai sites and sites of historical and/or cultural importance.</p> <p>Issues associated with public access on privately owned land are more appropriately addressed under other legislation and other plans and do not fall within the jurisdiction of this Council. Notwithstanding that, the issue of public access conflicting with private interests is implicitly covered by Clause (c)(ix) which is amended to read:</p> <p><i>(ix) ensure a level of security <u>for lawfully established activities</u> consistent with the activity, including protection of equipment;</i></p> |
| 58 – Te Atiawa                    | 431              | <p><b>Support</b></p> <p>Submitter notes concerns regarding public access to sites of significance to Māori and seeks to amend Policy 17(b) of the Plan to read:</p> <p><i>Maintain and enhance public access to, along and adjacent to the coastal environment by:</i></p> <p><i>[...]</i></p> <p><i>Promoting the enhancement or restoration of public access including for the connection of areas of public open space, <u>access to mahinga kai, access to sites of historical and/or cultural importance</u>, improving outdoor recreation [...]</i></p> | <p><b>Accept</b></p> <p>The Council agrees with the submitter that promoting public access to sites of significance may not be appropriate. Accordingly, it is agreed that Policy 17(b) be amended to delete reference to mahinga kai and sites of historical and/or cultural importance. In line with relief requested by this and other submitters, Policy 17(b) reads as as follows:</p> <p><i>(b) promoting the enhancement or restoration of public access, <u>where a demand exists</u>, including for the connection of public open space, improving outdoor recreation [...]</i></p>  |
| 59 – KiwiRail                     | 432              | <p><b>Support</b></p> <p>Retain Policy 17 of the Plan as notified.</p>   | <p><b>Accept</b></p> <p>Support noted. Policy 17 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.</p>   |
| <b>Policy 18 – Amenity values</b> |                  |  |   |
| 5 – Point Board Riders Ltd        | 433              | <p><b>Support</b></p> <p>Submitter supports Policy 18 of the Plan maintaining and enhancing significant amenity values associated with surf breaks identified in Schedule 7.</p>   | <p><b>Accept</b></p> <p>The Council notes the submitter's support for Policy 18(b).</p>   |
| 15 – Surfbreak Protection Society | 434              | <p><b>Amend</b></p> <p>Submitter supports in part Policy 18 of the Plan but seeks amendments to Policy 18(c) noting that the Policy only seeks to maintain and enhance significant amenity values associated with those surf breaks identified in Schedule 7. The submitter believes that the current provisions are not consistent with section 5 of</p>  | <p><b>Decline</b></p> <p>The Council notes that Schedule 7 identifies 140 surf breaks of national, regional and local significance. Identification and classification of these surf breaks was a comprehensive and collaborative exercise involving community and expert advice to identify surf breaks across Taranaki. That exercise identified 140 surf breaks with attributes and characteristics triggering our significance criterion. The Council is</p>   |



| Submitter   | Submission point | Submitter's requests   | Council's response and decisions   |
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|   |                  | the RMA. The submitter wishes to see the protections within Policy 18(c) expanded to also include local surf breaks not listed in Schedule 7.  | <p>unaware of any surf breaks that are not identified within Schedule 7 and would welcome any additional information that the submitter can offer.</p> <p>The submitter believes that the current protections provided for are not consistent with section 5 of the RMA but has not indicated how or why this view is held. The Council has a contrary view and consider that the Council is to the forefront in surf break protection in New Zealand under the RMA.</p>   |
| 20 – Meridian Energy  | 435              | <p><b>Amend</b></p> <p>Submitter wishes to see the reference to historic heritage deleted from Policy 18. The submitter notes that historic sites do not necessarily have any amenity values and that appropriate historic heritage matters are already covered in Policy 15 [Historic heritage].</p> <p>Submitter seeks amendment to Policy 18 of the Plan to delete reference to historic heritage:</p> <p><i>Maintain and enhance significant amenity values by avoiding, remedying or mitigating adverse effects on: [...]</i></p> <p><del>(d) historic heritage sites including those identified in Schedule 5.</del></p> | <p><b>Decline</b></p> <p>The Council declines the relief sought by the submitter seeking that reference to historic heritage in Policy 18(d) be deleted.</p> <p>The Council acknowledge the point made by the submitter, however, the inclusion of the term “historic heritage” was intentional noting that historic heritage is commonly associated with high amenity values. For example, the RMA definition of “<i>historic heritage</i>” includes sites of significance to Māori. As identified in Schedule 5 there are a number of historic sites and places that clearly overlap with amenity values. They include mahinga kai, mataitai, hi ika sites not counting wild or scenic values that may also be associated with these sites and places.</p> <p>The Council notes that many submitters have requested expanding Policy 18(d) in order to better recognise and provide for historic heritage sites that also have amenity values.</p> |
| Further submissions – Te Atiawa (58), Te Rūnanga o Ngāti Ruanui Trust (61)        |                  | Oppose   |  |
| 22 – Lyndon DeVantier   | 436              | <p><b>Support</b></p> <p>Submitter supports aspirations in Policy 18 of the Plan to maintain and enhance significant amenity values.</p>   | <p><b>Accept</b></p> <p>Support noted. Policy 18 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.</p>  |
| 29 – Department of Conservation   | 437              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 18 of the Plan by including a new provision to read:</p> <p><i>(e) other areas of the coastal environment with significant amenity values not identified in the Schedules referred to in (a), (b), (c) and (d). [...]</i></p>   | <p><b>Accept</b></p> <p>The submitter wishes to broaden the coverage of Policy 18 to include other areas with significant amenity values not identified in the Schedules.</p> <p>The Council agrees to granting the relief sought by the submitter to include a new clause (e). The Council notes that the suggested amendment is in accordance with Policies 6 [Activities in the coastal environment], 13 [Preservation of natural character] and 18 [Public open spaces] of the <i>New Zealand Coastal Policy Statement</i>.</p>  |
| Further submissions – Federated Farmers (2), Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support  |  |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions  |
|---|------------------|---|---|
| 41 – Te Korowai o Ngāruahine Trust                                    | 438              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 18 of the Plan by:</p> <ul style="list-style-type: none"> <li>including references to Schedule 5A and B [Historic Heritage] rather than Schedule 5</li> <li>including references to Schedule 4A [Significant species and ecosystems].</li> </ul> | <p><b>Accept in part</b></p> <p>The Council agrees to granting the relief sought by the submitter.</p> <p>Amenity values, as defined by the RMA, refers to any 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. Clearly indigenous biodiversity and cultural and historic heritage values may contribute to amenity values. The Council therefore agrees to amending Policy 18(d) to broaden its focus to require consideration of amenity attributes and values associated with sites scheduled in the Plan as significant for their indigenous biodiversity, taonga species and historic heritage.</p> <p>The revised Policy reads as as follows:</p> <p><i>Maintain and enhance significant amenity values by avoiding, remedying or mitigating adverse effects on <a href="#">those qualities and characteristics that contribute to amenity values</a> in: [...]</i></p> <p><i>(d) <a href="#">coastal sites with significant indigenous biodiversity identified in Schedule 4, taonga species identified in Schedule 4C, or historic heritage identified in Schedule 5A and B and Appendix 2</a> [...]</i></p> |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Atiawa (58) |                  | Support   |   |
| 43 – Royal Forest and Bird Protection Society                         | 439              | <p><b>Amend</b></p> <p>Submitter supports Policy 18 of the Plan but requests that it be amended to recognise amenity values associated with protecting indigenous biodiversity.</p>   | <p><b>Accept</b></p> <p>The Council agrees with the requested amendment to protect indigenous biodiversity. The revised Policy reads as follows:</p> <p><i>Maintain and enhance significant amenity values by avoiding, remedying or mitigating adverse effects on <a href="#">those qualities and characteristics that contribute to amenity values</a> in: [...]</i></p> <p><i>(d) <a href="#">coastal sites with significant indigenous biodiversity identified in Schedule 4, taonga species identified in Schedule 4, or historic heritage identified in Schedule 5A and B and Appendix 2</a> [...]</i></p>  |
| Further submissions – Meridian Energy Ltd (20)                        |                  | Oppose  |   |
| Further submissions – Te Korowai o Ngāruahine Trust (41)              |                  | Support   |   |
| 45 – Powerco  | 440              | <p><b>Support</b></p> <p>Retain Policy 18 of the Plan as notified.</p>  | <p><b>Accept</b></p> <p>Support noted. Policy 18 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.</p>   |
| Further submissions – Port Taranaki Ltd (32)                          |                  | Support   |   |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
|--|------------------|---|--|
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd       | 441              | <b>Support</b>  | <b>Accept</b>  |
|  |                  | Retain Policy 18 of the Plan as notified.   | Support noted. Policy is retained subject to minor amendments as requested by other submitters that do not change the policy intent.   |
| 47 – Fonterra  | 442              | <b>Support</b>  | <b>Accept</b>  |
|  |                  | Retain Policy 18 of the Plan as notified.   | Support noted. Policy 18 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.  |
| 58 – Te Atiawa   | 443              | <b>Amend</b>  | <b>Accept</b>  |
|  |                  | Submitter seeks amendment to Policy 18 to refer specifically to Schedule 5A and 5B [Historic Heritage] rather than Schedule 5 and to include Schedule 4A [Significant species and ecosystems].  | The Council agrees with the requested amendments to include Schedule 4A and to refer to Schedule 5 as Schedule 5A and B.<br>The revised Policy reads as follows:<br><i>Recognise and provide for the maintenance and enhancement of significant amenity values by avoiding, remedying or mitigating adverse effects on on <a href="#">those qualities and characteristics that contribute to amenity values in: [...]</a></i><br><i>(d) <a href="#">coastal sites with significant indigenous biodiversity identified in Schedule 4, taonga species identified in Schedule 4C, or historic heritage identified in Schedule 5A and B and Appendix 2 [...]</a></i>   |
| 61 – Te Rūnanga o Ngāti Ruanui Trust                     | 444              | <b>Amend</b>  | <b>Accept</b>  |
|  |                  | Submitter seeks amendment to Policy 18 to read:<br><i>Maintain and enhance significant amenity values by avoiding, remedying or mitigating adverse effects on:</i><br><i>(a) coastal areas of outstanding value identified in Schedules <a href="#">1 and 2</a>;</i><br><i>[...]</i><br><i>(d) <a href="#">cultural and historic heritage sites including those habitats with taonga species identified in Schedule 4C and sites identified in Schedule 5 and Appendix 2.</a></i> | The submitter proposes amendments to Policy 18(a) and (d). The Council notes that many other submitters have requested similar amendments and agree to granting the requested relief.<br>The revised Policy reads as follows:<br><i>Recognise and provide for the maintenance and enhancement of significant amenity values by avoiding, remedying or mitigating adverse effects on <a href="#">those qualities and characteristics that contribute to amenity values in:</a></i><br><i>(a) coastal areas of outstanding value identified in Schedules <a href="#">1 and 2</a>; [...]</i><br><i>(d) <a href="#">coastal sites with significant indigenous biodiversity identified in Schedule 4, taonga species identified in Schedule 4C, or historic heritage identified in Schedule 5A and B and Appendix 2 [...]</a></i> |
| Further submissions – Te Korowai o Ngāruahine Trust (41) |                  | Support   |  |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions  |
|---|------------------|---|---|
| <b>Policy 19 – Surf breaks and Significant Surfing Area</b> |                  |   |   |
| 2 – Federated Farmers                                       | 445              | <p><b>Amend</b></p> <p>Submitter seeks amendment to the Plan and associated planning maps to move the inland boundary of the Significant Surfing Area seaward to the mean high water springs or similar, to avoid potential (and probably unintended) restrictions on normal farming activities.</p>  | <p><b>Accept</b></p> <p>The inland extent of the Significant Surfing Area was initially influenced by the Southern Taranaki District Council's coastal protection area with the intention of maintaining the seascape. However, the policy is primarily for the protection of surf breaks not landscape values and, therefore, after considering the implications this may have on privately owned land, the Council agrees to moving the inland extent of the Significant Surfing Area to the coastal marine area as requested.</p>  |
| 2 – Federated Farmers                                       | 446              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 19(b) and (d) to read:</p> <p><i>Protect surf breaks and their use and enjoyment from the adverse effects of other activities in the <del>coastal environment</del> Coastal Marine Area by:</i></p> <p><i>(a) avoiding adverse effects on:</i></p> <p><i>(i) all nationally significant surf breaks as identified in Schedule 7; and</i></p> <p><i>(ii) all surf breaks within the designated Significant Surfing Area as identified in Schedule 7;</i></p> <p><i>(b) avoiding adverse effects on all regionally significant surf breaks, identified in Schedule 7, that are outside of the Significant Surfing Area unless the activity is necessary for the provision of regionally important infrastructure <u>or farming activities</u>, avoidance of effects is not possible and adverse effects are remedied or mitigated;</i></p> <p><i>(c) avoiding, remedying or mitigating adverse effects on all locally significant surf breaks listed in Schedule 7;</i></p> <p><i>(d) within the Significant Surfing Area, avoiding significant adverse effects and avoiding, remedying or mitigating other adverse effects on seascape, including development <u>within the Coastal Marine Area</u> which would have an adverse effect on the remote feel of the area; and</i></p> <p><i>(e) in managing adverse effects in accordance with clauses (a), (b) and (c), having regard to:</i></p> <p><i>(i) effects on the quality or consistency of the surf break by considering the extent to which the activity may: change or interrupt coastal sediment dynamics; change or interrupt swell within the swell corridor including through the reflection,</i></p> | <p><b>Accept in part</b></p> <p>The Council notes that references to the "coastal environment" in Policy 19 (rather than "coastal marine area") is intentional. It ensures that when managing adverse effects of use and development in the coastal marine area, there is wider consideration (through Policy 19) of effects on the wider coastal environment.</p> <p>Policy 19 and its application to the coastal environment promotes the integrated management of the wider area across environmental domains and local authority jurisdictional boundaries. This is consistent with Policy 4 of the <i>New Zealand Coastal Policy Statement</i> and contributes to meeting Objective 1 [Integrated management] of the Plan.</p> <p>Provisions for (b) is limited to regionally important infrastructure and Council does not agree to that it should extend to include farming activities. However, the Council notes that the application of the Policy is through rules which pertain to activities in the coastal marine area. As such, land based farming activities are highly unlikely to create the types of effects outlined in (e).</p> <p>Clause (d) relates to development within the Significant Surfing Area. However, the Council does not believe it is necessary or appropriate to refer to the coastal marine area and suggest that farming activities are not particularly affected by this Policy. Notwithstanding that, the Council suggests some of the submitter's concerns may be partially addressed by granting relief sought by other submitters whereby the landward extent of the Significant Surfing Area is amended to be the mean high water springs.</p> <p>Within Clause (e)(ii), the Council agrees to granting the relief in part by removing reference to "access to". Access to surf breaks is but one of many important consideration for managing adverse effects and it is suggested that this clause focus</p> |

| Submitter                            | Submission point | Submitter's requests   | Council's response and decisions  |
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|                                      |                  | <p><i>refraction or diffraction of wave energy; or change the morphology of the foreshore or seabed; and</i></p> <p><i>(ii) the effects on <del>access to</del> surf breaks and other qualities of surf breaks, including natural character, water quality and amenity values.</i></p>   | <p>more broadly on other qualities of surf breaks. The revised Clause reads as follows:</p> <p><i>(ii) effects on other qualities and characteristics that contribute to use and enjoyment of surf breaks.</i></p>  |
| Further submissions – Powerco (45)   |                  | Support in part  |   |
| 5 – Point Board Riders               | 447              | <b>Support</b>   | <b>Accept</b>   |
|                                      |                  | Retain Policy 19 of the Plan as notified.  | Support noted. Policy 19 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.   |
| 15 – Surfbreak Protection Society    | 448              | <b>Amend</b>   | <b>Accept in part</b>   |
|                                      |                  | <p>The submitter supports, in part, Policy 19 but seeks amendments to address concerns that Policy 19(b) only requires, in relation to activities necessary for the provision of Regional Important Infrastructure, that adverse effects that cannot be avoided, to be remedied or mitigated.</p> <p>Also have concerns that Policy 19(c) only seeks to avoid, remedy or mitigate adverse effects on locally significant surf breaks identified in Schedule 7.</p> | <p>The Council agrees to granting the relief sought by the submitter in part.</p> <p>In relation to the submitter's concerns relating to Policy 19(b), and as a response to requests sought by other submitters (refer submission points 451 and 1355), the Council to amending Policy 19(b) to delete reference that adverse effects associated with Regionally Important Infrastructure (that cannot be avoided) only need to be remedied or mitigated. These consequential changes related to the inclusion of a new policy addressing the national grid and the re-designation of the Breakwater surf break from regionally significant to locally significant in Schedule 7A and associated planning maps that makes the current wording of the clause redundant.</p> <p>The Council also notes the submitter's concerns that Policy 19(c) only seeks to avoid, remedy or mitigate adverse effects on locally significant surf breaks identified in Schedule 7. However, this is considered appropriate and reflects the hierarchical protection inherent in the the Policy based upon the relative national, regional and local values of Taranaki surf breaks.</p> |
| 19 – South Taranaki District Council | 449              | <b>Amend</b>   | <b>Accept</b>   |
|                                      |                  | <p>Submitter seeks amendment to Policy 19 to read:</p> <p><i>Protect surf breaks and their use and enjoyment from the adverse effects of other activities <del>to</del>by:</i></p> <p><i>(a) avoid, <del>remedy or mitigate</del> significant adverse effects on: [...]</i></p> <p>OR</p> <p>remove reference to “natural character” and “amenity values” from Policy 19(e)(ii).</p>   | <p>The submitter notes that the Council is wishing to provide a higher level of protection for a higher number of surf breaks than required by the <i>New Zealand Coastal Policy Statement</i>. The submitter suggests that under Policy 19 it would be very difficult for any activity that gives rise to any adverse effects on amenity or natural character to find support because the Policy does not refer to an acceptable level of effects or provide for effects to be remedied or mitigated.</p>  |



| Submitter                          | Submission point | Submitter's requests   | Council's response and decisions   |
|------------------------------------|------------------|--|--|
| Further submissions – Powerco (45) |                  | Support in part  | The Council notes the concerns of the submitter and agree to granting the relief sought by the submitter by amending Policy 19(e)(ii) to delete reference to “natural character” and “amenity values”.   |
| 22 – Lyndon DeVantier              | 450              | <p><b>Other</b></p> <p>Submitter supports aspirations in Policy 19 but raises concerns relating to impacts arising from the Significant Surfing Area, the engagement process, and the threats posed by surfing competitions and increased visitor numbers.</p>   | <p><b>No relief necessary</b></p> <p>The submitter does not expressly request amendments to Policy 19 but does highlight a number of concerns, presumably in opposition to the concept of the Significant Surfing Area, that warrant a response.</p> <p>Concerns relating to the engagement process are noted. However, the Council notes that the proposals to identify and provide a high level of protection to all surf breaks between Kahihi Road and Cape Road originated from a consultant’s report entitled <i>Taranaki Surf breaks of National Significance</i>, with attributes of surf breaks in that area being later confirmed through an online community survey. The proposal was further consulted on through a Draft Proposal that was widely distributed to interested parties and then the Proposed Plan.</p> <p>Concerns raised by the submitter primarily relate to matters outside the jurisdiction of the Council. They include issues around conflict between organised events, overcrowding at surf breaks, tourism impacts on the environment, freedom camping, and the provision of infrastructure. The concerns are valid and though largely outside the regulatory framework of the Plan (whereby the rules apply to the coastal marine area only), it does highlight the importance of Plan methods and the need for this Council, district councils and other parties to work together to address the concerns.</p> |
| 26 – Transpower NZ Ltd             | 451              | <p><b>Amend</b></p> <p>The submitter wishes to amend Policy 19 in order to bring the Policy into closer alignment with Policy 8 [Aquaculture] of the <i>New Zealand Coastal Policy Statement</i> by amending Policy 19(b) to read:</p> <p><i>Protect surf breaks and their use and enjoyment from the adverse effects of other activities by:</i></p> <p>[...]</p> <p><i>(b) avoiding adverse effects on all regionally significant surf breaks, identified in Schedule 7, that are outside of the Significant Surfing Area;</i></p> <p><i>unless following a route, site and method selection process, the activity is necessary for the provision of regionally important infrastructure, avoidance of</i></p> | <p><b>Grant in kind</b></p> <p>The submitter requests that the word “possible” has a very confined meaning and conveys only a technical requirement whereas there may be a variety of other reasons why adverse effects cannot be avoided. The suggested replacement “practicable” is in accordance with the Policy 8 <i>National Policy Statement for Electrical Transmission</i>. The submitter also requests to include “adverse” effects within the Policy to clarify that it is adverse effects which are the issue.</p> <p>The Council notes that in response to other submitters it agrees to that the exclusion for regionally important infrastructure be deleted. Instead an alternative relief is agreed to address submitter’s (and others) concerns that makes this provision now redundant and potentially confusing. The submitter is referred to submission point 325 where a new Policy 6A specifically recognises and provides for the National</p>  |



| Submitter   | Submission point | Submitter's requests  | Council's response and decisions   |
|---|------------------|---|--|
|   |                  | <i>adverse effects is not possible practicable and adverse effects are remedied or mitigated to the extent reasonably practicable; [...]</i>  | Grid in a similar, but more appropriate, manner and in a manner that is more aligned with the provisions of the <i>National Policy Statement for Electricity Transmission</i> .  |
| 32 – Port Taranaki  | 452              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 19(b) of the Plan to read:<br/> <i>Protect surf breaks and their use and enjoyment from the adverse effects of other activities by:</i><br/> [...]<br/> <i>(b) avoiding adverse effects on all regionally significant surf breaks, identified in Schedule 7, that are outside of the Significant Surfing Area;</i><br/> <i>unless the activity is necessary for the provision of regionally important infrastructure, avoidance of effects is not possible; and adverse effects are remedied or mitigated; [...]</i></p> | <p><b>Grant in kind</b></p> <p>The submitter is concerned that Policy 19(b) and the exemption for regionally important infrastructure is unclear. In particular, the submitter is concerned that the provision that avoidance of effects is not possible is ambiguous and potentially sets unrealistic expectations.</p> <p>The Council notes that most of the concern relating to this provision relates around the relative significance of the Breakwater surf break, its 'regional' status, and the potential for the Policy to impact on the Port's operational requirements in the future. However, the Council considers that an alternative relief involving amendments to Schedule 7 [Surfbreaks] under submission point 1355 will address these concerns and agrees that the exemption for regionally important infrastructure be deleted.</p>   |
| 41 – Te Korowai o Ngāruahine Trust                                    | 453              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 19 of the Plan to ensure the protection of the surf breaks is not incompatible with the traditional cultural sites of significance, including those set out in Schedule 5B.</p>  | <p><b>Accept in part</b></p> <p>The Council notes that all General Policies (and relevant Activity-specific Policies) must be considered together. Accordingly, all activities, not just those associated with protection of surfing values, need to consider adverse effects on traditional cultural sites of significance, including those set out in Schedule 5B. The submitter has highlighted an issue in this part of the Policy whereby some associative values have been identified (and not others) thereby potentially derogating from the aforementioned approach. It is not considered necessary to paraphrase other Policies and indeed there are risks in doing so.</p> <p>The Council agrees to an alternative relief whereby Policy 19(e) is reframed to focus only on surfing attributes and adverse effects on other values be addressed in their relevant policies elsewhere (e.g. under the relevant natural character, historic heritage or public access policies).</p> <p>The amended Policy 19(e) reads as follows:<br/> <i>Protect surf breaks and their use and enjoyment from the adverse effects of other activities by:</i><br/> [...]<br/> <i>(e) in managing adverse effects in accordance with clauses (a), (b) and (c), having regard to:</i></p> |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Atiawa (58) |                  | Support   |  |

| Submitter                                     | Submission point | Submitter's requests   | Council's response and decisions  |
|---|------------------|--|---|
|   |                  |  | <p>(i) effects on the quality or consistency of the surf break by considering the extent to which the activity may: change or interrupt coastal sediment dynamics; change or interrupt swell within the swell corridor including through the reflection, refraction or diffraction of wave energy; or change the morphology of the foreshore or seabed; and</p> <p>(ii) effects on other qualities and characteristics that contribute to use and enjoyment of surf breaks.</p>   |
| 43 – Royal Forest and Bird Protection Society | 454              | <p><b>Support</b></p> <p>Retain Policy 19 of the Plan as notified.</p>   | <p><b>Accept</b></p> <p>Support noted. Policy 19 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.</p>   |
| 45 – Powerco                                  | 455              | <p><b>Support</b></p> <p>Retain Policy 19 of the Plan as notified.</p>   | <p><b>Accept</b></p> <p>Support noted. Policy 19 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.</p>   |
| 49 – Cam Twigley                              | 456              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 19(d) of the Plan to read:</p> <p><i>Protect surf breaks and their use and enjoyment from the adverse effects of other activities by: [...]</i></p> <p><i>(d) within the Significant Surfing Area, avoiding <b>significant</b> adverse effects and avoiding, remedying or mitigating other adverse effects on seascape, including development which would have an adverse effect on the remote feel of the area; and in managing adverse effects in accordance with clauses (a), (b) and (c), having regard to: [...]</i></p> | <p><b>Grant in kind</b></p> <p>The submitter believes that Policy 19(d) is in conflict with Policy 19(a)(ii) in relation to the levels of protection provided for. In Policy 19(a) there is a requirement to avoid adverse effects of all surf breaks within the designated Significant Surfing Area while in Policy 19(d) there is only need to avoid significant adverse effects.</p> <p>The Council agrees that there are conflicts between the differing levels of protection for the Significant Surfing Area provided in Clauses (a) and (d) of Policy 19, which require resolving.</p> <p>Clause (d) refers to seascapes. The Council agrees to an alternative relief to that proposed by the submitter by deleting Clause (d).</p> <p>Seascapes are more appropriately provided for under Policy 8(b) [Areas of outstanding value] and/or Policy 9 [Natural character]. In response to reliefs sought by other submitters to the planning maps, the Council has confined the extent of the significant surfing zone to the coastal marine area line and removing the inland component of the coastal environment. This amendment makes Clause (d) redundant as seascapes are no longer captured within the designated area.</p> |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
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| 58 – Te Atiawa   | 457              | <b>Amend</b>   | <b>Accept</b>  |
|  |                  | Submitter seeks amendment to Policy 19 of the Plan to ensure that the protection of the surf breaks is not incompatible with the traditional cultural uses expressed by Māori in Schedules 5B. | <p>The Council notes that all General Policies (and relevant Activity-specific Policies) must be considered together. Accordingly, all activities, not just those associated with protection of surfing values, need to consider adverse effects on traditional cultural sites of significance, including those set out in Schedule 5B. The submitter has highlighted an issue in this part of the Policy whereby some associative values have been identified (and not others) thereby derogates from the aforementioned approach. It is not considered necessary to paraphrase other policies and indeed there are risks in doing so.</p> <p>The Council therefore agrees to an alternative relief whereby Policy 19(e) is reframed to focus only on surfing attributes and adverse effects on other values be addressed in their relevant policies elsewhere (e.g. under the relevant natural character, historic heritage or public access policies).</p> <p>The amended Policy 19(e) reads as as follows:</p> <p><i>Protect surf breaks and their use and enjoyment from the adverse effects of other activities by:</i></p> <p><i>[...]</i></p> <p><i>(e) in managing adverse effects in accordance with clauses (a), (b) and (c), having regard to:</i></p> <p><i>(i) effects on the quality or consistency of the surf break by considering the extent to which the activity may: change or interrupt coastal sediment dynamics; change or interrupt swell within the swell corridor including through the reflection, refraction or diffraction of wave energy; or change the morphology of the foreshore or seabed; and</i></p> <p><i>(ii) effects on other qualities and characteristics that contribute to use and enjoyment of surf breaks.</i></p> |
| <b>Policy 20 – Avoidance of increasing coastal hazard or public safety risks</b> |                  |  |  |
| 2 – Federated Farmers  | 458              | <b>Other</b>   | <b>No relief necessary</b>   |
|  |                  | Submitter seeks that provisions designed to protect against coastal hazards avoid unnecessarily capturing farm infrastructure.   | The Council recognises the concerns of the submitter but note that Policy 20 only addresses infrastructure that increases the risk from coastal hazards and is therefore more likely to protect farm infrastructure at risk from natural hazards such as coastal erosion.  |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
|--|------------------|---|--|
| 6 – Trans-Tasman Resources Ltd   | 459              | <p><b>Amend</b></p> <p>Submitter seeks amendment Policy 20 of the Plan to read:<br/> <i>Avoid increasing the risk of social, environmental and economic harm from coastal hazards <del>or posing a threat</del> and avoid increased risks to public health and safety, or aircraft or navigation safety including by:[...]</i></p>      | <p><b>Accept</b></p> <p>The submitter suggests that the use of the words “...posing a threat” in Policy 20 is too uncertain and instead the Policy should be amended to refer to avoiding increased risks to public health and safety and aircraft and navigation safety. The Council agrees to amending Policy 20 for the purposes of improved certainty and clarity to read:<br/> <i>Avoid increasing the risk of social, environmental and economic harm from coastal hazards <u>and avoid increased risks</u> to public health and safety, or aircraft or navigation safety including by: [...]</i></p>  |
| Further submissions – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd (46) | Support in part  |   |  |
| Further submissions – Taranaki Energy Watch – Support)                   | Support          |   |  |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd                       | 460              | <p><b>Amend</b></p> <p>Submitter supports Policy 20 of the Plan subject to following amendments:<br/> <i>Avoid <u>unacceptable</u> increasesing in the risk of social, environmental and economic harm from coastal hazards or posing a threat to public health and safety, or aircraft or navigation safety including by:[...]</i></p> | <p><b>Decline</b></p> <p>To address another submitter's relief, amendments to Policy 20 are agreed to by the Council, however these changes are unlikely to address the concerns raised by the submitter.</p> <p>The submitter is concerned that the Policy might be interpreted to “excluding any increase in [natural hazard] risk” is noted. However, the Council notes that the current Policy is aligned with Policy 25(a) of the <i>New Zealand Coastal Policy Statement</i> and the use of the term “unacceptable” would be ambiguous thereby reducing the certainty and clarity to those applying the policy.</p> <p>The amended Policy 20 to reads as follows:<br/> <i>Avoid increasing the risk of social, environmental and economic harm from coastal hazards <u>and avoid increased risks</u> to public health and safety, or aircraft or navigation safety including by: [...]</i></p> |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61)               | Oppose           |   |  |
| 48 – Taranaki District Health Board                                      | 461              | <p><b>Support</b></p> <p>Retain Policy 20 of the Plan as notified.</p>  | <p><b>Accept</b></p> <p>Support noted. Policy 20 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.</p>  |
| Further submissions – Port Taranaki Ltd (32)                             | Oppose           |   |  |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
|--|------------------|--|--|
| <b>Policy 21 – Natural hazard defences</b>                 |                  |  |  |
| 2 – Federated Farmers                                      | 462              | <b>Amend</b><br>Submitter supports in part Policy 21 of the Plan but seeks that provisions designed to protect against coastal hazards avoid unnecessarily capturing farm infrastructure.  | <b>No relief necessary</b><br>The Council considers that no relief is necessary. The Council notes that Policy 21 relates to natural hazard defences, therefore, any capture of farm infrastructure is likely to be very limited.  |
| 42 – Ngāti Rahiri Hapū                                     | 463              | <b>Amend</b><br>Submitter supports Policy 21 of the Plan but seek amendment to show how or what will be done to provide a natural defence from coastal hazards.  | <b>Decline</b><br>Policy 21 gives effect to Policy 26 [Natural defences against coastal hazards] of the <i>New Zealand Coastal Policy Statement</i> . It recognises that natural defences should be provided for where appropriate. However, the Council does not believe it is necessary for the Policy to go into the details of how this is to be achieved. Such detail is better outlined elsewhere in the Plan and through consenting processes. Section 6 [Methods of implementation] sets out non regulatory methods for addressing natural hazard defences. The Policy will also inform consenting processes associated with implementing rules. The detail as to how or what will be done to provide a natural hazard defence should be considered at the consenting level having regard to all the relevant policies, methods and rules. |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support  |  |
| 43 – Royal Forest and Bird Protection Society              | 464              | <b>Support</b><br>Retain Policy 21 of the Plan as notified.  | <b>Accept</b><br>Support noted. Policy 21 is retained as currently notified.   |
| Further submissions – Port Taranaki Ltd (32)               |                  | Support  |  |
| <b>Section 5.2 – Activity-based policies</b>               |                  |  |  |
| 57 – Heritage New Zealand                                  | 465              | <b>Amend</b><br>Submitter seeks amendment to the preamble in Section 5.2 [Activity-based policies] of the Plan to read:<br><i>[...] The activity-based policies must be considered alongside the general policies and never in isolation. <u>Where a policy in this section conflicts with a general policy in 5.1, the general policy takes precedence.</u></i> | <b>Accept</b><br>The submitter wishes to clarify the relationship between the General Policies in 5.1 and the activity-based policies, in particular, set out what takes precedence when the policies in each section are in conflict. The submitter considers the general policies should take precedence and the activity-based policies function be to provide additional detail.   |



| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
|--|------------------|---|---|
| Further submissions – Trans-Tasman Resources Ltd (6), Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd (46) |                  | Oppose  | The Council agrees noting that this is how the Plan provisions should be read and applied. It is therefore agreed that Section 5.2 be amended with slightly different wording to maintain consistency throughout the Plan that achieves the intent sought by the submitter.   |
| <b>Policy 22 – Discharge of water or contaminants to coastal water</b>                                   |                  |   |   |
| 8 – Silver Fern Farms  | 466              | <b>Support</b><br>Retain Policy 22 of the Plan to provide for the discharge of contaminants to coastal waters, where it is the most practicable option. | <b>Accept</b><br>Support noted. Policy 22 is retained subject to minor amendments as requested by other submitters that does not change the policy intent.  |
| Further submissions – Federated Farmers (2)  |                  | Support   |   |
| 15 – Surfbreak Protection Society  | 467              | <b>Other</b><br>Submitter supports in part Policy 22 of the Plan but question what and how to measure “acceptable quality”.                             | <b>No relief necessary</b><br>The term “acceptable quality” recognises that discharges of water or contaminants to water in the coastal marine area takes many forms – ranging from point source discharges to land runoff of rainfall. The effects of the discharges are likely to vary based upon the type volume of contaminants in the discharge plus location. Policy 22(a) therefore necessarily requires discharges to be considered on a case-by-case basis that determines the acceptability of the discharge based upon the matters considered in Policy 22(a)(i) to (iii). These relate to having regard to the sensitivity of the receiving environment, including associated values, the nature and concentration of the contaminants and the efficiency of waste reduction, treatment and disposal measures and the capacity of the receiving environment to assimilate the contaminants.<br>What is considered “acceptable quality” will be determined on a case-by-case basis through the consenting process being directed by the requirements of Policy 22 (in addition to any other requirements arising from the General Policies). |
| 33 - New Zealand Defence Force   | 468              | <b>Support</b><br>Retain Policy 22 of the Plan as notified.   | <b>Accept</b><br>Support noted. Policy 22 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.  |



| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
|--|------------------|---|--|
| 40 – Te Rūnanga o Ngāti Mutunga                    | 469              | <b>Amend</b>  | <b>Accept</b><br><br>The use of terms with similar meanings such as “ <i>must</i> ”, “ <i>will</i> ” and “ <i>shall</i> ” has been alternatively adopted throughout many second generation planning documents, including national policy statements and regional plans.<br><br>A number of submitters have identified they prefer the term “ <i>must</i> ”, instead of “ <i>will</i> ” in relevant policies. Some have argued that the use of the term “ <i>must</i> ” is more legally robust. The Council has no objection to making the change noting that the policy intent of this Policy is that the activity needs to comply with the provision.<br><br>Unless the context indicates otherwise, the Council agrees to additional consequential amendments throughout Plan policies to align language to consistently refer to “ <i>must</i> ”. |
|  |                  | Submitter seeks amendment to Policy 22 of the Plan to read:<br><i>Discharges of water or contaminants to water in the coastal marine area will <del>will</del> must: [...]</i>  |  |
| 43 – Royal Forest and Bird Protection Society      | 470              | <b>Support</b>  | <b>Accept</b><br><br>Support noted. Policy 22 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.   |
|  |                  | Retain Policy 22 of the Plan as notified.   |  |
| Further submissions – Port Taranaki Ltd (32)       |                  | Support   |  |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd | 471              | <b>Amend</b>  | <b>Accept in part</b><br><br>The submitter wishes to amend the policy to provide greater clarity for Plan users regarding Policy 22(a)(ii).<br><br>The Council agrees that there is no need to focus on “ <i>waste</i> ” when referring to reduction, treatment and disposal measures in the Policy and agree to an alternative relief that deletes the term. The revised Policy 22(a)(ii) reads as follows:<br><br><i>(ii) the nature and concentration of the contaminants to be discharged and the efficacy of reduction, treatment and disposal measures; [...]</i>  |
|  |                  | Submitter supports Policy 22 of the Plan subject to following amendments:<br><i>Discharges of water or contaminants to water in the coastal marine area will:</i><br><i>(a) be of an acceptable quality with regard to:</i><br><i>(i) the sensitivity of the receiving environment;</i><br><i>(ii) the nature and concentration of the contaminants to be discharged and the efficacy of <del>waste</del> <u>contaminant</u> reduction, treatment and disposal measures [...]</i> |  |
| 47 – Fonterra                                      | 472              | <b>Amend</b>  | <b>Accept</b><br><br>The submitter considers that Policy 22(c) does not sufficiently identify the circumstances in which the best practicable option should be implemented. They suggest the amendment would ensure consistency with the definition of “ <i>best practicable option</i> ” as set out in the RMA. The Council agrees to amending Clause (c) as requested.   |
|  |                  | Submitter seeks amendment to Policy 22(c), (d) and (e) of the Plan to read:<br><i>Discharges of water or contaminants to water in the coastal marine area will:</i><br><i>[...]</i><br><i>(c) Adopt the best practicable option <u>for the treatment and discharge</u> to prevent or minimise adverse effects on the environment [...]</i>  |  |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions   |
|---|------------------|--|--|
|   |                  | <p>(d) be required, where appropriate, to reduce adverse environmental effects through a defined programme of works <u>over an appropriate timeframe</u> set out as a condition of consent for either new resource consents or during a renewal or review process for existing resource consents;</p> <p>(e) use the smallest mixing zone necessary to achieve the required water quality in the receiving environment and minimise as far as practicable the adverse effects <u>on life supporting capacity</u> within the mixing zone; [...]</p> | <p>For Clause (d) the submitter considers it necessary to make reference to the programme of works occurring over an appropriate timeframe. The Council agrees to the proposed relief as it is reasonable to allow an appropriate timeframe where it is set out within a resource consent.</p> <p>The submitter seeks to amend Clause (e) to refer to "life supporting capacity". This would maintain consistency with Policy 23(1)(e) and (f) of the <i>New Zealand Coastal Policy Statement</i>. The Council agrees to this amendment as sought by the submitter.</p>  |
| 48 – Taranaki District Health Board   | 473              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 22 of the Plan to read:<br/> <i>Discharges of water or contaminants to water in the coastal marine area <del>will</del> <u>must</u>: [...]</i></p>  | <p><b>Accept</b></p> <p>The use of terms with similar meanings such as "must", "will" and "shall" has been alternatively adopted throughout many second generation planning documents, including national policy statements and regional plans.</p> <p>A number of submitters have identified they prefer the term "must", instead of "will" in relevant policies. Some have argued that the use of the term "must" is more legally robust. The Council has no objection to making the change noting that the policy intent of this Policy is that the activity needs to comply with the provision.</p> <p>Unless the context indicates otherwise, the Council agrees to additional consequential amendments throughout Plan policies to align language to consistently refer to "must".</p> |
| 51 - Taranaki Energy Watch  | 474              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 22 of the Plan to incorporate a precautionary approach.</p>   | <p><b>No relief necessary</b></p> <p>A precautionary approach is set out in Policy 3 of the Plan and, as a General Policy, applies to all activities in the coastal environment, regardless of which coastal management area the activity may fall within. For this reason, it is unnecessary to repeat the provisions of Policy 3 within Policy 22. Both policies must be read and applied together.</p>  |
| Further submissions – Te Korowai o Ngāruahine Trust (41)  |                  | Support  |  |
| 60 – Te Kaahui o Rauru  | 475              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 22(a) of the Plan to include Māori values as a criteria for acceptable quality.</p>   | <p><b>Grant in kind</b></p> <p>At the hearing, the submitter requested that the policy recognise the importance of Mātauranga and Māori Values to be included in the list of matters to be considered.</p> <p>The Council notes that both Mātauranga and Māori Values will be considered for discharges of water or contaminants to coastal water through the relevant policy pathways. In particular, all General Policies apply, including Policy 16 [Relationship of tangata wenua], which refers to a large number of matters including Māori values and Mātauranga Māori methods or cultural indicators. The Council does not believe it</p>  |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Korowai o Ngāruahine Trust (41), Te Atiawa (58), Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support  |  |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
|--|------------------|--|---|
|  |                  |  | <p>necessary to restate some (but not all) matters in the Activity-specific Policies when the matters are already addressed elsewhere.</p> <p>Notwithstanding the above, the Council agrees to an alternative relief to more explicitly recognise associative uses and values associated with coastal waters, the Council agrees to amend Policy 22(a)(i) to read:</p> <p><i>Discharges of water or contaminants to water in the coastal marine area will:</i></p> <p>(a) be of an acceptable quality with regard to:</p> <p>(i) the sensitivity of the receiving environment <b>and associated uses and values</b>; [...]</p> <p>The Council also notes that Clause (f) refers to adverse effects generally, which includes Māori values. Policy 22 needs to be read in conjunction with the General Policies, including Policies 12 and 13.</p> |
| <b>Policy 23 – Discharge of untreated human sewage</b>                     |                  |  |   |
| 15 – Surfbreak Protection Society  | 476              | <b>Support</b>   | <b>Accept</b>   |
|  |                  | Retain Policy 23 of the Plan prohibiting discharges of untreated human sewage.                                       | Support noted. Policy 23 is retained as notified.   |
| 40 – Te Rūnanga o Ngāti Mutunga  | 477              | <b>Support</b>   | <b>Accept</b>   |
|  |                  | Retain Policy 23 of the Plan prohibiting discharges of untreated human sewage.                                       | Support noted. Policy 23 is retained as notified.   |
| 43 – Royal Forest and Bird Protection Society                              | 478              | <b>Support</b>   | <b>Accept</b>   |
|  |                  | Retain Policy 23 of the Plan as notified.  | Support noted. Policy 23 is retained as notified.   |
| 48 – Taranaki District Health Board  | 479              | <b>Support</b>   | <b>Accept</b>   |
|  |                  | Retain Policy 23 of the Plan as notified.  | Support noted. Policy 23 is retained as notified.   |
| <b>Policy 24 – Discharge of treated wastewater containing human sewage</b> |                  |  |   |
| 15 – Surfbreak Protection Society  | 480              | <b>Other</b>   | <b>No relief necessary</b>  |
|  |                  | Submitter suggests Policy 24 of the Plan is in conflict with other water quality policies and seems more permissive. | <p>The submitter has not indicated how or where such conflicts occur nor what specific relief is sought to alleviate their concerns.</p> <p>The Council does not consider Policy 24 to be permissive or to be in conflict with other policies relating to discharges to the coastal marine area. Policy 24 recognises that there are circumstances when treated discharges of wastewater containing</p>   |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
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|  |                  |  | <p>human sewage may be appropriate (most cities in New Zealand discharge wastewater either directly or indirectly to the coastal marine area). The Policy only allows existing discharges to the open coast and only following careful evaluation of alternatives to discharging (including land disposal and wetland treatment) and consultation with tangata whenua and the community generally. Through the consenting process (whereby such discharges are confined to the Open Coast coastal management area and are processed as a discretionary activity) Policy 24 would be read alongside all other General Policies and is required to fulfil the other General Policies as well as Policy 24.</p> <p>The Council notes that amendments have been made to the introduction of Section 5.2 of the Plan to clarify that in the event of any inconsistency between an Activity-specific Policy and a General Policy, the General Policy will take precedence.</p>  |
| 40 – Te Rūnanga o Ngāti Mutunga                          | 481              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 24 of the Plan to replace proposed Policy so as to prohibit any discharges of wastewater to the coastal marine area with:<br/> <u><a href="#">Discharges of treated wastewater containing human sewage will not be allowed.</a></u></p> | <p><b>Decline</b></p> <p>The Council declines the relief sought by the submitter.</p> <p>The relief sought would immediately preclude existing lawful discharges of municipal waste discharges to the coastal marine area in the absence of any other practicable options. To divert the quantities of waste onto land or other receiving environments is likely to be impracticable due to fiscal and technical constraints plus result in worst environmental outcomes due to the quantities involved and the lack of suitable locations to ensure the waste can be properly and safely assimilated to avoid, minimise or mitigate adverse environmental effects.</p>   |
| Further submissions – Te Korowai o Ngāruahine Trust (41) |                  | Support  | <p>The Council notes that the Taranaki region only has three municipal wastewater discharges. The resource consents for these marine outfalls include conditions that the consent holder must adhere to. These conditions are designed to prevent adverse effects by including limits on the discharge (pertaining to quality and quantity) and impact on the receiving environment. Consent holders must regularly reassess whether the current system remains to be the best practicable option, in light of technological advances and changing circumstances. Community involvement in the monitoring and management of these discharges, through involvement plans and stakeholder meetings, is also required in the resource consents.</p> <p>The Council suggests that some provision must be made in the policies and the rules to provide for the discharge of wastewater that contains treated human sewage. Most New Zealand cities discharge treated wastewater directly or indirectly into the coastal marine area. However, this rule is a discretionary activity, which means a resource consent may be granted or declined subject to the policies. A discharge consent</p> |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions  |
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|   |                  |   | <p>application is subject to meeting the directions and guidance set out in General Policies 1 to 21 and Activity-specific Policies 22, 24 and 26. With these policies any discharge of treated wastewater must be of an acceptable quality and can only be considered when more appropriate alternatives have been considered. These Plan provisions are in line with the requirements of the <i>New Zealand Coastal Policy Statement</i> Policy 23 [Discharge of contaminants] (2) and (3) and meets the requirements of the RMA.</p> <p>It is the Council's view that providing the option to consider existing discharges of treated wastewater into the coastal marine area is necessary in order to provide for the requirements of the general public. The Council is satisfied that through the resource consents process, adverse environmental effects can be appropriately avoided, remedied or mitigated. Policy 26 in particular is highlighted whereby it is Council's expectation that the best practicable option be adopted to improve the quality of the discharge and reduce the quantity of the discharge.</p> <p>Of note, other changes are agreed elsewhere in the Plan that prohibit new wastewater discharges containing human sewage to the coastal marine area.</p> |
| 41 – Te Korowai o Ngāruahine Trust                                    | 482              | <b>Amend</b>  | <b>No relief necessary</b>  |
|   |                  | Submitter seeks amendment to Policy 24 of the Plan to explicitly reference iwi as distinct from the general community.  | The Council believes that the sought relief is already provided for within Policy 24(b), which requires adequate consultation with tangata whenua so that their values, and the effects on those values, are understood. Tangata whenua includes iwi authorities and may include hapū and whanau groups.  |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Atiawa (58) |                  | Support   |   |
| 43 – Royal Forest and Bird Protection Society                         | 483              | <b>Amend</b>  | <b>No relief necessary</b>  |
|   |                  | Submitter seeks amendment to Policy 24 of the Plan to ensure that treated wastewater discharges will not occur where they would result in adverse effects that are to be avoided. | The Council consider that no changes to the Policy are required to give effect to the submitter's relief. Of note, Policy 24 must be read in conjunction with General Policies 1 to 21, which includes policies addressing adverse effects on coastal values and uses that are to be avoided.   |
| 48 – Taranaki District Health Board                                   | 484              | <b>Support</b>  | <b>Accept</b>   |
|   |                  | Retain Policy 24 of the Plan as notified.   | Support noted. Policy 24 is retained as notified.   |
| Further submissions – Port Taranaki Ltd (32)                          |                  | Support   |   |
| 58 – Te Atiawa  | 485              | <b>Amend</b>  | <b>Decline</b>  |



| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
|--|------------------|---|--|
|  |                  | Submitter seeks amendment to Policy 24 of the Plan to read:<br><del>Discharges of treated wastewater containing human sewage to coastal water will:</del><br><del>Discharges of treated wastewater containing human sewage will not be allowed.</del> | The Council declines the relief sought by the submitter.<br>The relief sought would immediately preclude existing lawful discharges of municipal waste discharges to the coastal marine area in the absence of any other practicable options. To divert the quantities of wastewater onto land or other receiving environments is likely to be impracticable due to fiscal and technical constraints plus result in worst environmental outcomes due to the quantities involved and the lack of suitable locations to ensure the waste can be properly and safely assimilated to avoid, minimise or mitigate adverse environmental effects.  |
| Further submissions – Te Korowai o Ngāruahine Trust (41) |                  | Support   | <p>The Council notes that the Taranaki region only has three municipal wastewater discharges. The resource consents for these marine outfalls include conditions that the consent holder must adhere to. These conditions are designed to prevent adverse effects by including limits on the discharge (pertaining to quality and quantity) and impact on the receiving environment. Consent holders must regularly reassess whether the current system remains to be the best practicable option, in light of technological advances and changing circumstances. Community involvement in the monitoring and management of these discharges, through involvement plans and stakeholder meetings, is also required in the resource consents.</p> <p>The Council suggests that some provision must be made in the policies and the rules to provide for the discharge of wastewater that contains treated human sewage. Most New Zealand cities discharge water directly or indirectly into the coastal marine area. However, this rule is a discretionary activity, which means a resource consent may be granted or declined subject to the policies. A discharge consent application is subject to meeting the directions and guidance set out in General Policies 1 to 21 and Activity-specific Policies 22, 24 and 26. With these policies, any discharge of treated wastewater must be of an acceptable quality and can only be considered when more appropriate alternatives have been considered. This rule is in line with the requirements of the <i>New Zealand Coastal Policy Statement</i> Policy 23 [Discharge of contaminants] (2) and (3) and meets the requirements of the RMA.</p> <p>It is the Council's view that providing the option to consider existing discharges of treated wastewater into the coastal marine area is necessary in order to provide for the requirements of the general public. The Council is satisfied that through the resource consents process, adverse environmental effects can be appropriately avoided, remedied or mitigated. Policy 26 in particular is highlighted whereby it is Council's expectation that the best practicable option be adopted to improve the quality of the discharge and reduce the quantity of the discharge.</p> |



| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
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|  |                  |   | Of note, other changes are agreed elsewhere in the Plan that prohibit new wastewater discharges containing human sewage to the coastal marine area.   |
| <b>Policy 25 – New discharge of treated wastewater containing human sewage</b> |                  |   |   |
| 15 – Surfbreak Protection Society  | 486              | <b>Support</b><br>Retain Policy 25 of the Plan prohibiting new discharges of wastewater containing human sewage in coastal management areas: Outstanding Value, Estuaries Modified, Estuaries Unmodified, and Port. | <b>Accept</b><br>Support noted. Policy 25 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.  |
| 40 – Te Rūnanga o Ngāti Mutunga  | 487              | <b>Amend</b><br>Submitter seeks amendment to Policy 25 of the Plan to read:<br><u><a href="#">New discharges of treated wastewater containing human sewage will not be allowed.</a></u>                             | <b>Accept</b><br>The Council agrees to granting the relief sought by the submitter by amending Policy 25 to prohibit new discharges of treated wastewater containing human sewage into the coastal marine area.   |
| Further submissions – Te Korowai o Ngāruahine Trust (41)                       |                  | Support   | Experience has shown that discharges of this nature have inevitably resulted in the localised degradation of coastal water quality. Given the Plan has a requirement to maintain coastal water quality where it is good under Policy 11 [Coastal water quality] the Council is ensuring that the Plan adopt a precautionary approach whereby new discharges of treated wastewater will no longer be allowed to avoid any degradation in coastal water quality. Of note, other options for the disposal of small volumes of treated wastewater containing human sewage are available, including discharges to land.<br>Consequential amendments to Rule 7 [Wastewater treatment plant discharges] are also agreed.<br>This amendment does not preclude existing discharges from continuing under Policy 24 [Existing discharge of treated wastewater containing human sewage]. |
| 41 – Te Korowai o Ngāruahine Trust   | 488              | <b>Amend</b><br>Submitter seeks amendment to Policy 25 of the Plan to prohibit any discharges of wastewater to the coastal marine area.   | <b>Accept</b><br>The Council agrees to granting the relief sought by the submitter by amending Policy 25 to prohibit new discharges of treated wastewater containing human sewage into the coastal marine area.<br>Experience has shown that discharges of this nature have inevitably resulted in the localised degradation of coastal water quality. Given the Plan has a requirement to maintain coastal water quality where it is good under Policy 11 [Coastal water quality] the Council is ensuring that the Plan adopt a precautionary approach whereby new discharges of treated wastewater will no longer be allowed to avoid any degradation   |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
|--|------------------|---|--|
|  |                  |   | <p>in coastal water quality. Of note, other options for the disposal of small volumes of treated wastewater containing human sewage are available, including discharges to land.</p> <p>Consequential amendments to Rule 7 [Wastewater treatment plant discharges] are also agreed.</p> <p>This amendment does not preclude existing discharges from continuing under Policy 24 [Existing discharge of treated wastewater containing human sewage].</p>  |
| 43 – Royal Forest and Bird Protection Society            | 489              | <b>Amend</b>  | <b>No relief necessary</b>   |
|  |                  | Submitter seeks amendment to Policy 25 of the Plan to ensure that treated wastewater discharges will not occur where they would result in adverse effects that are to be avoided.   | <p>The submitter's concerns are noted.</p> <p>The Council notes that in response to reliefs sought by other submitters no new wastewater discharges are allowed in the coastal marine area (thereby avoiding all adverse effects).</p> <p>The Council agrees to amending Policy 25 to read as follows:<br/><i>New discharges of treated wastewater containing human sewage <u>are not allowed</u>.</i></p>   |
| 48 – Taranaki District Health Board                      | 490              | <b>Support</b>  | <b>Decline</b>   |
|  |                  | Submitter notes their view that Policy 25 meets the section 5 purpose of the RMA and also requirements under the <i>Health Act 1956</i> to protect the health of the public. Retain Policy 25 of the Plan as notified.  | <p>Submitter's comments relating to the protection of public health are noted. However, the Council notes that in response to other submitters it is agreed that Policy 25 be amended to preclude new discharges to the entire coastal marine area (previously new discharges were precluded from all parts of the coastal marine area except for the Open Coast).</p> <p>Notwithstanding the above, the Council believes that these amendments will contribute to better public health outcomes as sought by the submitter.</p> |
| Further submissions – Port Taranaki Ltd (32)             |                  | Support   |  |
| 58 – Te Atiawa   | 491              | <b>Amend</b>  | <b>Accept</b>  |
|  |                  | Submitter seeks amendment to Policy 25 of the Plan to read:<br><i>New discharges of treated wastewater containing human sewage will <del>not occur</del> <u>not be allowed</u> in the coastal management areas: Outstanding Value, Estuaries Unmodified, Estuaries Modified and Port.</i> | <p>The Council agrees that the proposed wording provides a stronger directive for Plan users. The Council also notes that, in response to relief sought by other submitters, it is agreed to prohibit all new discharges of treated wastewater containing human sewage to the coastal marine area, including the Open Coast coastal management area.</p> <p>Amendments to Policy 25 reads as as follows:<br/><i>New discharges of treated wastewater containing human sewage <u>are not allowed</u>.</i></p>                     |
| Further submissions – Te Korowai o Ngāruahine Trust (41) |                  | Support   |  |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions   |
|---|------------------|---|--|
| <b>Policy 26 – Improving existing wastewater discharges</b> |                  |   |  |
| 5 – Point Board Riders                                      | 492              | <b>Support</b>  | <b>Accept</b>  |
|   |                  | Retain Policy 26 of the Plan seeking to improve existing wastewater discharges to coastal waters.   | Support noted. Policy 26 is retained as notified.  |
| 15 – Surfbreak Protection Society                           | 493              | <b>Support</b>  | <b>Accept</b>  |
|   |                  | Retain Policy 26 of the Plan seeking to improve existing wastewater discharges to coastal waters.   | Support noted. Policy 26 is retained as notified.  |
| 23 – New Plymouth District Council                          | 494              | <b>Support</b>  | <b>Accept</b>  |
|   |                  | Retain the use of the phrase “best practicable option” in Policy 26(a) of the Plan.   | Support noted. Policy 26 is retained as notified.  |
| 40 – Te Rūnanga o Ngāti Mutunga                             | 495              | <b>Support</b>  | <b>Accept</b>  |
|   |                  | Submitter supports Policy 26 of the Plan but, in relation to Clause (b), seeks that the Taranaki Regional Council work with current consent holders to see if improvements could occur within the shortest possible time rather than allowing it to occur until the end of the current consent. | The Council notes that it annually monitors and works with current consent holders to not only ensure compliance with consent conditions, which includes regularly reassessments to ensure the current system remains the best practicable option, in light of technological advances and changing circumstances. Community involvement in the monitoring and management of these discharges, through involvement plans and stakeholder meetings, is also required in the resource consents.<br><br>Through this process, improvements are expected to occur within the shortest possible time frame rather than allowing it to occur only once the current consent time has lapsed. |
| 41 – Te Korowai o Ngāruahine Trust                          | 496              | <b>Other</b>  | <b>No relief necessary</b>   |
|   |                  | Submitter support Policy 26 of the Plan and the implementation of the best practicable option and suggests that the adoption of the Plan would require a section 128 review of existing wastewater consents under the RMA.  | Comments noted.  |
| 43 – Royal Forest and Bird Protection Society               | 497              | <b>Amend</b>  | <b>Decline</b>   |
|   |                  | Submitter seeks amendment of Policy 26 of the Plan to include a new clause giving priority to improving water quality in outstanding and significant areas.   | The Council notes that all General Policies (Policies 1 – 21) and relevant Activity-specific Policies need to be read together. General Policies already address the protection of outstanding and significant areas with Policy 12 being particularly relevant in that it targets areas where there are wastewater discharges that have   |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
|--|------------------|---|--|
|  |                  |   | <p>impacted on coastal water quality and where Council will be seeking a restoration of that water quality.</p> <p>The Council further notes Policy 25 prohibits any new wastewater discharges to the coastal marine area other than the Open Coast coastal management area (i.e. no discharges to outstanding areas or estuaries). The Council declines the relief sought.</p>  |
| 47 – Fonterra  | 498              | <p><b>Support</b></p> <p>Retain Policy 26 of the Plan as notified.</p>  | <p><b>Accept</b></p> <p>Support noted. Policy 26 is retained as notified.</p>  |
| 48 – Taranaki District Health Board  | 499              | <p><b>Support</b></p> <p>Retain Policy 26 of the Plan as notified.</p>  | <p><b>Accept</b></p> <p>Support noted. Policy 26 is retained as notified.</p>  |
| Further submissions – Port Taranaki Ltd (32)   |                  | Support   |  |
| 58 – Te Atiawa   | 500              | <p><b>Support</b></p> <p>Submitter supports Policy 26 and the wording “no further consent will be granted”.</p>   | <p><b>Accept</b></p> <p>Support noted. Policy 26 is retained as notified.</p>  |
| <b>Policy 27 – Discharges of stormwater</b>  |                  |   |  |
| 40 – Te Rūnanga o Ngāti Mutunga  | 501              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 27 of the Plan to include a new Clause (a)(vi) that reads:</p> <p><i>Discharges of stormwater to the coastal marine area will be appropriately managed by:</i></p> <p><i>(a) adequate consideration of: [...]</i></p> <p><i>(vi) Location of discharge in relation to sensitive areas: [...]</i></p> | <p><b>Accept in part</b></p> <p>The Council agrees to amending Policy 27 by including a new clause that any discharge is of an acceptable quality having regard to the location of scheduled and other values sensitive to the effects of stormwater discharges. Other submitters have also submitted on this issue. Having regard to all the submissions, the Council determines that a new Clause (a)(iiiA) be included that reads as follows:</p> <p><i>Discharges of stormwater to the coastal marine area will be appropriately managed by:</i></p> <p><i>(a) adequate consideration of: [...]</i></p> <p><i>(iiiA) the location of the discharge in relation to avoiding, remedying or mitigating any adverse environmental effects;</i></p> |
| Further submissions – Te Korowai o Ngāruahine Trust (41), Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support   |  |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
|--|------------------|--|---|
| 41 – Te Korowai o Ngāruahine Trust                                   | 502              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 27 of the Plan to read:<br/> <i>Discharges of stormwater to the coastal marine area will be appropriately managed by:</i><br/> <i>(a) adequate consideration of:</i><br/> [...]<br/> <i>(iii) the use of measures <del>(which may include treatment)</del> to prevent or minimise contamination of the receiving environment</i><br/> AND<br/> Refer to preventing discharges to any sensitive area of sites of significance.</p> | <p><b>Accept in part</b></p> <p>The Council agrees to amending Policy 27(a)(iii) and including a new clause that any discharge is of an acceptable quality having regard to the location of scheduled values sensitive to the effects of stormwater discharges. These changes provide the relief sought by the submitter and read as follows:<br/> <i>Discharges of stormwater to the coastal marine area will be appropriately managed by:</i><br/> <i>(a) adequate consideration of: [...]</i><br/> <i>(iii) the use of measures (including treatment) to prevent or minimise contamination of the receiving environment</i><br/> <u><i>(iiiA) the location of the discharge in relation to avoiding, remedying or mitigating any adverse environmental effects;</i></u></p>                              |
| 43 – Royal Forest and Bird Protection Society                        | 503              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 27 of the Plan to include reference to matters set out in Policy 23(1) of the <i>New Zealand Coastal Policy Statement</i>.</p>  | <p><b>Decline</b></p> <p>The Council does not agree to granting the relief sought by the submitter on the basis that the issues raised are already appropriately covered in other policies. Policy 23(1) [Discharge of contaminants] of the <i>New Zealand Coastal Policy Statement</i> is appropriately covered by Policy 22 and 23 of the Plan. Policy 27 covers the requirements set out in Policy 23(4) of the <i>New Zealand Coastal Policy Statement</i>.<br/> As noted previously, all General Policies 1 - 21 and relevant Activity-specific Policies, including both Policies 23 and 27 of the Plan, must be read together. It is Council's view that, in doing so, Plan policies collectively address the matters covered in Policy 23(1) of the <i>New Zealand Coastal Policy Statement</i>.</p> |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd                   | 504              | <p><b>Support</b></p> <p>Retain Policy 27 of the Plan as notified.</p>   | <p><b>Accept</b></p> <p>Support noted. Policy 27 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.</p>   |
| Further submissions – Transpower NZ Ltd (26), Port Taranaki Ltd (32) |                  | Support  |   |
| 47 – Fonterra  | 505              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 27 Of the Plan to include a new Clause (d) that reads:</p>  | <p><b>Accept</b></p> <p>The submitter generally supports Policy 27 but wishes to see reference to the implementation of the best practicable option for the treatment and discharge of stormwater into the coastal environment. The Council agrees to granting the relief</p>   |



| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
|--|------------------|--|--|
|  |                  | <p>Discharges of stormwater to the coastal marine area will be appropriately managed by:</p> <p>[...]</p> <p><u>(d) the adoption of the best practicable option for the treatment and discharge of stormwater to the coastal marine area to minimise adverse effects.</u></p>  | <p>sought by the submitter as it provides added certainty for Plan users as to how stormwater discharges will be managed.</p> <p>Policy 27(d) reads as follows:</p> <p><u>(d) the adoption of the best practicable option for the treatment and discharge of stormwater to the coastal marine area to minimise adverse effects.</u></p>  |
| 48 – Taranaki District Health Board  | 506              | <p><b>Support</b></p> <p>Retain Policy 27 as notified.</p>   | <p><b>Accept</b></p> <p>Support noted. Policy 27 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.</p>  |
| 58 – Te Atiawa   | 507              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 27(a)(iii) and (v) of the Plan and include a new Clause (vi) to read:</p> <p>Discharges of stormwater to the coastal marine area will be appropriately managed by:</p> <p>(a) adequate consideration of: [...]</p> <p>(iii) the use of measures (<del>which may include</del> <u>including treatment</u>) to prevent or minimize contamination of the receiving environment; [...]</p> <p>AND</p> <p>(v) integrated management of whole stormwater catchments and stormwater networks <del>where appropriate</del>.</p> <p>AND</p> <p><u>(vi) location of the discharge in relation to sensitive areas.</u></p> | <p><b>Accept in part</b></p> <p>The submitter seeks to amend some of the wording within Policy 27 to provide more certainty for Plan users in regards to how stormwater discharge will be managed. The Council agrees to amend Policy 27 by replacing the reference to “which may include” with “including treatment”. However, it is not considered appropriate to remove reference to “where appropriate” from the policy as it recognises that integrated management of whole stormwater catchments and stormwater networks might not always be practicable or appropriate.</p> <p>The Council has noted the support from other submitters for the inclusion of a new clause that any discharge is having regard to the location of scheduled and other values sensitive to the effects of stormwater discharges. Other submitters have also submitted on this issue. Having regard to all the submissions, the Council agrees that a new Clause (a)(iiiA) be included that reads as follows:</p> <p>Discharges of stormwater to the coastal marine area will be appropriately managed by:</p> <p>(a) adequate consideration of: [...]</p> <p>(iii) the use of measures (<u>including</u> treatment) to prevent or minimise contamination of the receiving environment</p> <p><u>(iv) location of discharge in relation to avoiding, remedying or mitigating any adverse environmental effects;</u></p> |
| Further submissions – Te Korowai o Ngāruahine Trust (41), Te Rūnanga o Ngāti Ruanui Trust (61) |                  | <p>Support</p>   | <p>(a) adequate consideration of: [...]</p> <p>(iii) the use of measures (<u>including</u> treatment) to prevent or minimise contamination of the receiving environment</p> <p><u>(iv) location of discharge in relation to avoiding, remedying or mitigating any adverse environmental effects;</u></p>   |
| 58 – Te Atiawa   | 508              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 27(b) of the Plan to read:</p>  | <p><b>Decline</b></p> <p>The Council notes that in some circumstances it is not always possible to avoid cross contamination of sewage and stormwater systems.</p>   |



| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
|--|------------------|--|---|
|  |                  | <p>Discharges of stormwater to the coastal marine area will be appropriately managed by:</p> <p>[...]</p> <p>(b) <del>avoiding, where practicable, and otherwise remedying</del> <u>avoid</u> cross contamination of sewage and stormwater systems; and [...]</p>  |   |
| <b>Policy 28 – Harmful aquatic organisms</b>                   |                  |  |   |
| 9 – Karen Pratt  | 509              | <b>Amend</b>   | <b>Decline</b>  |
|  |                  | The submitter outlines the risk of offloading ballast water in productive shallow waters and seeks amendment to Policy 28 of the Plan to address ballast water.  | Council recognises the risk of marine pests and diseases carried in ballast water tanks that can threaten the marine environments and seafood industries. However, the Council does not believe it is necessary or appropriate to amend Policy 28 when this matter is already separately regulated by the Ministry for Primary Industries under the <i>Import health standard – Ballast water from all countries</i> . Any Council role in such matters represents an inappropriate duplication of the Ministry for Primary Industries regulatory role. The Council declines the relief sought. |
| Further submissions – Trans-Tasman Resources Ltd (6)           |                  | Oppose   |   |
| Further submissions – Nga Motu Marine Reserve Society Inc (44) |                  | Support  |   |
| 29 – Department of Conservation                                | 510              | <b>Amend</b>   | <b>Accept</b>   |
|  |                  | Submitter supports Policy 28 of the Plan but seek minor amendment to delete the words “and scraping” from Policy 28(a). The submitter does not believe that the inclusion of “scraping” is appropriate and prefers to refer to cleaning in a more general sense, while scraping is only one specific description of cleaning that may occur. | The Council agrees that broadening references in the Policy to refer to “cleaning” is appropriate and agrees to granting the relief sought.   |
| 33 – New Zealand Defence Force                                 | 511              | <b>Support</b>   | <b>Accept</b>   |
|  |                  | Retain Policy 28 as notified.  | Support noted. Policy 28 is retained subject to minor amendments to remove reference to “scraping”.   |
| Further submissions – Port Taranaki Ltd (32)                   |                  | Support  |   |
| 43 – Royal Forest and Bird Protection Society                  | 512              | <b>Amend</b>   | <b>Decline</b>  |
|  |                  | Submitter seeks amendment to Policy 28 of the Plan to include reference to an avoidance approach with the introduction of harmful aquatic organisms.   | The submitter states that they are not convinced that the “ <i>minimise</i> ” risk approach adopted for Policy 28 is in line with protections under Policies 11 [Indigenous biological diversity (biodiversity)] and 13 [Preservation of natural character] of the  |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
|--|------------------|--|---|
|  |                  |  | <p><i>New Zealand Coastal Policy Statement.</i> The submitter seeks that an avoidance approach be introduced.</p> <p>Avoiding the introduction of all harmful aquatic organisms is certainly desirable but the Council does not believe that a strict avoidance approach is technically achievable through RMA controls. The Council suggests avoiding the introduction of harmful aquatic organisms are matters of border control and primarily dealt with by other regulatory agencies and under other statutes such as the <i>Biosecurity Act 1993</i>. The Council declines the relief sought and that the Policy retain its focus on minimising risks on the introduction or spread of harmful species.</p>  |
| <b>Policy 29 – Impacts from offshore petroleum drilling and production</b>   |                  |  |   |
| 6 – Trans-Tasman Resources Ltd   | 513              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 29 of the Plan by deleting the reference to petroleum and include all offshore drilling and production to read as follows:</p> <p><i>Policy 29: impacts from offshore <del>petroleum</del> drilling and production</i></p> <p><i>Activities associated with <del>petroleum</del> drilling and production in the coastal marine area will be managed to avoid, remedy or mitigate adverse environmental effects associated with accidental discharges by ensuring: [...]</i></p> | <p><b>Accept</b></p> <p>The submitter wishes to see Policy 29 expanded to include non-petroleum related drilling and production activities.</p> <p>The Council agree that it would be useful to expand the scope of the Policy to cover all extractive industries, not just petroleum, particularly given recent interest in seabed mining in and adjacent to the Taranaki coastal marine area. The Council agree to granting the relief sought by deleting reference to “<i>petroleum</i>” in the Policy.</p>  |
| Further submissions – Taranaki Energy Watch (51)   |                  | Oppose   |   |
| 25 – New Zealand Petroleum and Minerals  | 514              | <p><b>Support</b></p> <p>Retain Policy 29 of the Plan as notified.</p>   | <p><b>Accept</b></p> <p>Policy 29 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.</p> <p>Of note, the submitter presented on this Policy further at the hearing and, in particular, the recommendations in the Section 42A report to expand Policy 29 to include non-petroleum related drilling and production activities. At the hearing, the submitter suggested that the Policy should only apply to offshore oil and gas activities. As noted in submission point 513, it is the Council's view that there are advantages to the Policy covering all extractive industries, not just petroleum, particularly given recent interest in seabed mining in and adjacent to the Taranaki coastal marine area.</p> |
| Further submissions – Port Taranaki Ltd (32), Petroleum Exploration and Production Association of New Zealand (37) |                  | Support  |   |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
|--|------------------|--|---|
| 40 – Te Rūnanga o Ngāti Mutunga  | 515              | <b>Amend</b>   | <b>Accept</b><br><br>The submitter wishes to see Policy refer to “any” discharge rather than “accidental” discharge. The Council agrees that the broader coverage provided by the relief request is desirable and agrees to granting the relief sought.   |
|  |                  | Submitter seeks amendment to Policy 29 of the Plan to read:<br><i>Activities associated with petroleum drilling and production in the coastal marine area will be managed to avoid, remedy or mitigate adverse environmental effects associated with <del>accidental</del> any discharges by ensuring: [...]</i> |   |
| Further submissions – Taranaki Energy Watch (51), Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support  |   |
| 41 – Te Korowai o Ngāruahine Trust   | 516              | <b>Amend</b>   | <b>Accept</b><br><br>The submitter wishes to see Policy refer to “any” discharge rather than “accidental” discharge. The Council agrees that the broader coverage requested by the submitter is desirable and agrees to granting the relief sought.   |
|  |                  | Submitter seeks amendment to Policy 29 of the Plan to remove the word “accidental”.  |   |
| Further submissions – Taranaki Energy Watch (51), Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support  |   |
| 43 – Royal Forest and Bird Protection Society  | 517              | <b>Amend</b>   | <b>Decline</b><br><br>The Council considers that it is not necessary or appropriate to differentiate between existing and new oil and gas activities. The relief sought by the submitter is based upon the Government’s decision to restrict new permits to only onshore Taranaki and that there will be no new offshore oil and gas exploration permits. However, Government direction and policies regularly change over the life of any Plan.<br><br>The Council therefore considers the relief sought is an unnecessary level of detail that potentially may become dated and inaccurate should this Government or successive government’s change their position. It is more appropriate that the Policy focus on effects of the activity.<br><br>Of note, the submitter presented on this Policy further in relation to recommendations from the Section 42A report to expand Policy 29 to include non-petroleum related drilling and production activities. In particular, the submitter was concerned that the amended Policy would be unclear as to what drilling and production activities are now being referred to. As noted in submission point 513 it is the Council’s view that there are advantages to the Policy covering all extractive industries, not just petroleum, particularly given recent interest in seabed mining in and adjacent to the Taranaki coastal marine area. |
|  |                  | Submitter supports in part but seeks amendment to Policy 29 of the Plan to clarify that this policy relates to existing lawful petroleum drilling and production only and does not include new activities.   |   |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
|--|------------------|--|---|
| 51 - Taranaki Energy Watch   | 518              | <b>Amend</b><br>Submitter seeks amendment to Policy 29 of the Plan to incorporate a precautionary approach.  | <p><b>Decline</b></p> <p>The submitter is concerned that areas of the Plan relating to petroleum provisions do not reflect a precautionary approach as required by the <i>New Zealand Coastal Policy Statement</i>.</p> <p>The Council considers that a precautionary approach is already adequately provided for via Policy 3 [Precautionary approach] of the Plan. Policy 3 is a General Policy that applies to all activities, including oil and gas industries, within the coastal environment and regardless of which coastal management area the activity may fall within. The Council further notes that the potential risks associated with oil and gas exploration and production activities are well understood. For this reason, it is unnecessary to repeat the provisions of Policy 3 within Policy 29. In the main, oil and gas exploration and production activities in the coastal marine area are regulated as discretionary or non-complying activities. Therefore, through the consenting process the Council will consider any application on a case-by-case basis and apply relevant policies that include the adoption of a precautionary approach to ensure the appropriate management of all adverse environmental effects.</p> |
| Further submissions – Petroleum Exploration and Production Association of New Zealand (37) |                  | Oppose   |   |
| Further submissions – Te Korowai o Ngāruahine Trust (41)                                   |                  | Support  |   |
| 58 – Te Atiawa   | 519              | <b>Amend</b><br>Submitter seeks amendment to Policy 29 of the Plan to read:<br><i>Activities associated with petroleum drilling and production in the coastal marine area will be managed to avoid, remedy or mitigate adverse environmental effects associated with <del>accidental</del> any discharges by ensuring: [...]</i> | <p><b>Accept</b></p> <p>The submitter wishes to see Policy refer to “any” discharge rather than “accidental” discharge. The Council agrees that the broader coverage requested by the submitter is desirable and agree to granting the relief sought.</p>   |
| Further submissions – Taranaki Energy Watch (51)   |                  | Support  |   |
| <b>Policy 30 – Discharge of contaminants to air</b>  |                  |  |   |
| 9 – Karen Pratt  | 520              | <b>Other</b><br>Submitter seeks that the Council review Policy 30 of the Plan to consider its adequacy for addressing heavy fuel emissions resulting from any potential iron sand mining that might occur in the territorial waters.   | <p><b>No relief necessary</b></p> <p>The submitter has not expressly sought amendments to Policy 30 but clearly has concerns around potential adverse effects arising from heavy fuel emissions resulting from any potential iron sand mining that might occur in the Exclusive Economic Zone that warrant a response.</p> <p>The Council notes that in the development of the Policy 30 (and other policies), the Council has carefully considered the various types and levels of use and development in the coastal marine area. The Council is satisfied that the Policy</p>  |
| Further submissions – Trans-Tasman Resources Ltd (6)                                       |                  | Oppose   |   |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions   |
|---|------------------|---|--|
|   |                  |   | appropriately captures all discharges to air in the coastal marine area, including those associated with potential sand mining, and provides an appropriate level of direction in the management of adverse effects.   |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd  | 521              | <b>Support</b>  | <b>Accept</b>  |
|   |                  | Retain Policy 30 of the Plan as notified.   | Support noted. Policy 30 is retained as notified.  |
| Further submissions – Port Taranaki Ltd (32)  |                  | Support   |  |
| 47 – Fonterra   | 522              | <b>Support</b>  | <b>Accept</b>  |
|   |                  | Retain Policy 30 of the Plan as notified.   | Support noted. Policy 30 is retained as notified.  |
| <b>Policy 31 – Structures that support safe public access and use, or public or environmental benefit</b> |                  |   |  |
| 12 – Chorus New Zealand Ltd   | 523              | <b>Support</b>  | <b>Accept</b>  |
|   |                  | Retain Policy 31 of the Plan as notified.   | Support noted.   |
| 13 – Spark New Zealand Trading Ltd  | 524              | <b>Support</b>  | <b>Accept</b>  |
|   |                  | Retain Policy 31 of the Plan as notified.   | Support noted.   |
| 14 – Vodafone New Zealand Ltd   | 525              | <b>Support</b>  | <b>Accept</b>  |
|   |                  | Retain Policy 31 of the Plan as notified.   | Support noted.   |
| 26 – Transpower NZ Ltd  | 526              | <b>Amend</b>  | <b>Accept</b>  |
|   |                  | <p>The submitter is concerned that the words “<i>will be allowed for</i>” infer resource consent approval and such wording would be interpreted as predetermining a resource consent process outcome.</p> <p>Submitter seeks amendment to Policy 31 of the Plan to read (or alternatively use the words “...to provide for”):</p> <p><i>Enable sStructures in appropriate locations <del>will be allowed for</del>, subject to the appropriate management of adverse effects, where the structure is to provide for [...]</i></p> | <p>The Council notes that the reference to “<i>will be allowed for</i>” was not meant to infer predetermination of the consent process outcome. Therefore, to allay the submitter’s concerns and to avoid the potential risk for confusion, the Council agrees to granting the relief sought with a minor amendment in wording. The Council agrees to using the term “allow” instead of “enable” (as it is not the Council’s mandate to enable such activities).</p> |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
|--|------------------|--|--|
| Further submissions – Port Taranaki Ltd (32)               |                  | Support  |  |
| 43 – Royal Forest and Bird Protection Society              | 527              | <b>Support</b>   | <b>Accept</b>  |
|  |                  | Support in part Policy 31 of the Plan but seek consequential amendments to Policy 5 [Appropriate use and development] and other policies to give effect to Policies 11, 13 and 15 of the <i>New Zealand Coastal Policy Statement</i> to clarify appropriate locations.                         | Support noted. Refer to submission point 282 in relation to Council's response to reliefs sought in relation to Policy 5.  |
| 45 – Powerco   | 528              | <b>Support</b>   | <b>Accept</b>  |
|  |                  | Retain Policy 31 of the Plan as notified.  | Support noted. Policy 31 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.  |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd         | 529              | <b>Support</b>   | <b>Accept</b>  |
|  |                  | Retain Policy 31 of the Plan as notified.  | Support noted. Policy 31 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.  |
| 59 – KiwiRail  | 530              | <b>Support</b>   | <b>Accept</b>  |
|  |                  | Retain Policy 31(d) of the Plan as notified.   | Support noted. Policy 31 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.  |
| <b>Policies 31 to 39 – Structures</b>                      |                  |  |  |
| 41 – Te Korowai o Ngāruahine Trust                         | 531              | <b>Amend</b>   | <b>No relief necessary</b>   |
|  |                  | Submitter seeks amendment to Policies 31 to 39 [Structures] of the Plan to recognise the <i>Takutai Moana Act 2011</i> and the extent to which structures prejudice Māori customary and protected rights along the coastline and to include references to Schedule 5B [Sites of significance]. | The Council notes that Policy 32(d)(iv) already includes reference to structures being designed, located and managed so as to avoid, remedy or mitigate adverse effects on the environment and associated uses and values. Further policy direction is provided in Policies 15 [Historic heritage] and 16 [Relationship of tangata whenua] that direct how effects on sites of significance need to be managed. Both policies (plus any other relevant General Policies) must be read to together.<br><br>The Council therefore does not consider it necessary to repeat the provisions of another policy as it will not provide greater protection than is already given. Reference to Schedule 5B is also given in the appropriate policies. |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support  |  |



| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
|--|------------------|---|--|
| 58 – Te Atiawa   | 532              | <b>Amend</b><br>Submitter seeks amendment to Policies 31 to 39 [Structures] of the Plan to include reference to Schedule 5B (and recognition of the <i>Takutai Moana Act 2011</i> ) to provide assurance that structures are not placed within the sites of significance. | <b>No relief necessary</b><br><br>The Council notes that Policy 32(d)(iv) already includes reference to structures being designed, located and managed so as to avoid, remedy or mitigate adverse effects on the environment and associated uses and values. Further policy direction is provided in Policies 15 [Historic heritage] and 16 [Relationship of tangata whenua] that direct how effects on sites of significance need to be managed. Both policies (plus any other relevant General Policies) must be read to together.<br><br>The Council therefore does not consider it necessary to repeat the provisions of another policy as it will not provide greater protection than is already given. Reference to Schedule 5B is also given in the appropriate policies. |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support   |  |
| <b>Policy 32 – Placement of structures</b>                 |                  |   |  |
| 6 – Trans-Tasman Resources Ltd                             | 533              | <b>Support</b><br>Submitter supports the recognition in Policy 32(e) of the Plan that in some circumstances it is not appropriate to make structures available for public or multiple use.  | <b>Accept</b><br><br>Support noted. Policy 32(e) is retained as notified.  |
| 12 – Chorus New Zealand Ltd                                | 534              | <b>Support</b><br>Retain Policy 32 of the Plan as notified.   | <b>Accept</b><br><br>Support noted. Policy 32 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.   |
| 13 – Spark New Zealand Trading Ltd                         | 535              | <b>Support</b><br>Retain Policy 32 of the Plan as notified.   | <b>Accept</b><br><br>Support noted. Policy 32 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.   |
| Further submissions – Port Taranaki Ltd (32)               |                  | Support   |  |
| 14 – Vodafone New Zealand Ltd                              | 536              | <b>Support</b><br>Retain Policy 32 of the Plan as notified.   | <b>Accept</b><br><br>Support noted. Policy 32 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.   |
| 26 – Transpower NZ Ltd                                     | 537              | <b>Amend</b><br>Submitter seeks amendment to Policy 32(a) of the Plan to read:<br><i>Structures in the coastal marine area:</i>   | <b>Grant in kind</b><br><br>The submitter wishes that the Policy clearly recognise the technical, operational and/or locational requirement for an activity to be located in the coastal marine area.  |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
|--|------------------|---|---|
|  |                  | <p><i>(a) will generally be limited to those that have a functional need <u>or technical, operational and/or locational requirement</u> to be located in the coastal marine area and that do not cause duplication of a function for which existing structures or facilities are adequate; [...]</i></p>  | <p>The Council agrees to granting an alternative relief to that sought by the submitter by amending Policy 32(a) to reference 'functional need' or 'operational need'. These terms, which are defined in the Plan and also in the <i>National Planning Standards</i>, include technical, operational and locational constraints. This amendment will give effect to Policy 3 of the <i>New Zealand Coastal Policy Statement</i> which requires consideration of the constraints imposed by technical and operational requirements. The term functional need or operational has also been used elsewhere in Plan provisions.</p> <p>The amended Policy 32(a) reads as as follows:</p> <p><i>(a) must generally be limited to those that have a functional need <u>or operational need</u> to be located in the coastal marine area and that do not cause duplication of a function which existing structures or facilities are adequate [...].</i></p> |
| 37 – Petroleum Exploration and Production Association of NZ                | 538              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 32(f) of the Plan to read:</p> <p><i>Structures in the coastal marine area:</i></p> <p><i>[...]</i></p> <p><i>(f) where appropriate, should be made of, or finished with, materials that <del>are visually and aesthetically compatible with</del> <u>minimise effects on the character and visual amenity</u> of the adjoining coast.</i></p> | <p><b>Accept</b></p> <p>The submitter seeking a more directive approach with regards to Policy 32(f). The current wording is considered subjective and it is suggested that the proposed relief would provide clarity to the policy.</p> <p>The Council agrees to granting the relief sought.</p>   |
| Further submissions – Taranaki Energy Watch (51)                           |                  | Support in part   |   |
| 41 – Te Korowai o Ngāruahine Trust   | 539              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 32 of the Plan to include reference to Schedule 5B and ensure that structures are not placed within the sites of significance.</p>   | <p><b>Decline</b></p> <p>The submitter would preclude the placement of any structure within sites of significance.</p> <p>Given that structures may occur at various scales, in various forms, and purposes (including beneficial), and that the placement of the structure within sites of significance will not necessarily have adverse effects on this site (recognising that some structures may also be a site of significance, e.g. tauranga waka, or facilitate Māori customary uses e.g. mahinga kai), the Council agrees to no change.</p>  |
| Further submissions – Te Atiawa (58), Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support   | <p>The Council notes that Policy 32 must be read in conjunction with each other relevant policies, including all the General Policies. Reference to Schedule 5B is appropriately referenced within Policy 15 and would require any structure to avoid significant adverse effects, and avoid, remedy and mitigate any other adverse effects on the</p>  |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
|--|------------------|---|---|
|  |                  |   | values associated with sites of significance to Māori identified in Schedules 5A and 5B. The Council declines the relief sought.  |
| 43 – Royal Forest and Bird Protection Society      | 540              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 32 of the Plan to clarify that this policy is subject to the protective policies giving effect to the <i>New Zealand Coastal Policy Statement</i></p> <p>AND</p> <p>Amend Policy 32(d) to read:</p> <p><i>Structures in the coastal marine area: [...]</i></p> <p><i>(d) will be designed, located and managed:</i></p> <p><u><i>A. to avoid adverse effects in accordance with policies 8, 9, 14 [list policies that give effect to Policies 11, 13 and 15 of the New Zealand Coastal Policy Statement]; and</i></u></p> <p><u><i>B. so as to avoid, remedy or mitigate:</i></u></p> <p><i>(i) any [...].</i></p> | <p><b>Decline</b></p> <p>Section 5.1 explains that the policies apply to all activities within the coastal environment, regardless of which coastal management area the activity may fall within. Thus, Policy 32 must be read in conjunction with each of the other relevant policies, including all the General Policies. Together these policies address the matters covered in the <i>New Zealand Coastal Policy Statement</i>.</p> <p>The Council declines the relief sought on the basis that the issue raised by the submitter has already been covered within other provisions of the Plan.</p> |
| 45 – Powerco                                       | 541              | <p><b>Support</b></p> <p>Retain Policy 32 of the Plan as notified.</p>  | <p><b>Accept</b></p> <p>Support noted. Policy 32 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.</p>   |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd | 542              | <p><b>Support</b></p> <p>Retain Policy 32 of the Plan as notified.</p>  | <p><b>Accept</b></p> <p>Support noted. Policy 32 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.</p>   |
| 47 – Fonterra                                      | 543              | <p><b>Amend</b></p> <p>Submitter support Policy 32 recognising and providing for structures in the coastal marine area that have an operational requirement to be located in the coastal environment but seeks amendment so that Policy 32(a) is not limited to those activities that have a functional need only. Submitter seeks amendment to Policy 32(a) of the Plan to read:</p> <p><i>Structures in the coastal marine area:</i></p> <p><i>(a) will generally be limited to those that have a functional need <u>or operational requirement</u> to be located in the coastal marine area and that do not cause</i></p>  | <p><b>Accept</b></p> <p>The Council agrees with the submitter to amend the Policy to cover “operational needs” alongside “functional needs”. The amended Policy would provide for structures that are not required to be located within the coastal marine area, however, their operational requirements or constraints justify their presence there.</p> <p>In order to maintain consistency with terms adopted in the <i>National Planning Standards</i>, the Council agrees that the term “operational need” be adopted rather than “operational requirement”.</p>                                   |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions   |
|---|------------------|--|--|
|   |                  | <i>duplication of a function for which existing structures or facilities are adequate; [...]</i>   | The amended Policy reads as as follows:<br><i>Structures in the coastal marine area:</i><br><i>(a) must generally be limited to those that have a functional need <u>or operational need</u> to be located in the coastal marine area and that do not cause duplication of a function for which existing structures or facilities are adequate; [...]</i>  |
| Further submissions – Trans-Tasman Resources Ltd (6)                                |                  | Support  |  |
| 57 – Heritage New Zealand   | 544              | <b>Amend</b><br><br>The submitter identifies that the placement of structures has the potential to adversely affect historic heritage and wishes to include cross-reference to Policy 15 [Historic heritage] within Policy 32. Submitter seeks amendment to Policy 32 of the Plan to manage potential adverse effects of the placement of hard protection structures to historic heritage by adding a further point:<br><br><i><u>(g) will manage adverse effects on historic heritage in accordance with Policy 15.</u></i> | <b>Decline</b><br><br>The Council notes that the preamble to Section 5.1 explains that the policies apply to all activities within the coastal environment, regardless of which coastal management area the activity may fall within. Thus, Policy 32 must be read in conjunction with each of the other relevant policies, including all the General Policies. Together these policies address the matters covered in the <i>New Zealand Coastal Policy Statement</i> .<br><br>The Council therefore declines the relief sought as historic heritage matters are already adequately addressed under other provisions of the Plan.   |
| <b>Policy 33 – Hard protection structures in coastal areas of outstanding value</b> |                  |  |  |
| 43 – Royal Forest and Bird Protection Society                                       | 545              | <b>Amend</b><br><br>Submitter seeks amendment to Policy 33 to read:<br><br><i>Hard protection structures located within the coastal management area – Outstanding Value (identified in Schedule 2) will not have an adverse effect on the values and characteristics, <u>including those</u> identified in Schedule 2, that contribute to an area having outstanding value, in accordance with Policy 8.</i>   | <b>Decline</b><br><br>The submitter does not believe that all of the values or characteristics contributing to the outstanding natural character of the identified areas are identified within Schedule 2. Therefore, the Policy is limited to only providing for those identified in Schedule 2 and not achieving the appropriate protection required by Policies 11, 13 and 15 of the <i>New Zealand Coastal Policy Statement</i> .<br><br>The Council agrees that there are broader considerations than just those values identified in Schedule 2, however, these considerations are separately provided for under other General Polices of the Plan that, in turn, give effect to Policies 11, 13 and 15 of the <i>New Zealand Coastal Policy Statement</i> . The wording of Policy 33 is consistent with Policy 8 [Areas of outstanding value] of the Plan in that the avoidance of adverse effects relates to specific scheduled values identified. |
| Further submissions – Port Taranaki Ltd (32)  |                  | Oppose   |  |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions  |
|---|------------------|---|---|
| <b>NEW Policy 33A</b>                                 |                  |   |   |
| 43 – Royal Forest and Bird Protection Society         | 546              | <b>Amend</b><br>Submitter seeks amendment to the Plan to include a similar policy to Policy 33 to address hard protection structures and adverse effect on sites and areas with significant values identified under Policy 14 of the Plan.  | <b>Decline</b><br>The submitter seeks the addition of a new policy to manage the adverse effects of hard protection structures on significant indigenous biodiversity values identified in Policy 14 of the Plan.   |
| Further submissions – Port Taranaki Ltd (32)          |                  | Oppose  | The Council declines the relief sought. It is suggested that the protection of significant indigenous biodiversity from the adverse effects of hard protection structures are adequately addressed under other provisions of the Plan and do not require repeating. Section 5.1 explains that the policies apply to all activities within the coastal environment, regardless of the activity to be authorised and which coastal management area the activity may fall within. Policy 33 must therefore be read in conjunction with each of the other relevant policies, including all the General Policies. Together these policies address the matters covered in the <i>New Zealand Coastal Policy Statement</i> .   |
| <b>Policy 34 – Appropriateness of hard protection</b> |                  |   |   |
| 47 – Fonterra   | 547              | <b>Amend</b><br>Submitter seeks to expand Policy 34 to include regionally important “ <i>industry</i> ” alongside infrastructure in order to encompass the hard protection structures of industries within the region.<br>Submitter seeks amendment to Policy 34 of the Plan to read:<br><i>Hard protection structures will be discouraged and the use of alternatives promoted, whilst recognising that hard protection structures may be the only practical means to protect existing nationally and regionally important <b>industry and infrastructure</b>. [...]</i> | <b>Grant in kind</b><br>The Council is seeking to manage the risk of hard protection works becoming more prevalent along the Taranaki coastline with associated risks that coastal natural character, amenity values and public access is degraded over time. Accordingly, Policy 34 seeks to generally discourage the use of hard protection structures in the coastal marine area.<br>The submitter has highlighted an issue whereby the Policy reference to “ <i>regionally important infrastructure</i> ” is problematic in that it excludes some activities and arguably repeats consideration matters covered in Clause (e), which refer to the national and regional importance of existing infrastructure, use or value at threat.<br>The Council agrees to an alternative relief whereby reference to regionally important infrastructure (and its limited scope) is deleted and instead the Policy will rely on Clause (c) which has a much broader application and would cover the hard protection structure that would encompass protecting the Whareroa discharge outfall.<br>At the hearing, the submitter presented further on Policy 34 and provided two alternative amendment suggestions. The Council considers that the amendments |



| Submitter   | Submission point | Submitter's requests  | Council's response and decisions   |
|---|------------------|---|--|
|   |                  |   | suggested are not necessary and that Clause (a) – (g) sufficiently provide for the needs of the submitter (and others).  |
| 57 – Heritage New Zealand   | 548              | <b>Amend</b><br>Submitter seeks amendment to Policy 34 of the Plan to read:<br><a href="#"><i>(h) the management of adverse effects on historic heritage in accordance with Policy 15.</i></a>  | <b>Decline</b><br>The submitter identifies that the placement of hard protection structures has the potential to adversely affect historic heritage and wishes to include cross-reference to Policy 15 [Historic heritage] within Policy 34.   |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61)                    |                  | Support   | The Council declines the relief sought as such matters are already adequately addressed under other provisions of the Plan and does not require repeating or selective cross-referencing to particular General Policies.<br>The Council notes that the preamble to Section 5.1 explains that the policies apply to all activities within the coastal environment, regardless of which coastal management area the activity may fall within. Policy 33 must therefore be read in conjunction with each of the other relevant policies, including all the General Policies. Together these policies address the matters covered in the <i>New Zealand Coastal Policy Statement</i> . |
| 59 – KiwiRail   | 549              | <b>Support</b><br>Retain Policy 34(c) of the Plan as notified.  | <b>Accept in part</b><br>Support noted. Policy 34 is retained subject to minor amendments as requested by another submitter that does not change the policy intent.  |
| Further submissions – Port Taranaki Ltd (32)                                  |                  | Support   |  |
| <b>Policies 34 and 35 – Hard protection structures</b>                        |                  |   |  |
| 43 – Royal Forest and Bird Protection Society                                 | 550              | <b>Amend</b><br>Submitter seeks amendment to Policies 34 and 35 of the Plan (or add a new policy) to ensure that hard protection structures avoid adverse effects on indigenous biodiversity to be protected under Policy 14 of the Plan<br>AND<br>Seek amendment to Policy 35 of the Plan to ensure protection is also given under Policies 8 and 9 of the Plan. | <b>Decline</b><br>The Council declines the relief sought as such matters are already adequately addressed under other provisions of the Plan and do not require repeating.<br>The Council notes that the preamble to Section 5.1 explains that the policies apply to all activities within the coastal environment, regardless of which coastal management area the activity may fall within. Policy 33 must therefore be read in conjunction with each of the other relevant policies, including all the General Policies. Together these policies address the matters covered in the <i>New Zealand Coastal Policy Statement</i> .   |
| Further submissions – Department of Conservation (29), Port Taranaki Ltd (32) |                  | Oppose  |  |



| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
|--|------------------|---|--|
| Further submissions – Te Korowai o Ngāruahine Trust (41)                                       |                  | Support   |  |
| <b>Policy 35 – Temporary hard protection structures</b>  |                  |   |  |
| 60 Te Kaahui o Rauru   | 551              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 35 of the Plan to include a definition of "permanent".</p>   | <p><b>Accept</b></p> <p>The Council agrees to amending Policy 35(c) so that it no longer refers to "permanent". The revised Policy (c) reads as follows:</p> <p><i>Temporary hard protection structures with a duration of less than five years may be allowed provided that: [...]</i></p> <p>(c) <i>any</i> adverse effects on the environment <i>resulting</i> from the placement, use and removal of the structure, <i>will be less than minor and transitional</i>.</p> |
| <b>Policy 36 – Maintenance, repair, replacement and minor upgrading of existing structures</b> |                  |   |  |
| 12 – Chorus New Zealand Ltd  | 552              | <p><b>Support</b></p> <p>Retain Policy 36 of the Plan as notified.</p>  | <p><b>Accept</b></p> <p>Support noted. Policy 36 is retained subject to minor amendment as requested by another submitter that does not change the policy intent.</p>  |
| 13 – Spark New Zealand Trading Ltd   | 553              | <p><b>Support</b></p> <p>Retain Policy 36 of the Plan as notified.</p>  | <p><b>Accept</b></p> <p>Support noted. Policy 36 is retained subject to minor amendment as requested by another submitter that does not change the policy intent.</p>  |
| Further submissions – Port Taranaki Ltd (32)   |                  | Support   |  |
| 14 – Vodafone New Zealand Ltd  | 554              | <p><b>Support</b></p> <p>Retain Policy 36 of the Plan as notified.</p>  | <p><b>Accept</b></p> <p>Support noted. Policy 36 is retained subject to minor amendment as requested by another submitter that does not change the policy intent.</p>  |
| 43 – Royal Forest and Bird Protection Society  | 555              | <p><b>Support</b></p> <p>Submitter seeks amendment to Policy 36 of the Plan to read:</p> <p><i>Maintenance, repair, replacement and minor upgrading of existing lawful structures and reclamations will be allowed:</i></p> | <p><b>Accept</b></p> <p>The Council agrees with the submitter on the importance of ensuring that, in providing for the maintenance, and minor alteration or extension of existing lawful structures and reclamations in the coastal marine area, the scale of effects of those activities</p>  |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
|--|------------------|---|--|
|  |                  | <p><u>a). where it does not increase the scale or significance of the effects of the activity or structure; and</u></p> <p><u>b). in order to:</u></p> <p>(i) enable compliance [...]</p> | <p>are not increased. Accordingly, the Council agrees to amending Policy 36 to largely give effect to the relief sought by the submitter but with some minor amendments to those suggested to allow for the activity where the effects are less than minor (i.e. in relation to no increase in the scale or significance of the effects) <u>or</u> in order to provide for the circumstances set out in Policy 36 (a) of the Proposed Plan but subject to the appropriate avoidance, remediation or mitigation of adverse effects (that requires having regard to the General Policies and other relevant Activity-specific Policies).</p> <p>The Council agrees to amending Policy 36 to read:</p> <p><i>Maintenance, repair, replacement and minor upgrading of existing lawful structures and reclamations will be allowed:</i></p> <p><u>a). in order to:</u></p> <p>(i) enable compliance [...]</p> <p><u>(b) where it does not increase the scale or intensity of the adverse effects of the activity or structure; and</u></p> <p><u>subject to the appropriate avoidance, remediation or mitigation of adverse effects.</u></p> <p>The Council further agrees that amendments consistent with amendments identified above, are incorporated into Policy 41 for consistency and clarity for Plan users.</p> |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support   |  |
| 45 – Powerco   | 556              | <p><b>Support</b></p> <p>Retain Policy 36 of the Plan as notified.</p>  | <p><b>Accept</b></p> <p>Support noted. Policy 36 is retained subject to minor amendment as requested by another submitter that does not change the policy intent.</p>  |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd         | 557              | <p><b>Support</b></p> <p>Retain Policy 36 of the Plan as notified.</p>  | <p><b>Accept</b></p> <p>Support noted. Policy 36 is retained subject to minor amendment as requested by another submitter that does not change the policy intent.</p>  |
| 47 – Fonterra  | 558              | <p><b>Support</b></p> <p>Retain Policy 36 of the Plan as notified.</p>  | <p><b>Accept</b></p> <p>Support noted. Policy 36 is retained subject to minor amendment as requested by another submitter that does not change the policy intent.</p>  |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions   |
|---|------------------|---|--|
| 59 – KiwiRail   | 559              | <b>Support</b>  | <b>Accept</b>  |
|   |                  | Retain Policy 36 of the Plan as notified.   | Support noted. Policy 36 is retained subject to minor amendment as requested by another submitter that does not change the policy intent.  |
| <b>Policy 37 – Alterations or extensions of existing structures</b> |                  |   |  |
| 12 – Chorus New Zealand Ltd   | 560              | <b>Support</b>  | <b>Accept</b>  |
|   |                  | Retain Policy 37 of the Plan as notified.   | Support noted. Policy 37 is retained subject to minor amendment as requested by another submitter that does not change the policy intent.  |
| 13 – Spark New Zealand Trading Ltd                                  | 561              | <b>Support</b>  | <b>Accept</b>  |
|   |                  | Retain Policy 37 of the Plan as notified.   | Support noted. Policy 37 is retained subject to minor amendment as requested by another submitter that do not change the policy intent.  |
| Further submissions – Port Taranaki Ltd (32)                        |                  | Support   |  |
| 14 – Vodafone New Zealand Ltd                                       | 562              | <b>Support</b>  | <b>Accept</b>  |
|   |                  | Retain Policy 37 of the Plan as notified.   | Support noted. Policy 37 is retained subject to minor amendment as requested by another submitter that does not change the policy intent.  |
| 43 – Royal Forest and Bird Protection Society                       | 563              | <b>Amend</b>  | <b>Accept in part</b>  |
|   |                  | <p>Submitter seeks amendment to Policy 37 of the Plan to read:</p> <p><i>Major alteration or extension of existing lawful structures will be <u>considered allowed-in appropriate locations where the activity will avoid adverse effects consistent with protection required under policies 8, 9 and 14, and where the activity will not have significant adverse effects on other lawfully established structures or uses, and alteration or extension values and will: [...]</u></i></p> | <p>There are two parts to the relief sought by the submitter.</p> <p>First, the submitter does not consider Policy 37 meets the requirements of Policy 11(a) [Indigenous biological diversity], 13(1)(a) [Preservation of natural character] or 14(a) [Restoration of natural character] of the <i>New Zealand Coastal Policy Statement</i>.</p> <p>The Council disagrees and declines granting relief to this part of the relief sought by the submitter. The Council notes that Policy 37 must be read in conjunction with all the other relevant policies, including all the General Policies, which address amongst other things natural character and indigenous biodiversity. Together these policies address the matters sought by the submitter and are considered sufficient to achieve the requirements set out within the <i>New Zealand Coastal Policy Statement</i>.</p> <p>Second, the submitter seeks amendment to the policy to include “<i>lawfully established structures</i>”. The Council agrees to this part of the relief sought noting it clarifies the policy intent. The amended Policy reads as follows:</p> |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
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|  |                  |  | <i>Major alteration or extension of existing lawful structures will be allowed in locations where the activity will not have significant adverse effects on other <u>lawfully established structures or</u> uses and values and will: [...]</i>  |
| 45 – Powerco   | 564              | <b>Amend</b><br><br>Submitter seeks amendment to Policy 37 of the Plan to read:<br><i><del>Major a</del>Alteration or extension of existing lawful structures, <u>including major alterations or extensions</u>, will be allowed in locations where the activity will not have significant adverse effects on other uses and values and will [...]</i> | <b>Decline</b><br><br>The submitter wishes to extend the scope of the policy to cover all alterations or extensions of structures in the coastal marine area, not just major alterations or extensions.<br><br>The Council declines the relief sought.   |
| Further submissions – Petroleum Exploration and Production Association of New Zealand (37) |                  | Support  | The Council considers that the current wording is appropriate as it provides for two types of alterations or extension. These being minor alterations and extensions that are managed through Policy 36 and generally allowed for as a permitted activity. Other alteration or extension activities are addressed under Policy 37 will generally require a consent. The Council prefers to keep this distinction simple for Plan users as notified.  |
| Further submissions – Fonterra (47)  |                  | Support in part  |  |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd   | 565              | <b>Amend</b><br><br>Submitter seeks amendment to Policy 37 of the Plan to read:<br><i><del>Major a</del>Alteration or extension of existing lawful structures, <u>including major alterations or extensions</u>, will be allowed in locations where the activity will not have significant adverse effects on other uses and values and will [...]</i> | <b>Decline</b><br><br>The submitter wishes to extend the scope of the policy to cover all alterations or extensions of structures in the coastal marine area, not just major alterations or extensions.<br><br>The Council declines the relief sought. The Council considers that the current wording is appropriate as it provides for two types of alterations or extension. These being minor alterations and extensions that are managed through Policy 36 as a Permitted activity. Other alteration or extension activities are addressed under Policy 37 will generally require a consent. The Council prefers to keep this distinction simple for Plan users as notified. |
| Further submissions – Petroleum Exploration and Production Association of New Zealand (37) |                  | Support  |  |
| <b>Policy 38 – Removal of coastal structures</b>   |                  |  |  |
| 12 – Chorus New Zealand Ltd  | 566              | <b>Support</b><br><br>Retain Policy 38 of the Plan as notified.  | <b>Accept in part</b><br><br>Support noted. Policy 38 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.   |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
|--|------------------|---|--|
| 13 – Spark New Zealand Trading Limited   | 567              | <b>Support</b>  | <b>Accept in part</b>  |
|  |                  | Retain Policy 38 of the Plan as notified.   | Support noted. Policy 38 is retained subject to minor amendment as requested by other submitters that do not change the policy intent.   |
| 14 – Vodafone New Zealand Ltd  | 568              | <b>Support</b>  | <b>Accept in part</b>  |
|  |                  | Retain Policy 38 of the Plan as notified.   | Support noted. Policy 38 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.  |
| 25 – New Zealand Petroleum and Minerals  | 569              | <b>Amend</b>  | <b>Accept in part</b>  |
|  |                  | <p>Submitter seeks amendment to Policy 38 of the Plan to recognise additional considerations and to read as follows:</p> <p><i>Structures will be removed from the coastal marine area at the expiry of their authorisation or at the end of their useful life, unless one or more of the following applies:</i></p> <p>[...]</p> <p><i><u>(d) the removal of the structure poses unreasonable costs or is technically unfeasible; or</u></i></p> <p><i><u>(e) the removal of the structure poses unreasonable risk on human health and safety.</u></i></p> | <p>The submitter is concerned that part of the Policy is limiting and does not allow for other matters such as unreasonable costs or health and safety concerns to be considered alongside environmental effects as exceptions to requiring the removal of structures in the coastal marine area. The Policy does not explicitly provide for the use of industry best practice tools to determine the best practicable environmental outcome.</p> <p>The Council notes that the removal of new structures are generally considered at the time of the application of a consent and with the consent being granted once the technical, financial and safety aspects have been considered. However, some older structures may have received consents before this became standard practice. It is therefore considered appropriate to ensure that the Council is not trying to require structures to be removed where it would be technically unfeasible and/or there would be a risk to human health and safety.</p> |
| Further submissions – Trans-Tasman Resources Ltd (6)                                       |                  | Support in part   | The relief sought by the submitter has three parts. The Council agrees with the submitter to amend the Policy so that technical considerations and public health risks are reasonable considerations where Council might not require the structure to be removed. However, following pre-hearing discussions with the Department of Conservation, the Council does not consider that the imposition of unreasonable cost is an acceptable reason for not removing a structure and expect these considerations to be addressed when the consent to place or erect the structure is sought.  |
| Further submissions – Department of Conservation (29), Te Rūnanga o Ngāti Mutunga (40)     |                  | Oppose  |  |
| Further submissions – Petroleum Exploration and Production Association of New Zealand (37) |                  | Support   | At the hearing, the submitter presented further on this issue and sought the inclusion of a new clause (f) to the effect that removal of all or part of a structure is not required if the retention of all or part of the structure has either beneficial or minimal adverse effects on marine ecology and coastal processes. However, it is the view of the Hearing Panel and this Council that the matters set out in Policy 38 already provides for this and the new clause is not necessary. For example, retention of a structure  |



| Submitter   | Submission point | Submitter's requests  | Council's response and decisions  |
|---|------------------|---|---|
|   |                  |   | below the seabed maybe entirely appropriate and has been provided for under Cause (a) as the disturbance to the seafloor in removing that structure is likely to cause greater adverse effects on the environment than leaving it in place.   |
| 32 – Port Taranaki  | 570              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 38 of the Plan to provide an exception to this policy for new port structures intended to be permanent.</p>  | <p><b>Accept</b></p> <p>The Council agrees to granting the relief sought by the submitter.</p> <p>The Council recognises that some (but not all) Port structures may be designed and built to be permanent. In such situations it is appropriate that there is no obligation to remove these “<i>permanent structures</i>”. The Council agrees to amending Policy 38 to include a new Clause (c) (plus other consequential amendments) to allow considerations for material to be left <i>in situ</i> or elsewhere in the coastal marine area where the structure, or part of the structure, is intended to be permanent, e.g. new Port structures.</p> <p>Policy 38 reads as as follows:</p> <p><i>Policy 38 removal of coastal structures</i></p> <p><i>Decommissioning and removal of any new structure <b>must</b> be <b>considered</b> as part of the initial design and installation <b>and removal will generally be required.</b></i></p> <p><i><b><u>When assessing the appropriateness of allowing a structure, a part of a structure, or material associated with a structure to be left in situ or elsewhere in the coastal marine area, at least one of the following must apply: [...]</u></b></i></p> <p><i><b><u>(c) the structure, or part of the structure, is permanent or has a reuse value that is considered appropriate in accordance with Policy 5: [...]</u></b></i></p> |
| 37 – Petroleum Exploration and Production Association of NZ           | 571              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 38 of the Plan to read:</p> <p><i><b><u>Structures will be removed from the coastal marine area at the expiry of their authorisation or at the end of their useful life, unless Applications to abandon material in situ or elsewhere in the coastal marine area can be made if one or more of the following applies [...]</u></b></i></p> | <p><b>Grant in kind</b></p> <p>The submitter has issue with Policy 38 in that the original wording is arguably ambiguous and could mean that the Council imposes a requirement to leave the structure if an item on the list is triggered. The submitter agrees to some word changes to clarify the Policy's intent.</p> <p>The Council agrees to granting an alternative relief to that sought by the submitter with minor word changes to align the wording with other provisions within the Plan.</p> <p>The revised Policy reads as follows:</p>  |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Atiawa (58) |                  | Oppose  |   |



| Submitter   | Submission point | Submitter's requests   | Council's response and decisions  |
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| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61)  |                  | Support  | <p>Decommissioning and removal of any new structure <u>must be considered</u> as part of the initial design and installation <u>and removal will generally be required.</u></p> <p><u>When assessing the appropriateness of allowing a structure, a part of a structure, or material associated with a structure to be left in situ or elsewhere in the coastal marine area, at least one of the following must apply: [...]</u></p>  |
| 37 – Petroleum Exploration and Production Association of NZ | 572              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 38 to include the following considerations (from the International Maritime Organisation's 1989 guidelines):</p> <p><i>1 any potential effect on the safety of surface or subsurface navigation, or of other uses of the sea;</i></p> <p><i>2 the rate of deterioration of the material and its present and possible future effect on the marine environment;</i></p> <p><i>3 the potential effect on the marine environment, including living resources;</i></p> <p><i>4 the risk that the material will shift from its position at some future time;</i></p> <p><i>5 the costs, technical feasibility, and risks of injury to personnel associated with removal of the installation or structure, and</i></p> <p><i>6 the determination of a new use or other reasonable justification for allowing the installation or structure or parts thereof to remain on the sea-bed</i></p> | <p><b>Accept in part</b></p> <p>The submitter wishes additional factors to be considered when applying to leave materials <i>in situ</i>. The submitter suggests this would be in line with the direction of the Central Government's proposed policy for structures in the Exclusive Economic Zone and also with the International Maritime Organisation's 1989 guidelines and include consideration of costs, technical feasibility and health and safety risks.</p> <p>The Council agrees with the submitter to amend the Policy to expand consideration matters for where Council might not require the structure to be removed to include technical considerations and public health risks. However, following pre-hearing discussions with the Department of Conservation, the Council does not consider that unreasonable cost is an acceptable reason for not removing a structure and expect such considerations to be addressed when the consent to place or erect the structure is sought.</p> <p>The Council agrees to amendments to the Policy as follows:</p> |
| Further submissions – Te Atiawa (58)                        |                  | Oppose   | <p>Decommissioning and removal of any new structure <u>must be considered</u> as part of the initial design and installation <u>and removal will generally be required.</u></p> <p><u>When assessing the appropriateness if allowing a structure, a part of a structure, or material associated with a structure to be left in situ or elsewhere in the coastal marine area, at least one of the following must apply:</u></p> <p><i>a) removal of the structure would cause greater adverse effects on the environment than leaving it in place;</i></p> <p><i>b) the structure is an integral part of an historic heritage site or landscape;</i></p> <p><u><i>c) the structure, or part of the structure, is permanent or has reuse value that is considered appropriate in accordance with Policy 5;</i></u></p> <p><u><i>d) the removal of the structure is technically unfeasible; or</i></u></p> <p><u><i>e) the removal of the structure poses unreasonable risk on human health and safety.</i></u></p>  |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions  |
|---|------------------|---|---|
| 37 – Petroleum Exploration and Production Association of NZ | 573              | <b>Amend</b>  | <b>Decline</b>  |
|   |                  | Clarify policy expectations for planning for decommissioning and removal by allowing for a description of general principles and options for decommissioning and removal of new structures. | <p>The submitter seeks that the Policy be clarified to allow for a description of general principles and options for decommissioning and removal of new structures to provide clarity to users that a detailed decommissioning plan is not required at the time of applications for new structures.</p> <p>The Council suggests that the Policy provides adequate direction and guidance on the Council's expectations that, as part of the consenting process, applicants need to consider and address Council's general expectation that structures in the coastal marine area will be decommissioned and removed after they have served their stated purpose.</p> <p>The submitter has not identified what principles and options they consider appropriate to be included in Plan provisions. However, it is the Council's view that the detail describing general principles and options for decommissioning the removal of new structures in the coastal marine area is not necessary to be included in the Policy itself and are matters of detail that are more appropriately addressed through the consenting process.</p> |
| 41 – Te Korowai o Ngāruahine Trust                          | 574              | <b>Support</b>  | <b>Accept</b>   |
|   |                  | Submitter supports presumption in Policy 38 of the Plan that coastal structures will be removed.  | Support noted. Policy 38 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.   |
| Further submissions – Te Atiawa (58)                        |                  | Support   |   |
| 43 – Royal Forest and Bird Protection Society               | 575              | <b>Support</b>  | <b>Accept</b>   |
|   |                  | Retain Policy 38 of the Plan as notified.   | Support noted. Policy 38 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.   |
| 45 – Powerco  | 576              | <b>Support</b>  | <b>Accept</b>   |
|   |                  | Retain Policy 38 of the Plan as notified.   | Support noted. Policy 38 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.   |
| Further submissions – Fonterra (47)                         |                  | Support   |   |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd          | 577              | <b>Support</b>  | <b>Accept</b>   |
|   |                  | Retain Policy 38 of the Plan as notified.   | Support noted. Policy 38 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.   |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions  |
|---|------------------|---|---|
| 58 – Te Atiawa  | 578              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 38 of the Plan to read:<br/> <i>Decommissioning and removal of any new structure <b>will must</b> be planned for as part of the initial design and installation.</i></p> <p><i>Structures <b>will must</b> be removed from the coastal marine area at the expiry of their authorisations or at the end of their useful lives, unless one or more of the following applies:</i></p> | <p><b>Accept</b></p> <p>The use of terms with similar meanings such as “<i>must</i>”, “<i>will</i>” and “<i>shall</i>” has been alternatively adopted throughout many second generation planning documents, including national policy statements and regional plans.</p> <p>A number of submitters have identified they prefer the term “<i>must</i>”, instead of “<i>will</i>” in relevant policies. Some have argued that the use of the term “<i>must</i>” is more legally robust. The Council has no objection to making the change noting that the policy intent of this Policy is that the activity needs to comply with the provision.</p> |
| <b>Policy 39 – Occupation</b>   |                  |   |   |
| 6 – Trans-Tasman Resources Ltd  | 579              | <p><b>Support</b></p> <p>Retain Policy 39 of the Plan as notified.</p>  | <p><b>Accept</b></p> <p>Support noted. Policy 39 is retained as notified.</p>   |
| 43 – Royal Forest and Bird Protection Society                                       | 580              | <p><b>Support</b></p> <p>Retain Policy 39 of the Plan as notified.</p>  | <p><b>Accept</b></p> <p>Support noted. Policy 39 is retained as notified.</p>   |
| 45 - Powerco  | 581              | <p><b>Support</b></p> <p>Retain Policy 39 of the Plan as notified.</p>  | <p><b>Accept</b></p> <p>Support noted. Policy 39 is retained as notified.</p>   |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd                                  | 582              | <p><b>Support</b></p> <p>Retain Policy 39 of the Plan as notified.</p>  | <p><b>Accept</b></p> <p>Support noted. Policy 39 is retained as notified.</p>   |
| <b>Policy 40 – Disturbance, deposition and extraction in marine protected areas</b> |                  |   |   |
| 41 – Te Korowai o Ngāruahine Trust  | 583              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 40 of the Plan so that it includes marine areas that sometime in the future may also be designated for legal protection.</p>   | <p><b>Accept</b></p> <p>The submitter wishes to expand the protections of Policy 40 to provide for changes that may occur over the life of the Plan, in particular, any future area designated for legal protection.</p> <p>The Council agrees to granting the relief sought by amending Policy 40 to read:<br/> <i>Disturbance of, or deposition on, the foreshore or seabed or the extraction of natural material will not occur in <u>areas managed or held under other Acts for statutory protection (including Parininihi Marine Reserve, Ngā Motu/Sugar Loaf Islands Marine</u></i></p>   |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Atiawa (58)               |                  | <p>Support</p>  |   |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
|--|------------------|---|---|
|  |                  |   | <i>Protected Area and Tapuai Marine Reserve identified in Schedule 1) apart from that associated with: [...]</i>  |
| 43 – Royal Forest and Bird Protection Society  | 584              | <b>Support</b><br>Retain Policy 40 of the Plan as notified.   | <b>Accept</b><br>Support noted. Policy 40 is retained subject to minor amendments as requested by another submitter that does not change the policy intent.   |
| Further submissions – Port Taranaki Ltd (32)   |                  | Support   |   |
| <b>Policy 41 – Provision for disturbance, deposition or extraction activities that provide public or environmental benefit</b> |                  |   |   |
| 26 – Transpower NZ Ltd   | 585              | <b>Amend</b><br>Submitter seeks amendment to Policy 41(g) of the Plan to read:<br><i>Disturbance, deposition or extraction that is necessary to protect, <del>or maintain or develop</del> the safe and efficient operation of nationally and regionally important infrastructure or provide for public or environmental benefit will be <del>allowed for</del> <u>enabled</u>, subject to appropriate management of adverse effects, including: [...]</i><br><i>(g) operating, maintaining, repairing, <del>or upgrading, or development of</del> lawful structures or infrastructure; [...]</i> | <b>Grant in kind</b><br>The submitter wishes Policy 41 to provide for the consideration of new infrastructure (development) within the Policy, which would give effect to Policy 1 and 2 of the National Policy Statement for Electricity Transmission.<br>The Council agrees to amending Policy 41 in a manner that gives effect to the relief sought by the submitter while aligning with language adopted elsewhere in the Plan.<br>The revised Policy reads as as follows:<br><u>Allow disturbance, deposition or extraction that is necessary to provide for public or environmental benefit, including protecting or maintaining the safe and efficient operation of regionally important infrastructure</u> , subject to appropriate management of adverse effects, including: [...]<br><i>(g) operating, maintaining, <u>altering or extending</u> lawful structures or infrastructure; [...]</i> |
| 29 – Department of Conservation  | 586              | <b>Support</b><br>Retain Policy 41 of the Plan as notified.   | <b>Accept</b><br>Support noted. Policy 41 is retained subject to minor amendments as requested by another submitter that does not change the policy intent.   |
| 59 - KiwiRail  | 587              | <b>Support</b><br>Retain Policy 41 of the Plan as notified.   | <b>Accept</b><br>Support noted. Policy 41 is retained subject to minor amendments as requested by another submitter that does not change the policy intent.   |
| Further submissions – Port Taranaki Ltd (32)   |                  | Support   |   |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
|--|------------------|---|--|
| 43 – Royal Forest and Bird Protection Society              | 588              | <b>Amend</b>  | <p><b>No relief necessary</b></p> <p>The submitter is concerned that Policy 41, as currently worded, implies a potential for trading off adverse effects on some environmental values to enhance others and where the activity is for public benefit. The submitter considers “<i>appropriate management</i>” uncertain and is concerned that this Policy is in conflict with Policy 14 [Indigenous biological diversity].</p> <p>The Council notes that the policy direction to enable disturbance, deposition or extraction activities that provide public or environmental benefit is subject to the appropriate management of adverse effects. This requires the activity to be managed in a manner consistent with the directions set out in the General Policies 1 to 21.</p> <p>Policy 41 must be read in conjunction with other of the relevant policies, including all the General Policies. Together these policies address the matters sought by the submitter, including those relating to the protection of significant indigenous biodiversity.</p> <p>In relation to amendments to the Policy to clarify that natural values include indigenous biodiversity, the Council considers no relief is necessary. However, the Council agrees to minor amendments to Policy 41 to address relief sought by the submitter in submission point 555.</p> |
|  |                  | Submitter seeks amendment to Policy 41 of the Plan to clarify that natural values includes significant indigenous biodiversity consistent with Policy 14. |  |
| 45 – Powerco   | 589              | <b>Support</b>  | <p><b>Accept</b></p> <p>Support noted. Policy 41 is retained subject to minor amendments as requested by another submitters that does not change the policy intent.</p>  |
|  |                  | Retain Policy 41 of the Plan as notified.   |  |
| <b>Policy 42 – Disturbance of the foreshore and seabed</b> |                  |   |  |
| 12 – Chorus New Zealand Ltd                                | 590              | <b>Support</b>  | <p><b>Accept</b></p> <p>Support noted. Policy 42 is retained as notified.</p>  |
|  |                  | Retain Policy 42 of the Plan as notified.   |  |
| 13 – Spark New Zealand Trading Ltd                         | 591              | <b>Support</b>  | <p><b>Accept</b></p> <p>Support noted. Policy 42 is retained as notified.</p>  |
|  |                  | Retain Policy 42 of the Plan as notified.   |  |
| Further submissions – Port Taranaki Ltd (32)               |                  | Support   |  |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions  |
|---|------------------|--|---|
| 14 – Vodafone New Zealand Ltd                               | 592              | <b>Support</b>   | <b>Accept</b>   |
|   |                  | Retain Policy 42 of the Plan as notified.  | Support noted. Policy 42 is retained as notified.   |
| 37 – Petroleum Exploration and Production Association of NZ | 593              | <b>Support</b>   | <b>Accept</b>   |
|   |                  | Retain Policy 42 of the Plan as notified.  | Support noted. Policy 42 is retained as notified.   |
| 41 – Te Korowai o Ngāruahine Trust                          | 594              | <b>Other</b>   | <b>No relief necessary</b>  |
|   |                  | Submitter seeks confirmation that Policy 42 of the Plan does not relate to commercial activity.  | <p>The submitter is not seeking a change to the Plan but presumes that the Policy does not apply to large-scale commercial activities (and their appropriateness) in the coastal marine area.</p> <p>The Council notes that the Plan must necessarily address commercial and non-commercial activities. Accordingly, Policy 42 could be applied to commercial activities.</p> <p>It is the view of the Council that Policy 42 does not need to differentiate activities according to whether or not they are a commercial activity but rather focus on the range of environmental effects that the activity might result in. This is considered appropriate and a better management practice than merely regulating the activities for commercial ventures. Notwithstanding the above, the Council notes that large scale commercial activities that cause disturbance of the foreshore and seabed will generally be of a scale or type that trigger certain rules and consenting requirements. However, even small commercial activities and non-commercial activities can be of a size, type or in a location that need to be managed in a manner that has regard to the sensitivity of the site specific values present plus the other matters set out in Policy 42.</p> |
| 43 – Royal Forest and Bird Protection Society               | 595              | <b>Amend</b>   | <b>Decline</b>  |
|   |                  | Submitter seeks amendment to Policy 42 of the Plan to ensure activities avoid adverse effects as required by Policies 11, 13 and 15 of the <i>New Zealand Coastal Policy Statement</i> . | <p>The Council suggests that the submitter's concerns have already been provided for within the Plan and declines the relief sought.</p> <p>As stated in the preamble of Section 5.1, Policy 42 must be read in conjunction with each of the other relevant policies, including all the General Policies and Policies 11, 13 and 15. Together these policies address the matters sought by the submitter, including those relating to the protection of significant indigenous biodiversity It is not</p>   |
| Further submissions – Trans-Tasman Resources Ltd (6)        |                  | Neutral  |   |



| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
|--|------------------|--|--|
|  |                  |  | necessary to refer to indigenous biodiversity throughout the Policies when a standalone Policy provides the required protection already.   |
| 55 – Kiwis Against Seabed Mining                     | 596              | <b>Amend</b><br>Submitter seeks amendment to Policy 42 of the Plan, as the interpretation of "disturbance" does not relate to commercial activity. | <b>Decline</b><br>The Council declines the relief sought by the submitter as Plan provisions must necessarily address all activities in the coastal marine area, irrespective of whether they are commercial or not. It is not the intent of the Plan to preclude appropriate commercial use and development.<br>It is the the view of the Council that Policy 42 should focus on environmental effects rather than presumptions on the appropriateness of activities based on whether they are commercial or not. The Council notes that commercial activities that cause disturbance of the foreshore and seabed will generally be of a scale or type that trigger certain rules and consenting requirements. However, even small commercial activities and non-commercial activities can be of a size, type or in a location that need to be managed in a manner that has regard to the sensitivity of the site specific values present plus the other matters set out in Policy 42.  |
| Further submissions – Trans-Tasman Resources Ltd (6) |                  | Oppose   |  |
| 56 – Greenpeace                                      | 597              | <b>Amend</b><br>Submitter seeks amendment to Policy 42 of the Plan as the interpretation of "disturbance" does not relate to commercial activity.  | <b>Decline</b><br>The submitter is seeking amendment to Policy 42 to exclude large-scale commercial activities (and their appropriateness) in the coastal marine area.<br>The Council declines the relief sought by the submitter as Plan provisions must necessarily address all activities in the coastal marine area, irrespective of whether they are commercial or not. It is not the intent of the Plan to preclude appropriate commercial use and development.<br>It is the also the view of the Council that Policy 42 should focus on effects rather than presumptions on the appropriateness of activities based on whether they are commercial or not. The Council notes that commercial activities that cause disturbance of the foreshore and seabed will generally be of a scale or type that trigger certain rules and consenting requirements. However, the Council also notes that even small commercial activities and non-commercial activities can be of a size, type or in a location that need to be managed in a manner that has regard to the sensitivity of the site specific values present plus the other matters set out in Policy 42. |
| Further submissions – Trans-Tasman Resources Ltd (6) |                  | Oppose   |  |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
|--|------------------|---|--|
| 57 – Heritage New Zealand                                  | 598              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 42 of the Plan to read:<br/> <i>Activities that cause disturbance of the foreshore or seabed will:</i><br/>           [...]<br/>           (c) avoid, remedy or mitigate other adverse effects – <i>including adverse effects on historic heritage (refer to Policy 15); and [...]</i></p> | <p><b>No relief necessary</b></p> <p>The Council recognises the concern of the submitter but suggests that their concerns have already been provided for within the Plan.</p> <p>As stated in the preamble of Section 5.1, Policy 42 must be read in conjunction with each of the other relevant policies, including all the General Policies and Policy 15. Together these policies address the matters sought by the submitter, including those relating to the protection of historic heritage. It is not necessary to refer to historic heritage throughout the policies when a stand-alone Policy provides the required protection already.</p>   |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support   |  |
| 58 – Te Atiawa   | 599              | <p><b>Other</b></p> <p>Submitter seeks confirmation that the disturbance referred to in Policy 42 of the Plan is covered by Policies 40, 41, 43 and 44 and does not relate to commercial activity.</p>  | <p><b>No relief necessary</b></p> <p>The submitter seeks confirmation that disturbance referred to in Policy 42 is covered by Policies 40, 41, 43 and 44. The Council notes that which policies apply will depend upon the activity (e.g. if the activity is not occurring in the Port then Policy 43 does not apply). However, all policies must be read together. All General Policies 1 to 21 plus any relevant Activity-specific Policies will be considered together.</p> <p>In relation to the Policy excluding commercial activities, the Council notes that neither the policies, nor the rules, differentiate activities according to whether or not they are a commercial activity. Instead, Plan provisions focus on the range of effects that the activity will result in. This is considered appropriate and a better management practice than merely regulating the activities for commercial ventures.</p> <p>Notwithstanding the above, the Council notes that commercial activities that cause disturbance of the foreshore and seabed will generally be of a scale or type that trigger certain rules and consenting requirements. However, even small commercial activities and non-commercial activities can be of a size, type or in a location that need to be managed in a manner that has regard to the sensitivity of the site specific values present plus the other matters set out in Policy 42. It is, therefore, preferable not to limit any policies or rules to commercial activities only and a broader approach captures all activities.</p> |
| Further submissions – Trans-Tasman Resources Ltd (6)       |                  | Oppose  |  |
| <b>Policy 43 – Port dredging</b>                           |                  |   |  |
| 6 – Trans-Tasman Resources Ltd                             | 600              | <p><b>Amend</b></p> <p>The submitter wishes to expand the policy to refer to dredging which may also be required at other ports or for other significant infrastructure within the region.</p>  | <p><b>Decline</b></p> <p>The Council considers the requested amendments to be largely a continuation of Policy 41 [Provision for disturbance, deposition or extraction activities that provide</p>   |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
|--|------------------|---|--|
|  |                  | <p>Submitter seeks amendments to Policy 43 of the Plan to refer to other nationally or regionally significant infrastructure and read as follows:</p> <p><i>Policy 43: <del>Port d</del>redging</i></p> <p><i>Maintenance and capital dredging activities for <u>ports or nationally or regionally significant infrastructure Port Taranaki</u>, including spoil disposal, will be managed in order that:</i></p> <p><i>(a) uncontaminated sand is deposited in inshore areas in a manner that mitigates the effects of <del>Port Taranaki facilities</del> on natural littoral sediment processes; [...]</i></p> | <p>public or environmental benefit] that deliberately focuses on providing for dredging that provides for the safe and efficient operation of Port Taranaki. The Council has considered expanding upon the scope of the Policy to provide for maintenance and capital dredging activities for other regionally significant infrastructure. However, the Council agrees to retaining the Policy in its current form, noting that the Port is the only location carrying out moderate-scale activities in the Taranaki CMA with any frequency and other policies are applicable if need be.</p> <p>The Council further notes that there are other mechanisms available under the RMA, such as emergency works, should urgent works be required in relation to maintaining the safe and efficient operation of other regionally important infrastructure.</p> |
| Further submissions – Department of Conservation (29), Te Rūnanga o Ngāti Mutunga (40), Te Atiawa (58) |                  | Oppose  |  |
| 43 – Royal Forest and Bird Protection Society  | 601              | <p><b>Amend</b></p> <p>Submitter seeks amendments to Policy 43(b) of the Plan to read</p> <p><i>Maintenance and capital dredging activities for ports or nationally or regionally significant infrastructure Port Taranaki, including spoil disposal, will be managed in order that:</i></p> <p><i>(b) fine particle sediment (silt) and any contaminated sediment is deposited in appropriate offshore spoil disposal <del>locations</del>areas; [...];</i></p>  | <p><b>Accept</b></p> <p>The submitter considers the wording of Policy 43(d) to be uncertain. The Council agrees to the relief sought noting that the requested amendment provides greater clarity and is consistent with wording used in Policy 5, and elsewhere, within the Plan.</p>   |
| 57 – Heritage New Zealand  | 602              | <p><b>Amend</b></p> <p>Submitter seeks amendments to Policy 43 of the Plan by adding a new clause (e) to read:</p> <p><i>Maintenance and capital dredging activities for Port Taranaki, including spoil disposal, will be managed in order that:</i></p> <p><i>[...]</i></p> <p><i><u>(e) adverse effects on historic heritage are managed in accordance with Policy 15.</u></i></p>  | <p><b>No relief necessary</b></p> <p>The Council recognises the concerns of the submitter but suggests that their concerns have already been provided for within the Plan.</p> <p>As stated in the preamble of Section 5.1, Policy 42 must be read in conjunction with each of the other relevant policies, including all the General Policies and Policy 15. Together these policies address the matters sought by the submitter, including those relating to the protection of historic heritage. It is not necessary to refer to historic heritage throughout the policies when a stand-alone policy provides the required protection already.</p>  |
| Further submissions – Port Taranaki Ltd (32)   |                  | Oppose  |  |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions  |
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| <b>Policy 44 – Extraction or deposition of material</b>                                     |                  |   |   |
| 6 – Trans-Tasman Resources Ltd  | 603              | <b>Support</b>  | <b>Accept</b><br><br>General support for Policy 44 noted. Issues raised regarding Clause (f) are discussed in the following submission point.   |
|   |                  | Submitter supports Policy 44 (with the exception of Clause (f)) of the Plan as providing appropriate policy support and guidance for extraction and deposition activities in the coastal marine area.   |   |
| Further submissions – Department of Conservation (29), Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Oppose  |   |
| 6 – Trans-Tasman Resources Ltd  | 604              | <b>Amend</b>  | <b>Decline</b><br><br>The submitter considers Clause (f) to be too subjective and provides no guidance as to when it may be applicable and appropriate to impose size and sorting requirements on the deposited material. Further, the submitter believes that there may be a range of circumstances when such requirements may not be appropriate.<br><br>The Council notes that Policy 44(f) includes a qualifier that, where applicable and appropriate, the deposition of material from any extractions from the foreshore or seabed must be of a similar size, sorting and parent material as the receiving sediments. As a general requirement, this is considered reasonable and appropriate. However, through the consenting process there is an opportunity to consider on a case-by-case basis any circumstances where such requirements may not be applicable or appropriate and set conditions relating to sizing and sorting requirements (after also referring to other policies that may be relevant). |
|   |                  | Submitter seeks amendments to Policy 44 of the Plan to delete Clause (f):<br><i>Extraction of sand, shingle, shell and other natural material from the foreshore or seabed, or deposition of material on the foreshore or seabed, not provided for by Policies 39, 40, and 42 should: [...]</i><br><br><del>(f) where applicable and appropriate, ensure that the deposited material is of a similar size, sorting and parent material as the receiving sediments”.</del>   |   |
| 9 – Karen Pratt   | 605              | <b>Amend</b>  | <b>Accept in part</b><br><br>The submitter wishes to ‘strengthen’ Policy 44 by including a new clause to acknowledge biodiversity ‘hot-spots’ that are moderate to high relief reefs known by the local community of divers and recreational fishermen. Conversely, Submitter (6) argued at the hearing against reference to “close proximity” and “moderate to high relief offshore reefs” on the basis that the terms were uncertain (and instead only refer to those reefs identified as outstanding in Schedule 2 of the Plan).<br><br>The Council agrees that there is merit in amending the Policy to generally require that the extraction or deposition of material on the seafloor (not otherwise provided for by  |
|   |                  | Submitter seeks amendments to Policy 44 of the Plan to include additional considerations and read as follows:<br><i>Extraction of sand, shingle, shell and other natural material from the foreshore or seabed, or deposition of material on the foreshore or seabed, not provided for by Policies 39, 40, and 42 should: [...]</i><br><br><u>(c) generally not occur in close proximity to moderate to high relief offshore reefs;</u><br><br><u>(d) have regard to unique geological features that drive benthic primary production in the South Taranaki Bight [...]</u> |   |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
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| Further submissions – Trans-Tasman Resources Ltd (6)   |                  | Oppose   | Policies 40, 41 and 43) not to occur in close proximity to moderate or high relief offshore reefs. The Council further notes that there are potentially many such reefs in the Taranaki coastal marine area other than those few identified in Schedule 2 that also merit protection. Issues raised by submitter (6) relating to the lack of certainty are able to be adequately addressed through the consenting process.  |
| Further submissions –Te Rūnanga o Ngāti Mutunga (40), Te Korowai o Ngāruahine Trust (41), Nga Motu Marine Reserve Society Inc (44). Te Atiawa (58), Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support  | The Council agrees to amending Policy 44 to include a new Clause (c) that reads as follows:<br><i>Extraction of sand, shingle, shell and other natural material from the foreshore or seabed, or deposition of material on the foreshore or seabed, not provided for by Policies 39, 40, and 42 should:</i><br>[...]<br><i>(ba) not occur close to moderate or high relief offshore reefs;</i><br>In regards to the requested Clause (d), “ <i>unique geological features that drive benthic primary habitat</i> ” is already implicitly addressed in (a) and there is no advantage to confining the consideration of such matters to the South Taranaki Bight. The Council declines the request as Clause (a) as currently worded provides a wider protection. |
| 41 – Te Korowai o Ngāruahine Trust   | 606              | <b>Amend</b><br>Submitter seeks amendments to Policy 44 of the Plan to exclude areas identified in Schedules 2, 4A and 4B, 5A and 5B and 6 plus areas subject to a crown application or settlement under the <i>Takutai Moana Act 2011</i> . | <b>Decline</b><br>The Council notes that the relief sought would exclude any extraction or deposition of natural material from the foreshore and seabed from most if not all of the Taranaki coastal marine area regardless of the size of the activity and regardless of whether there are any environmental effects. For example, the whole coastal marine area is currently subject to a Crown application or settlement under the <i>Takutai Moana Act 2011</i> .   |
| Further submissions – Trans-Tasman Resources Ltd (6)   |                  | Oppose   | The Council recognises that there are areas where the extraction or disposition of material on the foreshore or seabed would clearly be inappropriate having regard to the values and sensitivity of the receiving environment. Further, policy direction is provided in the General Policies relating to the protection, maintenance and/or enhancement of particular values and uses plus the rules themselves may include standards, terms and conditions that would exclude the activity from areas identified in Schedules 2, 4A, 4B, 5A, 5B and 6.  |
| Further submissions –Te Rūnanga o Ngāti Mutunga (40), Te Atiawa (58), Te Rūnanga o Ngāti Ruanui Trust (61)   |                  | Support  | All Plan provisions need to be read together and in their entirety. They include the General Policies, relevant Activity-specific Policies, and the rules (which address the type, scale and location of the activity). Some extraction and deposition activities are very minor with less than minor adverse effects that can be generally allowed as a permitted activity. Others are more appropriately considered through the consenting  |



| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
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|  |                  |   | process where there is an opportunity to consider the application on a case-by-case basis and impose conditions on where, how and when an activity can be undertaken and what actions need to be taken to avoid, remedy or mitigate any adverse effects.  |
| 43 – Royal Forest and Bird Protection Society              | 607              | <p><b>Amend</b></p> <p>Submitter seeks amendments to Policy 44 of the Plan to read:<br/> <i>Extraction of sand, shingle, shell and other natural material from the foreshore or seabed, or deposition of material on the foreshore or seabed, not provided for by Policies 39, 40, and 42 <del>will should</del>: [...];</i></p>  | <p><b>Accept</b></p> <p>The Council agrees to granting the relief sought by the submitter, however, agree to using “<i>must</i>” instead of “<i>will</i>” to maintain consistency with relief sought by other submitters.</p>   |
| Further submissions – Port Taranaki Ltd (32)               |                  | Support   |   |
| 57 – Heritage New Zealand                                  | 608              | <p><b>Amend</b></p> <p>Submitter seeks amendments to Policy 44 of the Plan by adding a further point to read:<br/> <i>Extraction of sand, shingle, shell and other natural material from the foreshore or seabed, or deposition of material on the foreshore or seabed, not provided for by Policies 39, 40 and 42 should:</i><br/> [...]<br/> <i>(h) manage adverse effects on historic heritage in accordance with Policy 15.</i></p> | <p><b>No relief necessary</b></p> <p>The Council recognises the concerns of the submitter but suggest that their concerns have already been provided for within the Plan.<br/> As stated in the preamble of Section 5.1, Policy 42 must be read in conjunction with each of the other relevant policies, including all the General Policies and Policy 15. Together these policies address the matters sought by the submitter, including those relating to the protection of historic heritage. It is not necessary to refer to historic heritage throughout the policies when a stand-alone Policy provides the required protection already.</p>  |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support   |   |
| 58 – Te Atiawa   | 609              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Policy 44 of the Plan to exclude areas and resources identified in Schedules 2, 4A, 4B, 5A, 5B and 6 areas subject to a Crown application or settlement under the <i>Takutai Moana Act 2011</i>.</p>  | <p><b>Decline</b></p> <p>The Council notes that the relief sought would exclude any extraction or deposition of natural material from the foreshore and seabed from most if not all of the Taranaki coastal marine area regardless of the size of the activity and regardless of whether there are any environmental effects. For example, the whole coastal marine area is currently subject to a Crown application or settlement under the <i>Takutai Moana Act 2011</i>.<br/> The Council notes that there are areas where the extraction or disposition of material on the foreshore or seabed would clearly be inappropriate having regard to the values and sensitivity of the receiving environment. Further, policy direction is provided in the General Policies relating to the protection, maintenance and/or enhancement of</p> |



| Submitter   | Submission point | Submitter's requests   | Council's response and decisions   |
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|   |                  |  | <p>particular values and uses plus the rules themselves may include standards, terms and conditions that would exclude the activity from areas identified in Schedules 2, 4A, 4B, 5A, 5B and 6.</p> <p>All Plan provisions need to be read in their entirety. They include the General Policies, relevant Activity-specific Policies, and the rules (which address the type, scale and location of the activity). Some extraction and deposition activities are very minor with less than minor adverse effects that can be generally allowed as a permitted activity. Other are more appropriately considered through the consenting process where there is an opportunity to consider the application on a case-by-case basis and impose conditions on where, how and when an activity can be undertaken and what actions need to be taken to avoid, remedy or mitigate any adverse effects.</p> |
| <b>Policy 45 – Appropriateness of reclamation or drainage</b> |                  |  |  |
| 26 – Transpower NZ Ltd  | 610              | <p><b>Amend</b></p> <p>Submitter supports Policy 45(d) of the Plan but seeks amendment to Policy to read:</p> <p><i>Enable r</i>Reclamation or drainage of land in the coastal marine area <del>will not be allowed unless</del> where:</p> <p>[...]</p> <p><i>(d) the activity provides significant public benefit with particular regard to the extent to which the reclamation or drainage and intended purpose would provide for the efficient operation of nationally and regionally important infrastructure including, but not limited to, ports, airports, coastal roads, pipelines, electricity transmission, railways, marinas and electricity generation.</i></p> | <p><b>Grant in kind</b></p> <p>The Council notes the support for Policy 45(d) that recognises nationally and regionally important infrastructure. However, the submitter is concerned that the term “not be allowed” infers the decline of a resource consent and could be interpreted as predetermining the outcome of a resource consent process.</p> <p>The suggested wording provides an alternative that frames the policy more positively however arguably reverses the presumption whereby it pre-determines that the activity should be allowed. The Council agrees to an alternative relief involving slightly different wording that will achieve the same outcome. It will ensure that Policy 45 cannot be read separate to other policies of the Plan.</p> <p><i>Consider</i> reclamation or drainage of land in the coastal marine area <del>where:</del> [...]</p>                   |
| Further submissions – Port Taranaki Ltd (32)                  |                  | Support  |  |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61)    |                  | Oppose   |  |

| Submitter                                     | Submission point | Submitter's requests   | Council's response and decisions  |
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| 43 – Royal Forest and Bird Protection Society | 611              | <b>Amend</b>   | <b>Accept in part</b>   |
|   |                  | Submitter seeks amendment to Policy 45(a) and (b) of the Plan to refer to “functional need” so that this can be guided by Policy 5 in the Plan.  | The Council agrees to granting part of the relief sought by the submitter by amending Policy 45(b) to refer to “functional need”.<br>With regards to also including the term in Policy 45(a), the Council declines that part of the relief sought given that all the policy clauses apply and it is not considered necessary to again refer to functional need in Clause (a).<br>The amendment reads as as follows:<br><i>(b) <u>there is a functional need or operational need for the activity to be located</u> in or adjacent to the coastal marine area</i>  |
| 43 – Royal Forest and Bird Protection Society | 612              | <b>Amend</b>   | <b>Grant in kind</b>  |
|   |                  | The submitter considers Policy 45 to be uncertain in relation to determining “appropriateness”. It is the submitter’s view that the <i>New Zealand Coastal Policy Statement</i> requires plans to provide direction in inappropriate locations/places.<br>Submitter seeks amendment to Policy 45 of the Plan by including a new clause that states that the activity will be in an appropriate location. | At the hearing, the submitter identified an alternative relief that would address the concerns raised. The Hearing Panel considered the proposed relief to be appropriate as it clarifies the intent of the Policy to provide a number of considerations that need to be weighed against other policies of the Plan. The Hearing Panel noted that Policy 45 needs to be read in conjunction with all of the general policies and other relevant activity policies.<br>The Council agrees to amending Policy 45 to read:<br><i>Consider reclamation or drainage of land in the coastal marine area <u>only in circumstances</u> where: [...]</i> |
| 43 – Royal Forest and Bird Protection Society | 613              | <b>Amend</b>   | <b>Decline</b>  |
|   |                  | Submitter seeks amendment to the Plan (Policy 5) to clarify that the activity in Policy 45 is subject to the protective policies in giving effect to the <i>New Zealand Coastal Policy Statement</i> .   | As stated in the preamble of Section 5.1, Policy 42 must be read in conjunction with each of the other relevant policies, including all the General Policies. Together these Policies provide for and give effect to the <i>New Zealand Coastal Policy Statement</i> . Therefore, it is not necessary or appropriate to reference other Policies within the Plan or Policies within the <i>New Zealand Coastal Policy Statement</i> .   |
| 59 – KiwiRail                                 | 614              | <b>Support</b>   | <b>Accept</b>   |
|   |                  | Retain Policy 45 of the Plan as notified.  | Support noted. Policy 45 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.   |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
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| <b>Policy 46 – Design of reclamation</b>           |                  |  |   |
| 43 – Royal Forest and Bird Protection Society      | 615              | <b>Amend</b>   | <b>Accept in part</b>   |
|  |                  | Submitter seeks amendment to Policy 46 of the Plan to provide for protection required by Policies 11, 13 and 14 of the <i>New Zealand Coastal Policy Statement</i> OR<br>Alternatively retain Policy 46 as worded and amend Policies 5 and 45 as per the relief sought by the submitter in relation to those policies. | The Council suggests that the submitter's concerns have already been provided for within the Plan.<br><br>As stated in the preamble of Section 5.1, Policy 46 must be read in conjunction with each of the other relevant policies, including all the General Policies, which address the natural character and indigenous biodiversity policies of the <i>New Zealand Coastal Policy Statement</i> referred to by the submitter. It is not necessary to continuously refer to indigenous biodiversity or natural character value throughout the Policies when General Policies already provide for the required protection.<br><br>Notwithstanding the above, refer to submission points 281 and 607 for amendments relating to granting in part reliefs sought by the submitter in relation to Policies 5 and 45 of the Plan. |
| Further submissions – Port Taranaki Ltd (32)       |                  | Oppose/Support in part   |   |
| 57 – Heritage New Zealand                          | 616              | <b>Amend</b>   | <b>No relief necessary</b>  |
|  |                  | Submitter seeks amendment to Policy 46 of the Plan by adding a new Clause (d) to read:<br><i>Subject to Policy 45, the design and form of any reclamation of land in the coastal marine area will:</i><br>[...]<br><i><u>(d) manage adverse effects on historic heritage in accordance with Policy 15.</u></i>         | The Council acknowledges the concerns of the submitter but suggest that their concerns have already been provided for within the Plan.<br><br>As stated in the preamble of Section 5.1, Policy 42 must be read in conjunction with each of the other relevant policies, including all the General Policies and Policy 15. Together these policies address the matters sought by the submitter, including those relating to the protection of historic heritage. The Council suggests that it is not necessary to refer to historic heritage throughout the policies when a stand-alone Policy provides the required protection already.   |
| <b>Policy 47 – Taking and use of coastal water</b> |                  |  |   |
| 6 – Trans-Tasman Resources Ltd                     | 617              | <b>Support</b>   | <b>Accept</b>   |
|  |                  | Submitter supports recognition in Policy 47 of the Plan that it is appropriate to take and use coastal water provided there are no adverse environmental effects.  | Support noted. Policy 47 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.   |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
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| 33 - New Zealand Defence Force                           | 618              | <b>Amend</b>   | <b>Accept</b>   |
|  |                  | Submitter seeks amendment to Policy 47 of the Plan to ensure a connection between the policy and rule framework and to allow the taking and use of coastal water at a rate and volume where the taking results in an acceptable level of environmental effect.   | Submitter is concerned that Policy 47, as drafted, requires all adverse effects relating to the taking of coastal waters to be avoided. The submitter considers such a requirement impractical and in conflict with Rule 65 of the Plan.<br><br>The Council agrees to granting the relief sought by the submitter by amending Policy 47 (plus minor inconsequential changes to align policy language with reliefs granted elsewhere) to read:<br><br><i>Allow the taking and use of coastal water and any taking of heat or energy from coastal water <u>subject to it being</u> taken in a quantity or at a rate <u>and in a manner that avoids, remedies or mitigates</u> adverse environmental effects..</i> |
| 43 – Royal Forest and Bird Protection Society            | 619              | <b>Support</b>   | <b>Accept</b>   |
|  |                  | Retain Policy 47 of the Plan as notified.  | Support noted. Policy 47 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.   |
| Further submissions – Port Taranaki Ltd (32)             |                  | Support  |   |
| <b>Policy 48 – Damming or diversion of coastal water</b> |                  |  |   |
| 43 – Royal Forest and Bird Protection Society            | 620              | <b>Amend</b>   | <b>Decline</b>  |
|  |                  | The submitter does not believe that the use of “should” provides certainty and wishes to use “will” as a stronger directive. Submitter seeks amendment to Policy 48 of the Plan to read:<br><br><i>Damming or diversion of coastal water <u>will should</u> not cause adverse environmental effects.</i>     | The Council notes that Policy 48, as currently worded, states that the general course of action is that any damming or diversion of coastal waters do not cause adverse environmental effects. However, the Policy also recognises that, in some circumstances, some adverse effects might be acceptable, especially if such effects are minor or transitory. The amendment sought by the submitter would preclude such considerations and would be unnecessarily excessive.  |
| <b>Policy 49 – Noise and vibration</b>                   |                  |  |   |
| 9 – Karen Pratt  | 621              | <b>Amend</b>   | <b>No relief necessary</b>  |
|  |                  | Submitter seeks amendment to Policy 49 of the Plan to adopt the same precautionary principles applied by the Environmental Protection Authority by adopting similar wording to Condition 10 for the Trans-Tasman Resources consent for ironsand mining and which states that there be “...no adverse effects | The Council recognises the concerns of the submitter in regards to the protection of blue whales, mammals in the threat classification, or on the IUC red list. The Council notes that Policy 44 [Extraction or deposition of material] would require the consideration of such matters and, consistent with the <i>New Zealand Coastal Policy</i>  |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
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|  |                  | <i>at a population level' on blue whales, mammals in the threat classification, or on the IUC red list".</i>  | <i>Statement</i> , would require such activities to avoid adverse effects at a population level on blue whales and any other mammals in the threat classification, or on the IUC red list.   |
| Further submissions – Trans-Tasman Resources Ltd (6)   |                  | Oppose  | The Council further notes that Policy 14 (plus the other General Policies) would also be considered in conjunction with Policy 49, which is specific to noise and vibration activities in the coastal marine area. Therefore, it is not necessary to amend Policy 49 as the concerns raised are already adequately addressed within other areas of the Plan.   |
| Further submissions – Nga Motu Marine Reserve Society Inc (44), Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support   |  |
| 33 - New Zealand Defence Force   | 622              | <b>Support</b><br>Retain Policy 49 of the Plan as notified.   | <b>Accept</b><br>Support noted. Policy 49 is retained subject to minor amendments as requested by another submitter that does not change the policy intent.  |
| Further submissions – Port Taranaki Ltd (32)   |                  | Support   |  |
| 43 – Royal Forest and Bird Protection Society  | 623              | <b>Amend</b><br>Submitter seeks amendment to Policy 49 of the Plan to read:<br><i>Noise and vibration from activities undertaken in the coastal marine area, including underwater activities, will <del>be managed to minimise adverse environmental effects.</del></i><br><i><u>(a) avoid adverse effects on marine mammals and fish species consistent with policies 8, 9 and 14; and</u></i><br><i><u>(b) be managed to avoid, remedy or mitigate other <del>minimise adverse environmental effects.</del></u></i> | <b>Accept in part</b><br>There are two parts to the relief sought by the submitter,<br>First, the submitter seeks explicit references to the avoidance of adverse effects on marine mammals and fish species that is consistent with Policies 8, 9 and 14. The Council declines this part of the relief sought given that this matter has already been addressed elsewhere in the Plan.<br>The Council notes that Policy 14 [Significant indigenous biodiversity] (plus the other General Policies) would be considered in conjunction with Policy 49, which is specific to noise and vibration activities in the coastal marine area. Therefore, it is not necessary to amend Policy 49 as the sought relief has already been addressed within other areas of the Plan.<br>Second, the submitter seeks amendment to Policy 49 to refer to avoiding, remedying or mitigating adverse environmental effects (rather than the current focus on just minimising adverse effects). The Council agrees to granting this part of the relief sought.<br>The amended Policy reads as follows:<br><i>Noise and vibration from activities undertaken in the coastal marine area, including underwater activities, will be managed to <u>avoid, remedy or mitigate</u> adverse environmental effects.</i> |
| Further submissions – Trans Tasman Resources Ltd (6)   |                  | Oppose  |  |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61)   |                  | Support   |  |



| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
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| 48 – Taranaki District Health Board                        | 624              | <b>Support</b>  | <b>Accept</b>   |
|  |                  | Retain Policy 49 of the Plan as notified  | Support noted. Policy 49 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.   |
| 60 - Te Kaahui o Rauru                                     | 625              | <b>Amend</b>  | <b>Accept</b>   |
|  |                  | Submitter seeks amendment to Policy 49 of the Plan to focus on avoiding and remedying adverse environmental effects before mitigating and emphasize the protection of biodiversity from adverse environmental effects.  | The submitter notes that section 8.6.3 [General standards – Air] of the Plan does not contain noise and vibration limits to manage effects on biodiversity values and seek amendments to the Plan that focuses on avoiding such effects.  |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support   | The Council agrees to granting the relief sought by the submitter by amending Policy 49 to refer to managing noise and vibration from activities in the coastal marine area in a manner that avoids, remedies or mitigates adverse environmental effects (rather than the current focus on just minimising adverse effects). This would strength alignment between this Policy and other policies, particularly Policy 14 [Indigenous biodiversity] where there may be a requirement to avoid such effects.   |
| <b>New Policy – National Grid</b>                          |                  |   |   |
| 26 – Transpower NZ Ltd                                     | 626              | <b>Amend</b>  | <b>Accept in part</b>   |
|  |                  | <p>As an alternative to reliefs sought by the submitter in relation to Policies 8, 14, and 19, amend Plan to include new policy specific to the National Grid that reads as follows:</p> <p><i><u>(a) Managing activities, to the extent reasonably practicable, to avoid adverse effects, including reverse sensitivity effects, on the National Grid; and</u></i></p> <p><i><u>(b) Manage the adverse effects of new National Grid infrastructure by all of the following:</u></i></p> <p><i><u>(i) recognising there may be some areas in the coastal environment where avoidance of adverse effects is required to protect the identified special values of those areas.</u></i></p> <p><i><u>(ii) seeking to avoid adverse effects on the values of the following:</u></i></p> <p><i><u>a. areas of significant indigenous biodiversity</u></i></p> <p><i><u>b. areas of outstanding value</u></i></p> <p><i><u>c. places or areas containing historic heritage of regional or national significance</u></i></p> <p><i><u>d. significant surf breaks</u></i></p> | <p>The submitter would like to see the Plan amended to include an additional policy specific to the National Grid in order to provide for the requirements of the <i>National Policy Statement for Electricity Transmission 2008</i> (NPSET). In particular, the submitter would like to see Policies 2,3,4,8 and 10 of the NPSET given effect to within the new policy.</p> <p>The Council accepts in part the reliefs requested by the submitter.</p> <p>The Council agrees to a new policy, Policy 6A [Management of adverse effects of the National Grid], be included in the Plan that specifically addresses the management of adverse effects of the National Grid, particularly where there may be conflicting values and priorities between use and development and the protection of significant coastal values. The new Policy 6A will seek to reconcile national requirements in the NPSET that the Council recognise and provide for the National Grid against other national requirements set out in the <i>New Zealand Coastal Policy Statement</i> relating to natural character, indigenous biodiversity and surf breaks.</p> <p>While most of the suggested wording is agreed to be adopted by the Council, some amendments are considered appropriate based on the view that many of the NPSET</p> |



| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
|--|------------------|--|--|
|  |                  | <p><u><i>(iii) where it is not reasonably practicable to avoid adverse effects on the value of the areas listed in d)ii) above because of the functional, operational, technical or locational needs of the National Grid, remedy or mitigate adverse effects on those values to the extent reasonably practicable;</i></u></p> <p><u><i>(iv) where reasonably practicable, avoiding, remedying or mitigating other adverse effects;</i></u></p> <p><u><i>(v) consider offsetting for residual adverse effects on indigenous biological diversity.</i></u></p> | <p>requirements are already separately recognised and/or addressed in other Plan policies such as Policy 5 [Appropriate use and development], Policy 6 [Benefits of regionally important infrastructure], Policy 31 [Structures that support safe public access and use, or public or environmental benefit], Policy 36 [Maintenance minor alteration or minor extension of existing structures] and Policy 37 [Major alteration or extension of existing structures].</p> <p>The new Policy 6A reads as follows:</p> <p><b><u>Policy 6A: Management of adverse effects of the National Grid</u></b></p> <p><u><i>Where the National Grid has a functional need or operational need to locate in the coastal environment, manage the adverse effects arising from their activities by:</i></u></p> <p><u><i>(a) recognising there may be some areas in the coastal environment where avoidance of adverse effects is required to protect the identified special values of those areas;</i></u></p> <p><u><i>(b) seeking to avoid adverse effects on:</i></u></p> <p><u><i>(i) areas of outstanding value;</i></u></p> <p><u><i>(ii) significant indigenous biodiversity;</i></u></p> <p><u><i>(iii) historic heritage as identified in schedules 5A and 5B; and</i></u></p> <p><u><i>(iv) nationally or regionally significant surf breaks as identified in Schedule 7A and B;</i></u></p> <p><u><i>(c) where it is not practicable to avoid adverse effects on the values of the areas listed in (b) above because of the functional needs or operational needs of the National Grid, remedy or mitigate adverse effects on those values; and</i></u></p> <p><u><i>(d) avoiding, remedying or mitigating other adverse effects.</i></u></p> |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Oppose   |  |

## 4.5 Methods

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions   |
|---|------------------|---|--|
| <b>Methods 1 to 7 – General</b>   |                  |   |  |
| 2 – Federated Farmers   | 627              | <b>Support</b><br>Retain Implementation Methods 1 - 7 of the Plan as notified.  | <b>Accept</b><br>Support noted. The methods are retained subject to amendments to offer relief to other submitters' concerns where appropriate.  |
| Further submissions – Port Taranaki Ltd (32)  |                  | Support   |  |
| <b>Method 1 – Advice and information</b>  |                  |   |  |
| 41 – Te Korowai o Ngāruahine Trust  | 628              | <b>Amend</b><br>Submitter seeks amendment to Implementation Method 1 of the Plan to include the provision of advice and information about the cultural significance and importance of the coastal and marine environment to Māori and iwi/hapū.                                 | <b>Accept</b><br>The Council agrees to granting the relief sought by the submitter by including a new Clause (ab) that reads as follows:<br><i>1. Provide advice and information, including guidelines to coastal users, consent holders and the public: [...]</i><br><i><u>(ab) to promote awareness of the natural, cultural, historic, and amenity attributes and values of the coastal environment, including the cultural significance and importance of the coastal and marine environments to Māori and iwi/hapū. [...]</u></i> |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Atiawa (58), Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support   |  |
| 43 – Royal Forest and Bird Protection Society   | 629              | <b>Amend</b><br>Submitter seeks amendment to Implementation Method 1(g) of the Plan to include reference to the <i>Marine Mammal Protection Act 1978</i> , <i>Wildlife Act 1953</i> and <i>Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012</i> . | <b>Accept</b><br>The Council agrees to granting the relief sought by the submitter by amending Implementation Method 1(g) to read:<br><i>(g) on responsibilities and processes under other legislation, for example, Fisheries Act 1996, Biosecurity Act 1993, Reserves Act 1977, Heritage New Zealand Pouhere Taonga Act 2014, <u>the Marine Mammal Protection Act 1978, Wildlife Act 1953 and Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012.</u></i>  |
| Trans-Tasman Resources Ltd (6)  |                  | Oppose in part  |  |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61)  |                  | Support   |  |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions   |
|---|------------------|--|--|
| <b>Methods 2 and 3 – Economic instruments and works and services</b>                                      |                  |  |  |
| 41 – Te Korowai o Ngāruahine Trust  | 630              | <p><b>Amend</b></p> <p>The submitter believes that the instruments, works and services referred to in Methods 2 and 3 should be used where they enhance and protect coastal values.</p> <p>The submitter seeks to amend Implementation Methods 2 and 3 of the Plan to delete the word <i>consider</i>.</p> | <p><b>Decline</b></p> <p>The Council notes that the use of economic instruments, and/or the Council undertaking works and services, may not necessarily be appropriate over the life of the Plan. Such methods need to be considered on a case-by-case basis recognising that the use of economic instruments and/or undertaking works and services will not be appropriate in all circumstances.</p>  |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Atiawa (58)                                     |                  | Support  |  |
| 49 – Cam Twigley  | 631              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Implementation Methods 2 and 3 of the Plan so that commentary on economic instruments and works and services also references the significant surfing area (and not just surf breaks).</p>  | <p><b>Accept</b></p> <p>The Council agrees to the relief sought by the submitter and agree to amending Implementation Methods 2 and 3 of the Plan so that commentary on economic instruments and works and services refer to the Significant Surfing Area (and not just surf breaks).</p>  |
|   |                  |  |  |
| <b>Method 4 – State of the environment monitoring</b>   |                  |  |  |
| 61 – Te Rūnanga o Ngāti Ruanui Trust  | 632              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Implementation Method 4 of the Plan to explicitly include cultural state of the environment monitoring within Taranaki Regional Council's state of the environment monitoring programme.</p>   | <p><b>Grant in kind</b></p> <p>The Council notes that the level of detail sought by the submitter is not considered necessary or appropriate for this part of the Plan. However, the Council notes that Section 10.1 does include additional detail relating to monitoring the Plan's efficiency and effectiveness and suggest that Section 10.1 is the more appropriate place to refer to incorporating matauranga Māori into the Council's state of the environment monitoring.</p> <p>The Council agrees to an alternative relief by amending Section 10.1 of the Plan to investigate, develop and implement, where appropriate, monitoring methods for the incorporation of mātauranga Māori state of the environment monitoring within the Council's state of the environment monitoring programme.</p> |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) |                  | Support  |  |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
|--|------------------|---|---|
| <b>NEW Method – Spatial planning</b>                       |                  |   |   |
| 55 – Kiwis Against Seabed Mining                           | 633              | <b>Amend</b>  | <b>Accept</b>   |
|  |                  | <p>Submitter seeks amendment to the Plan to include a new implementation method for the Taranaki Regional Council to use spatial planning to</p> <ul style="list-style-type: none"> <li>establish planning considerations which involves neighbouring rural nature, landscape, cultural history values and development-related interests</li> <li>identify conflicting activities that would impact on mana whenua issues, areas of interest and cultural significance and incorporation of buffer zones</li> <li>include values-based framework that identifies, organises, and describes key Māori values as a basis for guiding and determining natural and physical resource management and can be used to set limits and standards connected to Māori values.</li> </ul> | <p>The submitter seeks the inclusion of marine spatial planning, as an implementation method, to inform decision making.</p> <p>The Council agrees to granting the relief sought by including a new Implementation Method 5A that reads as follows:</p> <p><i><u>5A. Develop and implement <b>spatial planning</b> to achieve integrated management of the coastal environment, including the identification of sites and places with significant values, and, where appropriate, make this publicly available.</u></i></p> |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support   |   |
| 56 – Greenpeace  | 634              | <b>Amend</b>  | <b>Accept</b>   |
|  |                  | <p>Submitter seeks amendment to the Plan to include a new Implementation Method for the Council to use spatial planning to achieve integrated management of the marine environment that is collaborative and inclusive.</p>   | <p>The submitter seeks the inclusion of marine spatial planning, as an implementation method, to inform decision making.</p> <p>The Council agrees to granting the relief sought by including a new Implementation Method 5A that reads as follows:</p> <p><i><u>5A. Develop and implement <b>spatial planning</b> to achieve integrated management of the coastal environment, including the identification of sites and places with significant values, and, where appropriate, make this publicly available.</u></i></p> |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support   |   |
| 61 – Te Rūnanga o Ngāti Ruanui Trust                       | 635              | <b>Amend</b>  | <b>Accept</b>   |
|  |                  | <p>Submitter seeks amendment to the Plan to include a new Implementation Method for the Council to use spatial planning to</p> <ul style="list-style-type: none"> <li>establish planning considerations which involves neighbouring rural nature, landscape, cultural history values and development-related interests</li> </ul>   | <p>The submitter seeks the inclusion of marine spatial planning, as an implementation method, to inform decision making.</p> <p>The Council agrees to granting the relief sought by including a new Implementation Method 5A that reads as follows:</p>   |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
|--|------------------|--|--|
|  |                  | <ul style="list-style-type: none"> <li>identify conflicting activities that would impact on mana whenua issues, areas of interest and cultural significance and incorporation of buffer zones</li> <li>include values-based framework that identifies, organises, and describes key Māori values as a basis for guiding and determining natural and physical resource management and can be used to set limits and standards connected to Māori values.</li> </ul>   | <a href="#"><i>5A. Develop and implement <b>spatial planning</b> to achieve integrated management of the coastal environment, including the identification of sites and places with significant values, and, where appropriate, make this publicly available.</i></a>  |
| <b>Method 6 – Use and development of resources</b> |                  |  |  |
| 35 – Radio New Zealand Ltd                         | 636              | <b>Support</b><br>Retain as notified.  | <b>Accept</b><br>Support noted. Method 6 is retained as notified.  |
| <b>Method 8 – Coastal management framework</b>     |                  |  |  |
| 43 – Royal Forest and Bird Protection Society      | 637              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Implementation Method 8 of the Plan to read:<br/><i>Implement Plan objectives, policies and methods of implementation that recognise different coastal processes, values, and uses, and which allow, regulate or prohibit activities in:</i></p> <p><u>1. the following coastal management areas:</u></p> <p>a) Outstanding Value<br/>b) Estuaries Unmodified<br/>c) Estuaries Modified<br/>d) Open Coast<br/>e) Port; <u>and</u></p> <p><u>2. areas identified as having:</u></p> <p><u>a) significant indigenous biodiversity values under Policy 14</u><br/><u>b) areas with natural character values under Policy XX</u><br/><u>c) areas with natural features and landscapes under Policy XX;</u><br/><u>Consistent with policies in section 5.1.</u></p> | <p><b>Grant in kind</b></p> <p>The relief sought seeks to expand Implementation Method 8 to reference locations, sites and places (at a finer spatial scale to coastal management areas) with significant coastal values.</p> <p>The Council determines that Implementation Method 8, which focuses on coastal management areas, be retained as is but propose an alternative relief whereby a new Method 8A is included that recognises significant sites and places at the finer spatial scale. The new method reads as as follows:</p> <p><u>8A. Implement Plan objectives, policies and methods of implementation that allow, regulate or prohibit activities in locations, areas or places with significant values in a manner that avoids, remedies or mitigates adverse effects on:</u></p> <p><u>a) infrastructure of regional importance;</u><br/><u>b) natural character and natural features and landscapes;</u><br/><u>c) indigenous biodiversity;</u><br/><u>d) historic heritage, including sites of significance to Māori; and</u><br/><u>e) amenity values, including surf breaks.</u></p> |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions  |
|---|------------------|--|---|
| Further submissions – Port Taranaki Ltd (32)  |                  | Oppose   |   |
| <b>Method 12 – Implement Plan to recognise use and development</b>  |                  |  |   |
| 35 – Radio New Zealand Ltd  | 638              | <b>Support</b><br>Retain Implementation Method 12 as notified.   | <b>Accept</b><br>Support noted. Policy 12 is retained as notified.  |
| 43 – Royal Forest and Bird Protection Society   | 639              | <b>Amend</b><br>Submitter supports in part Implementation Method 12 of the Plan but is opposed to the use of the term “ <i>appropriate use and development</i> ”. The submitter seeks amendments to the Implementation Method to reflect reliefs sought by the submitter to Policy 5 of the Plan whereby appropriateness is determined on the basis of avoiding inappropriate locations. | <b>No relief necessary</b><br>The Council does not believe any changes to Implementation Method 12 are necessary. The submitter has not specified what changes they are seeking to the Implementation Method. However, providing for use and development is consistent with the Section 5 sustainable management purpose of the RMA. The Council notes that not all use and development in the coastal environment will be appropriate. In determining what is appropriate use and development the reader need to refer to the policies, which includes consideration of location plus other matters.   |
| Further submissions – Transpower NZ Ltd (26), Radio New Zealand (35)                                      |                  | Oppose   |   |
| 50 – Te Kāhui o Taranaki Trust  | 640              | <b>Amend</b><br>Submitter seeks amendment to Implementation Method 12 of the Plan to read:<br><i>Implement Plan objectives, policies and methods of implementation that recognise and provide for appropriate use and development in the coastal environment where Māori cultural values are not adversely impacted on.</i>  | <b>Decline</b><br>The Council does not consider that any changes to Implementation Method 12 are necessary or appropriate.<br>The methods section of the Plan is broad reaching and identifies non regulatory methods for achieving all the Plan objectives, including those relating to Māori cultural values. What is appropriate and where certain activities will be allowed will be determined having regard to the relevant policies and rules within the Plan (not the methods). It is important to note that these policies address broader values and uses than just Māori values or historic heritage.<br>The Council does not consider it necessary or appropriate for Plan provisions to focus on one set of values, or unnecessarily restate all the values. The Council declines the relief sought. |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) |                  | Support  |   |
| <b>Methods 13 to 20 Natural heritage</b>  |                  |  |   |
| 2 – Federated Farmers   | 641              | <b>Support</b><br>Retain Implementation Methods 13 to 20 of the Plan as notified.  | <b>Accept</b>   |



| Submitter   | Submission point | Submitter's requests   | Council's response and decisions  |
|---|------------------|--|---|
| Further submissions – Port Taranaki Ltd (32)  |                  | Support  | Support noted. Implementation Methods 13 to 20 are retained subject to minor and inconsequential amendments requested by other submitters.  |
| 29 – Department of Conservation   | 642              | <p><b>Amend</b></p> <p>The submitter is concerned by the number of blue penguins killed or injured by domestic dogs off leashes along Taranaki beaches and wishes to see bylaws to protect indigenous species encouraged through the Methods section. Submitter seeks amendment to Section 6.4 [Natural heritage] of the Plan to include a new Implementation Method to read:</p> <p><i><u>Encourage district councils to enforce dog control bylaws to preserve indigenous biodiversity by reducing the risk of dogs killing or injuring native birds, marine mammals and other indigenous species.</u></i></p> | <p><b>Accept in part</b></p> <p>The Council recognises the threat posed by dogs to penguins and other indigenous species. However, the Council suggests there are disadvantages to confining advocacy to single issues. Instead, the Council agrees to amending Implementation Method 14 to broaden its scope to advocacy for the purposes of protecting significant indigenous biodiversity, which includes territorial authorities, and could be for the purpose of encouraging the enforcement of dog control bylaws and to reduce the risk of dogs killing or injuring native birds, marine mammals and other indigenous species. Of note, advocacy would not be confined to that issue and could include other agencies, including the submitter, on other biodiversity related issues.</p>  |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) |                  | Support  |   |
| <b>Method 15 – Integrated management</b>  |                  |  |   |
| 56 – Greenpeace   | 643              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Implementation Method 15 of the Plan to extend its scope to address not only marine protected areas but also integrated management of fisheries resources, marine eco-systems and other natural resources and to ensure that there is an integrated management of any activities that occur across jurisdictional boundaries and/or are managed by multiple regimes.</p>   | <p><b>No relief necessary</b></p> <p>The submitter wishes to see integrated management extended beyond the scope of Implementation Method 15.</p> <p>The Council notes that actions or methods promoting integrated management are not confined to this particular method. It is evident in the development of this Plan, in the setting of objectives and general policies, in the scheduling and identification of outstanding natural character, outstanding natural features and landscapes, biodiversity, and historic heritage.</p> <p>The Council further notes that many of the methods of implementation may contribute to integrated management even if not explicitly stated. For example, the Council has significant extension and advocacy programmes involving active and passive protection of biodiversity on land, including coastal herbfields, wetlands and dunes. Similarly, the Council works with a wide variety of agencies and land occupiers under a range of statutes in order to achieve the requirements of the Coastal Plan and to improve our databases.</p> |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61)  |                  | Support  |   |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
|--|------------------|---|---|
|  |                  |   | The Council does not believe that it is necessary to amend Implementation Method 15 to achieve the submitter's request as these matters are fully addressed in the relevant sections of the Plan as discussed. The Council also notes that the achievement of integrated management is also dependent upon other agencies and Council may be limited in what it can influence yet alone achieve under other jurisdictions.  |
| <b>Method 16 – Natural heritage</b>                  |                  |   |   |
| 9 – Karen Pratt                                      | 644              | <p><b>Amend</b></p> <p>The submitter considers the term “coastal site” to be ambiguous and prefers to use the term “coastal marine areas” as this indicates an offshore component. Submitter seeks amendment to Implementation Method 16 of the Plan to read:</p> <p><i>Maintain and update GIS databases of all known <del>coastal sites</del> coastal marine areas with regionally significant values that identify their values, including the presence of any threatened or regionally distinctive species and sites of high cultural, spiritual and historical significance.</i></p> | <p><b>Decline</b></p> <p>Other submitters are encouraging the adoption of better spatial planning and Implementation Method 16 contributes to that deliverable.</p> <p>For the purposes of effective integrated management, the Council suggests that it is appropriate for the Implementation Methods to apply to the wider coastal environment, not just the coastal marine area. Referring to the coastal marine area would limit the scope of the method to only areas within the coastal marine area, removing a considerable amount of onshore area that the Coastal Plan includes. The Council does not believe that this is the intention of the submitter and reassures the submitter that “coastal sites” does include offshore reefs and sites within the coastal marine area in addition to the landward part of the coastal environment.</p> <p>The Council gathers considerable information across the broad suite of its activities (not just those that relate to this Plan or the RMA) and regularly maintains and updates relevant information on its GIS databases. These include its biodiversity and biosecurity programmes under the <i>Local Government Act</i> and the <i>Biosecurity Act</i> but may also include useful information from the Council's other regional plans and/or from other environmental agencies.</p> |
| Further submissions – Trans-Tasman Resources Ltd (6) |                  | <p><b>Oppose</b></p>  |   |
| <b>Method 19 – Natural heritage</b>                  |                  |   |   |
| 60 - Te Kaahui o Rauru                               | 645              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Implementation Method 19 to include mana whenua alongside landowners.</p>   | <p><b>Accept</b></p> <p>The Council agrees to including mana whenua alongside landowners.</p> <p>The amended Implementation Method 19 reads as follows:</p> <p><i>19. Promote active restoration of sand dunes and coastal herb fields, wetlands and forests through working with landowners and <del>tanqata whenua</del> and providing advice and funding for planting, weed and pest control and other related matters.</i></p>  |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
|--|------------------|---|---|
| <b>Methods 21 to 31 – Historic heritage</b>                |                  |   |   |
| 28 – Grant Knuckey   | 646              | <b>Amend</b><br>Submitter seeks amendment to Implementation Methods 21 - 31 of the Plan to require reports mandated by mana whenua and including cultural dimensions applying matauranga Māori.   | <b>Accept in part</b><br>The Council is currently investigating the incorporation of matauranga Māori principles into its monitoring strategies. Although these changes are taking place, the Council does not consider it necessary or appropriate to amend the Plan to require reporting prior to the outcomes of that process. The Council notes that such reporting requirements and protocols are an operational matter best addressed outside the Plan.   |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support   |   |
| 28 – Grant Knuckey   | 647              | <b>Amend</b><br>Submitter seeks amendment to Implementation Methods 21 - 31 of the Plan to require for all applications for resource consent policy; or plan changes; or variations are to be reported on by cultural adviser(s) mandated by tangata whenua of Taranaki with costs to be borne by proponents. | <b>Decline</b><br>The Council declines the relief sought noting that such matters are operational detail that is not appropriate to be included in the Plan.<br>Notwithstanding the above, the Council notes Implementation Method 30 which states that the Council will work with iwi authorities to develop memoranda of understanding that establish and maintain an effective working relationship. In particular, Mana Whakahono a Rohe agreements between the Council and iwi represent an opportunity to set out agreements on Council/iwi relationships, including any requirements for resource consent applications, policy; or plan changes; or variations to be reported on by cultural advisers. |
| Further submissions – Trans-Tasman Resources Ltd (6)       |                  | Oppose  |   |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support   |   |
| 28 – Grant Knuckey   | 648              | <b>Amend</b><br>Submitter seeks amendment to Implementation Methods 21 – 31 of the Plan to require memoranda of understanding with mana whenua.   | <b>No relief necessary</b><br>The Council notes Implementation Method 30 already provides for the relief sought by the submitter. Method 30 states that the Council will work with iwi authorities to develop memoranda of understanding that establish and maintain an effective working relationship.   |
| 28 – Grant Knuckey   | 649              | <b>Amend</b><br>Submitter seeks amendment to Implementation Methods 21 - 31 of the Plan to require marine spatial planning - incorporating matauranga Māori in collaboration with mana whenua.  | <b>Accept in part</b><br>The submitter seeks the inclusion of marine spatial planning, as an implementation method, to require marine spatial planning that incorporates matauranga Māori in collaboration with manawhenua inform decision making.<br>The submitter has not provided specific details as to what this relief looks like or how matauranga Māori is incorporated into a spatial framework. The Council notes that it already gathers considerable information, including spatial information, across the broad suite of its activities (not just those that relate to this Plan or the   |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support   |   |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions   |
|---|------------------|--|--|
|   |                  |  | <p>RMA) and regularly maintains and updates relevant information on its GIS databases. The Council is further investigating the incorporation of matauranga Māori principles into its monitoring strategies with opportunities of incorporating some or all of that information into spatial planning.</p> <p>The Council agrees to granting the relief sought in part by including a new Implementation Method 5A that reads as follows:</p> <p><i>5A. Develop and implement <b>spatial planning to achieve integrated management of the coastal environment, including the identification of sites and places with significant values, and, where appropriate, make this publicly available.</b></i></p> |
| 39 – Maniapoto Māori Trust Board  | 650              | <p><b>Other</b></p> <p>Submitter encourages Council to uphold the principles of the Treaty of Wāitangi and to actively look at Māori representation on its standing committees.</p>  | <p><b>No relief necessary</b></p> <p>The submitter's comments are noted.</p> <p>The Council directs the submitter to Implementation Method 31 which provides for tangata whenua to be represented on the Council's Policy and Planning Committee, the Consents and Regulatory Committee and other committees arising out of Treaty of Waitangi settlements. In addition, Objective 10 [Treaty of Waitangi] and Policy 16 [Relationship of tangata whenua] also ensure that the Treaty of Waitangi is part of the Plan's policy framework.</p>  |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61)  |                  | Support  |  |
| 41 – Te Korowai o Ngāruahine Trust  | 651              | <p><b>Support</b></p> <p>Submitter support Implementation Methods 21 to 31 of the Plan as a useful basis to support implementation of the Plan in line with tangata whenua values.</p>   | <p><b>Accept</b></p> <p>Support noted. Implementation Methods 21 – 31 are retained subject to minor and inconsequential amendments requested by other submitters to Implementation Methods 24, 25 and 27.</p>  |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Atiawa (58)                               |                  | Support  |  |
| 57 – Heritage New Zealand   | 652              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Section 6.5 of the Plan by adding a new Method within the section to read:</p> <p><i>Regularly review and update Schedule 7 [Historic Heritage] to reflect the latest information; for example, new entries on the New Zealand heritage list/Rārangī Kōrero and new sites of significance identified by iwi and/or hapū.</i></p> | <p><b>No relief necessary</b></p> <p>The Council does not believe the relief sought by the submitter is appropriate or necessary.</p> <p>Methods of implementation are optional content matters under Section 67 of the RMA. The Plan methods are deliberately high level to broadly capture the suite of coastal uses and values addressed by the Plan. The Council does not consider it is necessary for Implementation Methods to provide the specificity sought by the submitter.</p> <p>The Council suggests that Implementation Method 16 already sets out that the Council will maintain and update GIS databases of all known coastal sites with</p>   |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Korowai o Ngāruahine Trust (41) Te Atiawa |                  | Support  |  |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions   |
|---|------------------|---|--|
| (58), Te Rūnanga o Ngāti Ruanui Trust (61)                      |                  |   | regionally significant values, including historic significance. Section 10.2 [Review of the Plan] further states that a review of the relevant parts or provisions of the Plan may be carried out if a new issue arises, or if regional monitoring or research programmes show that a review would otherwise be appropriate.   |
| 57 – Heritage New Zealand                                       | 653              | <b>Amend</b>  | <b>No relief necessary</b>   |
|   |                  | Submitter seeks amendment to Section 6.5 of the Plan by adding a new Method within the section to read:<br><i>Consider opportunities for collaboration with stakeholders on the protection and conservation of historic heritage.</i>                             | The Council directs the submitter to Implementation Method 22, which already addresses supporting and, where appropriate, being involved in surveys, research and investigations involving historic heritage.  |
| <b>Method 24 – Identification of wāhi tapu and other taonga</b> |                  |   |  |
| 42 – Ngati Rahiri Hapū  | 654              | <b>Amend</b>  | <b>Accept</b>  |
|   |                  | Submitter seeks amendment to Implementation Method 24 of the Plan to include the definition “waahi taonga” noting the submitter will provide the Taranaki Regional Council with GIS data of sites that they are willing to share.                                 | The submitter notes that it has GIS data on sites of significance in its rohe. Through the pre-hearing process the submitter has worked with the Council to identify sites of significance in their rohe, which have subsequently been included in the Plan and associated planning maps (where this is appropriate).<br>The Council further agrees to amend Implementation Method 24 (and other consequential amendments) to include “waahi taonga” within the Method.<br>The amended method reads as follows:<br><i>24. Support and assist iwi as appropriate, to identify sites and places of special cultural and traditional value associated with the coastal environment, including the identification of wāhi tapu, wāhi taonga and other taonga through the development of electronic wāhi tapu inventories, registers or ‘silent files’.</i> |
| <b>Method 25 – Iwi involvement or partnership</b>               |                  |   |  |
| 41 – Te Korowai o Ngāruahine Trust                              | 655              | <b>Amend</b>  | <b>Accept</b>  |
|   |                  | Submitter suggests Implementation Method 25 of the Plan refers to two distinct forms of implementation and involvement and seeks that it be amended to separate those activities relating to databases and information (which is already addressed in Method 24). | The Council agrees to the relief sought by the submitter. The Council agrees to amending Implementation Methods 24 and 25 to read:<br><i>24. Support and assist iwi to develop iwi and Council databases and records that identify sites and places of special cultural and traditional value associated with the coastal environment, including the identification of wāhi tapu, wāhi taonga and</i>  |



| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
|--|------------------|--|---|
|  |                  |  | <p>other taonga through the development of electronic wāhi tapu inventories, registers or 'silent files'.</p> <p>25. Consider <b>iwi involvement or partnerships</b> in Taranaki Regional Council resource investigations and projects associated with the coastal environment.</p>   |
| 42 – Ngati Rahiri Hapū   | 656              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Implementation Method 25 of the Plan by deleting and replacing the word “consider” (in relation to Iwi involvement or partnerships in Council resource investigations and projects) with a stronger word to show a stronger commitment from the Council.</p> | <p><b>Decline</b></p> <p>The Council declines the relief sought by the submitter noting that involvement or partnerships with other parties (not just iwi) on Council investigations and projects necessarily need to be considered on a case-by-case basis.</p>  |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Korowai o Ngāruahine Trust (41) Te Atiawa (58), Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support  |   |
| <b>Method 27 – Promote public awareness of wāhi tapu and other taonga</b>  |                  |  |   |
| 42 – Ngati Rahiri Hapū   | 657              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Implementation Method 27 of the Plan to also refer to “waahi taonga”.</p>  | <p><b>Accept</b></p> <p>The Council agrees to granting the relief sought by the submitter. It is agreed that the Implementation Method 27 be amended to read:</p> <p>27. Provide advice and information to generally <b>promote awareness</b> of wāhi tapu, <b>wāhi taonga</b> and other taonga and the importance and values of such sites and values.</p>   |
|  |                  |  |   |
| <b>Method 29 – Historic heritage</b>   |                  |  |   |
| 57 – Heritage New Zealand  | 658              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Implementation Method 29 of the Plan due to the potential issues with silent files and the accessibility of the public. The submitter suggests to consider using indicative markers on planning maps and consultation with iwi and/or hapū instead.</p>      | <p><b>No relief necessary</b></p> <p>The Council notes the concerns of the submitter are around a sensitive area of information to iwi/hapū. However, this level of detail is not considered appropriate to specify in Plan methods. Such matters are currently being worked through in this Plan review process.</p> <p>Operational details to address potential issues with silent files and the use of indicative markers might be a matter to be addressed in Mana Whakahono a Rohe agreements. Although it is noted that in the engagement with iwi and hapū to date</p> |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61)   |                  | Support  |   |



| Submitter   | Submission point | Submitter's requests  | Council's response and decisions  |
|---|------------------|---|---|
|   |                  |   | there is general agreement that polygons are the more appropriate planning tool which has been implemented as a result of such consultations with iwi/hapū. The methodology and appropriateness of using indicative markers to identify culturally sensitive sites of significance will be determined only in consultation with the affected tangata whenua.  |
| <b>Method 31 – Historic heritage</b>                                  |                  |   |   |
| 57 – Heritage New Zealand   | 659              | <b>Amend</b><br>Submitter seeks amendment to Implementation Method 31 of the Plan to include how the Council will provide guidance on how tangata whenua representatives will be chosen.  | <b>Decline</b><br>The Council does not agree to granting the relief sought by the submitter. The Council considers this level of detail inappropriate for Plan methods noting that such matters have already been addressed with the agreements of the iwi authorities.   |
| <b>Method 32 – Resource consents</b>                                  |                  |   |   |
| 50 – Te Kāhui o Taranaki Trust  | 660              | <b>Amend</b><br>Submitter seeks amendment to Implementation Method 32 of the Plan to read:<br><i>As appropriate, require new or renewed resource consents for the use or development of the coastal marine area to include a condition addressing public access <u>where Māori cultural values are not adversely impacted on.</u></i> | <b>No relief necessary</b><br>The Council recognises the submitter's concerns regarding Māori cultural values and public access.<br>The Council would like to reassure the submitter that such issues are already addressed in the Policies section. The Council further notes that the qualifier for including consent conditions addressing public access is it must be "appropriate". Policy 17 (c) sets out directions where public access might not be appropriate and it includes, amongst other things, where restrictions necessary to protect historic heritage and sites and activities of cultural value to Māori.<br>As the requested relief is already contained within the relevant policies and will be implemented on such instances where public access and cultural values coincide, the Council does not consider it appropriate or necessary to repeat the provisions already provided for. |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Atiawa (58) |                  | <b>Support</b>  |   |
| <b>Method 34 – Public use and enjoyment</b>                           |                  |   |   |
| 2 – Federated Farmers   | 661              | <b>Support</b><br>Retain Implementation Method 34 of the Plan as notified.  | <b>Accept</b>   |

| Submitter                                    | Submission point | Submitter's requests   | Council's response and decisions  |
|--|------------------|--|---|
| Further submissions – Port Taranaki Ltd (32) |                  | Support  | Support noted. Implementation Method 34 is retained subject to minor and inconsequential amendments requested by another submitter.   |
| 5 – Point Board Riders                       | 662              | <b>Support</b>   | <b>Accept</b>   |
|  |                  | Submitter supports Implementation Method 34 of the Plan establishing a working group of stakeholders for the designated Significant Surfing Area and suggest the concept could be expanded to other parts of the coastline if the model is successful.   | Support and comments noted.   |
| 15 – Surfbreak Protection Society            | 663              | <b>Support</b>   | <b>Accept</b>   |
|  |                  | Submitter supports Implementation Method 34 of the Plan establishing a working group of stakeholders for the designated Significant Surfing Area and seeks key surfing groups be involved.   | Support and comments noted.   |
| 50 – Te Kāhui o Taranaki Trust               | 664              | <b>Amend</b>   | <b>Grant in kind</b>  |
|  |                  | <p>The submitter comments that Implementation Method 34 is premature and contend that the Council has not gone through appropriate consultation on the surf breaks designations.</p> <p>Submitter seeks amendment to the Plan by deleting Implementation Method 34 of the Plan relating to the establishment of a working group to look at protecting and enhancing recreational values.</p> | <p>The Council notes that through the Coastal Plan review there has already been considerable consultation and engagement on the issue of surf break protection. An initial list of regionally significant surf breaks was adopted in the current <i>Regional Policy Statement for Taranaki</i>, which was adopted in 2010. However, through the Coastal Plan review additional investigations and engagement occurred. This included the commissioning of reports on Regional significance criteria for the assessment of surfbreaks and Taranaki surf breaks of national significance, consultation and seeking of feedback on draft Plan policies, further consultation on a draft Plan and, more recently, public notification for the Proposed Plan. As part of the review, an innovative 'wave survey' was also carried out that allowed the community to tell Council which surf breaks had specific values and why.</p> <p>In relation to Implementation Method 34, the Council notes there is wide spread support for the establishment of a working group to look at not only protecting and enhancing recreational values in the Significant Surfing Area but also to address wider issues associated with public access, tourism promotion, the management of over-crowding, freedom camping, district council bylaws and the protection of other values in the area. This is an example of reliefs sought by other submitters, on other issues, where greater collaboration and integrated management is sought to address issues that are much broader than those covered by this Plan.</p> |

| Submitter                         | Submission point | Submitter's requests   | Council's response and decisions  |
|-----------------------------------|------------------|--|---|
|                                   |                  |  | Iwi and hapū are seen as integral to this concept working. If the submitter sees no merit in establishing and participating in a working group that includes relevant agencies, landowners, iwi, hapū and interest groups to protect and enhance the recreational values of the Significant Surfing Area as described in Schedule 7B, then the Council will not proceed. Accordingly, the Council agrees to amending Implementation Method 34 to <u>investigate</u> the establishment of a working group.   |
| <b>Method 35 – Public Access</b>  |                  |  |   |
| 42 – Ngati Rahiri Hapū            | 665              | <p><b>Amend</b></p> <p>Submitter suggests that the reference to the <i>Queen Elizabeth the Second National Trust Act 1977</i> is in conflict with the intent of Implementation Method 35 to promote public access along the coast as the Queen Elizabeth II covenants generally exclude public access. Submitter seeks amendment to Implementation Method 35 of the Plan to delete reference to “<i>Queen Elizabeth the Second National Trust Act 1977</i>”.</p> | <p><b>Accept</b></p> <p>The Council agrees to the submitters request to remove the reference to “<i>Queen Elizabeth the Second National Trust Act 1977</i>”. The revised method reads as follows:</p> <p><b>35. Promote</b> the enhancement of public access to and along the coast through agreements or covenants with landowners under the <i>Walking Access Act 2008, the Reserves Act 1977, or through the voluntary creation of esplanade strips under the RMA.</i></p>   |
| <b>Method 43 – Implement Plan</b> |                  |  |   |
| 50 – Te Kāhui o Taranaki Trust    | 666              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Implementation Method 43 of the Plan to read: <i>Promote industrial, domestic, and agricultural discharge and treatment systems, siting, design, installation, operation and maintenance procedures to avoid or mitigate adverse effects on coastal water or air quality <u>where Māori cultural values are not adversely impacted on.</u></i></p>   | <p><b>No relief necessary</b></p> <p>The Council recognises that the submitter wishes to protect their cultural values from adverse effects associated with discharge systems. However, the Council notes that the rationale for avoiding or mitigating adverse effects on coastal water or air quality includes wider resource management considerations and is not confined to Māori cultural values. It is not appropriate to limit or restrict Implementation Method 43 in such a manner. The Council refers the submitter to the relevant policies, including General Policies, to see the level of protections provided for under such matters.</p> |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
|--|------------------|---|---|
| <b>Method 47 – Notify Medical Officer of Health</b>  |                  |   |   |
| 48 – Taranaki District Health Board                  | 667              | <b>Amend</b><br>Submitter seeks amendment to Implementation Method 47 of the Plan to read:<br><i>Notify the Medical Officer of Health for Taranaki and the relevant territorial authority if water quality shows that coastal water is unfit for contact recreation or gathering of shellfish for human consumption. <u>The Taranaki Regional Council will also conduct an investigation to determine the cause of the poor water quality if it is practicable.</u></i> | <b>Accept</b><br>The submitter wishes to include a method component that emphasises the investigation into the cause of the poor water quality if it is practicable to do so. The Council agrees to amending Implementation Method 47 as sought.  |
| <b>Method 48 – Advocate or encourage</b>             |                  |   |   |
| 9 – Karen Pratt                                      | 668              | <b>Amend</b><br>The submitter is concerned about the potential adverse environmental effects of ballast water and seeks amendment to Implementation Method 48 of the Plan to reference Maritime New Zealand Marine Protection Rules and Craft Risk Management Standard and suggest looking at the wording in conditions of consent included in the recent granting to mine ironsand off New Zealand.  | <b>No relief necessary</b><br>The Council suggests that the relief sought by the submitter is a matter to be considered when applying the rules although care needs to be taken to ensure the matters being considered relate to the Council's jurisdictional responsibilities under the RMA and do not derogate from the Ministry for Primary Industries border control responsibilities, which includes ballast water. The Council notes that Implementation Method 48 is a non-regulatory method to achieve Plan objectives (in this case advocacy and encouragement). |
| Further submissions – Trans-Tasman Resources Ltd (6) |                  | Oppose  |   |
| 29 – Department of Conservation                      | 669              | <b>Support</b><br>Retain Method 48 of the Plan as notified.   | <b>Accept</b><br>Support noted. Implementation Method 48 is retained as notified.   |
| <b>Method 50 – Regional marine oil responses</b>     |                  |   |   |
| 7 – Waikato Regional Council                         | 670              | <b>Support</b><br>Submitter supports Implementation Method 50 of the Plan relating to marine oil spill responses.   | <b>Accept</b><br>Support noted. Implementation Method 50 is retained as notified.   |
| Further submissions – Port Taranaki Ltd (32)         |                  | Support   |   |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
|--|------------------|--|---|
| <b>Method 51 – Noise standards</b>   |                  |  |   |
| 43 – Royal Forest and Bird Protection Society                                | 671              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Implementation Method 51 of the Plan to delete reference to New Zealand Standards and replace with:</p> <p><i>[...] <u>considerations of the latest information of the effects of noise of marine species and habitats. The use of the most recent professionally supported noise modelling for the marine environment. Taking a precautionary approach where limited information is available.</u></i></p>  | <p><b>Decline</b></p> <p>The Council declines the relief sought by the submitter noting that the <i>New Zealand Standards NZS 6802:2008 Acoustics - Environmental noise and NZS 6803: 1999 Acoustics – Construction Noise</i> have been adopted and underpin the limits set in Section 8.6.3 [General standards – Noise] of the Plan.</p>   |
| Further submissions – Trans-Tasman Resources Ltd (6), Port Taranaki Ltd (32) |                  | Oppose   |   |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61)                   |                  | Support  |   |
| 48 – Taranaki District Health Board  | 672              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Implementation Method 51 of the Plan to read:</p> <p><i>Consideration of the general standards in this Plan, and of New Zealand Standards NZS 6802:2008 Acoustics - Environmental noise and NZS 6803: 1999 Acoustics – Construction Noise when:</i></p> <p><i>(a) considering applications for coastal permits; or</i></p> <p><i>(b) determining whether noise <u>is unreasonable levels are excessive</u> for the purpose of enforcement action under Part 12 of the RMA.</i></p> <p><i><u>Note "excessive noise" is subject to special provisions of the RMA under sections 326-328 of the Act. Council enforcement Hearing Panel may exercise powers to investigate complaints that noise is excessive and take appropriate actions under s.327 of the Act.</u></i></p> | <p><b>Accept in part</b></p> <p>The Council agrees to amending Implementation Method 51 in part to read:</p> <p><i>Consideration of the general standards in this Plan, and of New Zealand Standards NZS 6802:2008 Acoustics - Environmental noise and NZS 6803: 1999 Acoustics – Construction Noise when:</i></p> <p><i>(a) considering applications for coastal permits; or</i></p> <p><i>(b) determining whether noise levels are <u>in breach</u> for the purpose of enforcement action under Part 16 of the RMA.</i></p> <p>The Council considers that the explanatory note would be more appropriately placed in Section 8.6.3 of the Plan.</p> |
| <b>NEW Method Natural hazard management</b>                                  |                  |  |   |
| 7 – Waikato Regional Council   | 673              | <p><b>Amend</b></p> <p>Submitter seeks that Council consider incorporating an adaptive pathways planning approach to natural hazards as a new Implementation Method.</p>   | <p><b>Decline</b></p> <p>No precise details of amendments sought to the Plan have been provided and seems to be an unnecessary level of detail given that the Coastal Plan would be</p>   |

| Submitter | Submission point | Submitter's requests | Council's response and decisions  |
|-----------|------------------|----------------------|---|
|           |                  |                      | only one of the elements necessary to deliver adaptive pathways planning approach to natural hazards with other agencies (such as territorial authorities) having the key role. |



## 4.6 Rules

| Submitter                                     | Submission point | Submitter's requests   | Council's response and decisions  |
|---|------------------|--|---|
| <b>General – Plan</b>                         |                  |  |   |
| 43 – Royal Forest and Bird Protection Society | 674              | <b>Amend</b>   | <b>Accept</b>   |
|   |                  | Submitter seeks amendment to rules to change “ <i>effects on ecological values</i> ” to “ <i>effects on indigenous biodiversity</i> ” in matters for control.  | The term “ <i>ecological values</i> ” means relating to or concerned with the relation to organisms to one another and their physical surroundings. As such it has a broad application and potentially captures other matters of control identified in relevant rules such as water quality but is potentially unclear as to what other constituent parts of the environment are also captured in the term.<br><br>For the purposes of certainty and clarity, the Council agrees to changing reference to “ <i>effects on ecological values</i> ” to “ <i>effects on indigenous biodiversity</i> ” plus other consequential changes (addressing natural character) within the rules section to better align with Plan policies addressing natural form and functioning and indigenous biodiversity. This relief will better align language between the rules and language already adopted in the objectives and policies of the Plan.   |
| Further submissions – Port Taranaki Ltd (32)  |                  | Oppose   |   |
| 43 – Royal Forest and Bird Protection Society | 675              | <b>Amend</b>   | <b>Decline</b>  |
|   |                  | Submitter seeks amendment to permitted activity rules of the Plan by replacing references to avoiding adverse effects on Policy 11 of the <i>New Zealand Coastal Policy Statement</i> matters with permitted activities that limit the activity type, scale and location to the extent that the activity will not have an adverse effect which is inconsistent with achieving Policy 11 of the <i>New Zealand Coastal Policy Statement</i> . | At the hearing, the submitter highlighted concerns over subjective rule standards, term and conditions. It was their view that standards, terms and conditions for permitted (or controlled) activities should only be provided where it is known that the potential effects will be not more than minor and in these instances the conditions should be clear. The Hearing Panel agreed but noted that, as far as is practicable, this has been done. It is the Hearing Panel's and Council's view that all rules give effect to Policy 11 [Indigenous biological diversity (biodiversity)] of the <i>New Zealand Coastal Policy Statement</i> .<br><br>Permitted activity rules are already proposed that are believed to be of a scale, type and location that any adverse effects on biodiversity will be less than minor and is consistent with community expectations set out in the Plan policies – particularly Policies 14, 14A and 14B the Plan, which, in turn give effect to Policy 11 of the <i>New Zealand Coastal Policy Statement</i> . |
| Further submissions – Powerco (45)            |                  | Oppose in part   |   |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions   |
|---|------------------|--|--|
|   |                  |  | <p>Notwithstanding any permitted activity classification, undertaking such activities is still subject to compliance with the standards, terms and conditions of the rule, which will ensure that such activities are carried out in a manner that will avoid, remedy or mitigate effects on significant indigenous biological diversity. There may be isolated circumstances where a permitted activity could occur at a time or place that might have potential adverse effects on significant indigenous biodiversity. In such cases, the activity is not 'allowed' as there is a standard, term and condition that requires adverse effects to be avoided.</p> <p>This is part of a precautionary approach that may require a higher level of protection than otherwise provided for under Policy 14). Also as part of the precautionary approach, Rules 18, 20, 21 and 22 include notification clauses whereby the activity must notify the Council prior to commencing the activity so that there is an opportunity if necessary to confirm that the type, scale and location of the permitted activity should indeed be able to comply with the relevant standards, terms and conditions.</p> <p>Further to this, the Council notes that, in response to other reliefs sought by the submitter and others, the Council agrees an additional standards, terms and conditions be included in permitted and controlled activity rules that address other wider biodiversity considerations, for example, protection of taonga species and aquatic life</p> |
| 43 – Royal Forest and Bird Protection Society   | 676              | <p><b>Amend</b></p> <p>Submitter seeks amendment to rules of the Plan to avoid adverse effect on natural character as required by Policies 13 and 15 of the <i>New Zealand Coastal Policy Statement</i>.</p> | <p><b>No relief necessary</b></p> <p>No precise details of amendments sought to the Plan have been provided. However, it is the Council's view that all rules give effect to Policies 13 [Preservation of natural character] and 15 [Natural features and natural landscapes] of the <i>New Zealand Coastal Policy Statement</i>.</p>  |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) |                  | Support  | <p>Permitted activity rules are believed to be of a scale, type and location that any adverse effects on natural character and natural features and landscapes will be less than minor and is consistent with community expectations set out in the Plan policies – particularly Policies 8 to 13 of the Plan, which, in turn give effect to Policies 13 and 15 of the <i>New Zealand Coastal Policy</i></p>   |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions  |
|---|------------------|---|---|
| Further submissions – Powerco (45)  |                  | Oppose in part  | <p><i>Statement.</i> Any permitted activity is subject to compliance with the standards, terms and conditions of the rule, which will ensure permitted activities are carried out in a manner that will avoid, remedy or mitigate effects on natural character and natural features and landscapes.</p> <p>Where activities are of a scale, type and location that any adverse effects on natural character and natural features and landscapes will likely to be more than minor a resource consent is required. Through the consenting process, all General Policies are considered, including Policies 8 to 13, when determining whether the activity will be allowed and, in the event that it is consented, what conditions will be imposed to avoid, remedy or mitigate effects on natural character and natural features and landscapes. The Council further notes that controlled and restricted discretionary rules generally include, as a matter of control/discretion, effects on natural character, features and landscape values.</p> |
| 55 – Kiwis Against Seabed Mining  | 677              | <p><b>Amend</b></p> <p>Submitter seeks amendment to the Plan to include rules prohibiting and restricting fishing activities and protect coastal values as identified through spatial planning.</p>   | <p><b>Decline</b></p> <p>The Council declines the relief sought by the submitter noting that jurisdictional responsibilities for marine fishing lies with the Ministry for Primary Industries under the <i>Fisheries Act</i>. Regional councils are therefore not responsible for fishing activities <i>per se</i> within the coastal marine area.</p> <p>Notwithstanding the above, the Council recognises that activities in the coastal marine area may result in the disturbance or destruction of marine habitat. However, such activities are already addressed via Plan rules. Any other prohibitions or restrictions targeting fishing activities are considered inappropriate.</p>   |
| 56 – Greenpeace   | 678              | <p><b>Amend</b></p> <p>Submitter seeks amendment to the Plan (rules) to ensure that fishing activities are managed so as to avoid, remedy or mitigate adverse effects to environmental bottom lines and policies of the <i>New Zealand Coastal Policy Statement</i> and/or values identified in the <i>Regional Policy Statement</i> and <i>Coastal Plan</i>.</p> | <p><b>Decline</b></p> <p>The Council declines the relief sought by the submitter noting that jurisdictional responsibilities for marine fishing lies with the Ministry for Primary Industries under the <i>Fisheries Act</i>. Regional councils are therefore not responsible for fishing activities <i>per se</i> within the coastal marine area.</p> <p>Notwithstanding the above, the Council recognises that activities in the coastal marine area may result in the disturbance or destruction of marine habitat. However, such activities are already addressed via Plan rules. Any other prohibitions or restrictions targeting fishing activities are considered inappropriate.</p>   |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) |                  | Support   | <p>Notwithstanding the above, the Council recognises that activities in the coastal marine area may result in the disturbance or destruction of marine habitat. However, such activities are already addressed via Plan rules. Any other prohibitions or restrictions targeting fishing activities are considered inappropriate.</p>  |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
|--|------------------|--|---|
| 61 – Te Rūnanga o Ngāti Ruanui Trust                     | 679              | <b>Amend</b>   | <b>No relief necessary</b>  |
|  |                  | Submitter seeks amendment to the Rules of the Plan to clearly articulate tangata whenua participation.                               | No precise details of amendments to the Plan have been provided and the Council is unclear as to what amendments to rules would be appropriate to clearly articulate tangata whenua participation (presumably in relation to RMA matters). The Council does not believe operational details relating to the implementation of the Plan are appropriate to be included within a Plan yet alone in the rules section.<br><br>The Council does not agree to making any changes to the rules section of the Plan in response to the relief sought. However, the Council notes consequential amendments have been made to relevant Plan objectives, policies and methods articulating tangata whenua values and relationships. Further opportunities to address operational detail exists outside the Plan. In particular, the Council notes that, through Mana Whakahono a Rohe agreements, such matters can be addressed and further detail provided. The Council will be seeking to work with tangata whenua in order to address these issues in the appropriate setting and format through Mana Whakahono a Rohe agreements. |
| Further submissions - Te Korowai o Ngāruahine Trust (41) |                  | Support  |   |
| 61 – Te Rūnanga o Ngāti Ruanui Trust                     | 680              | <b>Other</b>   | <b>No relief necessary</b>  |
|  |                  | Submitter seeks that more details are provided with respect to the nature and scope of the word “ <i>minor</i> ” to avoid confusion. | The word “ <i>minor</i> ” has been used in several contexts. The most common instance is in relation to describing the effects of an activity.<br><br>In general, the magnitude of the effects of an activity are determined on a case-by-case basis as it is not appropriate to make a blanket statement that covers so many variables, environmental locations and sensitive environments. For example, what is considered a minor effect in one location may produce a significant effect in another due to the nature of that specific location and the associated values and uses. The criteria for determining “ <i>minor adverse effects</i> ” is whether the activity will cause an adverse effect and the level of that effect and the time it would take for that effect to be remedied (either naturally or through remedial processes). Generally, minor effects are small and transitory such that they do not require avoiding, remedying or mitigating in order to maintain the values of that location, whether those be biological, environmental, historic, cultural, visual, etc.                        |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions  |
|---|------------------|---|---|
| 61 – Te Rūnanga o Ngāti Ruanui Trust  | 681              | <b>Amend</b>  | <b>No relief necessary</b>  |
|   |                  | Submitter seeks amendment to the Rules section of the Plan that monitoring programmes referred to within the Rules section of the Plan include cultural or mauri indicators/values. | The Council does not believe the rules section is the appropriate place to introduce or detail cultural monitoring requirements. The submitter has not stated which rules need to be amended or the precise amendments sought. However, the Council notes that for discretionary and non-complying activities, cultural monitoring programmes that include cultural or māuri indicators/values may be considered on a case-by-case basis as part of the consenting process.<br><br>Similarly, controlled activity rules already include, as matters of control, monitoring considerations. Monitoring is a broad term that is used in the Plan to include all aspects of monitoring including cultural monitoring and there is no advantage in confining monitoring to particular forms. Again, through the consenting process, there is the opportunity to consider and include cultural or mauri indicators/values on a case-by-case basis as part of any compliance programme. |
| Further submissions - Te Rūnanga o Ngāti Mutunga (40), Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) |                  | Support   |   |
| 61 – Te Rūnanga o Ngāti Ruanui Trust  | 682              | <b>Amend</b>  | <b>No relief necessary</b>  |
|   |                  | Submitter seeks amendment to the Rules section of the Plan to reference adverse effects on Schedules 1, 2, 4C, 5B and Appendix 2 of the Plan.                                       | The Council notes that the appropriate references to Plan schedules have already been included within the rules section and no further additions are required.<br><br>The Council further notes that the submitter has sought the inclusion of standards, terms and conditions for rules in the Plan relating to discretionary and non-complying activities. The inclusion of such matters in the rule is not considered appropriate with conditions being developed on a case-by-case basis through the consenting process having regard to the relevant policies, which in turn contain the necessary reference to the schedules sought by the submitter.   |
| <b>Rule 1 – Stormwater discharge</b>  |                  |   |   |
| 29 – Department of Conservation   | 683              | <b>Amend</b>  | <b>Decline</b>  |
|   |                  | Submitter seeks amendment to Rule 1 of the Plan to exclude its application to coastal management areas, Outstanding Value and Estuaries Unmodified.                                 | The submitter believes that the permitted classification of stormwater discharge into Outstanding Value coastal management areas and Estuaries Unmodified is inappropriate.   |



| Submitter                       | Submission point | Submitter's requests  | Council's response and decisions  |
|---------------------------------|------------------|---|---|
|                                 |                  |   | <p>Stormwater is defined within the Plan (in accordance with the <i>National Planning Standards</i>) and means "...runoff that has been channelled, diverted, intensified or accelerated by human modification of a land surface or runoff from the surface of any structure, as a result of precipitation and includes any contaminants contained within."</p> <p>The Council does not agree to granting the relief sought by the submitter.</p> <p>The Council does not consider it appropriate to require consents from all premises to simply authorise the discharge of rainfall runoff from their land. Coastal monitoring over the life of the current Coastal Plan has identified no issues with stormwater contributing to more than minor adverse effects to coastal water quality. Therefore, to now require all properties (urban, rural, industrial and trade premises) because they are adjacent to Outstanding Value and Estuaries Unmodified coastal management areas to get a resource consent, regardless of having less than minor adverse effects, imposes significant added compliance cost without any net environmental gain.</p> <p>The Council notes that any permitted activity to discharge stormwater into the coastal marine area is still subject to compliance with the standards, terms and conditions of the rule, which will ensure permitted activities are carried out in a manner that will avoid, remedy or mitigate effects on coastal water quality and associated values and uses.</p> |
| 40 – Te Rūnanga o Ngāti Mutunga | 684              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 1 of the Plan by deleting Activity Description (b)(i) in Rule 1 of the Plan to read:</p> <p><i>Stormwater discharge into water or onto land in the coastal marine area that either:</i></p> <p><i>(a) does not convey stormwater from any industrial or trade premises, or</i></p> <p><i>(b) conveys stormwater from industrial or trade premises that:</i></p> <p><del><i>(i) cover a total area of 2 ha or less; and</i></del></p> <p><del><i>(ii) do not use or store hazardous substances.</i></del></p> | <p><b>Decline</b></p> <p>The submitter believes that any stormwater discharge from an industrial or trade premises should be monitored for its possible adverse effects on the environment irrespective of the size of the trade or industrial premises.</p> <p>Stormwater is defined within the Plan (in accordance with the <i>National Planning Standards</i>) and means "...runoff that has been channelled, diverted, intensified or accelerated by human modification of a land surface or runoff from the surface of any structure, as a result of precipitation and includes any contaminants contained within."</p> <p>The relief sought by the submitter will significantly increase compliance costs on a range of businesses by including a requirement to obtain a consent to discharge stormwater. The RMA definition of 'industrial or trade premises' includes a large variety of premises such as surf lifesaving clubs, dairies etc. Stormwater discharges to the coastal marine area from these premises</p>   |



| Submitter                       | Submission point | Submitter's requests  | Council's response and decisions  |
|---------------------------------|------------------|---|---|
|                                 |                  |   | <p>(recognising that they cannot use or store hazardous substances) are expected to have less than minor adverse environmental effects.</p> <p>In terms of managing adverse effects and not imposing unnecessary (and disproportionate costs) on resource users, it is considered inappropriate to require consents from all industrial or trade premises to simply authorise the discharge of rainfall runoff from their land. The Council declines the relief sought and retains the activity description (b)(i) of Rule 1 as notified.</p>   |
| 40 – Te Rūnanga o Ngāti Mutunga | 685              | <p><b>Amend</b></p> <p>The submitter is not convinced that, even with the conditions listed, there is not a possibility of contamination of the water in these areas where stormwater discharges are allowed as a permitted activity.</p> <p>Submitter seeks amendment to amend Rule 1 of the Plan to make stormwater discharges a discretionary activity in Outstanding Value, Estuaries Unmodified and Estuaries Modified coastal management areas.</p> | <p><b>Decline</b></p> <p>The Council declines the relief sought by the submitter.</p> <p>Stormwater is defined within the Plan (in accordance with the <i>National Planning Standards</i>) and means "...runoff that has been channelled, diverted, intensified or accelerated by human modification of a land surface or runoff from the surface of any structure, as a result of precipitation and includes any contaminants contained within."</p> <p>The Council notes there are significant urban areas that would be affected by the relief sought by the submitter such as New Plymouth, Waitara, Urenui and Patea. Coastal monitoring over the life of the current Coastal Plan has identified no issues with stormwater contributing to more than minor adverse effects to coastal water quality. Therefore, to now require all properties (urban, rural, industrial and trade premises) to get a resource consent regardless of having less than minor adverse effects is not considered appropriate and would unnecessarily restrict activities without any net environmental impacts.</p> |
| 40 – Te Rūnanga o Ngāti Mutunga | 686              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Condition (i) of Rule1 of the Plan to read:<br/>(i) the discharge does not render marine organisms unsuitable for human consumption within recognised mātaītai reefs/resources; [...]</p>   | <p><b>Accept</b></p> <p>The submitter identifies that there are difficulties in mapping all of the mātaītai areas within the Ngāti Mutunga rohe and requests that the condition be expanded to include all marine organisms.</p> <p>The Council agrees to granting the relief sought by the submitter by amending condition (i) to read:<br/>(i) the activity does not render marine organisms unsuitable for human consumption.</p>  |

| Submitter                          | Submission point | Submitter's requests   | Council's response and decisions   |
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| 40 – Te Rūnanga o Ngāti Mutunga    | 687              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Condition (k) of Rule 1 of the Plan to read:<br/> <i>(k) the discharge does not cause the natural temperature to be changed by more than three degrees from normal seasonal water temperature fluctuations, after reasonable mixing <u>or any changes that cause it to exceed 25 degrees Celsius.</u></i></p>  | <p><b>Decline</b></p> <p>The submitter supports setting an upper temperature limit to the increase any discharge can have on water temperature due to the detrimental effect it can have on life.</p> <p>The Council declines the relief sought by the submitter. A review of coastal water temperatures at coastal recreational monitoring sites between 2015 to 2018 shows that temperatures may naturally reach 25 degrees celsius. Including a threshold of 25 degrees celsius when such temperatures can be 'naturally' exceeded would unnecessarily restrict stormwater discharges at certain times of the year for no net environmental benefit.</p> <p>The Council suggests that the Condition (k) already adequately addresses the effects of temperature through the requirement that the discharge does not cause the natural temperature to be changed by more than three degrees from normal seasonal water temperature fluctuations.</p>   |
| 41 – Te Korowai o Ngāruahine Trust | 688              | <p><b>Amend</b></p> <p>Submitter supports Rule 1 and specifically the inclusion of Condition (e) in Rule 1 of the Plan addressing historic heritage, but seeks further dialogue on how adverse effects will be considered in practice. The submitter is uncertain if the Council is best placed to determine if Condition (e) is met.</p> <p>If an agreement cannot be reached, submitter seeks amendment to Rule 1 to make stormwater discharges a discretionary activity (rather than Permitted activity).</p> | <p><b>Decline</b></p> <p>The issue is one of managing adverse effects from normal incidental discharges of stormwater. In most cases, allowing stormwater discharges associated with residential premises, production land, parks and reserves, and smaller benign industrial and trade premises adjacent to the coastal marine area can be permitted as they will generally be of a scale, type and location that any adverse effects on historic heritage values (and other values) are less than minor. However, in isolated circumstances this might not be the case – hence the need for Condition (e) addressing no adverse effects on scheduled historic heritage values that would apply if an activity was having unexpected/unintended impacts.</p> <p>In terms of who is best placed to make that determination as to the significance of any effects, the Council has the regulatory responsibilities to monitor and enforce its regional plans. However, Council note that in making that determination it will be informed by the advice and guidance by others, including tangata whenua where the values associated with sites of significance are potentially being impacted upon. Some of this guidance would be set out in the Plan, through its policies or scheduled of sites of significance, while on other occasions it might be informed by further individual engagement with iwi or hapū.</p> |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
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|  |                  |  | With regards to changing the Activity classification from Permitted to Discretionary, the Council declines the relief sought.   |
| 42 – Ngati Rahiri Hapū   | 689              | <p><b>Amend</b></p> <p>Submitter expresses concern for conflicting activities between Activity Description (a) and (b) of Rule 1 of the Plan and seeks amendment to Activity Description (b) to read:</p> <p><i>Stormwater discharge into water or onto land in the coastal marine area that either:</i></p> <p><i>(a) does not convey stormwater from any industrial or trade premises, or</i></p> <p><i>(b) conveys stormwater from industrial or trade premises that:</i></p> <p><del>(i) cover a total area of 2 ha or less; and</del></p> <p><del>(ii) do not use or store hazardous substances [...]</del></p> | <p><b>Decline</b></p> <p>Stormwater is defined within the Plan (in accordance with the <i>National Planning Standards</i>) and means "...runoff that has been channelled, diverted, intensified or accelerated by human modification of a land surface or runoff from the surface of any structure, as a result of precipitation and includes any contaminants contained within."</p> <p>The Council declines the relief sought by the submitter in that granting the relief would significantly increase compliance costs (for no net environmental gain) on a range of businesses by including a requirement for small industrial and trade premises (less than 2 ha) to obtain a consent to discharge stormwater. The definition of industrial or trade premises includes a large variety of premises such as surf lifesaving clubs, dairies etc. Stormwater discharges to the coastal marine area from these premises (recognising that they cannot use or store hazardous substances) are expected, based on previous coastal monitoring, to have less than minor adverse effects.</p> |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd                       | 690              | <p><b>Support</b></p> <p>Retain Rule 1 of the Plan as notified.</p>  | <p><b>Accept</b></p> <p>Support noted. Rule 1 is retained subject to minor amendments as requested by other submitters that do not change the rule's scope.</p>   |
| 48 – Taranaki District Health Board                                      | 691              | <p><b>Support</b></p> <p>Retain Rule 1 of the Plan as notified.</p>  | <p><b>Accept</b></p> <p>Support noted. Rule 1 is retained subject to minor amendments as requested by other submitters that do not change the rule's scope.</p>   |
| 53 - Taranaki Regional Council   | 692              | <p><b>Amend</b></p> <p>Submitter seeks amendment to the activity classification of Rule 1 of the Plan to include a schedule of hazardous substances, the type and quantity of which would warrant regulating through the resource consent process. Refer to threshold values that trigger controls under <i>Hazardous Substances and New Organisms Act 1996</i>.</p>   | <p><b>Accept</b></p> <p>The definition of hazardous substances is very broad and includes many normal day-to-day items and products such as detergents, household cleaners etc. As a result, Rule 1 is likely to unnecessarily capture all industrial or trade premises regardless of quantities and risk to the environment.</p> <p>The Council agrees to granting the relief sought by the submitter to include a schedule of hazardous substances limits (setting out for the reader's information hazardous property threshold criteria under the <i>Hazardous Substances and New Organisms Act</i>) and amending Rule 1 to read:</p>   |
| Further submissions – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd (46) |                  | Support in part  |   |

| Submitter      | Submission point | Submitter's requests   | Council's response and decisions  |
|----------------|------------------|--|---|
|                |                  |  | <p><i>Stormwater discharge into water or onto land in the coastal marine area that either:</i></p> <p><i>(a) does not convey stormwater from any industrial or trade premises, or</i></p> <p><i>(b) conveys stormwater from industrial or trade premises that:</i></p> <p><i>(i) cover a total area of 2 ha or less; and</i></p> <p><i>(ii) do not use or store hazardous substances <u>in quantities or of a type that exceed any of the hazardous property threshold criteria identified in Schedule 8AA.</u></i></p> <p>As well as the inclusion of an additional Schedule identifying the hazardous substances and quantities which are identified in Schedule 8AA [Hazardous substance thresholds].</p>  |
| 58 – Te Atiawa | 693              | <p><b>Amend</b></p> <p>Submitter suggests that storm water discharged from an industrial or trade premises should be assessed in terms of discharge constituents, volume and frequency, and the associated environmental impacts. They contend that land size should not be a consideration when assessing discharges of this nature.</p> <p>Amend Rule 1 by deleting activity description (b)(i) <del>cover a total area of 2 ha or less;</del></p> | <p><b>Decline</b></p> <p>Stormwater is defined in the Plan and means “...<i>runoff that has been channelled, diverted, intensified or accelerated by human modification of the land surface or runoff from the external surface of any structure as a result of precipitation (rainfall) and includes entrained contaminants and sediment (including that generated during construction or earthworks).</i>”</p> <p>The Council declines the relief sought by the submitter in that granting the relief would significantly increase compliance costs (for no net environmental gain) on a range of businesses by including a requirement for small industrial and trade premises (less than 2 ha) to obtain a consent to discharge stormwater. The RMA definition of industrial or trade premises includes a large variety of premises such as surf lifesaving clubs, dairies etc. Stormwater discharges to the coastal marine area from these premises (recognising that they cannot use or store hazardous substances) are expected to have less than minor adverse effects.</p> |

| Submitter                            | Submission point | Submitter's requests   | Council's response and decisions   |
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| 58 – Te Atiawa                       | 694              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Condition (i) of Rule 1 of the Plan to read:<br/> <i>(i) the discharge does not render marine organisms unsuitable for human consumption <u>within recognised mātaītai reefs/resources.</u></i></p>  | <p><b>Accept</b></p> <p>The submitter notes that full extent of mātaītai reefs/resources have not been mapped and therefore requests that Rule 1 be applied to all marine organisms.</p> <p>The Council agrees to granting the relief sought by the submitter.</p>   |
| 58 – Te Atiawa                       | 695              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 1 of the Plan by amending the activity classification to a discretionary activity (rather than a permitted activity) in order to provide iwi the opportunity to be involved in the decision making process to ensure conditions of consent are monitored.</p>   | <p><b>Decline</b></p> <p>The Council declines the relief sought by the submitter. To change the activity classification to discretionary activity would require all industrial or trade premises to require a resource consent. This would capture (and impose unnecessary consenting and compliance costs) on all surf lifesaving clubs, dairies and small trade premises that generally have no or less than minor adverse effects. The Council further notes the number of premises likely to face these increased costs given the significant urban areas adjacent to the coast including New Plymouth, Waitara, Oakura, Urenui and Patea.</p> <p>The Council notes that coastal monitoring over the life of the current Coastal Plan has identified no issues with stormwater contributing to more than minor adverse effects to coastal water quality. Therefore, to now require all properties (urban, rural, industrial and trade premises) to get a resource consent regardless of having less than minor adverse effects is not considered appropriate.</p> <p>The Council considers the current activity classification is sufficient and should be retained as currently notified.</p> |
| 61 – Te Rūnanga o Ngāti Ruanui Trust | 696              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 1 of the Plan by making several amendments to the standards, terms and conditions to read:<br/> [...]<br/> <i>(d) the discharge does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4A [Significant species and ecosystems] <u>and taonga species protected under Taranaki iwi Deed of Settlement including those identified in Schedule 4C [Taonga species and habitat]:</u></i></p> | <p><b>Accept in part</b></p> <p>The submitter has made multiple requests to amend the conditions of Rule 1. Each of these requests are addressed point by point in the following:</p> <ul style="list-style-type: none"> <li>The Council agrees to include reference to taonga species as requested but suggest that a new condition be included to read:<br/> <u><i>(ee) the discharge does not have a significant adverse effect on the values associated with taonga species as identified in Schedule 4C [Taonga species];</i></u></li> <li>The Council does not consider the inclusion of “cultural” necessary or useful within Condition (e). The definition of historic heritage</li> </ul>   |



| Submitter                         | Submission point | Submitter's requests  | Council's response and decisions  |
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|                                   |                  | <p><i>(e) the discharge does not have an adverse effect on the values associated with <u>cultural and historic heritage identified in Schedule 5 [Cultural and Historic heritage]</u>;</i></p> <p><i>(f) the discharge does not have adverse effect on Schedules 1 and 2</i></p> <p><i>(g) the activity does not have any adverse effects on any site identified in 5B [Sites of significance to Māori and associated values] and Appendix 2;</i></p> | <p>includes cultural considerations and captures sites of significance. The Council is uncertain as to what else needs to be captured or could be captured by including “cultural”. With regards to other cultural aspects these are better addressed separately, e.g. Condition (ee) covers taonga species. The Council retains Condition (e) as currently notified within the Proposed Plan.</p> <ul style="list-style-type: none"> <li>The Council does not believe that the inclusion of Schedules 1 and 2 adds any value to the rule. The Rule covers small standard stormwater discharge activities and any effects must be localised, minor and transitional. Certainty not at a scale that they would have an impact on an entire coastal management area or have an impact on the significant values and attributes of areas with outstanding natural character or natural features and landscapes. The Council declines the inclusion of proposed Condition (f).</li> <li>By definition, historic heritage includes sites of significance to Māori, therefore, the Council does not consider it appropriate to create a standalone condition since it is already provided for within Condition (e). The Council declines the request for a new proposed Condition (g).</li> </ul> |
| <b>Rules 1 to 17 – Discharges</b> |                  |   |   |
| 52 – Emily Bailey                 | 697              | <p><b>Amend</b></p> <p>Submitter seeks amendments to Rules 1 to 17 of the Plan that reference point source contaminant discharges, to make discharging into the coastal environment a prohibited activity.</p>  | <p><b>Decline</b></p> <p>Stormwater is defined within the Plan (in accordance with the <i>National Planning Standards</i>) and means “...runoff that has been channelled, diverted, intensified or accelerated by human modification of a land surface or runoff from the surface of any structure, as a result of precipitation and includes any contaminants contained within.”</p> <p>Rules 1 to 17 capture many different activities most of which involve point source discharges. It is appropriate that a coastal management regime be in place to manage adverse effects based upon the size and the significance of those adverse effects rather than banning all discharge activities outright. This is why the Plan includes a number of different rules relating to point source contaminant discharges as each rule regulates a different kind of</p>  |



| Submitter                                  | Submission point | Submitter's requests   | Council's response and decisions   |
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|  |                  |  | <p>discharge or location type. Some discharges have minor risks that do not warrant requiring people going through the consents process. Other point source discharges to the coastal marine area may also be provided for subject to going through the consenting process to ensure risks are fully assessed and specific conditions imposed to avoid, remedy or mitigate any adverse effects. Prohibiting such activities outright is not considered appropriate and is likely to be inconsistent with both the RMA and the <i>New Zealand Coastal Policy Statement</i>.</p>   |
| <b>NEW Rule 1A – Stormwater discharges</b> |                  |  |  |
| 29 – Department of Conservation            | 698              | <p><b>Amend</b></p> <p>Submitter seeks amendment to the Plan to include a new rule, which makes stormwater discharge in the Outstanding Value and Estuaries Unmodified coastal management areas a controlled activity. The submitter seeks that the matters of control should be to the same effect as the conditions of Rule 1.</p> | <p><b>Decline</b></p> <p>The Council declines the relief sought by the submitter.</p> <p>Stormwater is defined within the Plan and means “...runoff that has been channelled, diverted, intensified or accelerated by human modification of the land surface or runoff from the external surface of any structure as a result of precipitation (rainfall) and includes entrained contaminants and sediment (including that generated during construction or earthworks).”</p> <p>The Council does not believe it would be appropriate to require consents from all premises to authorise the discharge of rainfall runoff from their land. The requested relief would capture a large number of premises and businesses such as camping grounds, dairies and small trading premises (and impose unnecessary consenting and compliance costs) immediately adjacent to Outstanding Value and Estuaries Unmodified coastal management areas.</p> <p>Coastal monitoring over the life of the current Coastal Plan has identified no issues with stormwater contributing to more than minor adverse effects in these areas to coastal water quality. Therefore, to now require all properties (urban, rural, industrial and trade premises) immediately adjacent to Outstanding Value and Estuaries Unmodified coastal management areas to get a resource consent, regardless of having less than minor adverse effects, is not considered appropriate.</p> <p>The Council notes that any permitted activity is still subject to compliance with the standards, terms and conditions of the rule, which will ensure permitted activities are carried out in a manner that will avoid, remedy or mitigate effects on coastal water quality and associated values and uses.</p> |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions  |
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| <b>Rule 2 – Stormwater discharges</b>   |                  |  |   |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd  | 699              | <b>Support</b><br>Retain Rule 2 of the Plan as notified.   | <b>Accept</b><br>Support noted. Rule 2 is retained as notified, subject to minor inconsequential amendments that do not change the Rule's scope.  |
| Further submissions – Port Taranaki Ltd (32)  | Support          |  |   |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61)  | Oppose           |  |   |
| 47 – Fonterra   | 700              | <b>Support</b><br>Retain Rule 2 of the Plan as notified.   | <b>Accept</b><br>Support noted. Rule 2 is retained as notified, subject to minor inconsequential amendments that do not change the Rule's scope.  |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61)  | Oppose           |  |   |
| 61 – Te Rūnanga o Ngāti Ruanui Trust  | 701              | <b>Amend</b><br>Submitter seeks amendment to Rule 2 (discretionary activity) of the Plan to include standards, terms and conditions to read:<br><i><u>(a) discharge does not adversely affect the matters/values identified for protection by mana whenua in the cultural impact assessment;</u></i><br><i><u>(b) discharge complies with tangata whenua indicators referred to in the tangata whenua monitoring plan</u></i><br><i><u>(c) discharge is consistent with iwi management plan.</u></i><br>AND<br>Include the following notification note:<br><i><u>Resource consent applications under this Rule will be notified to tangata whenua.</u></i> | <b>Decline</b><br>The submitter has sought the inclusion of standards, terms and conditions for rules in the Plan relating to discretionary and non-complying activities.<br>The Council declines the relief sought by the submitter noting that it is not standard planning practice for discretionary or non-complying rules to include standards, terms and conditions. Conditions relating to a discretionary activity are developed on a case-by-case basis through the consenting process having regard to the relevant Plan policies.<br>The Council notes that all matters identified by the submitter would be considered through the consenting process with Policies 1 to 21, 22 and 27 being given effect to.<br>In relation to notification requirements proposed by the submitter, the Council notes that the Plan is not intended to provide the operational detail for implementing every aspect of the Plan. Such detail is more appropriately included in the Council's standard operating procedures and/or any Mana Whakahono a Rohe agreements. The Council highlights the risks that including unnecessary operational detail in the Plan might make the Plan overly verbose plus are likely to be subject to change over the life of the Plan. |
| Further submissions - Trans-Tasman Resources (6)  | Oppose           |  |   |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) | Support          |  |   |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions  |
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|   |                  |  | In relation to notification requirements, the submitter (and others) has highlighted an issue with the notification requirements stated in the Plan which in turn raises issues with notification requirements in the RMA being regularly changed. The Council notes that, over time the notification requirements identified in the Plan may become misleading and outdated following changes to RMA. Consequently, the Council agrees to amending the heading throughout the rules section to refer only to "matters of control/discretion". The Council notes amendments to delete such notification requirements from the Plan and notes that the relevant notification requirements are set out in sections 95A to 95G of the RMA.   |
| <b>Rule 3 – Stormwater discharges</b>   |                  |  |   |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd  | 702              | <b>Support</b><br>Retain Rule 3 of the Plan as notified.   | <b>Accept</b><br>Support noted. Rule 3 is retained as notified, subject to minor inconsequential amendments that do not change the Rule's scope.  |
| 61 – Te Rūnanga o Ngāti Ruanui Trust  | 703              | <b>Amend</b><br>Submitter seeks amendment to Rule 3 (non-complying activity) to include standards, terms and conditions to read:<br><i><u>(a) discharge does not adversely affect the matters/values identified for protection by mana whenua in the cultural impact assessment;</u></i><br><i><u>(b) discharge complies with tangata whenua indicators referred to in the tangata whenua monitoring plan</u></i><br><i><u>(c) discharge is consistent with iwi management plan.</u></i><br>AND<br>Include the following notification note:<br><i><u>Resource consent applications under this Rule will be notified to tangata whenua.</u></i> | <b>Decline</b><br>The submitter has sought the inclusion of standards, terms and conditions for rules in the Plan relating to discretionary and non-complying activities. The Council declines the relief sought noting that it is not standard planning practice for discretionary activity or non-complying activity rules to include standards, terms and conditions. Conditions relating to a non-complying activity are developed on a case-by-case basis through the consenting process having regard to the relevant Plan policies. The Council notes that all matters identified by the submitter would be considered through the consenting process with Policies 1 to 21, 22 and 27 being given effect to.<br>In relation to notification requirements, the submitter (and others) has highlighted an issue with the notification requirements stated in the Plan which in turn raises issues with notification requirements in the RMA being regularly changed. The Council notes that, over time the notification requirements identified in the Plan may become misleading and outdated following changes to RMA. Consequently, the Council agrees to amending the heading throughout the rules section to refer only to "matters of control/discretion". The Council notes amendments to delete such notification requirements from the |
| Further submissions – Trans-Tasman Resources (6)  |                  | Oppose   |   |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) |                  | Support  |   |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions   |
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|   |                  |  | <p>Plan and notes that the relevant notification requirements are set out in sections 95A to 95G of the RMA.</p> <p>The Council further notes that, in addition to the requirements of the RMA, notification to iwi can also be addressed through Mana Whakahono a Rohe agreements without the need to be included in the Plan rules.</p>  |
| <b>Rule 4 – Petroleum dispersal use in the Port</b> |                  |  |  |
| 21 – Climate Justice Taranaki                       | 704              | <p><b>Amend</b></p> <p>Submitter opposes the use of petroleum dispersant in any of the coastal management areas and certainly not as a permitted activity. Notes that two dispersants approved for use by Maritime NZ – Corexit 9500 and Corexit 952 – are extremely toxic to humans and the environment and seek that:</p> <ul style="list-style-type: none"> <li>the use of the above-mentioned and other toxic petroleum dispersants be Prohibited in all coastal management areas; and</li> <li>the use of non-toxic dispersants be Discretionary (require a resource consent).</li> </ul> | <p><b>Grant in kind</b></p> <p>Petroleum dispersants are used in the event of an oil spill in order to aid oil spill response. They are very much a tool for avoiding, remedying or mitigating adverse effects in the event that capital dredging in Port Taranaki results in a natural marine oil seepage event. The rule covers an emergency situation not planned or foreseen as part of their consented activities.</p> <p>The Council recognise that the use of petroleum dispersants can, in some cases, lead to adverse environmental effects. Accordingly, their use in an emergency event would only be used where other alternatives (including inaction) would have worst environmental consequences. The Council notes that Gamalin is generally the preferred dispersant as it is less toxic and has been approved by Maritime NZ for most crude oil treatment. Corexit 9500 and Corexit 952 would only be used in very limited situations where other alternatives are unsuitable.</p> <p>Notwithstanding the above, the submitter and others have highlighted a broader issue of duplicating regulatory controls addressed by Maritime New Zealand under other legislation. The Council therefore agrees to an alternative relief involving the deletion of Rule 4.</p> |
| 40 – Te Rūnanga o Ngāti Mutunga                     | 705              | <p><b>Amend</b></p> <p>Submitter opposes permitting the use of petroleum dispersants in the Port and seeks amendment to Rule 4 of the Plan that such activities be a discretionary activity.</p>   | <p><b>Grant in kind</b></p> <p>Petroleum dispersants are used in the event of an oil spill in order to aid oil spill response. They are very much a tool for avoiding, remedying or mitigating adverse effects in the event that capital dredging in Port Taranaki results in a natural marine oil seepage event. The rule covers an emergency situation not planned or foreseen as part of their consented activities.</p> <p>The Council recognise that the use of petroleum dispersants can, in some cases, lead to adverse effects. Accordingly, dispersants are only used in an</p>   |

| Submitter                          | Submission point | Submitter's requests   | Council's response and decisions   |
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|                                    |                  |  | <p>emergency event where other alternatives (including inaction) would have worst environmental consequences.</p> <p>Notwithstanding the above, the submitter and others have highlighted a broader issue of duplicating regulatory controls addressed by Maritime New Zealand under other legislation. The Council therefore agrees to an alternative relief involving the deletion of Rule 4.</p>  |
| 41 – Te Korowai o Ngāruahine Trust | 706              | <b>Amend</b>   | <b>No relief necessary</b>   |
|                                    |                  | Submitter supports Rule 4 as a permitted activity, however, seeks the inclusion of a new condition that would require the notification of appropriate iwi authorities as soon as practicable after an event.   | The Council notes that, in response to other submitters' requests, it has agreed to delete Rule 4 as it is more appropriately addressed under other legislation.   |
| 42 – Ngāti Rahiri Hapū             | 707              | <b>Amend</b>   | <b>Decline</b>   |
|                                    |                  | Submitter noted concerns that rules relating to the use of petroleum dispersants is confined to the Port coastal management area and suggest that the rule apply to all coastal management areas (specifically those of outstanding value). Submitter seeks amendment to Rule 4 to include all coastal management areas.                     | <p>The submitter's comments are noted.</p> <p>Rule 4 addresses a quite discreet activity associated with capital dredging in Port Taranaki that results in a natural marine oil seepage event. Oil seepage associated with maritime accidents are separately addressed under maritime legislation. The Council suggests that the use of dispersants in an emergency event in other coastal management areas is less likely and in which case can be adequately under maritime legislation (or the emergency provisions of the RMA).</p> <p>Notwithstanding the above, other submitters have highlighted a broader issue of duplicating regulatory controls addressed under other legislation. The Council notes that, in response to other submitters' requests, it has agreed to delete Rule 4 as it is more appropriately addressed under other legislation.</p> |
| 54 – Maritime New Zealand          | 708              | <b>Amend</b>   | <b>Accept</b>  |
|                                    |                  | <p>Submitter seeks amendment to the Plan by deleting Rule 4,</p> <p>OR</p> <p>Alternatively, amend Rule 4 by replacing the term "petroleum dispersant" with "oil spill control agent" to clarify the difference between a dispersant to be used on petroleum products (spilt in the marine environment) and petroleum based dispersants.</p> | The submitter and others have highlighted a broader issue of duplicating regulatory controls addressed under other legislation. The submitter notes that under Part 132 of the <i>Marine Protection Rules</i> the definition of "oil spill" reads "an actual or probable release, discharge or escape of oil" and encompasses natural oil seeps resulting from dredging activities.  |

| Submitter                                    | Submission point | Submitter's requests  | Council's response and decisions   |
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| Further submissions – Port Taranaki Ltd (32) |                  | Oppose/Support in part  | <p>Part 132.20 of the <i>Marine Protection Rules</i> also identifies who may discharge an Oil spill Control Agent (OSCA) for which petroleum dispersants are one type in the event of an oil spill. Of note, the discharge must be authorized under a marine oil spill contingency plan on by an on-scene commander.</p> <p>Port Taranaki (submitter 32) have outline concerns (further submission and at the hearing of submissions) for the deletion of Rule 4, in particular how this might affect dredging operations at the Port for which the Port holds a consent. Of note, one of the consent conditions requires the Port to provide the Council with a contingency plan outlining measures to be taken in the event of an unforeseen spill or discharge or oil. The Port are concerned that the removal of the rule would inhibit the Port from undertaking the procedures for oil spill response should a spill occur and are concerned that they would subsequently be required to obtain a resource consent or disperse using emergency works under the RMA.</p> <p>Of note, the <i>Port Oil Spill Contingency Plan</i> focuses on containment and recovery and no petroleum dispersants are listed under the spill response equipment as available should a spill occur. Therefore, Rule 4 is potentially misleading as it would appear to allow their use when (for the Port) this would not be appropriate under Part 132.20 of the <i>Marine Protection Rules</i>.</p> <p>In addition, should a spill warrant the use of a petroleum dispersant (under a tier II spill) the <i>Marine Protection Rules</i> would superced the rules in the Coastal Plan to ensure that necessary oil response procedures are fulfilled.</p> <p>The Council therefore considers that Rule 4 is unnecessary and does not provide any value to Plan users and that the necessary provisions are addressed through other means. The Council agrees with the submitter that Rule 4 be deleted.</p> |
| 55 – Kiwis Against Seabed Mining             | 709              | <p><b>Support</b></p> <p>Submitter supports Rule 4 of the Plan as a permitted activity.</p> | <p><b>Decline</b></p> <p>Support noted. However, in response to requests by other submitters, the Council notes that it has agreed to delete Rule 4 to avoid duplicating regulatory controls addressed under other legislation.</p>  |



| Submitter   | Submission point | Submitter's requests  | Council's response and decisions   |
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| 56 – Greenpeace                                       | 710              | <b>Support</b>  | <b>Decline</b>   |
|   |                  | Submitter supports Rule 4 of the Plan as a permitted activity.  | Support noted. However, in response to requests by other submitters, the Council notes that it has agreed to delete Rule 4 to avoid duplicating regulatory controls addressed under other legislation. |
| 58 – Te Atiawa  | 711              | <b>Amend</b>  | <b>No relief necessary</b>   |
|   |                  | Submitter seeks amendment to Rule 4 of the Plan by adding a new condition (d) to read:<br><i>(d) iwi are notified as soon as practicable after the event.</i> | The Council notes that it has agreed to delete Rule 4 to avoid duplicating regulatory controls addressed under other legislation.  |
| <b>Rule 5 – Untreated human sewage</b>                |                  |   |  |
| 5 – Point Board Riders                                | 712              | <b>Support</b>  | <b>Accept</b>  |
|   |                  | Retain Rule 5 of the Plan prohibiting untreated human sewage into the coastal marine area.  | Support noted. Rule 5 is retained as notified.   |
| 21 – Climate Justice Taranaki                         | 713              | <b>Support</b>  | <b>Accept</b>  |
|   |                  | Retain Rule 5 of the Plan as notified.  | Support noted. Rule 5 is retained as notified.   |
| 29 – Department of Conservation                       | 714              | <b>Support</b>  | <b>Accept</b>  |
|   |                  | Retain Rule 5 of the Plan as notified.  | Support noted. Rule 5 is retained as notified.   |
| 40 – Te Rūnanga o Ngāti Mutunga                       | 715              | <b>Support</b>  | <b>Accept</b>  |
|   |                  | Retain Rule 5 of the Plan as notified.  | Support noted. Rule 5 is retained as notified.   |
| 48 – Taranaki District Health Board                   | 716              | <b>Support</b>  | <b>Accept</b>  |
|   |                  | Retain Rule 5 of the Plan as notified.  | Support noted. Rule 5 is retained as notified.   |
| 58 – Te Atiawa  | 717              | <b>Support</b>  | <b>Accept</b>  |
|   |                  | Retain Rule 5 of the Plan as notified.  | Support noted. Rule 5 is retained as notified.   |
| <b>Rule 6 – Wastewater treatment plant discharges</b> |                  |   |  |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions  |
|---|------------------|---|---|
| 8 – Silver Fern Farms   | 718              | <b>Support</b>  | <b>Accept</b>   |
|   |                  | Retain Rule 6 of the Plan to provide for existing discharges of contaminants to coastal waters.   | Support noted. Rule 6 is retained as notified.  |
| Further submissions – Federated Farmers (2)                         |                  | Support   |   |
| 21 – Climate Justice Taranaki                                       | 719              | <b>Amend</b>  | <b>Decline</b>  |
|   |                  | The submitter opposes allowing an existing wastewater discharge that contains human sewage to discharge to the coastal management area after its consent expires and seeks that once existing consents expire, that the activity be Prohibited in all coastal management areas. | The Council declines the relief sought.<br>The relief sought would immediately preclude existing lawful discharges of municipal waste discharges to the coastal marine area in the absence of any other practicable options. To divert the quantities of waste onto land or other receiving environments is likely to be impracticable plus result in worse environmental outcomes due to the quantities involved and the lack of suitable locations to ensure the waste can be properly and safely assimilated to avoid, minimise or mitigate adverse environmental effects.<br>The Council notes Taranaki only has three municipal wastewater discharges. The resource consents for these marine outfalls include conditions that the consent holder must adhere to. These conditions are designed to minimise adverse effects by including limits on the discharge (pertaining to quality and quantity) and managing impacts on the receiving environment. Consent holders must regularly reassess whether the current system remains to be the best practicable option, in light of technological advances and changing circumstances. Community involvement in the monitoring and management of these discharges, through involvement plans and stakeholder meetings, is also required in the resource consents. |
| Further submissions – Royal Forest and Bird Protection Society (43) |                  | Support   | The Council suggests that some provision must be made in the rules to provide for the discharge of wastewater that contains treated human sewage. Most New Zealand cities discharge water directly or indirectly into the coastal marine area. However, this rule is a discretionary activity, which means a resource consent may be granted or declined subject to the Plan's policies. A discharge consent application is subject to meeting the directions and guidance set out in General Policies 1 to 21 and Activity-specific Policies 22, 24 and 26. With these policies any discharge of treated wastewater must be of an acceptable quality and can only be considered when more appropriate alternatives have been considered. This rule is in line with the requirements  |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions   |
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|   |                  |  | <p>of the <i>New Zealand Coastal Policy Statement</i> Policy 23 [Discharge of contaminants] (2) and (3) and meets the requirements of the RMA.</p> <p>It is the Council's view that providing the option to consider discharges of treated wastewater into the coastal marine area is necessary in order to provide for the requirements of the general public. The Council is satisfied that through the resource consents process, adverse environmental effects can be appropriately avoided, remedied or mitigated. Policy 26 in particular is highlighted whereby it is Council's expectation that the best practicable option be adopted to improve the quality of the discharge and reduce the quantity of the discharge over time.</p>   |
| 23 – New Plymouth District Council                      | 720              | <p><b>Support</b></p> <p>Retain Rule 6 of the Plan as a discretionary activity to support the continuation of wastewater discharges at the Waiwhakaiho.</p>  | <p><b>Accept</b></p> <p>Support noted. Policy 6 is retained as notified.</p>   |
| 38 – Nigel Cliffe                                       | 721              | <p><b>Other</b></p> <p>Submitter notes opposition (in relation to the toilet at Paora Road) to discharges of fluids or solids to the ocean. The submitter does not wish the toilet to discharge any fluids or solids either directly or indirectly by way of ground water. The submitter wishes to have the location of the toilet reassessed.</p>   | <p><b>No relief necessary</b></p> <p>Submitter's comments are noted and have been passed on to the Inspectorate Section of the Council for further investigation. The Council notes that the toilet at Paora Road has previously been investigated for compliance and that samples indicated the toilet is compliant with relevant regional rules. The Council will conduct further monitoring to ensure that there are no unconsented discharges.</p>   |
| 40 – Te Rūnanga o Ngāti Mutunga                         | 722              | <p><b>Amend</b></p> <p>Submitter does not support the disposal of treated or untreated human sewage to any water body due to the effect this will have on the mouri and wairua of the receiving water body. The submitter would prefer to see alternative disposal to land of the wastewater from the New Plymouth District Council's Treatment station at Waiwhakaiho before the end of the current consent in 2041.</p> <p>Submitter seeks amendment to Rule 6 of the Plan to make all discharges of treated wastewater to the coastal marine area a prohibited activity (rather than a discretionary activity).</p> | <p><b>Decline</b></p> <p>The Council declines the relief sought whereby the continuation of existing consented activities to discharge treated human sewage is prohibited.</p> <p>The relief sought would immediately preclude existing lawful discharges of municipal wastewater discharges to the coastal marine area in the absence of any other practicable options. To divert the quantities of waste onto land or other receiving environments is likely to be impracticable plus result in worst environmental outcomes due to the quantities involved and the lack of suitable locations to ensure the waste can be properly and safely assimilated to avoid, minimise or mitigate adverse environmental effects.</p> <p>The Council notes Taranaki only has three municipal wastewater discharges. Their discharges are located a significant distance offshore. The resource consents for these marine outfalls include conditions that the consent holder</p> |
| Further submissions – Climate Justice Taranaki Inc (21) |                  | Support  |  |

| Submitter     | Submission point | Submitter's requests  | Council's response and decisions  |
|---------------|------------------|---|---|
|               |                  |   | <p>must adhere to. These conditions are designed to minimise adverse effects by including limits on the discharge (pertaining to quality and quantity) and managing impacts on the receiving environment. Consent holders must regularly reassess whether the current system remains to be the best practicable option, in light of technological advances and changing circumstances. Community involvement in the monitoring and management of these discharges, through involvement plans and stakeholder meetings, is also required in the resource consents.</p> <p>The Council suggest that some provision must be made in the rules to provide for the discharge of wastewater that contains treated human sewage. Most New Zealand cities discharge water directly or indirectly into the coastal marine area. However, this rule is a discretionary activity, which means a resource consent may be granted or declined subject to the Plan's policies. A discharge consent application is subject meeting the directions and guidance set out in General Policies 1 to 21 and Activity-specific Policies 22, 24 and 26. With these policies the discharge must be of an acceptable quality and can only be considered when more appropriate alternatives have been considered. This rule is in line with the requirements of the <i>New Zealand Coastal Policy Statement</i> Policy 23 [Discharge of contaminants] (2) and (3) and meets the requirements of the RMA.</p> <p>It is Council's view that providing the option to consider discharges of treated wastewater into the coastal marine area is necessary in order to provide for the requirements of the general public. The Council is satisfied that through the resource consents process, adverse environmental effects can be appropriately avoided, remedied or mitigated. Policy 26 in particular is highlighted whereby it is Council's expectation that the best practicable option be adopted to improve the quality of the discharge and reduce the quantity of the discharge over time.</p> |
| 47 – Fonterra | 723              | <p><b>Support</b></p> <p>Retain Rule 6 of the Plan as notified.</p> | <p><b>Accept</b></p> <p>Support noted. Policy 6 is retained as notified.</p>  |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions                                     |
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| 58 – Te Atiawa  | 724              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 6 of the Plan to make all discharges of treated wastewater to the coastal marine area a prohibited activity (rather than a discretionary activity).</p>  | <p><b>Decline</b></p> <p>The Council declines the relief sought.</p> |
| Further submissions – Climate Justice Taranaki Inc (21) | Support          | <p>The relief sought would immediately preclude existing lawful discharges of municipal wastewater discharges to the coastal marine area in the absence of any other practicable options. To divert the quantities of waste onto land or other receiving environments is likely to be impracticable plus potentially result in worst environmental outcomes due to the quantities involved and the lack of suitable locations to ensure the waste can be properly and safely assimilated to avoid, minimise or mitigate adverse environmental effects.</p> <p>The Council notes Taranaki only has three municipal wastewater discharges. Their discharges are located a significant distance offshore. The resource consents for these marine outfalls include conditions that the consent holder must adhere to. These conditions are designed to minimise adverse effects by including limits on the discharge (pertaining to quality and quantity) and manage impacts on the receiving environment. Consent holders must regularly reassess whether the current system remains to be the best practicable option, in light of technological advances and changing circumstances. Community involvement in the monitoring and management of these discharges, through involvement plans and stakeholder meetings, is also required in the resource consents.</p> <p>The Council suggests that some provision must be made in the rules to provide for the discharge of wastewater that contains treated human sewage. Most New Zealand cities discharge water directly or indirectly into the coastal marine area. However, this rule is a discretionary activity, which means a resource consent may be granted or declined subject to the Plan's policies. A discharge consent application is subject meeting the directions and guidance set out in General Policies 1 to 21 and Activity-specific Policies 22, 24 and 26. With these policies, the discharge must be of an acceptable quality and must consider the best alternatives. This rule is in line with the requirements of the <i>New Zealand Coastal Policy Statement</i> Policy 23 [Discharge of contaminants] (2) and (3) and meets the requirements of the RMA.</p> |  |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions  |
|---|------------------|---|---|
|   |                  |   | <p>It is Council's view that providing the option to consider discharges of treated wastewater into the coastal marine area is necessary in order to provide for the requirements of the general public. The Council is satisfied that through the resource consents process, adverse environmental effects can be appropriately avoided, remedied or mitigated. Policy 26 in particular is highlighted whereby it is Council's expectation that the best practicable option be adopted to improve the quality of the discharge and reduce the quantity of the discharge over time.</p>   |
| 61 – Te Rūnanga o Ngāti Ruanui Trust  | 725              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 6 (discretionary activity) of the Plan to include standards, terms and conditions to read:</p> <p><i><u>(a) discharge does not adversely affect the matters/values identified for protection by mana whenua in the cultural impact assessment;</u></i></p> <p><i><u>(b) discharge complies with tangata whenua indicators referred to in the tangata whenua monitoring plan</u></i></p> <p><i><u>(c) discharge is consistent with iwi management plan.</u></i></p> <p>AND</p> <p>Include the following notification note:</p> <p><i><u>Resource consent applications under this Rule will be notified to tangata whenua.</u></i></p> | <p><b>Grant in kind</b></p> <p>The submitter has sought the inclusion of standards, terms and conditions for rules in the Plan relating to discretionary and non-complying activities.</p> <p>The Council declines the relief noting that it is not standard planning practice for discretionary activity or non-complying activity rules to include standards, terms and conditions. Conditions relating to a discretionary activity are developed on a case-by-case basis through the consenting process having regard to the relevant Plan policies.</p> <p>Notwithstanding the above, the Council notes that all matters identified by the submitter would generally be considered through any consenting process with Policies 1 to 21, 22 24 and 26 being given effect to.</p> <p>In relation to notification requirements proposed by the submitter, the Council further notes that the Plan is not intended to provide the operational detail for implementing every aspect of the Plan. Such detail is more appropriately included in the Council's standard operating procedures and/or any Mana Whakahono a Rohe agreements.</p> |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) |                  | <p><b>Support</b></p>   | <p>In relation to notification requirements, the Council further notes that the Plan is not intended to provide the operational detail for implementing every aspect of the Plan. Such detail is more appropriately included in the Council's standard operating procedures and/or any Mana Whakahono a Rohe agreements.</p> <p>In relation to notification requirements, the submitter (and others) has highlighted an issue with the notification requirements stated in the Plan which in turn raises issues with notification requirements in the RMA being regularly changed. The Council notes that, over time the notification requirements identified in the Plan may become misleading and outdated following changes to RMA. Consequently, the Council has determined to amend the headings throughout the rules section to refer only to "matters of control/discretion" and to delete any reference to notification requirements in the Plan (noting that the relevant notification requirements are set out in sections 95A to 95G of the RMA).</p>  |



| Submitter   | Submission point | Submitter's requests  | Council's response and decisions  |
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|   |                  |   | <p>The Council further notes that, in addition to the requirements of the RMA, notification to iwi can also be addressed through Mana Whakahono a Rohe agreements without the need to be included in the Plan rules.</p> <p>At the hearing, submitter (41) further presented on Rule 6 and considers that if Rule 6 is to remain then clearer wording should be used to ensure that only lawfully established discharges be authorised by this rule. The Council consider this relief is consistent with the intent of the rule and adds clarity for plan users. The Council agrees to amending the rule gateway to refer to "existing <i>lawfully established</i> wastewater discharges".</p> <p>For consistency, the Council has determined, for the purposes of consistency, that similar wording be incorporated into Policy 24 which addresses existing discharges of wastewater containing human sewage.</p>  |
| <b>Rule 7 – Wastewater treatment plant discharges</b>               |                  |   |   |
| 21 – Climate Justice Taranaki                                       | 726              | <p><b>Amend</b></p> <p>Submitter opposes allowing new wastewater discharge that contains human sewage to discharge to the coastal management area and request that the activity be a prohibited activity in all coastal management areas.</p> | <p><b>Accept</b></p> <p>The Council agrees to granting the relief requested by the submitter.</p> <p>The Council notes that previous agreements to prohibit <u>new</u> discharges of treated human sewage to the coastal marine area would not affect currently consented discharges of treated human sewage but would limit the region to utilizing the three existing discharges at the New Plymouth, Hawera and Pātea outfalls into the future or finding land-based solutions.</p> <p>The Council suggests prohibiting new discharges of treated wastewater containing human sewage to the coastal marine area is in line with Policy 11 [Coastal water quality] of the Plan, which directs that coastal water quality be maintained where it is good. The change is broadly supported by other submitters including tangata whenua.</p> <p>The amendment sought would be reflected by deleting Rule 7 and including the Open Coast in coastal management areas addressed under Rule 8.</p> |
| Further submissions - Royal Forest and Bird Protection Society (43) |                  | Support   |   |
| 40 – Te Rūnanga o Ngāti Mutunga                                     | 727              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 7 of the Plan to make all new discharges of treated wastewater to the coastal marine area a prohibited activity (rather than a discretionary activity).</p>                          | <p><b>Accept</b></p> <p>The Council agrees to granting the relief requested by the submitter.</p> <p>The Council notes that the recommendation to prohibit <u>new</u> discharges of treated human sewage to the coastal marine area would not affect currently</p>  |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions   |
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| Further submissions – Climate Justice Taranaki Inc (21) |                  | Support  | <p>consented discharges of treated human sewage but would limit the region to utilizing the three existing discharges at the New Plymouth, Hawera and Pātea outfalls into the future or finding land-based solutions.</p> <p>The Council agrees to prohibiting new discharges of treated wastewater containing human sewage to the coastal marine area is in line with Policy 11 [Coastal water quality] of the Plan, which directs that coastal water quality be maintained where it is good. The change is broadly supported by other submitters including tangata whenua.</p> <p>The amendment sought would be reflected by deleting Rule 7 and including the Open Coast in coastal management areas addressed under Rule 8.</p>  |
| 41 – Te Korowai o Ngāruahine Trust                      | 728              | <p><b>Amend</b></p> <p>Submitter seeks amendment to the Plan by deleting Rule 7 that makes new wastewater discharges to the coastal marine area a discretionary activity.</p>                                    | <p><b>Accept</b></p> <p>The Council agrees to granting the relief requested by the submitter.</p> <p>The Council notes that the recommendation to prohibit <u>new</u> discharges of treated human sewage to the coastal marine area would not affect currently consented discharges of treated human sewage but would limit the region to utilizing the three existing discharges at the New Plymouth, Hawera and Pātea outfalls into the future, or finding land-based solutions.</p> <p>The Council agree to prohibiting new discharges of treated wastewater containing human sewage to the coastal marine area is in line with Policy 11 [Coastal water quality] of the Plan, which directs that coastal water quality be maintained where it is good. The change is broadly supported by other submitters, including tangata whenua.</p> <p>The amendment sought would be reflected by deleting Rule 7 and including the Open Coast in coastal management areas addressed under Rule 8.</p> |
| 58 – Te Atiawa  | 729              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 7 of the Plan to make new discharges of treated wastewater to the coastal marine area a prohibited activity (rather than a discretionary activity).</p> | <p><b>Accept</b></p> <p>The Council agrees to granting the relief requested by the submitter.</p> <p>The Council notes that the recommendation to prohibit <u>new</u> discharges of treated human sewage to the coastal marine area would not affect currently consented discharges of treated human sewage but would limit the region to utilizing the three existing discharges at the New Plymouth, Hawera and Pātea outfalls into the future, or finding land-based solutions.</p>   |
| Further submissions – Climate Justice Taranaki Inc (21) |                  | Support  | <p>The Council agree to prohibiting new discharges of treated wastewater containing human sewage to the coastal marine area is in line with Policy 11</p>  |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions  |
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|   |                  |   | <p>[Coastal water quality] of the Plan, which directs that coastal water quality be maintained where it is good. The change is broadly supported by other submitters including tangata whenua.</p> <p>The amendment sought would be reflected by deleting Rule 7 and including the Open Coast in coastal management areas addressed under Rule 8.</p> |
| 61 – Te Rūnanga o Ngāti Ruanui Trust  | 730              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 7 (discretionary activity) of the Plan to include standards, terms and conditions to read:</p> <p><i><u>(a) discharge does not adversely affect the matters/values identified for protection by mana whenua in the cultural impact assessment;</u></i></p> <p><i><u>(b) discharge complies with tangata whenua indicators referred to in the tangata whenua monitoring plan</u></i></p> <p><i><u>(c) discharge is consistent with iwi management plan.</u></i></p> <p>AND</p> <p>Include the following notification note:</p> <p><i><u>Resource consent applications under this Rule will be notified to tangata whenua.</u></i></p> | <p><b>No relief necessary</b></p> <p>The Council notes that, in response to other submitters' requests, it has agreed to delete Rule 7, which relates to authorising new discharges of treated human sewage to the Open Coast coastal management area.</p>  |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) |                  | Support   |   |
| <b>Rule 8 – Wastewater treatment plant discharges</b>   |                  |   |   |
| 5 – Point Board Riders  | 731              | <p><b>Support</b></p> <p>Retain Rule 8 of the Plan prohibiting new wastewater discharges in the designated coastal management areas.</p>  | <p><b>Accept</b></p> <p>Support noted. Rule 8 is retained subject to the addition of the Open Coast coastal management area as requested by other submitters.</p>   |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions   |
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| 21 – Climate Justice Taranaki                                       | 732              | <b>Support</b>   | <b>Accept</b>  |
|   |                  | Retain Rule 8 of the Plan prohibiting new wastewater discharges in the designated coastal management areas (but seek that the activity be prohibited in the other coastal management areas as well). | Support noted. Rule 8 is retained subject to the addition of the Open Coast coastal management area as requested by other submitters.  |
| Further submissions - Royal Forest and Bird Protection Society (43) |                  | Support  |  |
| 40 – Te Rūnanga o Ngāti Mutunga                                     | 733              | <b>Support</b>   | <b>Accept</b>  |
|   |                  | Retain Rule 8 of the Plan prohibiting new wastewater discharges in the designated coastal management areas.  | Support noted. Rule 8 is retained subject to the addition of the Open Coast coastal management area as requested by other submitters.  |
| 41 – Te Korowai o Ngāruahine Trust                                  | 734              | <b>Amend</b>   | <b>Accept</b>  |
|   |                  | Submitter seeks amendment to Rule 8 of the Plan to include any new wastewater discharge to the Open Coast thereby making all such discharges in the coastal marine area a prohibited activity.       | The Council agrees to granting the relief requested by the submitter.<br>The Council notes that the recommendation to prohibit <u>new</u> discharges of treated human sewage to the coastal marine area would not affect currently consented discharges of treated human sewage but would limit the region to utilizing the three existing discharges at the New Plymouth, Hawera and Pātea outfalls into the future, or finding land-based solutions.<br>The Council agree to prohibiting new discharges of treated wastewater containing human sewage to the coastal marine area is in line with Policy 11 [Coastal water quality] of the Plan, which directs that coastal water quality be maintained where it is good. The change is broadly supported by other submitters, including tangata whenua.<br>The amendment sought would be reflected by deleting Rule 7 and including the Open Coast in coastal management areas addressed under Rule 8. |
| Further submissions – Climate Justice Taranaki Inc (21)             |                  | Support  |  |
| 58 – Te Atiawa  | 735              | <b>Support</b>   | <b>Accept</b>  |
|   |                  | Retain Rule 8 prohibiting new wastewater discharges in the designated coastal management areas.  | Support noted. Rule 8 is retained subject to the addition of the open coast coastal management area as requested by other submitters.  |
| <b>Rule 9 – Sampling and biofouling in the Port</b>                 |                  |  |  |
|   | 736              | <b>Amend</b>   | <b>Accept</b>  |

| Submitter                            | Submission point | Submitter's requests  | Council's response and decisions  |
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| 16 – Ministry for Primary Industries |                  | <p>Submitter seeks amendment to Rule 9 in order to refine how the Australian/New Zealand Anti-Fouling and In Water Cleaning Guidelines (2013) are translated into the Rules. In particular, to the description of fouling and the activity description.</p> <p>Amend permitted activity rule for in-water cleaning of biofouling to read:</p> <p><b>Activity:</b><br/> <u><i>In-water cleaning of biofouling from the part of a ship, moveable object or navigation aid that is normally below the water surface, resulting in the discharge of a contaminant into water in the coastal marine area and any associated:</i></u><br/> <u><i>(a) deposition on the foreshore or seabed.</i></u></p> <p><u><i>Note: If the activity does not meet the standards, terms and conditions in this Rule refer to Rule 13.</i></u></p> <p><b>Standards, terms and conditions:</b><br/> <u><i>(a) the anti—foul coating on the ship, moveable structure or navigational aid shall not have exceeded its planned service life as specified by the manufacturer, and the cleaning method shall be undertaken in accordance with the coating manufacturer's recommendations;</i></u><br/> <u><i>(b) microfouling may be cleaned without capture;</i></u><br/> <u><i>(c) goose barnacles may be cleaned without capture;</i></u><br/> <u><i>(d) macrofouling (other than goose barnacles) coverage on the ship, moveable structure or navigational aid shall be less than or equal to 2 on the Level of Fouling rank (Floerl et al (2005));</i></u><br/> <u><i>(e) all biological material greater than 50 microns in diameter dislodged during cleaning (other than goose barnacles) shall be captured and disposed of at an approved landfill; and</i></u><br/> <u><i>(f) if any person undertaking or responsible for the cleaning, suspects that harmful or unusual aquatic species (including species designated as unwanted organisms or pest species under the Biosecurity Act 1993) are present on the ship, structure or navigational aid, that person shall take the following steps:</i></u><br/> <u><i>i. any cleaning activities commenced shall cease immediately, and</i></u><br/> <u><i>ii. the Taranaki District Council and the Ministry for Primary Industries shall be notified without unreasonable delay; and</i></u></p> | <p>The intention of Rule 9 is to provide for additional hull cleaning activities that are currently prohibited under the current Plan. Hull cleaning currently excludes ships that are greater than 25 metres in length and any ships that have been outside the exclusive economic zone since their last hull cleaning. Many second-generation coastal plans have provisions that allow the cleaning of these hulls provided the appropriate standards, terms and conditions are met.</p> <p>It is Council's view that the requested amendments provide additional information that strengthens Rule 9 and aligns with industry requirements and procedures. The Council further notes that capture of macrofoul will be an important condition to ensure that the Port and surrounding areas (of note, the nearby area of outstanding value) are safeguarded against any possible invasive marine species introduction.</p> <p>The Council agrees to granting the relief requested subject to minor inconsequential word changes to align the reading of rules with the remainder of the Plan. The amended rule reads as follows:</p> <p><b>Activity</b><br/> <u><i>Discharge of contaminants from the cleaning of biofouling from the part of a ship, moveable object or navigation aid that is normally below the water surface into water in the coastal marine area and any associated:</i></u><br/> <u><i>(deposition on the foreshore or seabed.</i></u></p> <p><u><i>Note (1) If the activity does not meet the standards, terms and conditions in this Rule refer to Rule 13.</i></u></p> <p><u><i>Note (2) For the purposes of this rule, further guidance is provided in the Anti—fouling and In-water Cleaning Guidelines (June 2013).</i></u></p> <p><u><i>Note (3) International vessels arriving into New Zealand waters have additional obligations under the Craft Risk Management Standard: Biofouling on Vessels Arriving to New Zealand (May 2014).</i></u></p> <p><b>Standards, terms and conditions:</b></p> |



| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
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|  |                  | <p><i>iii. the cleaning may not recommence until notified by the Council to do so, or in the event a designated unwanted organisms or pest species is found, notified to do so by the Ministry for Primary Industries.</i></p> <p><u>Notes</u></p> <p><i>1. For the purposes of the above, further guidance is provided in the Anti—fouling and In-water Cleaning Guidelines (June 2013).</i></p> <p><i>2. International vessels arriving into New Zealand waters have additional obligations under the Craft Risk Management Standard: Biofouling on Vessels Arriving to New Zealand (May 2014).</i></p> <p><u>Footnotes</u></p> <p><i>Defined in Floerl et al (2005) A Risk-based Predictive Tool to Prevent Accidental introductions of Nonindigenous Marine Species as: Light Fouling - 1—5% of visible surface covered by very patchy macrofouling. Remaining area often covered in microfouling.</i></p> | <p><i>(a) the anti—foul coating on the ship, moveable object or navigation aid shall not have exceeded its planned service life as specified by the manufacturer, and the cleaning method shall be undertaken in accordance with the coating manufacturer's recommendations;</i></p> <p><i>(c) the activity does not involve any species designated as unwanted organisms or pest species under the Biosecurity Act 1993;<sup>4</sup></i></p> <p><i>(d) macrofouling (other than goose barnacles) coverage on the ship, moveable structure or navigational aid is less than or equal to 2 on the Level of Fouling rank (Floerl et al (2005));<sup>5</sup> and</i></p> <p><i>(e) all biological material that cannot pass through a 50 micron sieve that is dislodged during cleaning (other than goose barnacles) is captured and disposed of at an approved landfill (microfouling and goose barnacles may be cleaned without capture).</i></p> <p><sup>4</sup> <i>If any person undertaking or responsible for the cleaning suspects that harmful or unusual aquatic species are present, that person should cease the activity immediately and notify the Ministry for Primary Industries without unreasonable delay. Cleaning should not recommence until notified by the Ministry for Primary Industries.</i></p> <p><sup>5</sup> <i>Defined in Floerl et al (2005) A Risk-based Predictive Tool to Prevent Accidental introductions of Nonindigenous Marine Species as: Light Fouling - 1—5% of visible surface covered by very patchy macrofouling. Remaining area often covered in microfouling.</i></p> |
| Further submissions – Port Taranaki Ltd (32)                       |                  | Oppose   |  |
| 33 – New Zealand Defence Force                                     | 737              | <p><b>Amend</b></p> <p>Submitter highlights that cleaning of biofoul is an important measure in controlling undesirable foreign organisms contaminating local waters and seeks amendment to Rule 9 of the Plan to provide for biofouling activities in the Open Coast and Estuaries Modified Coastal Management Areas as a discretionary activity (rather than a non-complying activity).</p>  | <p><b>Decline</b></p> <p>The Council recognises the importance of regular hull cleaning in preventing the spread of invasive biota. However, it is important that the cleaning of biofoul is undertaken in a manner and location where the potential adverse effects of contamination can be addressed in an appropriate and timely manner. This can only be achieved if cleaning practices are undertaken in the appropriate location which minimises the risk of contamination to other locations. The Port is the chosen location for these activities to be undertaken as it is already a largely modified environment, it has high traffic flow so is an ideal place to undertake the activity, plus, it is also the only location within the region that is routinely monitored for invasive marine species.</p> <p>To perform cleaning in locations other than the Port introduces additional and unacceptable risks to those locations and the benefits of providing for the activity do not outweigh the potential risks. The Council has determined that a</p>   |
| Further submission – Royal Forest and Bird Protection Society (43) |                  | Oppose   |  |



| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
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|  |                  |   | precautionary approach is appropriate to minimise the risks of contamination by foreign and invasive organisms to local waters outside the Port.   |
| 33 – New Zealand Defence Force                           | 738              | <p><b>Amend</b></p> <p>Submitter generally supports Rule 9 but seeks to amend the standards, terms and conditions of Rule 9(c) to read:</p> <p><i>(c) the Ministry for Primary industries, or subsequent replacement Ministry, is advised <u>immediately without unreasonable delay</u> if a suspected invasion or non-indigenous aquatic species is encountered.</i></p> | <p><b>Grant in kind</b></p> <p>The Council agrees that immediate contact may not be reasonable and agree to granting the relief in kind (as well as other amendments sought by other submitters) by including guidance in a footnote to the rule. The submitter has highlighted a standard, term and condition that is legally uncertain with reference to 'suspects' which is addressed by amending the condition and inserting guidance in a footnote to read as follows:</p> <p><u><i>(c) The activity does not involve any species designated as unwanted organisms or pest species under the Biosecurity Act 1993;</i></u><sup>4</sup></p> <p><u><i><sup>4</sup> If any person undertaking or responsible for the cleaning suspects that harmful or unusual aquatic species are present, that person should cease the activity immediately and notify the Ministry for Primary Industries without unreasonable delay. Cleaning should not recommence until notified by the Ministry for Primary Industries.</i></u></p>   |
| 40 – Te Rūnanga o Ngāti Mutunga                          | 739              | <p><b>Amend</b></p> <p>Submitter seeks amendment to the permitted activity rule for in-water cleaning of biofouling in the Port and make such activities a controlled activity.</p>   | <p><b>Decline</b></p> <p>The regular cleaning of biofoul is a desirable activity and should be encouraged to be undertaken in a timely fashion and provided for in appropriate locations, i.e. the Port. Regular biofouling reduces the risk of foreign organisms contaminating New Zealand waters and are best undertaken in places where the activity can be monitored, controlled and the appropriate actions can be taken immediately if necessary. In this instance, the Port is the only appropriate location and, as such, it is a non-complying activity elsewhere.</p> <p>The Council note that the risks associated with sampling and cleaning of biofouling have been assessed by the Ministry for Primary Industries who have legislative biosecurity responsibilities, including those relating to border control and the enforcement of import health standards. The rule is consistent with their advice and good practice.</p> <p>Changing the permitted activity classification to Controlled may become a potential deterrent to people following best practice and could ultimately discourage people from cleaning and/or slow down the cleaning process. This, in turn, increases the risk to the environment by allowing biofoul</p> |
| Further submissions – Te Korowai o Ngāruahine Trust (41) |                  | Support   |  |
| Further submissions – New Zealand Defence Force (33)     |                  | Oppose  |  |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
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|  |                  |  | communities time to grow or proliferate before they are removed from the vessel.   |
| 58 – Te Atiawa   | 740              | <p><b>Amend</b></p> <p>Submitter opposes permitting in-water cleaning of biofouling in the Port as, in their view, there is no way of monitoring the activity and they are not convinced that the conditions stated will be adhered to.</p> <p>Submitter seeks amendment to Rule 9 of the Plan to make biofouling in the Port a controlled activity (rather than a permitted activity) and that the Council exercise control over such matters to ensure these matters are met by users of the Plan.</p> | <p><b>Decline</b></p> <p>The regular cleaning of biofoul is a desirable activity and should be encouraged to be undertaken in a timely fashion and provided for in appropriate locations, i.e. the Port. Regular biofouling reduces the risk of 'dirty' boats and other crafts unintentionally bringing foreign harmful organisms (as hitch-hikers) into the region where they can then establish in our territorial waters. Bio-fouling is best undertaken in places where the activity can be monitored, controlled and the appropriate actions can be taken without delay if necessary. In this instance, the Port is considered the only appropriate location for this activity and, as such, it is a non-complying activity elsewhere.</p> <p>The Council notes that the risks associated with sampling and cleaning of biofouling have been assessed by the Ministry for Primary Industries who have legislative biosecurity responsibilities, including those relating to border control and the enforcement of import health standards. The rule is consistent with their advice and good practice.</p> <p>Changing the permitted activity classification to Controlled may become a potential deterrent to people following best practice and could ultimately discourage people from cleaning and/or slow down the cleaning process. This, in turn, increases the risk to the environment by allowing biofoul communities time to grow or proliferate before they are removed from the vessel.</p> |
| Further submissions – Te Korowai o Ngāruahine Trust (41) |                  | Support  |  |
| Further submissions – New Zealand Defence Force (33)     |                  | Oppose   |  |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions  |
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| <b>Rule 10 – Sampling and biofouling</b>                            |                  |   |   |
| 9 – Karen Pratt   | 741              | <b>Amend</b><br>Submitter seeks amendment to Rule 10 to cover operations such as the recently granted consent for ironsand mining in the EEZ, i.e. artificial structures.   | <b>No relief necessary</b><br>No precise details of amendments sought to Rule 10 have been provided. The Council notes that Rule 10 applies to all biofouling activities in the relevant coastal management areas and no further change is considered necessary.  |
| Further submissions – Trans-Tasman Resources (6)                    |                  | Oppose  |   |
| 16 – Ministry for Primary Industries                                | 742              | <b>Amend</b><br>Submitter seeks amendment to Rule 10 of the Plan by removing the word “scraping” from the activity classification, and to include the term “in-water” to describe where the cleaning is taking place and the words “involving” be replaced with “resulting in”, to read:<br><i>In water cleaning <del>Sampling, scraping and/or cleaning</del> of biofouling from the part of a ship, moveable object or navigation aid that is normally below the water surface <del>resulting in involving</del> a discharge of a <del>contaminant substance</del> into water in the coastal marine area and any associated:<br/>(a) deposition on the foreshore or seabed.</i> | <b>Accept in part</b><br>The Council agrees that scraping is only one method of cleaning of biofouling and that a more general approach is necessary to keep the activity description broad.<br>The Council notes that in the Taranaki scenario, the Port wharves and breakwaters are within the coastal marine area and there may be need to remove objects to be cleaned (for example, navigation aids and buoys) from the water to be cleaned on the wharves. The inclusion of “in-water cleaning” would preclude this kind of activity from occurring even through this method offers greater possibility of capture and removal of material.<br>The Council further notes that the activity should focus on the discharge rather than the cleaning itself as this is the activity to be managed and agree to amending the activity classification of Rule 10 to read as follows:<br><i>Discharge of contaminants from the cleaning of biofouling from the part of a ship, moveable object or navigation aid that is normally below the water surface, into water in the coastal marine area and any associated:<br/>(a) deposition on the foreshore or seabed.</i> |
| Further submissions – Trans-Tasman Resources (6)                    |                  | Support   |   |
| 21 – Climate Justice Taranaki                                       | 743              | <b>Support</b><br>Retain Rule 10 of the Plan so that any discharges from biofouling cleaning into all coastal management areas, excluding the Port, be a non-complying activity.  |   |
| Further submissions – Royal Forest and Bird Protection Society (43) |                  | Support   | <b>Accept</b><br>Support noted.   |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
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| 29 – Department of Conservation  | 744              | <b>Amend</b>  | <b>Accept</b>  |
|  |                  | Scraping is one type of cleaning that that is used when cleaning biofoul from a ship hull, in addition, it is a method that should not be used with many types of antifoul coatings used on vessels. Sampling is another activity, and should not be included alongside the cleaning of biofoul. Submitter seeks amendment to Rule 10 of the Plan to delete the words " <del>Sampling, scraping and/or</del> " from the activity description. | The Council agrees for the purposes of certainty and clarity to amend the activity classification of Rule 10 (with minor changes to accommodate the requests of other submitters) to read:<br><i>Discharge of contaminants from the cleaning of biofouling from the part of a ship, moveable object or navigation aid that is normally below the water surface, into water in the coastal marine area and any associated:</i><br><i>(a) deposition on the foreshore or seabed.</i>   |
| 33 - New Zealand Defence Force   | 745              | <b>Amend</b>  | <b>Decline</b>   |
|  |                  | Submitter seeks amendment to Rule 10 of the Plan to provide for biofouling activities in the Outstanding Value and Estuaries Unmodified Coastal Management Areas as a discretionary activity (rather than a non-complying activity).  | The Council declines the relief sought by the submitter.<br>The request would introduce a high level of risk that the Council considers unreasonable and unnecessary. An appropriate place for this activity to occur has been provided for in Port Taranaki. Through Rule 10 a resource consent may be granted as a non-complying activity but subject to the activity proving that effects are minor and not in conflict with the objectives and policies of the Plan.   |
| 41 – Te Korowai o Ngāruahine Trust   | 746              | <b>Amend</b>  | <b>Decline</b>   |
|  |                  | Submitter seeks amendment to Rule 10 of the Plan to make any sampling, scraping and/or cleaning of biofouling in coastal management areas, other than the Port, a prohibited activity (rather than non-complying activity).   | The Council declines the relief sought by the submitter.<br>Recent case law has confirmed that non-complying activities are subject to a high gateway test where the Council (under section 104D RMA) would need to be satisfied that the adverse effects of the activity will be minor or the activity will not be contrary to the objectives and policies of the Plan.<br>The presumption is that effects must be so minor that it is not likely to matter. However, its classification does allow some activities to at least be considered on a case-by-case basis to see if exceptions apply and could be provided for. prohibited activity status would unnecessarily preclude the consideration of any exceptional circumstances. |
| Further submissions – Trans-Tasman Resources (6), New Zealand Defence Force (33) |                  | Oppose  |  |
| 61 – Te Rūnanga o Ngāti Ruanui Trust   | 747              | <b>Amend</b>  | <b>Decline</b>   |
|  |                  | Submitter seeks amendment to Rule 10 (non-complying activity) of the Plan to include standards, terms and conditions to read:   | The submitter has sought the inclusion of standards, terms and conditions for Rules in the Plan relating to discretionary and non-complying activities.  |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions  |
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|   |                  | <p><u><i>(a) discharge does not adversely affect the matters/values identified for protection by mana whenua in the cultural impact assessment:</i></u></p> <p><u><i>(b) discharge complies with tangata whenua indicators referred to in the tangata whenua monitoring plan</i></u></p> <p><u><i>(c) discharge is consistent with iwi management plan.</i></u></p> <p>AND</p> <p>Include the following notification note:</p> <p><u><i>Resource consent applications under this Rule will be notified to tangata whenua.</i></u></p>  | <p>The Council declines the relief noting that it is not standard planning practice for discretionary activity or non-complying activity rules to include standards, terms and conditions. Conditions relating to a non-complying activity are developed on a case-by-case basis through the consenting process having regard to the relevant Plan policies.</p> <p>Notwithstanding the above, the Council notes that all matters identified by the submitter would be considered through the consenting process with Policies 1 to 21, 22 and 28 being given effect to.</p> <p>In relation to notification requirements proposed by the submitter, Council notes that the Plan is not intended to provide the operational detail for implementing every aspect of the Plan. Such detail is more appropriately included in the Council's standard operating procedures and/or any Mana Whakahono a Rohe agreements.</p> <p>In relation to notification requirements, the submitter (and others) has highlighted an issue with the notification requirements stated in the Plan which in turn raises issues with notification requirements in the RMA being regularly changed. The Council notes that, over time the notification requirements identified in the Plan may become misleading and outdated following changes to RMA. Consequently, the Council has determined to amend the heading throughout the rules section to refer only to "matters of control/discretion" and to delete references to notification requirements from the Plan, which are set out in sections 95A to 95G of the RMA.</p> |
| Further submissions – Trans-Tasman Resources (6)  |                  | Oppose   |   |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) |                  | Support  |   |
| <b>Rule 11 – Abrasive blasting discharges</b>   |                  |  |   |
| 26 – Transpower NZ Ltd  | 748              | <p><b>Amend</b></p> <p>Submitter supports Rule 11 of the Plan but notes that the <i>National Environmental Standards for Electricity Transmission</i> only applies to existing structures and since there are no existing National Grid structures in the coastal marine area (as identified in the Proposed Coastal Plan for Taranaki) and therefore subject to the Plan, the reference is not required. Further, the <i>National Environmental Standards for Electricity Transmission</i> is not applicable when erecting or placing new structures.</p> <p>Submitter seeks amendment to Rule 11 to delete reference to <i>National Environmental Standards for Electricity Transmission Activities</i>:</p> | <p><b>Accept</b></p> <p>The reference to the <i>National Environmental Standards for Electricity Transmission</i> is redundant and does not add further value to the Plan. The Council agrees to granting the relief sought by the submitter by removing the reference.</p>   |



| Submitter                            | Submission point | Submitter's requests  | Council's response and decisions  |
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|                                      |                  | <i>[...]excluding activities regulated by the Resource Management (National Environmental Standards for Electricity Transmission Activities Regulations 2009 (Appendix 6)).</i>   |   |
| 32 – Port Taranaki                   | 749              | <p><b>Amend</b></p> <p>Submitter suggests that within the Port coastal management area the effects of abrasive blasting discharges are well known and understood. Therefore, submitter seeks amendment to Rule 11 of the Plan to make the activity a controlled activity in the Port coastal management area and draft an appropriate set of matters over which control shall be restricted to.</p> | <p><b>Decline</b></p> <p>The Council declines the relief sought by the submitter.</p> <p>Abrasive blasting is capable of having significant adverse environmental effects. Given the amount of industrial and trade premises in the vicinity of the Port, the storage and transfer of dangerous and hazardous cargos and other materials, it is appropriate that such matters be considered on a case-by-case basis as a discretionary activity to ensure adverse effects are appropriately avoided, remedied or mitigated.</p>   |
| 41 – Te Korowai o Ngāruahine Trust   | 750              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 11 of the Plan to make abrasive blasting discharges in the coastal marine area a non-complying activity (rather than discretionary activity).</p>  | <p><b>Decline</b></p> <p>The Council declines the relief sought by the submitter.</p> <p>Recent case law has confirmed that non-complying activities is a high gateway test where Council (under section 104D of the RMA) would need to be satisfied that the adverse effects of the activity will be minor or the activity will not be contrary to the objectives and policies of the Plan. The presumption is that effects must be so minor that it is not likely to matter.</p> <p>However, it is the Council's view that abrasive blasting is an often necessary and routine activity for the maintenance, repair or alterations to existing structures, including wharves, mooring and berthing structures, and bridges. As such, it needs to be provided for.</p> <p>The Council has determined to retain the Rule's discretionary activity status so that abrasive blasting activities in the coastal marine area can be considered on a case-by-case basis, and if approved, ensure there are conditions addressing the avoidance, remedying or mitigating of adverse effects. Non-complying status is considered overly prescriptive for these activities.</p> |
| 61 – Te Rūnanga o Ngāti Ruanui Trust | 751              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 11 (discretionary activity) of the Plan to include standards, terms and conditions to read:</p>  | <p><b>Decline</b></p> <p>The submitter has sought the inclusion of standards, terms and conditions for rules in the Plan relating to discretionary and non-complying activities.</p>  |



| Submitter   | Submission point | Submitter's requests  | Council's response and decisions  |
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|   |                  | <p><u><i>(a) discharge does not adversely affect the matters/values identified for protection by mana whenua in the cultural impact assessment:</i></u></p> <p><u><i>(b) discharge complies with tangata whenua indicators referred to in the tangata whenua monitoring plan</i></u></p> <p><u><i>(c) discharge is consistent with iwi management plan.</i></u></p> <p>AND</p> <p>Include the following notification note:</p> <p><u><i>Resource consent applications under this Rule will be notified to tangata whenua.</i></u></p> | <p>The Council declines the relief sought noting that it is not standard planning practice for discretionary or non-complying activity rules to include standards, terms and conditions. Conditions relating to a discretionary activity are developed on a case-by-case basis through the consenting process having regard to the relevant Plan policies.</p> <p>The Council notes that all matters identified by the submitter would be considered through the consenting process with Policies 1 to 21, 22, 30, 39, 40 and 41 being given effect to.</p> <p>In relation to notification requirements, the submitter (and others) has highlighted an issue with the notification requirements stated in the Plan which in turn raises issues with notification requirements in the RMA being regularly changed. The Council notes that, over time the notification requirements identified in the Plan may become misleading and outdated following changes to RMA. Consequently, the Council agree to amending the heading throughout the rules section to refer only to “<i>matters of control/discretion</i>” and to delete references to notification requirements from the Plan (noting that the relevant notification requirements are set out in sections 95A to 95G of the RMA).</p> <p>The Council further notes that, in addition to the requirements of the RMA, notification to iwi can also be addressed through Mana Whakahono a Rohe agreements without the need to be included in the Plan rules.</p> |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) |                  | Support   |   |
| <b>Rule 12 – Seismic surveying and bathymetric testing</b>  |                  |   |   |
| 6 – Trans-Tasman Resources Ltd  | 752              | <p><b>Support</b></p> <p>Retain Rule 12 of the Plan noting surveys and tests are important and useful for establishing or monitoring key aspects of the coastal environment and that the effects are minor and transitory.</p>  | <p><b>Decline</b></p> <p>Support noted. However, the Council notes that Rule 12 is to be split into two rules, a permitted activity for bathymetric testing and an additional rule (Rule 12A) for seismic surveying as a controlled activity.</p> <p>Adverse effects of bathymetric testing are less than minor and can be appropriately managed through the permitted activity. However, adverse effects of seismic testing (particularly in relation to indigenous biodiversity) may be more uncertain. The controlled activity classification is therefore agree to so that the Council can ensure that adverse effects on indigenous biodiversity are appropriately considered and addressed through a consenting process.</p>  |
| Further submissions – Petroleum Exploration and Production Association of New Zealand (37)                |                  | Support   |   |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61)  |                  | Oppose  |   |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions  |
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|   |                  |  | <p>At the hearing, the submitter presented further on Rule 12 noting that the rule had been broken into two rules addressing bathymetric testing and seismic surveying separately. The submitter requested that standards, terms and conditions addressing taonga species be deleted and that reference to Schedule 4 only refer to those species that are 'threatened', 'at risk', or 'regionally distinctive', as well as the ecosystems which are rare or uncommon. The Council notes that standards, terms and conditions relating to taonga species have been included as it is considered necessary to recognise and provide protection for those species that hold significant value to local iwi. These species were identified through the iwi deeds of settlement and are considered necessary to give effect to Objectives 4, 8, 9, 10, 11 and 12 and Policies 14B, 15, 16 and 18 of the Plan.</p> |
| 21 – Climate Justice Taranaki   | 753              | <p><b>Amend</b></p> <p>Submitter opposes further petroleum prospecting and exploration and seek that the Plan be amended to make all seismic surveying for petroleum in any coastal management area a prohibited activity.</p> | <p><b>Decline</b></p> <p>The Council declines the relief sought.</p> <p>The Council notes that seismic surveying and bathymetric testing provide useful and important insights into crustal activities that occur within the Taranaki region and are not limited to industrial uses within the petroleum industry. Not only are these insights useful but they are also necessary as they provide information relating to the tectonic situation of the region, including faults, flexure and crustal thickening relating to the overarching tectonic regime of the Zealandia continent. Such information is necessary for hazard mitigation and preparation including earthquake, tsunami and volcanic activity as well as providing insights into the past events that occurred in geologic time.</p>   |
| Further submissions –Trans-Tasman Resources (6), Petroleum Exploration and Production Association of New Zealand (37) |                  | <p><b>Oppose</b></p>   | <p>The Council recognises that a number of submitters are concerned by the potential effects of seismic surveying, primarily in relation to disturbance of marine organisms not addressed by the Department of Conservation's <i>Code of Conduct for Minimising Acoustic Disturbance to Marine Mammals from Seismic Survey Operations 2013</i> (the 'code of conduct'). To this end, the Council has determined that a higher level of regulatory control is appropriate and that seismic surveying be made a controlled activity in all coastal management areas (rather than to prohibit it entirely as requested by the submitter).</p> <p>A controlled activity rule, with additional standards, terms and conditions, will allow the Council to ensure that adverse effects to significant indigenous</p>  |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions   |
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|   |                  |  | biodiversity are addressed appropriately, while still ensuring that those seeking to undertake the activity are appropriately provided for.  |
| 29 – Department of Conservation   | 754              | <b>Support</b><br>Retain Rule 12 of the Plan as notified but reconsider rule should a potential whale sanctuary in the Taranaki coastal environment eventuate. | <b>Accept in part</b><br>Support noted.<br>However, the Council notes that Rule 12 is to be split into two rules, a permitted activity for bathymetric testing and an additional rule (Rule 12A) for seismic surveying as a controlled activity.   |
| Further submissions – Climate Justice Taranaki Inc (21)                                       |                  | Oppose   | The controlled activity classification for seismic testing is agreed so that the Council can ensure that adverse effects on significant indigenous biodiversity are appropriately considered and addressed through a consenting process. At the hearing, the submitter presented in support of this change.  |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61)                                    |                  | Support  |  |
| 37 – Petroleum Exploration and Production Association of NZ                                   | 755              | <b>Support</b><br>Retain Rule 12 of the Plan as notified.  | <b>Decline/Grant in kind</b><br>Support noted.<br>However, the Council notes that Rule 12 is to be split into two rules, a permitted activity for bathymetric testing and an additional rule (Rule 12A) for seismic surveying as a controlled activity.  |
| Further submissions – Climate Justice Taranaki Inc (21), Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Oppose   | The controlled activity classification for seismic testing is agree to so that the Council can ensure that adverse effects on significant indigenous biodiversity are appropriately considered and addressed through a consenting process.   |
| Further submissions – Port Taranaki Ltd (32)  |                  | Support  | In relation to retaining Rule 12 of the Plan as notified, the Council declines that part of the relief. However, at the hearing, the submitter subsequently recommended amending Rule 12A (should the Council choose to adopt the Section 42A Report recommendations relating to seismic testing). In particular, the submitter recommended amending the 'gateway' to Rule 12A to refer to the placement of associated monitoring equipment which was provided for in the original wording of Rule 12. The Council agrees and has determined that Rule 12A provide for the placement of associated monitoring equipment.<br><br>In addition, the submitter requested that the standards terms and conditions of Rule 12A be replaced with a requirement that the activity not occur within 1,000 m of mean high water springs.<br><br>The Council declines this relief as it does not address environmental effects outside the 1,000 m restricted area and considers that indigenous biodiversity |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
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|  |                  |   | <p>may potentially be impacted upon if this approach is adopted. It is further suggested that this approach derogates from the precautionary approach as required by Policy 3 of the Plan.</p> <p>Further to this, in relation to Rule 12 as amended [Bathymetric testing] and Rule 12A [Seismic surveying], the submitter requested that subjective conditions relating to significant indigenous biodiversity and taonga species be deleted. The Council declines the relief sought noting that as part of a precautionary approach these conditions are considered appropriate and give effect to Policy 11 [Indigenous biological diversity (biodiversity)] of the <i>New Zealand Coastal Policy Statement</i> and other policies of the Plan. The Council notes that for certainty, and to assist Plan users, species and habitats identified as significant indigenous biodiversity and taonga species of concern have been included in Schedules 4A, 4B and 4C. The Council notes that it is not uncommon for plans to include values based assessments for permitted and controlled activities and that similar conditions are included in the current <i>Coastal Plan for Taranaki</i> and have been successfully implemented and enforced over the life of the Plan.</p> |
| 40 – Te Rūnanga o Ngāti Mutunga  | 756              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 12 of the Plan to make seismic surveying or bathymetric testing activity a discretionary activity (rather than a permitted activity). The submitter is concerned about the impacts of seismic surveying on one of their taonga species the korora (little blue penguin).</p> | <p><b>Accept in part</b></p> <p>Impacts of seismic testing on marine mammals are managed through the Department of Conservation's <i>Code of Conduct for Minimising Acoustic Disturbance to Marine Mammals from Seismic Survey Operations 2013</i> (the 'code of conduct'). However, the code only addresses the effects on marine mammals and seabirds (specifically effects on seabirds from on-board lights), the code does not address any effects that may occur to penguins or other 'non mammal' marine fauna.</p>  |
| Further submissions – Trans-Tasman Resources (6), Petroleum Exploration and Production Association of New Zealand (37) |                  | Oppose  | <p>The South Taranaki Bight is an important foraging area for blue penguins of the Marlborough Sounds breeding colony listed in Schedule 4A as "at risk (declining)". Effects from seismic surveying have been shown to significantly affect penguin foraging patterns, which in turn, may adversely affect reproductive output and result in displacement. Any threats to the population would be considered significant.</p>   |
| Further submissions – Te Korowai o Ngāruahine Trust (41), Te Rūnanga o Ngāti Ruanui Trust (61)                         |                  | Support   | <p>The Council does not consider that the permitted activity classification provides the necessary certainty for the Council to ensure adverse effects impacting on marine taxa (not covered by Department of Conservation's code of conduct) are being appropriately managed.</p>   |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
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|  |                  |  | The Council has therefore determined to remove seismic surveying from Rule 12 and creating a new rule (Rule 12A) to make seismic surveying a controlled activity in all coastal management areas. The rule contains additional standards, terms and conditions that address effects on species identified in Schedule 4A, taonga species identified in Schedule 4C as well as requiring the activity to comply with the Department of Conservation's <i>Code of Conduct for Minimising Acoustic Disturbance to Marine Mammals from Seismic Survey Operations 2013</i> .   |
| 40 – Te Rūnanga o Ngāti Mutunga  | 757              | <b>Amend</b><br>Submitter seeks amendment to Rule 12 of the Plan to amend Condition (a) to delete reference to: <del>any subsequent applicable Code of Conduct</del> .                                   | <b>Accept</b><br>The Council agrees to granting the relief sought by the submitter, noting that this amendment is addressed under Rule 12A.   |
| Further submissions – Trans-Tasman Resources (6)   |                  | Neutral  |   |
| Further submissions – Te Korowai o Ngāruahine Trust (41)                                   |                  | Support  |   |
| 41 – Te Korowai o Ngāruahine Trust   | 758              | <b>Amend</b><br>Submitter seeks amendment to Rule 12 of the Plan to require a higher level of regulatory control for seismic surveying or bathymetric testing activity (currently a permitted activity). | <b>Accept in part</b><br>Submitter opposes seismic surveying or bathymetric testing activities on the basis that the Department of Conservation's <i>Code of Conduct for Minimising Acoustic Disturbance to Marine Mammals from Seismic Survey Operations 2013</i> (the 'code of conduct') is flawed and that, in their view, research evidence clearly cites the harm that is caused to marine mammals, larvae development and zooplankton. The submitter suggests that the marine mammal guidelines do not assess the total effects on the marine environment and do not mitigate the risks to the marine environment. The submitter suggests that the rule's reliance on the guidelines as the basis to afford permitted activity status neglects the impact on fish, larvae and invertebrates and Māori customary and commercial fishing rights.<br><br>The Council recognises that a number of submitters are concerned by the potential effects of seismic surveying and bathymetric testing, primarily in relation to disturbance of marine organisms. While the effects of seismic and bathymetric testing are generally minor and transitory. The Council also recognises that there are vulnerable species susceptible to the impacts of seismic surveying that are not addressed in the Department of Conservation's |
| Further submissions – Petroleum Exploration and Production Association of New Zealand (37) |                  | Oppose   |   |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61)                                 |                  | Support  |   |



| Submitter                          | Submission point | Submitter's requests  | Council's response and decisions   |
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|                                    |                  |   | <p>code of conduct. The Council has therefore determined to amend Rule 12 to require a higher level of regulatory control for seismic surveying but not for bathymetric testing.</p> <p>Bathymetric testing is the more benign of the two activities with adverse effects always likely to be less than minor. However, adverse effects of seismic testing (particularly in relation to indigenous biodiversity) maybe more uncertain. The Council has therefore determined that seismic testing have a controlled activity classification so that it can ensure that adverse effects on indigenous biodiversity are appropriately considered and addressed through a consenting process.</p>  |
| 41 – Te Korowai o Ngāruahine Trust | 759              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 12 to include a condition that ensures no adverse effects on the cultural interests of sites specified in Schedule 5B.</p> | <p><b>Grant in kind</b></p> <p>The Council is unaware of any adverse effects likely to result on the sites of significance. Impacts on aquatic life tends to be temporal with fish being able to avoid the area of disturbance and returning once the activity ceases or moves on.</p> <p>Notwithstanding the above, the Council notes that, in response to other submitters' requests, seismic surveying is to be regulated as a controlled activity under new Rule 12A.</p> <p>It is the view of the Council that sites of significance identified in Schedule 5B are unlikely to be affected, however, it is noted that standard, term and condition (c) provides protection for taonga species which includes taonga species identified in significant mahinga kai areas indicated within the planning layers.</p> <p>The Council considers that the protection of taonga species within the standards, terms and conditions provides a high level of protection for such areas.</p> |



| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
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| 42 – Ngati Rahiri Hapū   | 760              | <p><b>Amend</b></p> <p>Submitter questions how an event such as a rahui could be considered when Rule 12 makes no mention of iwi/hapū involvement.</p> <p>Submitter seeks amendment to Rule 12 to make seismic surveying or bathymetric testing activity a controlled activity (rather than a permitted activity) and to include iwi/hapū in the consideration process.</p>                                   | <p><b>Accept in part</b></p> <p>The Council notes that seismic surveying is agreed to become a controlled activity under new Rule 12A to address effects on indigenous biodiversity as requested by other submitters.</p> <p>Then Council notes that a rahui is not provided for or governed by the RMA (or any other legislation) and is therefore not enforceable through the Plan, however, there may be opportunity to explore these issues further through Mana Whakahono a Rohe agreements in conjunction with the consenting process and the development of more formal relations.</p> |
| Further submissions – Trans-Tasman Resources (6), Petroleum Exploration and Production Association of New Zealand (37) |                  | Oppose  |   |
| Further submissions – Te Korowai o Ngāruahine Trust (41)   |                  | Support   |   |
| 43 – Royal Forest and Bird Protection Society  | 761              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 12 of the Plan to make seismic surveying and bathymetric testing:</p> <ul style="list-style-type: none"> <li>• a discretionary activity in the Open Coast and Port</li> <li>• a non-complying activity in the Outstanding Value, Estuaries Unmodified and Estuaries Modified coastal management areas (rather than a permitted activity).</li> </ul> | <p><b>Accept in part</b></p>  |
| Further submissions – Trans-Tasman Resources (6), Petroleum Exploration and Production Association of New Zealand (37) |                  | Oppose  |   |
| Further submissions – Climate Justice Taranaki Inc (21)  |                  | Support in part   |   |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
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| Further submissions – Te Korowai o Ngāruahine Trust (41), Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support   | <p>The submitter believes that seismic testing has adverse effect including significant adverse effects on marine mammals and fish species. In addition, it is their view that a permitted activity classification would not enable the Council to give effect to the <i>New Zealand Coastal Policy Statement</i>. Further, the 2013 standards are inadequate and have been under review since 2015 and cannot be relied on to ensure the Council gives effect to the <i>New Zealand Coastal Policy Statement</i>. The submitter suggests that the Council will need to consider expert advice on the generation of noise and vibration on marine species. It is noted that the submitter presented on this further at the hearing of submissions and amended their original position to seek restricted discretionary and non-complying activity classifications.</p> <p>The Council recognises that a number of submitters are concerned by the potential effects of seismic surveying, primarily in relation to disturbance of marine organisms not identified in the Department of Conservation's <i>Code of Conduct for Minimising Acoustic Disturbance to Marine Mammals from Seismic Survey Operations 2013</i> (the 'code of conduct'). To this end the Council considers it is necessary to increase the activity classification for seismic surveying to a controlled activity in all coastal management areas (rather than restricted discretionary, or discretionary and non-complying as requested by the submitter).</p> <p>A controlled activity pathway, with additional standards, terms and conditions, will allow the Council to ensure that adverse effects to indigenous biodiversity are addressed appropriately, while still ensuring that those seeking to undertake the activity are appropriately provided for.</p> <p>The Council agreed to amendments, including additional standards, terms and conditions, as well as matters of control, are included in new Rule 12A.</p> |
| 44 – Nga Motu Marine Reserve Society Inc   | 762              | <p><b>Amend</b></p> <p>The submitter believes there is insufficient information published about the affected species in Taranaki waters, and discussion about the effects.</p> <p>Submitter seeks amendment to Rule 12 of the Plan to require a higher level of regulatory control and prohibit seismic surveying or bathymetric testing activity (currently a permitted activity).</p> | <p><b>Accept in part</b></p> <p>The Council agrees to granting in part the relief sought.</p> <p>The Council notes that seismic surveying and bathymetric testing provide useful and important insights into crustal activities that occur within the Taranaki region and are not limited to industrial uses within the petroleum industry. Not only are these insights useful but they are also necessary as they provide information relating to the tectonic situation of the region, including faults, flexure and crustal thickening relating to the overarching</p>   |
| Further submissions – Climate Justice Taranaki Inc (21), Te Korowai                            |                  | Support   |   |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
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| o Ngāruahine Trust (41), Te Rūnanga o Ngāti Ruanui Trust (61)                              |                  |   | tectonic regime of the Zealandia continent. Such information is necessary for hazard mitigation and preparation including earthquake, tsunami and volcanic activity as well as providing insights into the past events that occurred in geologic time.  |
| Further submissions – Petroleum Exploration and Production Association of New Zealand (37) |                  | Oppose  | Notwithstanding the above, the Council recognises that a number of submitters are concerned by the potential effects of seismic surveying, primarily in relation to disturbance of marine organisms not identified in the Department of Conservation's <i>Code of Conduct for Minimising Acoustic Disturbance to Marine Mammals from Seismic Survey Operations 2013</i> (the 'code of conduct'). To this end, the Council agrees that a higher level of regulatory control is required and considers it is necessary to increase the activity classification for seismic surveying to a controlled activity in all coastal management areas (rather than to prohibit it entirely as requested by the submitter).<br><br>A controlled activity pathway, with additional standards, terms and conditions, will allow the Council to ensure that adverse effects to indigenous biodiversity are addressed appropriately, while still ensuring that those seeking to undertake the activity are appropriately provided for. |
| 51 - Taranaki Energy Watch   | 763              | <b>Amend</b><br><br>Submitter seeks amendment to Rule 12 of the Plan to incorporate a precautionary approach.   | <b>Accept</b><br><br>The submitter has not given precise details as to the amendments sought. However, the Council believes that the submitter is concerned with potential adverse effects on marine taxa not addressed through the Department of Conservation's <i>Code of Conduct for Minimising Acoustic Disturbance to Marine Mammals from Seismic Survey Operations 2013</i> (the 'code of conduct').<br><br>The Council agrees to amending Rule 12 to make seismic surveying a controlled activity under Rule 12A to ensure that any adverse effects can be considered through the consenting process. This also reflects a precautionary approach.   |
| Further submissions – Petroleum Exploration and Production Association of New Zealand (37) |                  | Oppose  |   |
| 52 – Emily Bailey  | 764              | <b>Amend</b><br><br>Submitter seeks amendment to Rule 12 of the Plan so that seismic surveying is a prohibited activity within the coastal environment. | <b>Decline</b><br><br>The Council declines the relief requested.<br><br>The Council notes that seismic surveying and bathymetric testing provide useful and important insights into crustal activities that occur within the Taranaki region and are not limited to industrial uses within the petroleum  |
| Further submissions – Trans-Tasman Resources, Petroleum Exploration                        |                  | Oppose  |   |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
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| and Production Association of New Zealand (37)   |                  |   | industry. Not only are these insights useful but they are also necessary as they provide information relating to the tectonic situation of the region, including faults, flexure and crustal thickening relating to the overarching tectonic regime of the Zealandia continent. Such information is necessary for hazard mitigation and preparation including earthquake, tsunami and volcanic activity as well as providing insights into the past events that occurred in geologic time.  |
| Further submissions – Climate Justice Taranaki Inc (21)  |                  | Support   | <p>The Council recognises that a number of submitters are concerned by the potential effects of seismic surveying, primarily in relation to disturbance of marine organisms not identified in the Department of Conservation's <i>Code of Conduct for Minimising Acoustic Disturbance to Marine Mammals from Seismic Survey Operations 2013</i> (the 'code of conduct'). To this end, the Council agrees that a higher level of regulatory control is required and considers it is necessary to increase the activity classification for seismic surveying to controlled activity in all coastal management areas (rather than to prohibit it entirely as requested by the submitter).</p> <p>A controlled activity pathway, with additional standards, terms and conditions, will allow the Council to ensure that adverse effects to indigenous biodiversity are addressed appropriately, while still ensuring that those seeking to undertake the activity are appropriately provided for.</p> |
| 56 – Greenpeace  | 765              | <b>Amend</b>  | <b>Accept</b>   |
|  |                  | Submitter opposes Rule 12 of the Plan in which the activity classification for testing and bathymetric testing is a permitted activity. | The Council recognises that a number of submitters are concerned by the potential effects of seismic surveying, primarily in relation to disturbance of marine organisms not identified in the Department of Conservation's <i>Code of Conduct for Minimising Acoustic Disturbance to Marine Mammals from Seismic Survey Operations 2013</i> (the 'code of conduct'). To this end, the Council agrees that a higher level of regulatory control is required and considers it is necessary to increase the activity classification for seismic surveying to a controlled activity in all coastal management areas.   |
| Further submissions – Climate Justice Taranaki Inc (21)  |                  | Support in part   | A controlled activity pathway, with additional standards, terms and conditions, will allow the Council to ensure that adverse effects to indigenous biodiversity are addressed appropriately, while still ensuring that those seeking to undertake the activity are appropriately provided for.   |
| Further submissions – Petroleum Exploration and Production Association of New Zealand (37)     |                  | Oppose  |   |
| Further submissions – Te Korowai o Ngāruahine Trust (41), Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support   |   |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
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| 57 – Kiwis Against Seabed Mining   | 766              | <b>Amend</b><br>Submitter opposes Rule 12 of the Plan in which the activity classification for testing and bathymetric testing is a permitted activity.  | <b>Accept</b><br><br>The Council recognises that a number of submitters are concerned by the potential effects of seismic surveying, primarily in relation to disturbance of marine organisms not identified in the Department of Conservation's <i>Code of Conduct for Minimising Acoustic Disturbance to Marine Mammals from Seismic Survey Operations 2013</i> (the 'code of conduct'). To this end, the Council agrees that a higher level of regulatory control is required and considers it is necessary to increase the activity classification for seismic surveying to a controlled activity in all coastal management areas.<br><br>A controlled activity pathway, with additional standards, terms and conditions, will allow the Council to ensure that adverse effects to indigenous biodiversity are addressed appropriately, while still ensuring that those seeking to undertake the activity are appropriately provided for.   |
| Further submissions – Climate Justice Taranaki Inc (21)  | Support in part  |  |   |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61)   | Support          |  |   |
| 58 – Te Atiawa   | 767              | <b>Amend</b><br><br>Submitter is concerned that noise and vibration associated with seismic surveying and bathymetric testing may result in adverse impacts on taonga species such as kororā (little blue penguin) and tohorā (whales).<br><br>Submitter seeks amendment to Rule 12 by changing the activity classification to discretionary activity (currently a permitted activity) to provide iwi the opportunity to be involved in the decision making process and ensure conditions of consent are monitored.<br><br>AND<br><br>Add a further condition to ensure no adverse effects on cultural values associated with sites identified in Schedules 5A and 5B. | <b>Accept in part</b><br><br>Impacts of marine mammals are managed through the Department of Conservation's <i>Code of Conduct for Minimising Acoustic Disturbance to Marine Mammals from Seismic Survey Operations 2013</i> (the 'code of conduct'). However, the code only addresses the effects on marine mammals and seabirds (specifically effects on seabirds from on board lights), the code does not address any effects that may occur to penguins or other 'non mammal' marine fauna.<br><br>The South Taranaki Bight is an important foraging area for blue penguins that nest along the Taranaki coastline as well as for the Marlborough Sounds blue penguin breeding colony. Blue penguins are listed in Schedule 4A as "at risk (declining)" and any threats to the population considered significant.<br><br>Effects from seismic surveying have been shown to significantly affect penguin foraging patterns which may adversely affect reproductive output and result in displacement.<br><br>The Council does not consider that the permitted activity classification allows it to effectively assess and ensure potential adverse effects on marine taxa not covered by Department of Conservation's code of conduct are adequately |
| Further submissions – Trans-Tasman Resources (6), Petroleum Exploration and Production Association of New Zealand (37) | Oppose           |  |   |
| Further submissions – Climate Justice Taranaki Inc (21)  | Support in part  |  |   |



| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
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| Further submissions – Te Korowai o Ngāruahine Trust (41), Te Rūnanga o Ngāti Ruanui Trust (61)                         |                  | Support  | <p>addressed. Therefore, the Council agrees that a higher level of regulatory control is appropriate whereby seismic surveying is a controlled activity in all coastal management areas.</p> <p>A controlled activity pathway generally provides for the activity while ensuring adverse effects to indigenous biodiversity and taonga species are appropriately assessed and addressed through a consenting process.</p>   |
| 61 – Te Rūnanga o Ngāti Ruanui Trust   | 768              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 12 of the Plan to make seismic surveying or bathymetric testing activity a discretionary activity (rather than a permitted activity) and include standards, terms and conditions to read:</p> <p>(a) <del>survey complies with 2013 Code of Conduct for Minimising Acoustic Disturbance to Marine Mammals from Seismic Survey Operations or any subsequent applicable Code of Conduct; discharge does not adversely affect the matters/values identified for protection by mana whenua in the cultural impact assessment;</del></p> <p>(b) <del>Taranaki Regional Council is informed of the activity at least five working days before commencement by entering details of the activity at <a href="http://www.trc.govt.nz/informcouncil">www.trc.govt.nz/informcouncil</a> discharge complies with tangata whenua indicators referred to in the tangata whenua monitoring plan;</del></p> <p><del>with regards to bathymetric testing:</del></p> <p>(c) <del>activity does not have an adverse effect on marine mammals; discharge is consistent with iwi management plan.</del></p> <p>AND</p> <p>Include the following notification note:</p> <p><del>Resource consent applications under this Rule will be notified to tangata whenua.</del></p> | <p><b>Accept in part</b></p> <p>The Council notes that seismic surveying and bathymetric testing provide useful and important insights into crustal activities that occur within the Taranaki region and are not limited to industrial uses within the petroleum industry. Not only are these insights useful but they are also necessary as they provide information relating to the tectonic situation of the region, including faults, flexure and crustal thickening relating to the overarching tectonic regime of the Zealandia continent. Such information is necessary for hazard mitigation and preparation including earthquake, tsunami and volcanic activity as well as providing insights into the past events that occurred in geologic time.</p> <p>The Council recognises that a number of submitters are concerned by the potential effects of seismic surveying, primarily in relation to disturbance of marine organisms not identified in the Department of Conservation's <i>Code of Conduct for Minimising Acoustic Disturbance to Marine Mammals from Seismic Survey Operations 2013</i> (the 'code of conduct'). To this end, the Council agrees that a higher level of regulatory control is required and considers it is necessary to increase the activity classification for seismic surveying to a controlled activity in all coastal management areas (rather than a discretionary activity as requested by the submitter).</p> <p>A controlled activity pathway, with additional standards, terms and conditions, will allow the Council to ensure that adverse effects to indigenous biodiversity are addressed appropriately, while still ensuring that those seeking to undertake the activity are appropriately provided for.</p> <p>The Council notes that the standards, terms and conditions suggested by the submitter are not considered appropriate due to being unenforceable and not consistent across the region. However, the amended standards, terms and conditions identified in Rule 12A may go some way to addressing the submitters concerns with additional considerations given to significant species</p> |
| Further submissions – Trans-Tasman Resources (6), Petroleum Exploration and Production Association of New Zealand (37) |                  | Oppose   |   |
| Further submissions – Climate Justice Taranaki Inc (21)  |                  | Support in part  |   |



| Submitter   | Submission point | Submitter's requests   | Council's response and decisions   |
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|   |                  |  | and ecosystems identified in Schedule 4A and taonga species identified in Schedule 4C.   |
| <b>Rule 13 – Other discharges</b>                       |                  |  |  |
| 8 – Silver Fern Farms                                   | 769              | <b>Support</b><br>Retain Rule 13 of the Plan as a 'catch-all' to provide for discharges to coastal waters not otherwise covered by other rules.  | <b>Accept</b><br>Support noted. Rule 13 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.   |
| Further submissions – Federated Farmers (2)             |                  | Support  |  |
| Further submissions – Climate Justice Taranaki Inc (21) |                  | Oppose   |  |
| 26 – Transpower NZ Ltd                                  | 770              | <b>Amend</b><br>Submitter supports Rule 13 of the Plan but explains that the <i>National Environmental Standards for Electricity Transmission</i> activities only applies to existing National Grid structures and since there are no existing National Grid structures in the coastal marine area (as identified in the Proposed Coastal Plan for Taranaki) and therefore subject to the Plan, the reference is not required. Further, the <i>National Environmental Standards for Electricity Transmission</i> is not applicable when erecting or placing new structures so is redundant to mention within the Plan.<br>Submitter seeks amend to Rule 13 to delete reference to <i>National Environmental Standards for Electricity Transmission Activities</i> :<br><del>[...] or the Resource Management (National Environmental Standards for Electricity Transmission Activities Regulations 2009 (Appendix 6)).</del> | <b>Accept</b><br>The reference to the <i>National Environmental Standards for Electricity Transmission</i> is redundant and does not add further value to the Plan. The Council grants the relief sought by the submitter. |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd      | 771              | <b>Amend</b><br>Retain Rule 13 of the Plan subject to amendment and the addition of a note as follows:<br><u><i>A discharge into a district council managed stormwater system is a discharge to land outside the coastal marine area and an assessment for consent requirement should be made under the Freshwater Plan not this rule.</i></u>   | <b>Accept</b><br>The Council agrees to the requested amendment as it provides useful guidance for Plan users.  |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions  |
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| Further submissions – Climate Justice Taranaki Inc (21)   |                  | Oppose  |   |
| Further submissions – Transpower NZ Ltd (26)  |                  | Support   |   |
| 47 – Fonterra   | 772              | <b>Support</b>  | <b>Accept</b>   |
|   |                  | Retain Rule 13 of the Plan as notified.   | Support noted. Rule 13 is retained subject to minor amendments as requested by other submitters that do not change the rule's scope.  |
| Further submissions – Climate Justice Taranaki Inc (21)   |                  | Oppose  |   |
| <b>Rules 13 and 14 – Other discharges</b>   |                  |   |   |
| 6 – Trans-Tasman Resources Ltd  | 773              | <b>Support</b>  | <b>Accept</b>   |
|   |                  | Retain Rules 13 and 14 of the Plan as these rules appropriately recognise and provide for other discharge activities to be assessed as either discretionary in open coast or non-complying in the more sensitive outstanding value areas and are consistent with the activity status given to 'other' activities (Rules 33, 34, 42 and 43). | Support noted. Rules 13 and 14 are retained subject to minor amendments as requested by other submitters that do not change the rule's scope.   |
| Further submissions – Port Taranaki Ltd (32)  |                  | Support   |   |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61)  |                  | Oppose  |   |
| 21 – Climate Justice Taranaki   | 774              | <b>Amend</b>  | <b>Decline</b>  |
|   |                  | Submitter opposes Rules 13 and 14 of the Plan.  | No precise details of amendments sought to the Plan have been provided and the submitter is seeking clarification/examples of the types of contaminants that would fall under these 'catch-all' rules. The submitter questions whether Rules 13 and 14 are designed to capture contaminant discharge from industrial facilities such as Fonterra and Methanex plants. |
| Further submissions – Trans-Tasman Resources (6)  |                  | Oppose  |   |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Korowai o Ngāruahine Trust (41), Te Atiawa (58), Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support   | The Council notes that the intent of Rules 13 and 14 is to provide a consenting pathway for discharge activities that do not come within or comply with other rules in the Plan. It acknowledges that plans will rarely be able to predict all foreseeable and unforeseeable activities that might occur over the   |

| Submitter                      | Submission point | Submitter's requests   | Council's response and decisions  |
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|                                |                  |  | <p>life of the Plan and allows unforeseen activity types to be considered as part of a consenting regime. It is not feasible to identify contaminant types but would potentially cover discharges from larger industrial premises (so long as they do not trigger other rules, e.g. wastewater rules).</p> <p>Of note, together Rules 13 and 14 provide a much higher level of protection than otherwise provided by the RMA, where, in the absence of a rule, a resource consent is required (as a discretionary activity). Discharges to Outstanding Value, Estuaries Unmodified and Estuaries Modified coastal management areas are a non-complying activity pursuant to Rule 14.</p>  |
| 21 – Climate Justice Taranaki  | 775              | <p><b>Amend</b></p> <p>Submitter questions compliance and enforcement responses and seeks that if such 'catch-all' rules are to remain, then Rule 13 of the Plan for the relevant discharge activities should be Publicly Notified.</p>  | <p><b>No relief necessary</b></p> <p>The Council does not consider it appropriate to include this level of operational detail in the Plan but notes that in accordance with its standard operating procedures, such discharge activities are already publicly notified. The Council notes that the Council is consistently identified in the National Monitoring System, and elsewhere, as having very strong and best practice compliance and enforcement responses.</p>   |
| 33 – New Zealand Defence Force | 776              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rules 13 and 14 of the Plan by inserting a new rule permitting minor discharges (similar to Rule 53 regarding minor disturbance and removal), which would provide for the operation of the portable water units;</p> <p>OR</p> <p>inserting a new rule specifically permitting discharges from the operation of portable water treatment units, such as:</p> <p><i><u>the discharge of contaminants or water to the coastal marine area from portable water treatment units for the purpose of temporary military training activities is a permitted activity.</u></i></p> | <p><b>Grant in kind</b></p> <p>The submitter notes that New Zealand Defence Force training within the coastal environment can involve the use of portable water treatment units and it is important that personnel are fully trained in the use of these units. Minor discharges to the coastal marine area associated with these types of activities should have little effect on coastal water quality. For example, tidal wave action in the coastal marine area will rapidly disperse the discharges and will generally result in no noticeable difference in water quality within a few metres of the discharge point.</p> <p>The Council believes there is merit in these and other similar type discharge activities being provided for as a permitted activity rule. Other discharges of this nature could include cooling water use on vessels or discharges from waterblasting activities (note that abrasive blasting is separately addressed in Rule 11).</p> <p>The Council agrees to granting the relief sought in kind by including a new rule, Rule 1A, that allows, as a permitted activity, the temporary discharge of water (and minor incidental contaminants, e.g. salt associated with concentrated seawater from a desalination process) into the coastal marine</p> |

| Submitter                                | Submission point | Submitter's requests   | Council's response and decisions   |
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|  |                  |  | <p>area. This would be the equivalent of a rule in the current Freshwater Plan and is consistent with approaches adopted by other regional councils.</p> <p><b><u>Activity description</u></b></p> <p><u>Temporary discharge of water and minor contaminants on the foreshore, seabed or into waters of the coastal marine area and any associated disturbance of the foreshore or seabed.</u></p> <p><b><u>Standards, terms and conditions</u></b></p> <p><u>(a) The activity does not cause any scouring or erosion beyond the point of discharge;</u></p> <p><u>(b) after reasonable mixing the activity does not cause:</u></p> <p><u>(i) any conspicuous oil or grease films, scums or foams, or floatable or suspended materials;</u></p> <p><u>(ii) any conspicuous change of colour or visual clarity;</u></p> <p><u>(iii) any emission of objectionable odour;</u></p> <p><u>(iv) any significant change to salinity;</u></p> <p><u>(v) any change in the temperature of the receiving environment by more than 3° C; or</u></p> <p><u>(iv) any significant change to the turbidity;</u></p> <p><u>(c) the activity does not have an adverse effect on significant indigenous biodiversity, including those identified in Schedule 4 [Significant indigenous biodiversity];</u></p> <p><u>(d) the activity does not have a significant adverse effect on the values associated with taonga species identified in Schedule 4C [Taonga species];</u></p> <p><u>(e) the activity does not have a significant adverse effect on aquatic life; and</u></p> <p><u>(f) the activity does not exceed 31 days or part days during any 12 month period.</u></p> |
| 44 – Nga Motu Marine Reserve Society Inc | 777              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rules 13 and 14 to require a higher level of regulatory control and prohibit seismic surveying or bathymetric testing activity (currently a discretionary activity in the Open Coast and Port and a non-complying activity in the other coastal management areas).</p> | <p><b>Decline</b></p> <p>Refer to submission point 760 in relation to the Council's response on prohibiting seismic surveying or bathymetric testing activities.</p>   |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
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| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61)                                   |                  | Support   | <p>In relation to amending Rules 13 and 14 to provide a higher level of regulatory control, the Council notes that the rules are already very restrictive.</p> <p>The Council notes that the intent of Rules 13 and 14 is to provide a consenting pathway for discharge activities that do not come within or comply with other rules in the Plan. It acknowledges that regional plans will rarely be able to predict all foreseeable and unforeseeable activities that might occur over the life of the Plan and allows unforeseen activity types to be considered as part of a consenting regime. It is not feasible to identify contaminant types but would potentially cover discharges from industrial premises (so long as they do not trigger other rules, e.g. wastewater rules).</p> <p>Of note, together Rules 13 and 14 provide a much higher level of protection than otherwise provided by the RMA, where, in the absence of a rule, a resource consent is required (as a discretionary activity). Under the Plan, discharges to Outstanding Value, Estuaries Unmodified and Estuaries Modified coastal management areas are a non-complying activity pursuant to Rule 14.</p> |
| 61 – Te Rūnanga o Ngāti Ruanui Trust   | 778              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rules 13 (discretionary activity) and 14 (non-complying activity) of the Plan to include standards, terms and conditions to read:</p> <p><i><u>(a) discharge does not adversely affect the matters/values identified for protection by mana whenua in the cultural impact assessment;</u></i></p> <p><i><u>(b) discharge complies with tangata whenua indicators referred to in the tangata whenua monitoring plan</u></i></p> <p><i><u>(c) discharge is consistent with iwi management plan.</u></i></p> <p>AND</p> <p>Include the following notification note:</p> <p><i><u>Resource consent applications under this Rule will be notified to tangata whenua.</u></i></p> | <p><b>Decline</b></p> <p>The submitter has sought the inclusion of standards, terms and conditions for rules in the Plan relating to discretionary and non-complying activities.</p> <p>The Council declines the relief noting that it is not standard planning practice for discretionary activity or non-complying activity rules to include standards, terms and conditions. Conditions relating to a discretionary and non-complying activities are developed on a case-by-case basis through the consenting process having regard to the relevant Plan policies.</p> <p>The Council notes that all matters identified by the submitter would be considered through the consenting process with Policies 1 to 21, 22, 30, 39, 40 and 41 being given effect to.</p> <p>In relation to notification requirements proposed by the submitter, the Council notes that the Plan is not intended to provide the operational detail for implementing every aspect of the Plan. Such detail is more appropriately included in the Council's standard operating procedures and/or any Mana Whakahono a Rohe agreements.</p>   |
| Further submissions – Trans-Tasman Resources (6)   |                  | Oppose  | <p>In relation to notification requirements, the submitter (and others) has highlighted an issue with the notification requirements stated in the Plan which in turn raises issues with notification requirements in the RMA being regularly</p>  |
| Further submissions – Climate Justice Taranaki Inc (21), Te Rūnanga o Ngāti Mutunga (40), Te |                  | Support   |   |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
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| Korowai o Ngāruahine Trust (41), Te Atiawa (58)                                  |                  |   | changed. The Council notes that, over time the notification requirements identified in the Plan may become misleading and outdated following changes to RMA. Consequently, the Council has determined to amend the heading throughout the rules section to refer only to "matters of control/discretion" and deleting reference to notification requirements in the Rule (noting that relevant notification requirements are set out in sections 95A to 95G of the RMA). |
| <b>Rule 14 – Other discharges</b>  |                  |   |  |
| 26 – Transpower NZ Ltd   | 779              | <p><b>Amend</b></p> <p>Submitter supports Rule 14 of the Plan but explains that the <i>National Environmental Standards for Electricity Transmission</i> activities only applies to existing National Grid structures and since there are no existing National Grid structures in the coastal marine area (as identified in the Proposed Coastal Plan for Taranaki) and therefore subject to the Plan, the reference is not required. Further, the <i>National Environmental Standards for Electricity Transmission</i> is not applicable when erecting or placing new structures so is redundant to mention within the Plan. Submitter seeks amend to Rule 14 to delete reference to <i>National Environmental Standards for Electricity Transmission Activities</i>:</p> <p><del>[...] or the Resource Management (National Environmental Standards for Electricity Transmission Activities Regulations 2009 (Appendix 6))</del>.</p> | <p><b>Accept</b></p> <p>The reference to the <i>National Environmental Standards for Electricity Transmission</i> is redundant and does not add further value to the Plan. The Council agrees to granting the relief sought by the submitter.</p>  |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd                               | 780              | <p><b>Amend</b></p> <p>Retain Rule 14 of the Plan subject to the addition of a note to read:</p> <p><u><i>A discharge into a district council managed stormwater system is a discharge to land outside the coastal marine area and an assessment for consent requirement should be made under the Freshwater Plan not this rule.</i></u></p>  | <p><b>Accept</b></p> <p>The Council agrees to granting the relief sought by the submitter as it provides useful direction for Plan users.</p>  |
| Further submissions – Transpower NZ Ltd (26)                                     |                  | Support   |  |
| <b>Rule 15 – Storage or transfer of cargo materials within the Port air zone</b> |                  |   |  |
| 32 – Port Taranaki   | 781              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 15 of the Plan to:</p>   | <p><b>Accept</b></p> <p>The submitter recognises that Rule 15 provides for the discharge to air of contaminants from the storage and transfer of cargo within the Port Air Zone</p>  |



| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
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|  |                  | <ul style="list-style-type: none"> <li>• read: <i>Storage and transfer of cargo materials within the Port Air Zone involving discharge of contaminants to air <b>and water</b>.</i></li> <li>• amend the standard/terms/conditions to refer to discharges to water as per G2.11 of the operative Plan.</li> </ul> <p>OR</p> <p>Provide an exception for contaminant discharges from storage and transfer of animal feed cargo to water from storage and transfer to/from ships to wharves (such a rule could be placed before Rule 13).</p>  | <p>as a permitted activity and includes dust discharges to air from products such as animal feed that is transferred from ships via ship cranes to the wharves. The operative Coastal Plan provides for the discharge of this product in the same circumstances to air and water via the General Rule G2.11(a). This rule has not been translated across to the Proposed Coastal Plan. It is considered that the effect on the environment from the discharge of contaminants from the storage and transfer of animal feed cargo to air and water in the Port Air Zone is minimal and is essentially fish food.</p> <p>The Council agrees to granting the relief sought by amending the Activity Description of Rule 15 to read as follows:</p> <p><i><a href="#">Discharge of contaminants to air and water during the storage or transfer of cargo materials within the Port Air Zone that does not come within or comply with Rule 15.</a></i></p> <p>The Council has further determined to make consequential amendments to broaden the scope of the rule to include water discharges and to include additional conditions specific to water discharges. These include conditions on effects on aquatic life, and water quality after reasonable mixing.</p> |
| <b>Rule 16 – Storage or transfer of cargo materials within the Port air zone</b> |                  |  |  |
| 32 – Port Taranaki   | 782              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 16 of the Plan to:</p> <ul style="list-style-type: none"> <li>• read: <i>Storage and transfer of cargo materials within the Port Air Zone involving discharge of contaminants to air <b>and water</b> that does not come within or comply with Rule 15.</i></li> <li>• amend the standard/terms/conditions to refer to discharges to water as per G2.11 of the operative Plan.</li> </ul> <p>OR</p> <p>Provide an exception for contaminant discharges from storage and transfer of animal feed cargo to water from storage and transfer to/from ships to wharves (such a rule could be placed before Rule 13).</p> | <p><b>Accept</b></p> <p>For the same reasons outlined in the submitter's requested relief for Rule 15, the submitter is seeking an equivalent change in Rule 16.</p> <p>The Council agrees to granting the relief sought by amending the Activity Description of Rule 15 to read as follows:</p> <p><i><a href="#">Discharge of contaminants to air and water during the storage or transfer of cargo materials within the Port Air Zone that does not come within or comply with Rule 15.</a></i></p>   |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions   |
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| <b>Rule 17 – Other discharges to air</b>                    |                  |   |  |
| 37 – Petroleum Exploration and Production Association of NZ | 783              | <b>Amend</b>  | <b>Decline</b>   |
|   |                  | Support treating flaring as a discretionary activity but seek that it be amended or a new rule be included that allows miscellaneous air emissions that have less than minor effects as a permitted activity.<br><br>Submitter highlights such a rule provided in the Greater Wellington Regional Coastal Plan that reads as follows:<br><br><i>“The venting of draignage systems, not including the venting of trade wastes or sewage conveyance systems, is a permitted activity provided that the discharge complies with the conditions specified below.</i><br><br><i>Conditions</i><br><br><i>(1) The discharge shall not result in odour, gas, vapour or aerosols which are noxious, dangerous, offensive or objectionable to other users of the coastal marine area or adjoining land users as a result of its frequency, intensity or duration.”</i><br><br>In addition, the submitter points out that the definition of “industrial trade premises” is vague and could include many things. One interpretation could even stretch as far as to include vessels, as they are typically “used for industrial trade purposes”. | The Council declines the relief sought by the submitter.<br><br>The Council suggests these activities would be canvased and addressed as part of the consenting process for other discharges into the coastal marine area.<br><br>The Council are not aware of any currently existing activities that would be affected by this rule.<br><br>The Council also notes that discharges from vessles are already addressed under the <i>Resource Management (Marine Pollution Regulations) 1998</i> and should not be addressed under this rule. |
|   |                  | Further submissions – Climate Justice Taranaki Inc (21), Taranaki Energy Watch (51)   | Oppose   |
| 47 – Fonterra   | 784              | <b>Support</b>  | <b>Accept</b>  |
|   |                  | Retain Rule 17 of the Plan as notified.   | Support noted.   |
| Further submissions – Port Taranaki Ltd (32)                |                  | Support   |  |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions  |
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| 61 – Te Rūnanga o Ngāti Ruanui Trust  | 785              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 17 of the Plan to include standards, terms and conditions to read:</p> <p><i><a href="#">(a) discharge does not adversely affect the matters/values identified for protection by mana whenua in the cultural impact assessment</a></i></p> <p><i><a href="#">(b) discharge complies with tangata whenua indicators referred to in the tangata whenua monitoring plan</a></i></p> <p><i><a href="#">(c) discharge is consistent with iwi management plan.</a></i></p> <p>AND</p> <p>Include the following notification note:</p> <p><i><a href="#">Resource consent applications under this Rule will be notified to tangata whenua.</a></i></p> | <p><b>Decline</b></p> <p>The submitter has sought the inclusion of standards, terms and conditions for rules in the Plan relating to discretionary and non-complying activities.</p> <p>The Council declines the relief noting that it is not standard planning practice for discretionary activity or non-complying activity rules to include standards, terms and conditions. Conditions relating to a discretionary activity are developed on a case-by-case basis through the consenting process having regard to the relevant Plan policies.</p> <p>The Council notes that all matters identified by the submitter would be considered through the consenting process with Policies 1 to 21 and 20, 29 and 30 being given effect to.</p> <p>In relation to notification requirements proposed by the submitter, the Council notes that the Plan is not intended to provide the operational detail for implementing every aspect of the Plan. Such detail is more appropriately included in the Council's standard operating procedures and/or any Mana Whakahono a Rohe agreements.</p> <p>In relation to notification requirements, the submitter (and others) have highlighted an issue with the notification requirements stated in the Plan which in turn raises issues with notification requirements in the RMA being regularly changed. The Council notes that, over time the notification requirements identified in the Plan may become misleading and outdated following changes to RMA. Consequently, the Council has determined to amend the heading throughout the rules section to refer only to "matters of control/discretion" and deleting reference to notification requirements in the Rule (noting that relevant notification requirements are set out in sections 95A to 95G of the RMA).</p> |
| Further submissions – Climate Justice Taranaki Inc (21), Te Korowai o Ngāruahine Trust (41) |                  | Support  |   |
| <b>Rule 18 – Outfall structure placement</b>  |                  |  |   |
| 21 – Climate Justice Taranaki   | 786              | <p><b>Amend</b></p> <p>Submitter opposes permitting the placement of outfall structures in the coastal marine area and seek that such activities be prohibited or non-complying activities in coastal management areas: Outstanding Value and Estuaries Unmodified, and Discretionary in the other areas.</p>  | <p><b>Decline</b></p> <p>The submitter contends that without a resource consent it is impossible to know whether the standards, terms and conditions are met.</p> <p>The Council notes that this rule is specific to managing the effects of a structure rather than the effects of a discharge. The placement of such structures generally has less than minor effects and (as for any permitted</p>   |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61)                                  |                  | Support  |   |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
|--|------------------|--|--|
|  |                  |  | <p>activity) is still subject to compliance with standards, terms and conditions. The discharge of stormwater and wastewater is addressed by other rules.</p> <p>In relation to the management of small outfall structures, the Council notes that the rule includes a notification requirement so that the Council can monitor the activity if need be.</p> <p>Notwithstanding the above, the Council operates a process where any member of the public is able to notify it of a suspected breach of compliance. Elevating the activity classification and requiring a resource consent would not be cost or time efficient and the Council does not believe the risks of the activity are sufficient to warrant this.</p> |
| 29 – Department of Conservation  | 787              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 18 of the Plan to exclude its application to Outstanding Value and Estuaries Unmodified coastal management areas.</p>   | <p><b>Decline</b></p> <p>The Council declines the relief sought as being unnecessarily restrictive. The Council notes that this rule is specific to managing the effects of a structure rather than the effects of a discharge. The placement of such structures generally has less than minor effects and (as for any permitted activity) is still subject to compliance with standards, terms and conditions. The discharge of stormwater and wastewater is addressed by other rules.</p>  |
| Further submissions – Climate Justice Taranaki Inc (21), Royal Forest and Bird Protection Society (43), Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support  |  |
| 32 – Port Taranaki   | 788              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 18(a) of the Plan to read:<br/> <i>(a) structure has a maximum internal diameter of <del>450</del>300mm and extends a maximum of 0.5m seaward of the line of mean high water springs; [...]</i></p> | <p><b>Accept</b></p> <p>The submitter considers the maximum outfall diameter threshold is unreasonably low and seeks amendment to Rule 18(a). The submitter noted, in pre-hearing engagement that the current Plan allowed an internal diameter of 600mm.</p> <p>The Council agrees with the views of the submitter and suggest that the environmental effects of the placement of small (i.e. less than 300mm diameter) outfall structures can be adequately addressed through the standards, terms and conditions of the permitted activity rule. The Council notes that the discharge itself will be addressed under different rules. The Council therefore agrees to amend Rule 18 as requested by the submitter.</p>    |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions  |
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| 40 – Te Rūnanga o Ngāti Mutunga   | 789              | <p><b>Amend</b></p> <p>Submitter has concerns regarding the complexity of this permitted activity and feel that this activity may be better managed as a discretionary or controlled activity to ensure that the associated conditions are fully understood and can be monitored by the Council. With regards to contacting the Council before the commencement of the activity, the submitter is unsure what the process would be should the activity be found to be non-compliant with the conditions. The submitter feels that this issue would be better managed and monitored through the consent process which provides for longer timelines and means that hapū/iwi can be involved in the decision making process and subsequent monitoring if appropriate.</p> <p>Submitter opposes allowing the placement of outfall structures in the coastal marine area as a permitted activity and seek that such activities be a discretionary activity.</p> | <p><b>Decline</b></p> <p>The Council notes that Rule 18 is specific to managing the effects of a structure rather than the effects of a discharge. The discharge of stormwater and wastewater is addressed by other rules.</p> <p>In relation to the management of small outfall structures, the Council notes that the rule includes a notification requirement so that the Council can monitor the activity if need be. Notwithstanding the above, the Council operates a process where any member of the public is able to notify the Council of a suspected breach of compliance. Elevating the activity classification will not be cost or time efficient and the Council does not believe the risks are sufficient to warrant this.</p> <p>The Council does not consider it appropriate to require a consent to place small outfall structure. This activity is considered fairly standard and routine with any adverse effects generally being temporary and minor. The Council has not encountered significant issues with the placement of structures as governed by the current Plan and therefore it does not consider it appropriate or necessary to require all outfall structures to be a discretionary activity.</p> |
| Further submissions – Climate Justice Taranaki Inc (21), Te Korowai o Ngāruahine Trust (41), Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support   |   |
| 41 – Te Korowai o Ngāruahine Trust  | 790              | <p><b>Amend</b></p> <p>Submitter supports the inclusion of Condition (e) in Rule 18 of the Plan addressing historic heritage but seek further dialogue on how adverse effects will be considered in practice. If agreement cannot be reached amend Rule 18 to make this rule a discretionary activity (rather than permitted activity).</p>   | <p><b>No relief necessary</b></p> <p>The Council notes that Rule 18 is specific to managing the effects associated with the placement of a structure rather than the effects of a discharge. The discharge of stormwater and wastewater is addressed by other rules.</p>  |
| Further submissions – Climate Justice Taranaki Inc (21), Te Rūnanga o Ngāti Ruanui Trust (61)                                     |                  | Support   |   |
| 42 – Ngati Rahiri Hapū  | 791              | <p><b>Amend</b></p> <p>Submitter does not accept that structures may be placed over kaimoana reefs as a permitted activity without iwi/hapū consideration notwithstanding the standards, terms and conditions that are in place.</p> <p>Submitter seeks amendment to Rule 18 of the Plan to make outfall structure placement a discretionary activity or at least a controlled activity (rather than a permitted activity)</p>  | <p><b>Decline</b></p> <p>The Council declines the relief sought noting that concerns relating to potential impacts are already addressed in the standards, terms and conditions. In particular, Condition (e) would restrict the activity from occurring in areas identified as significant under Schedule 5A and B including nearshore reefs identified as having kai moana values.</p>  |



| Submitter   | Submission point | Submitter's requests  | Council's response and decisions   |
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|   |                  | AND<br>that there be iwi/hapū consultation in all cases.  | The Council further notes that this rule is specific to managing the effects of a structure rather than the effects of a discharge. Discharges of stormwater and wastewater are separately addressed by other rules.   |
| Further submissions – Climate Justice Taranaki Inc (21), Te Korowai o Ngāruahine Trust (41), Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support   | In relation to the management of small outfall structures, the Council notes that this activity is considered fairly standard and routine with any adverse effects generally being temporary and less than minor. The standards, terms and conditions require that the Council be notified of the instalment of the structure which would subsequently be notified to iwi authorities. This notification process allows the Council to be aware of the exact location of such structures and to follow up, if necessary, with any concerns or issues that may arise.   |
| 43 – Royal Forest and Bird Protection Society   | 792              | <b>Amend</b><br><br>Submitter is concerned that the conditions of Rule 18 do not manage cumulative effects. Of particular concern are areas of Outstanding Value where structures can have adverse effects on natural character and natural features and landscapes.<br>Submitter seeks amendment to Rule 18 of the Plan to: <ul style="list-style-type: none"> <li>• identify sites/areas of significant indigenous biodiversity and include a condition that the structure is not within those areas</li> <li>• amend Condition (c) by adding: activity, and no more than 1m width of surface area is distributed</li> <li>• add a <i>Note: this rule does not authorise a discharge from the outfall structure.</i></li> </ul> | <b>Accept in Part</b><br><br>The Council acknowledges the submitter's concerns relating to cumulative effects. It is the experience of the Council that the majority of any effects that occur as a result of placement of small outfall structures are transitory and less than minor. Such activities are considered routine and result in minimal disturbance. To date, the Council has not experienced any issues arising from the cumulative effects of placing an outfall structure.<br><br>The Council believes that the submitter's request to identify and exclude structures from sites/areas of significant indigenous biodiversity is unnecessary and infers that the placement of outfall structures and the presence of significant indigenous biodiversity are mutually exclusive. The Council does not agree with this view. Notwithstanding that, the Council notes that Condition (f) provides a high level of protection to significant indigenous biodiversity as already identified in Schedule 4.<br><br>The Council further notes that the placement of small outfall structures is a fairly routine activity that has not, in its experience, resulted in noticeable adverse effects on the high natural character associated with Outstanding Value and Estuaries Unmodified coastal management areas.<br><br>The Council does not consider the requested addition to Condition (c) necessary.<br><br>The Council agrees to include the requested note as it provides useful guidance for Plan users with minor amendment to read:<br><br><i>Note: this rule does not authorise a discharge from the outfall structure. The discharge rules are Rules 1A to 3 and 5 to 8.</i> |
| Further submissions – Climate Justice Taranaki Inc (21)   |                  | Support   |  |



| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
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| 58 – Te Atiawa   | 793              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 18 of the Plan by including in the standards, terms and conditions a clause that refers to Schedules 5A and 5B</p> <p>AND</p> <p>amend the activity classification to a controlled activity (rather than a permitted activity).</p>  | <p><b>Accept in part</b></p> <p>The submitter supports the inclusion of Schedule 5A and 5B of the Plan, however, is uncertain as to how the Council will ensure that these requirements are being met.</p> <p>The <u>placement</u> of small outfall structures is a fairly routine activity that has not, in the experience of the Council, resulted in noticeable adverse effects. The Council is therefore confident that the permitted activity classification is reasonable for this activity. The Council requires notification prior to the commencement of the activity and will maintain a record of all outfall structures placed, this allows for routine check-ups. The Council has additional measures in place to deal with any non-compliance issues that may arise and operates a public notification system that allows any member of public to notify the Council of non-compliance. If non-compliance is recognised the Council will take swift and appropriate enforcement action and the activity will require a consent to continue operation where all non-compliance issues will be dealt with accordingly.</p> <p>Notwithstanding the above, the Council notes that Rule 18 only covers the placement of a small outfall structure, not the discharge. Any discharge will be governed by the appropriate rule depending on the content of the discharge, and likely invoke the consenting process as a result.</p> <p>The Council agrees to amending reference to Schedule 5 to be Schedules 5A and 5B as requested by the submitter.</p> |
| Further submissions – Te Korowai o Ngāruahine Trust (41), Te Rūnanga o Ngāti Ruanui Trust (61) |                  | <p><b>Support</b></p>   |   |
| 61 – Te Rūnanga o Ngāti Ruanui Trust   | 794              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 18 of the Plan to include new and amended standard, term and condition to read:</p> <p>[...]</p> <p><i>(e) <del>the discharge is not placed</del> placement of the structure does not have an adverse effect on the values associated with within cultural and historic heritage identified in Schedule 5 [Cultural and Historic heritage];</i></p> <p><i>(f) <del>the structure is not placed at any site identified in Schedule 5B [Sites of significance to Māori and associated values] and Appendix 2;</del></i></p> <p><i>(g) <del>structure does not have adverse effect on Schedules 1 and 2</del></i></p> | <p><b>Accept in part</b></p> <p>The Council notes that Rule 18 is specific to managing the effects associated with the placement of a structure rather than the effects of a discharge. The discharge of stormwater and wastewater is addressed by other rules.</p> <p>In relation to the management of small outfall <u>structures</u>, the Council is concerned that the effect of the new and amended conditions would make the rule unnecessarily restrictive and by default redundant in that they preclude the placement of these small outfall structures in any part of the Taranaki coastal marine area.</p> <p>The Council does not consider it appropriate to require a consent to place a</p>   |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
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|  |                  | <p><i><u>(h) placement of the structure does not have an adverse effect the structure is not placed at any site with any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4A [Significant species and ecosystems]; taonga species protected under Taranaki iwi Deed of Settlement including those identified in Schedule 4C [Taonga species and habitat] [...]</u></i></p> | <p>small outfall structure. This activity is considered fairly standard and routine with any adverse effects generally being temporary and having less than minor effects. Specific comments on the new and amended proposed conditions are as follows:</p> <ul style="list-style-type: none"> <li>The Council notes that this Rule does not deal with the discharge of the structure, only the placement. Discharge impacts would be more appropriately addressed through the appropriate discharge rule. The Council agree to amending the Rule to include a guidance note to clarify that rule relationship between the placement of outfall structures and discharges.</li> <li>The submitter proposes to include a new Condition (f), however, the reference to sites of significance to Māori located in Schedule 5B has already been included within Condition (e) and it is not necessary to repeat.</li> <li>Schedules 1 and 2 capture the whole coastal marine area plus landward parts of the coastal environment identified as having outstanding natural character or being an outstanding natural feature or landscape. The condition effectively precludes the placement of small outfall structures in any part of the coastal marine area thereby making the rule redundant.</li> <li>In regards to requested Condition (h), the Council does not believe that it is necessary to prohibit the location of outfall structures due to the presence of threatened or at risk, or regionally distinctive species. As long as any negative effects towards these species are managed then there is no reason why the structure should not be placed. It is the opinion of the Council that, if well regulated and managed, the two can co-exist without any adverse effects to either. Notwithstanding that, the Council agrees to amending Condition (f) to expand its scope to include reference to scheduled taonga species.</li> </ul> |
| <p>Further submissions – Climate Justice Taranaki Inc (21), Te Korowai o Ngāruahine Trust (41)</p> |                  | <p>Support</p>   |   |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
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| <b>NEW Rule 18A – Outfall structure placement</b>        |                  |   |  |
| 29 – Department of Conservation                          | 795              | <p><b>Amend</b></p> <p>Submitter seeks amendment to the Plan to include a new controlled activity rule that specifically addresses outfall structure placement in Outstanding Value and Estuaries Unmodified coastal management areas. The submitter further seeks that Conditions (a), (b), (c), and (d) of Rule 18 should also be conditions for this new rule and that the matters of control should, at a minimum, address any effects on natural character, significant species, historic heritage, and any mitigation of effects on these values.</p> | <p><b>Decline</b></p> <p>The Council declines the relief sought. Refer to submission point 785.</p>  |
| <b>Rule 19 – Mooring structure placement in the Port</b> |                  |   |  |
| 43 – Royal Forest and Bird Protection Society            | 796              | <p><b>Amend</b></p> <p>Submitter seeks amendment to the Activity Description of Rule 19 of the Plan to delete the activity provisions for associate disturbance, deposition and discharge.</p>  | <p><b>Decline</b></p> <p>The disturbance, deposition and discharge activities referred to in the Activity Description of Rule 19 are incidental to the activity of placing mooring structures in the Port. The Council recognises that a small amount of disturbance and deposition is likely to be an inevitable consequence of any work on the foreshore and seabed but the effects will be less than minor and transitory. The Rule therefore seeks to bundle associated activities given that the effects are considered minor, temporary and low risk to the environment.</p>   |
| 43 – Royal Forest and Bird Protection Society            | 797              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 19 of the Plan to make mooring structure placement in the Port (and not requiring excavation of the seafloor or seabed) a controlled activity (rather than a permitted activity).</p>  | <p><b>Decline</b></p> <p>The submitter does not believe that the effects with difference scale of mooring structures and cumulative effects are adequately managed through a permitted activity rule. The submitter wishes this activity to be a controlled activity so that the Council can assess whether the conditions are met.</p> <p>As previously noted, the Port is a highly modified area and mooring structures are considered common place for such a location. The Council believes that placement of mooring structures in a port is fairly standard and routine and will produce less than minor effects if there are any effects at all. Requiring such activities to get a resource consent is both unnecessary and restrictive noting that the Port is regionally important infrastructure. Possible effects on indigenous biodiversity and historic heritage values in the vicinity are acknowledged and addressed in Conditions (c) and (d). If the activity cannot</p> |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions  |
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|   |                  |   | appropriately comply with those conditions, a resource consent would be required.   |
| 43 – Royal Forest and Bird Protection Society                 | 798              | <b>Amend</b>  | <b>No relief necessary</b>  |
|   |                  | The Port is adjacent to an outstanding landscape and character area, therefore, the submitter seeks amendment to Rule 19 of the Plan to add a condition that the mooring structure does not have an effect on Outstanding Value areas.  | The Council note that the Port is already a highly modified environment that is located adjacent to an area of Outstanding Value. Both areas co-exist and the placement of any additional mooring structures will not impact on the natural character of the Sugar Loaf Islands as the activity will be confined to the Port coastal management area within the breakwaters.  |
| 43 – Royal Forest and Bird Protection Society                 | 799              | <b>Amend</b>  | <b>No relief necessary</b>  |
|   |                  | Submitter seeks amendment to Rule 19 of the Plan to add a condition that the mooring structure must not have adverse effects on the values of scheduled sites and areas in the coastal marine area with significant indigenous biodiversity values.   | The Council notes that this relief is already provided for under Condition (f), which states that the placement of the mooring structure must not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4 [Significant species and ecosystems].  |
| 58 – Te Atiawa  | 800              | <b>Support</b>  | <b>Accept</b>   |
|   |                  | Retain Rule 19 of the Plan as notified.   | Support noted. Rule 19 is retained subject to minor amendments as requested by other submitters that do not change the rule's scope.  |
| Further submissions – Port Taranaki Ltd (32)                  |                  | Support   |   |
| <b>NEW Rule 19A – Mooring structure placement in the Port</b> |                  |   |   |
| 43 – Royal Forest and Bird Protection Society                 | 801              | <b>Amend</b>  | <b>Accept in part</b>   |
|   |                  | Submitter seeks amendment to the Plan to include a new rule for mooring structure placement in the Port that cannot comply with Rule 19 as a Restricted Discretionary (or discretionary activity) and include a matter of discretion to consider the effects on indigenous biodiversity values. | The Council refers the submitter to Rules 23 and 33 which are the catch-all rule for mooring structures not meeting the activity description or all the standards, terms and conditions. Rule 23 is a controlled activity rule for the Port and the Council notes that control is reserved over ecological values as directed in Condition (f). Rule 33 is a discretionary activity for any structure erection or placement that does not come within or comply with previous relevant rules. |
| Further submissions – Port Taranaki Ltd (32)                  |                  | Oppose  | The Council recognises that the term “ecological effects” is meant to cover the protection of indigenous biodiversity. The Council agrees to replacing the term “ecological values” with “indigenous biodiversity” to clarify that intent.  |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
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| <b>Rule 20 – Mooring structure placement</b>     |                  |   |  |
| 6 – Trans-Tasman Resources Ltd                   | 802              | <b>Support</b>  | <b>Accept</b>  |
|  |                  | Retain Rule 20 as this rule recognises that some monitoring and sampling activities will be requiring mooring structures, and appropriately provides for them as a permitted activity.  | Support noted. Rule 20 is retained subject to minor amendments as requested by other submitters that do not change the rule's scope.   |
| 29 – Department of Conservation                  | 803              | <b>Support</b>  | <b>Accept</b>  |
|  |                  | The Department of Conservation often uses monitoring moorings in the coastal environment during its operations and supports the permitted classification of mooring structure placement for monitoring or sampling equipment. Retain Rule 20 as notified. | Support noted. Rule 20 is retained subject to minor amendments as requested by other submitters that do not change the rule's scope.   |
| Further submissions – Port Taranaki Ltd (32)     |                  | Support   |  |
| 40 – Te Rūnanga o Ngāti Mutunga                  | 804              | <b>Amend</b>  | <b>Decline</b>   |
|  |                  | Submitter is opposed to permitting the mooring structures in the coastal marine area for monitoring and sampling purposes and seek that such activities be a discretionary activity.  | The submitter has concerns regarding the complexity of this permitted activity rule and feel that this activity may be better managed as a discretionary activity or controlled activity to ensure that the associated conditions are fully understood and can be monitored by the Council. With regards to contacting the Council before the commencement of the activity, the submitter is unsure what the process would be should the activity be found to be non-compliant with the conditions. The submitter feels that this issue would be better managed and monitored through the consent process which provides for longer timelines and means that hapū/iwi can be involved in the decision making process and subsequent monitoring if appropriate. |
| Further submissions – Trans-Tasman Resources (6) |                  | Oppose  | The Council notes that the placement of mooring structures is fairly routine and uncomplicated producing less than minor, if any, adverse effects. Due to the straight forward nature of the activity and the low impact that it has, the Council does not believe that this activity requires further monitoring or the need to impose unnecessary restrictions and costs on people to obtain a resource consent.<br><br>Notwithstanding the above, the Council are aware that iwi/hapū will be interested to know when such activities are being undertaken and note that  |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
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|  |                  |   | <p>the Council has an arrangement with iwi authorities who have requested to be informed of this activity as cited in the activity description.</p> <p>The Council notes that if an activity is to be commenced in a location that is not considered appropriate after having regard to the standards, terms and conditions listed, the Council will advise those undertaking the activity that a resource consent is required under Rules 33 (discretionary) or 34 (non-complying) depending on the coastal management area. If any issues of non-compliance arise the Council will take swift and appropriate enforcement action.</p>   |
| 41 – Te Korowai o Ngāruahine Trust               | 805              | <p><b>Amend</b></p> <p>Submitter supports the inclusion of Condition (b) addressing historic heritage but seek further dialogue on how adverse effects will be considered in practice. If agreement cannot be reached, submitter seeks amendment to Rule 20 of the Plan to make this rule a discretionary activity (rather than permitted activity).</p>  | <p><b>No relief necessary</b></p> <p>The Council notes that the purpose of Rule 20 is to allow the use of moorings in the coastal marine area for monitoring or sampling purposes. Effects are generally less than minor. However, standards, terms and conditions do apply to ensure that in the event that an activity must avoid, remedy or mitigate potential adverse effects on historic heritage or indigenous biodiversity values.</p> <p>The Council notes that if an activity is to be commenced in a location that is not considered appropriate, the Council will advise those undertaking the activity that a resource consent is required under Rules 33 (Discretionary) or 34 (non-complying) depending on the coastal management area.</p>   |
| 42 – Ngati Rahiri Hapū                           | 806              | <p><b>Amend</b></p> <p>Submitter cannot accept that structures may be placed on or over kaimoana reefs as a permitted activity without iwi/hapū consideration notwithstanding the standards, terms and conditions that are in place.</p> <p>Submitter seeks amendment to Rule 20 of the Plan to make mooring structure placement a Discretionary or at least a controlled activity (rather than a permitted activity)</p> <p>AND</p> <p>that there be iwi/hapū consultation in all cases.</p> | <p><b>Decline</b></p> <p>The submitter is seeking a high level of protection for their reefs. At the hearing, the submitter presented further on this issue. While generally acknowledging that the Plan policies and the standards, terms and conditions of rules may provide for this high level of protection, nevertheless it is the submitter's view that the placement of mooring structure on or over their kaimoana reefs must be regulated as a discretionary or at least a controlled activity (rather than a permitted activity).</p> <p>In relation to the management of the activity itself, the Council notes that the placement of small mooring structures associated with monitoring and sampling equipment (and which does not involve any mechanical excavation) is a fairly standard and routine activity with any adverse effects generally being temporary and less than minor. For example, the mooring structure and the monitoring or sampling equipment must not occupy an area exceeding 5 m<sup>2</sup> of the coastal marine area.</p> |
| Further submissions – Trans-Tasman Resources (6) |                  | Oppose  |   |



| Submitter                                     | Submission point | Submitter's requests   | Council's response and decisions   |
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|   |                  |  | <p>The Council acknowledges the concerns of the submitter and notes that Conditions (a), (b) and (c) would generally restrict the activity from occurring in areas identified as significant under Schedule 4 [Significant indigenous biodiversity], Schedule 4C [Taonga species] and Schedule 5A and B [Historic heritage]. Nearshore reefs are identified in Policy 14(b) as sites of significant indigenous biodiversity. Nearshore reefs may also be a site of significance to Māori in relation to historic heritage. Of note, virtually the entire coastal length of the submitter's rohe is identified in the Plan and associated coastal maps as having kaimoana values.</p> <p>As part of a precautionary approach, the standards, terms and conditions require that the Council be notified of the instalment of any mooring structure. This notification process allows the Council to be aware of the exact location of such structures and to follow up, if necessary, with any concerns or issues that may arise. The Council notes that it has further agreed that upon notification it will notify the relevant iwi authority of the activity occurring in their rohe.</p> <p>The Council further notes that if an activity cannot comply with all the standards, terms and conditions listed, the Council will advise those undertaking the activity that a resource consent is required under Rules 33 (discretionary) or 34 (non-complying) depending on the coastal management area.</p> |
| 43 – Royal Forest and Bird Protection Society | 807              | <p><b>Amend</b></p> <p>Submitter seeks amendment of the heading for Rule 20 of the Plan by adding the word “<i>monitoring</i>”.</p>  | <p><b>Decline</b></p> <p>The Council sees no need to include a specific heading for Rule 20. The Plan headings deliberately bundles main activities at a high level to capture a suite of rules.</p>   |
| 43 – Royal Forest and Bird Protection Society | 808              | <p><b>Amend</b></p> <p>Submitter supports the permitted rule for monitoring and sampling purposes where they are not fixed to the seabed, provided there are no adverse effects on biodiversity values or outstanding character and landscape values. However, the provisions for associated disturbance, deposition and discharge are uncertain and could result in adverse effects that are not addressed by the permitted standards, terms and conditions.</p> <p>Submitter seeks amendment to Rule 20 of the Plan by deleting the Activity provisions for associate disturbance, deposition and discharge.</p> | <p><b>Decline</b></p> <p>The Council declines the relief sought by the submitter.</p> <p>The Council does not consider it necessary to remove the reference to associated disturbance, deposition or discharge as covered by activity descriptions (b), (c) and (d).</p> <p>The Council notes that the disturbance, deposition and discharges referred to in the Activity Description of Rule 20 are those incidental to the placement of mooring structures.</p>  |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
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|  |                  |   | <p>The Rule recognises that, during the installment of mooring monitoring structures, there may be minor and transitory disturbances as a result. The impacts are generally very minor with the associated effects being similar in kind and magnitude to that associated with a vessel dropping anchor. The Rule therefore seeks to bundle associated activities given they are low risk and likely to produce no or, at the most, less than minor effects (i.e. the receiving environment can generally handle the activity with effects being naturally and promptly remedied without the need for further intervention).</p>  |
| <p>43 – Royal Forest and Bird Protection Society</p> | <p>809</p>       | <p><b>Amend</b></p> <p>Submitter seeks amendment of Rule 20 of the Plan by adding to the Activity Description as follows:<br/> <i>The placement or removal of a mooring structure placement for monitoring [...]</i></p>  | <p><b>Decline</b></p> <p>The Council declines the relief sought by the submitter. Rule 20 specifically relates to the placement of the structure. Removal of structures is separately addressed under Rules 44, 45 and 46.</p> <p>The Council notes the reference to “removal” within Condition (a) of Rule 20 relates to the information requirements to be supplied by the person(s) undertaking the activity. While this is additional information that does not fall within the scope of the Rule gateway, nevertheless it has been included for the reader for certainty and clarity purposes as the information would be required under Rule 44 anyway and ensures Council has all the necessary information for an activity that is generally a short term activity.</p>   |
| <p>43 – Royal Forest and Bird Protection Society</p> | <p>810</p>       | <p><b>Amend</b></p> <p>Submitter seeks amendment to the standards, terms and conditions to ensure the activity will not occur where it would have adverse effects on values and characteristics to be protected under Policies 8 [Outstanding value], 9 [Natural character] and 14 [Significant indigenous biodiversity] of the Plan.</p> | <p><b>Decline</b></p> <p>The Council notes that in the development of Plan provisions, consideration has been had to the type and scale of the activity and the associated effects. The Council is satisfied that mooring monitoring structures are unlikely to have more than minor adverse effects on outstanding natural character, features and landscapes, natural character and significant indigenous biodiversity values in the coastal environment. Certainly not at a landscape scale (i.e. the mooring structure and the monitoring or sampling equipment must not occupy an area exceeding 5 m<sup>2</sup> of the coastal marine area). Notwithstanding that, Council recognises that in specific localities unforeseen impacts on significant indigenous biodiversity may occur. Accordingly Condition (c) in Rule 20 applies to protect any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4 [Significant species and ecosystems] from unforeseeable impacts.</p> |

| Submitter                            | Submission point | Submitter's requests  | Council's response and decisions   |
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| 58 – Te Atiawa                       | 811              | <p><b>Amend</b></p> <p>Submitter supports the inclusion of Schedule 5 and 4A. However, they are uncertain as to how the Council will ensure that these requirements are being met. The submitter requests dialogue to explain how this will be achieved or request that the activity classification is elevated to a controlled activity.</p> <p>Submitter seeks amendment to Rule 20 of the Plan by including a condition that refers to Schedules 5A and 5B</p> <p>OR</p> <p>amend the activity classification to a controlled activity (rather than a permitted activity).</p>   | <p><b>Accept in part</b></p> <p>The Council agrees to amend Rule 20 to reference “<i>Schedules 5A and B</i>” as requested by the submitter.</p> <p>The placement of mooring monitoring structures is a small scale activity (i.e. the mooring structure and the monitoring or sampling equipment must not occupy an area exceeding 5 m<sup>2</sup> of the coastal marine area), that has not, in the past experience of the Council, resulted in noticeable adverse effects. Due to the straight forward nature of the activity, and the low impacts that it has, the Council does not believe that this activity requires further monitoring or the need to impose unnecessary restrictions and costs on people to obtain a resource consent. The Council is confident that the permitted activity classification is reasonable for this activity.</p> <p>Notwithstanding the above, the Council is aware that iwi/hapū may be interested to know when such activities are being undertaken and notes that the Council has an arrangement with iwi authorities who have requested to be informed of this activity as cited in the Activity Description.</p> <p>The Council notes that if an activity is to be commenced in a location that is not considered appropriate after having regard to the standards, terms and conditions listed, the Council will advise those undertaking the activity that a resource consent is required under Rules 33 (discretionary) or 34 (non-complying) depending on the coastal management area. If any issues of non-compliance arise the Council will take swift and appropriate enforcement action.</p> |
| 61 – Te Rūnanga o Ngāti Ruanui Trust | 812              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 20 of the Plan to include new and amended standards, terms and conditions to read:</p> <p><i>(b) <del>the placement of the structure</del> <del>placement of the mooring structure</del> does not have an adverse effect on the values associated with <b>cultural and</b> historic heritage identified in Schedule 5 [<b>Cultural and</b> Historic heritage];</i></p> <p><i>(c) <del>the placement of the structure and discharge</del> does not have adverse effect on <b>Schedules 1 and 2</b>;</i></p> <p><i>(d) <del>the activity does not occur at any site identified in Schedule 5B [Sites of significance to Māori and associated values] and Appendix 2;</del></i></p> | <p><b>Accept in part</b></p> <p>The Council notes that this rule is specific to the management of small mooring monitoring structures (i.e. the mooring structure and the monitoring or sampling equipment must not occupy an area exceeding 5 m<sup>2</sup> of the coastal marine area).</p> <p>The Council is concerned that the effect of the new and amended conditions would make the rule unnecessarily restrictive and have perverse outcomes. The relief seeks to exclude the activity from sites of significance regardless of whether it has any impacts on those values and despite the potential for the activity to contribute to the protection and management of sites of significance</p>  |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
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|  |                  | <p><i><u>(e) the placement of the structure and discharge does not adversely affect the suitability of the receiving water for customary use and bathing after reasonable mixing;</u></i></p> <p><i><u>(f) placement of the mooring structure and the discharge does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4A [Significant species and ecosystems]; taonga species protected under Taranaki iwi Deed of Settlement including those identified in Schedule 4C [Taonga species and habitat]</u></i></p> <p><i><u>(g) the mooring structure and the monitoring or sampling equipment does not occupy an area exceeding 5m<sup>2</sup> of the coastal marine area [...]</u></i></p> | <p>(e.g. mahinga kai and pukawa values) or taonga species (presence/absence/abundance).</p> <p>Specific comments on the new and amended proposed conditions are as follows:</p> <ul style="list-style-type: none"> <li>The Council refer the submitter to previous comments made on expanding the scope of historic heritage.</li> <li>Schedules 1 and 2 capture the whole coastal marine area plus landward parts of the coastal environment identified as having outstanding natural character or being an outstanding natural feature or landscape. The proposed Condition (c) is too wide ranging, unnecessarily restrictive, and uncertain for Plan users.</li> <li>Note that the discharges associated with this Rule are only those associated directly with the placement of the structure and there is no need to paraphrase the gateway in the individual conditions.</li> <li>The submitter proposes to include a new standard (f), however, the reference to sites of significance to Māori located in Schedule 5B has already been included within Condition (b). It is not necessary to repeat this Condition using different wording.</li> <li>In regards to requested Condition (e), the Council does not believe that it is necessary. Again it is noted that these activities are very small scale (&lt;5 m<sup>2</sup> and the only possible impact on water quality is related to the potential for a little sediment disturbance similar in scale to using an anchor and which would not be noticeable in natural prevailing conditions).</li> <li>In regards to requested Condition (e), the Council further agrees to expanding its scope to include reference to scheduled taonga species.</li> </ul> |
| Further submissions – Trans-Tasman Resources (6)         |                  | Oppose   |   |
| Further submissions – Te Korowai o Ngāruahine Trust (41) |                  | Support  |   |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
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| <b>Rule 21 – Navigation aid erection and placement</b>     |                  |  |   |
| 29 – Department of Conservation                            | 813              | <p><b>Amend</b></p> <p>Submitter believes that the erection of maritime navigation aids should not be a permitted activity for any member of the public. Instead the activity should be permitted for only the Taranaki Regional Council or its agents, Maritime Mew Zealand or its agents, or Port Taranaki provided that these agencies agree to this responsibility.</p> <p>Submitter seeks amendment to Rule 21 of the Plan to include a new condition before condition (a) to read:</p> <p><u><i>The activity is undertaken by:</i></u></p> <p><u><i>(i) Taranaki Regional Council or its agents; or</i></u></p> <p><u><i>(ii) Port Taranaki; or</i></u></p> <p><u><i>(iii) Maritime New Zealand or its agents.</i></u></p> | <p><b>Accept</b></p> <p>The Council agrees to granting the relief sought by the submitter.</p>  |
| Further submissions – Trans-Tasman Resources (6)           |                  | Oppose   |   |
| Further submissions –Port Taranaki Ltd (32)                |                  | Support  |   |
| 41 – Te Korowai o Ngāruahine Trust                         | 814              | <p><b>Amend</b></p> <p>Submitter supports the inclusion of Condition (e) addressing historic heritage but seek further dialogue on how adverse effects will be considered in practice. If agreement cannot be reached, submitter seeks amendment to Rule 21 of the Plan to make this rule a discretionary activity (rather than permitted activity).</p>   | <p><b>No relief necessary</b></p> <p>The Council notes that the purpose of Rule 21 is allow for the placement of maritime navigation aids. Such activities provide a critical navigation safety role and no or very minor adverse effects are likely to arise from this activity. However, in the event of any unforeseen adverse effects, conditions do apply to avoid, remedy or mitigate any adverse effects on historic heritage or indigenous biodiversity values. If the placement of navigation aids cannot comply with all the permitted activity conditions then a resource consent would be required.</p> <p>The Council notes that if an activity is to be commenced in a location that is not considered appropriate after having regard to the standards, terms and conditions listed, the Council will advise those undertaking the activity that a resource consent is required under Rules 33 (discretionary) or 34 (non-complying) depending on the coastal management area.</p> |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support  |   |



| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
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| 42 – Ngati Rahiri Hapū                                     | 815              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 21 of the Plan to make navigation aid erection or placement a Discretionary or at least a controlled activity (rather than a permitted activity)</p> <p>AND</p> <p>that there be iwi/hapū consultation in all cases.</p> | <p><b>Accept in part</b></p> <p>The Council considers the placement of navigation aids in the coastal marine area a rather straight forward activity, which contributes to maritime safety, and for which there are no or less than minor adverse effects. The most likely adverse effect is the temporary disturbance of the seabed from the placement of a small anchor. However, any effects would be transitory and very localised to the area directly in contact with the structure, and not noticeable in natural prevailing marine conditions.</p> <p>The Council does not consider it necessary to elevate the activity status of this Rule to require a resource consent to be obtained due to the negligible risks involved and the protections already in place through the standards, terms and conditions. The Council also directs the submitter to Condition (e) which requires the placement of the mooring structure to not have adverse effects on the values associated with historic heritage identified in Schedule 5 [Historic heritage], which would include kaimoana reefs.</p> <p>Due to the permitted activity status it is not appropriate to require the resource user to consult. However, the Council would like to draw the submitters attention to note (1) in the Rule that explains that iwi authorities that have requested to be informed of this activity will be advised by the Council.</p> |
| Further submissions – Trans-Tasman Resources (6)           |                  | Oppose in part  |   |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support   |   |
| 43 – Royal Forest and Bird Protection Society              | 816              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 21 of the Plan by deleting “Outstanding Value” from the coastal management areas covered by the rule.</p>  | <p><b>Decline</b></p> <p>Submitter opposes the permitted rule for the erection or placement of navigation structures in Outstanding Value areas. In addition, the submitter contends that the potential adverse effects on birds from lighting associated with navigational aids do not appear to be considered within the rule.</p> <p>The Council declines the relief sought by the submitter. It is suggested that the erection and placement of navigational aids should be generally provided for in all coastal management areas. This recognises that all the coastal management areas may require navigational aids to ensure the safe and efficient navigation of vessels in those waters.</p> <p>Navigational aids are essential items of infrastructure that reduce the risks of ships grounding and vessel related oil spills that may result. It is a critical safety issue for vessel personnel as well as for the environment and it is imperative that the Plan allow and encourage the safe and appropriate use of such aids.</p>  |



| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
|--|------------------|--|---|
|  |                  |  | The Council suggests that adverse effects associated with the placement of maritime navigation aids, if any, are likely to be minor, including potential effects of lighting on birds. Notwithstanding that, the Council notes that the activity is subject to compliance with the standards, terms and conditions, including Condition (f) that requires that there be no adverse effects on significant indigenous biodiversity. If the Council consider that the proposed activity is unable to meet all of the standards, terms and conditions, the Council will advise those undertaking the activity that a resource consent will be required under Rules 33 (discretionary) and 34 (non-complying) depending on the coastal management area.   |
| 43 – Royal Forest and Bird Protection Society    | 817              | <b>Amend</b>   | <b>No relief necessary</b>  |
|  |                  | Submitter seeks amendment to the Activity description of Rule 21 of the Plan to ensure there is no disturbance of the foreshore or seabed. | The Council notes that Rule 21 does not permit excavation of disturbance of the foreshore or seabed, only minor disturbances that occur as a result of unobtrusive activities during the placement of the structure.  |
| 43 – Royal Forest and Bird Protection Society    | 818              | <b>Amend</b>   | <b>Decline</b>  |
|  |                  | Submitter seeks amendment to Rule 21 by deleting the Activity provisions for associate disturbance, deposition and discharge in the Rule.  | The submitter suggests that the provisions for associated disturbance, deposition and discharge are uncertain and could result in adverse effects which are not addressed by the permitted standards, terms and conditions of the rule.<br><br>The Council notes that the disturbance, deposition and discharges referred to in the activity description of Rule 21 are considered minor, transitory and inconsequential (i.e. the receiving environment will be relatively unaffected by the activity with effects being naturally and promptly remedied without the need for further intervention).<br><br>The Council recognises that, during the installment of navigation aids, there may be minor and transitory disturbances as a result. The impacts are generally very minor with the associated effects being similar in kind and magnitude to that associated with a vessel dropping anchor. The rule therefore seeks to bundle associated activities given they are low risk and likely to produce no or, at the most, less than minor effects. |
| Further submissions – Trans-Tasman Resources (6) |                  | Oppose   |   |
| 43 – Royal Forest and Bird Protection Society    | 819              | <b>Amend</b>   | <b>Decline</b>  |
|  |                  | Submitter seeks amendment to Condition (e) of Rule 21 of the Plan to read:   | The Council declines the relief sought by the submitter.  |

| Submitter                                     | Submission point | Submitter's requests  | Council's response and decisions  |
|---|------------------|---|---|
|   |                  | <del>[...] erection or placement of the navigation aid does not have an adverse effect on the values associated with is not within 10m of any historic heritage identified in Schedule 5 [Historic heritage] or 50m of an Outstanding Value area [...]</del>  | <p>The Council notes that historic heritage has a broad RMA definition and is not confined to archaeological sites. For historic heritage associated with sites of significance to Māori, there may be many instances where the erection or placement of navigation aids on the 'site' will have no adverse effects.</p> <p>The Council further suggests that the erection and placement of navigational aids should be permitted in all coastal management areas, including those of Outstanding Value, especially considering the high recreational use of some of these areas and the importance of providing for the safe and efficient navigation of vessels in those waters.</p>  |
| 43 – Royal Forest and Bird Protection Society | 820              | <b>Amend</b>  | <b>No relief necessary</b>  |
|   |                  | Submitter seeks amendment to Rule 21 of the Plan to note that where Condition (e) of is not complied with, a new Rule 33 will apply.  | <p>The Council considers that no relief is necessary.</p> <p>The Council notes that where Condition (e) (or any other Condition) of Rule 21 cannot be complied with, Rules 33 [discretionary activity] and 34 [non-complying activity] apply, which requires the activity to be authorised through a resource consent. This guidance has already been indicated in Note (2) of the activity description.</p>  |
| 43 – Royal Forest and Bird Protection Society | 821              | <b>Amend</b>  | <b>No relief necessary</b>  |
|   |                  | Submitter seeks amendment to the standards, terms and conditions of Rule 21 to ensure the activity will not occur where it would have adverse effects on values and characteristics to be protected under Policies 8 [Outstanding value], 9 [Natural character] and 14 [Significant indigenous biodiversity] of the Plan. | <p>The Council notes that in the development of Plan provisions, consideration has been had to the type and scale of the activity and the associated effects and the Council is satisfied that maritime navigation aid structures are unlikely to have adverse effects on outstanding natural character, features and landscapes, natural character and significant indigenous biodiversity values in the coastal environment. Certainly not at a landscape scale. However, the Council recognises that in specific localities unforeseen impacts on significant indigenous biodiversity may occur. Accordingly Condition (f) in Rule 21 applies to protect any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4 [Significant species and ecosystems] from unforeseeable impacts.</p> |
| 58 – Te Atiawa                                | 822              | <b>Amend</b>  | <b>Accept</b>   |
|   |                  | Submitter seeks amendment to Rule 21 by including a standard, term or condition that refers to Schedules 5A and 5B<br>OR  | <p>The Council notes that Condition (e) already refers to "historic heritage" identified in Schedule 5. However, in aligning with granting similar requests</p>   |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
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|  |                  | amending the activity classification to a controlled activity (rather than a permitted activity).   | sought by the submitter, the Council agrees to amending references to "Schedule 5" to refer to "Schedules 5A and 5B".  |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support   | The activity described is a fairly routine activity that has not, in the past experience of the Council, resulted in significant adverse effects. The Council therefore suggests that the permitted activity classification is reasonable and appropriate for this activity. Of note, the Rule requires notification prior to the commencement of the activity and Council will maintain a record of all navigation aids placed, this allows for routine monitoring.   |
| 61 – Te Rūnanga o Ngāti Ruanui Trust                       | 823              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 21 of the Plan to include new and amended standards, terms and conditions to read:</p> <p>[...]</p> <p><i>(e) erection or placement of the navigation aid does not have an adverse effect on the values associated with <u>cultural and</u> historic heritage identified in Schedule 5 [Cultural and Historic heritage];</i></p> <p><i>(f) erection or placement of the navigation aid does not have any adverse effect on any site identified in Schedule 5B [Sites of significance to Māori and associated values] and Appendix 2;</i></p> <p><i>(g) the placement of the navigation aid does not adversely affect the suitability of the receiving water for customary use and bathing after reasonable mixing;</i></p> <p><i>(h) erection or placement of the <u>structure navigation aid</u> does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4A [Significant species and ecosystems]; <u>taonga species protected under Taranaki iwi Deed of Settlement including those identified in Schedule 4C [Taonga species and habitat]</u></i></p> <p>[...]</p> | <p><b>Accept in part</b></p> <p>The Council notes that Rule 21 is specific to the placement of maritime navigation aids. Navigational aids are essential items of infrastructure that reduce the risks of ships grounding and vessel related oil spills that may result. It is a safety issue for vessel personnel as well as for the environment and it is imperative that the Plan allow and encourage the safe and appropriate use of such aids.</p> <p>The Council is concerned that the effect of the new and amended conditions would make the rule unnecessarily restrictive and may have perverse outcomes. Specific comments on the new and amended proposed conditions are as follows:</p> <ul style="list-style-type: none"> <li>• The Council refers the submitter to previous comments made on expanding the scope of historic heritage.</li> <li>• The submitter proposes to include a new standard, term and condition (f), however, the reference to sites of significance to Māori located in Schedule 5B has already been included within Condition (b). It is not necessary to repeat this Condition using different wording.</li> <li>• In regards to requested Condition (g), the Council does not believe that relief is necessary. Again it is noted that these activities are very small scale and the water quality impacts are limited to the potential for a little sediment disturbance similar in scale to using an anchor (the effects of which would not be noticeable in natural prevailing conditions)</li> </ul> |
| Further submissions – Te Korowai o Ngāruahine Trust (41)   |                  | Support   |  |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
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|  |                  |   | <ul style="list-style-type: none"> <li>In regards to requested Condition (h), the Council agree to the inclusion of Condition (ea) that specifically addresses scheduled taonga species.</li> </ul>  |
| <b>Rule 22 – Network utility structure erection or placement</b> |                  |   |  |
| 12 – Chorus New Zealand Limited                                  | 824              | <p><b>Amend</b></p> <p>Submitter supports the intent of Rule 22 of the Plan. However, the submitter notes that, in some instances, telecommunication cables are buried (through either a mole plough, directional drilling, trenching, jet burying, a chain trench or separate combinations of those), there are other instances where cables are simply laid on the seafloor, and left to natural processes to bury them with shallow depth. The environmental effect of a cable laid on the seafloor is generally of a lesser degree than the aforementioned burying techniques, however, laying a cable on the seafloor is not provided for under Rule 22.</p> <p>Submitter seeks amendment of Activity Description (d) in Rule 22 of the Plan to read:</p> <p><i>(d) a communication or electricity cable that is <b>either buried, laid on the seabed or foreshore</b>, or attached to a bridge, access structure or pole; [...]</i></p> | <p><b>Grant in kind</b></p> <p>The Council agrees with the submitter that the environmental impacts of laying electricity cable on the seafloor are generally minor and should have less of an impact than the burial of cables (subject to meeting appropriate standards, terms and conditions). Cables laid on the seafloor may self bury through wave action and the movement of sediment naturally without the use of burial machinery that would locally disturb the seafloor. The laying of cables is expected to have no or a less than minor effect on marine fauna and flora.</p> <p>The Council agrees to granting the relief in kind by amending Rule 22 to read as follows:</p> <p><i><u>Placement or erection of a network utility structure where the structure is:</u></i><br/>[...]<br/><i>(d) a communication or electricity cable <u>or line</u>; or [...]</i></p> |
| 13 – Spark New Zealand Trading Limited                           | 825              | <p><b>Amend</b></p> <p>Submitter supports the intent of Rule 22 of the Plan. However, the submitter notes that, in some instances, telecommunication cables are buried (through either a mole plough, directional drilling, trenching, jet burying, a chain trench or separate combinations of those), there are other instances where cables are simply laid on the seafloor, and left to natural processes to bury them with shallow depth. The environmental effect of a cable laid on the seafloor is generally of a lesser degree than the aforementioned burying techniques, however, laying a cable on the seafloor is not provided for under Rule 22.</p> <p>Submitter seeks amendment of Activity Description (d) in Rule 22 of the Plan to read:</p> <p><i>(d) a communication or electricity cable that is <b>either buried, laid on the seabed or foreshore</b>, or attached to a bridge, access structure or pole; [...]</i></p> | <p><b>Grant in kind</b></p> <p>The Council agrees with the submitter that the environmental impacts of laying electricity cable on the seafloor are generally minor and should have less of an impact than the burial of cables (subject to meeting appropriate standards, terms and conditions). Cables laid on the seafloor may self bury through wave action and the movement of sediment naturally without the use of burial machinery that would locally disturb the seafloor. The laying of cables is expected to have no or a less than minor effect on marine fauna and flora.</p> <p>The Council agrees to granting the relief in kind by amending Rule 22 to read as follows:</p> <p><i><u>Placement or erection of a network utility structure where the structure is:</u></i><br/>[...]<br/><i>(d) a communication or electricity cable <u>or line</u>; or [...]</i></p> |

| Submitter                          | Submission point | Submitter's requests  | Council's response and decisions  |
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| 14 – Vodafone New Zealand Limited  | 826              | <p><b>Amend</b></p> <p>Submitter supports the intent of Rule 22 of the Plan. However, the submitter notes that, in some instances, telecommunication cables are buried (through either a mole plough, directional drilling, trenching, jet burying, a chain trench or separate combinations of those), there are other instances where cables are simply laid on the seafloor, and left to natural processes to bury them with shallow depth. The environmental effect of a cable laid on the seafloor is generally of a lesser degree than the aforementioned burying techniques, however, laying a cable on the seafloor is not provided for under Rule 22.</p> <p>Submitter seeks amendment of Activity Description (d) in Rule 22 of the Plan to read:</p> <p><i>(d) a communication or electricity cable that is <b>either buried, laid on the seabed or foreshore, or attached to a bridge, access structure or pole; [...]</b></i></p> | <p><b>Grant in kind</b></p> <p>The Council agrees with the submitter that the environmental impacts of laying electricity cable on the seafloor are generally minor and should have less of an impact than the burial of cables subject to meeting appropriate standards, terms and conditions). Cables are generally laid when burial is not a sufficient method for their placement (e.g. onto rocky or sandy sediment). Cables laid on the seafloor may self bury through wave action and the movement of sediment naturally without the use of burial machinery that would locally disturb the seafloor. The laying of cables is expected to have no or a less than minor effect on marine fauna and flora and no affect on coastal water quality.</p> <p>The Council agrees to granting the relief in kind by amending Rule 22 to read as follows:</p> <p><i><u>Placement or erection of a network utility structure where the structure is:</u></i><br/> <i>[...]</i><br/> <i>(d) a communication or electricity cable <u>or line</u>; or [...]</i></p> |
| 15 – Surfbreak Protection Society  | 827              | <p><b>Other</b></p> <p>Submitter seeks that there be no impacts to surf breaks and that key surfing groups and representative groups be part of any limited notification for discharge or disturbance consent applications with the potential to impact on surf breaks or coastal water.</p>  | <p><b>No relief necessary</b></p> <p>Submitter's comments are noted and have been previously addressed in submission point 443 relating to surfing policies. Policy 19 would be considered as part of any resource consent application under this Rule.</p> <p>The Council notes that matters relating to affected and interested party status and limited notification are addressed separately in accordance with the Council's consenting standard operating procedures.</p>   |
| 26 – Transpower NZ Ltd             | 828              | <p><b>Other</b></p> <p>Submitter supports Rule 22 of the Plan but seek clarification whether Activity Description (d) refers to the cable only and is not the actual support.</p>   | <p><b>No relief necessary</b></p> <p>Support noted. The Council notes that Condition (d) refers to the cable and constituent parts.</p>   |
| Further submissions – Powerco (45) |                  | Support   |   |
| 29 – Department of Conservation    | 829              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 22 of the Plan to remove a "pipeline that is buried" and "a communication or electricity cable that is buried" from the controlled</p>   | <p><b>Accept in part</b></p> <p>The submitter suggests the burial of pipes and cables may have significantly different levels and types of effects compared with attaching a pipe to a</p>  |



| Submitter                          | Submission point | Submitter's requests  | Council's response and decisions   |
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|                                    |                  | activity description AND insert a new Restricted Discretionary rule (see NEW Rule 22A below). | bridge. At the hearing, the submitter also raised concerns that the standards, terms and conditions that protect sensitive marine benthic habitats.  |
| Further submissions – Powerco (45) |                  | Oppose in part  | <p>The Council agrees with that assessment but are confident that subject to the standards, terms and conditions of this controlled activity rule, any adverse environmental effects are reasonably foreseeable and can be appropriately avoided, remedied or mitigated via conditions on a resource consent. Further, the Council has retained a large number of matters of discretion which allow the Council to identify appropriate avoidance, remediation and/or mitigation measures to address adverse environmental effects on a case by case basis.</p> <p>At the hearing, the submitter spoke further on Rule 22 in opposition to the inclusion of outstanding value in the gateway. The Hearing Panel agrees with the submitter and the Council agrees to a new Restricted Discretionary Rule for Outstanding Value coastal management areas and for the placement or erection of network utility structures in other coastal management areas but were unable to comply with all the standards, terms and conditions of Rule 22. This approach is consistent with other Rules that address network utility structures in Outstanding Value areas (Rules 37 and 37A).</p> <p>Activities that do not come within (e.g. Outstanding Value coastal management areas) or comply with the standards, terms and conditions of Rule 22 are more appropriately managed through new Rule 22A (Restricted Discretionary).</p> <p>In relation to protection of sensitive marine benthic habitats, the Council agrees to amendments to Condition (c) to ensure that Schedule 4B (which includes identified sensitive marine benthic habitats) is also included in the considerations. The amended condition reads as follows:</p> <p><i><u>(c) the activity does not have an adverse effect on significant indigenous biodiversity, including those identified in Schedule 4 (Significant indigenous biodiversity);</u></i></p> <p>The Council also agrees that this amendment is carried across all of the rules which include a condition addressing the protection for significant indigenous biodiversity.</p> |



| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
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| 40 – Te Rūnanga o Ngāti Mutunga                            | 830              | <b>Amend</b>  | <b>Decline</b><br><br>The Council notes that this rule seeks to provide for the placement of important network utilities that might traverse the coastal marine area pursuant to Policy 6 of the Plan and subject to the appropriate management of adverse effects. Through the consenting process, relevant environmental effects on historic heritage, indigenous biodiversity and use and enjoyment of the coast will be appropriately managed. Other adverse effects within the coastal marine area, e.g. water quality are likely to be less than minor and temporary. Some certainty for these uses is considered appropriate, which would not be the case if the activity was made a discretionary activity (with the ability to decline a resource consent application).<br><br>The Council has not encountered significant issues with the placement of utility structures in the coastal marine area under the current Plan and therefore the Council does not consider it appropriate or necessary to require the placement of network utility structures to be made more restrictive by making it a discretionary activity. |
|  |                  | Submitter seeks amendment to Rule 22 of the Plan to make the erection or placement of network utility structures in the coastal marine area a discretionary activity (rather than a controlled activity) so that Ngati Mutunga and others can be involved in the decision making/resource consent process and also in monitoring of this activity if necessary. |   |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support   |   |
| 41 – Te Korowai o Ngāruahine Trust                         | 831              | <b>Amend</b>  | <b>Accept</b><br><br>The Council agrees to refer to “Schedule 5” as “Schedule 5A and 5B” as requested by the submitter. The Council also agrees to other consequential amendments throughout the Plan to maintain consistent language.  |
|  |                  | Submitter seeks amendment to Condition (b) of Rule 22 of the Plan to read:<br><i>(b) erection or placement of the structure does not have an adverse effect on the values associated with historic heritage identified in Schedule 5A and B Historic heritage; [...]</i>  |   |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support   |   |
| 42 – Ngati Rahiri Hapū                                     | 832              | <b>Amend</b>  | <b>Accept in part</b><br><br>The Council notes the concerns of the submitter and agree to amending relevant standards, terms and conditions to clarify that the activity cannot have any adverse effects on significant indigenous biodiversity, which includes reefs. The Council notes that Conditions (b), (c) and (ca) would generally restrict the activity from occurring in areas identified as significant under Schedule 4 [Significant indigenous biodiversity], Schedule 4C [Taonga species] and Schedule 5A and B [Historic heritage].  |
|  |                  | Submitter supports the activity classification as controlled but seek amendment of Rule 22 to protect reef systems<br><br>AND<br><br>that there be iwi/hapū consultation in all cases.  |   |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
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|  |                  |   | <p>Nearshore reefs are identified in Policy 14(b) as sites of significant indigenous biodiversity. Nearshore reefs may also be a site of significance to Māori in relation to historic heritage. Of note, virtually the entirely coastal length of the submitter's rohe is identified in the Plan and associated coastal maps as having kai moana values. Through the consenting process, conditions will be imposed to manage adverse effects, including the protection of the reef systems.</p> <p>The Council further notes that, as part of this coastal plan review process, and in relation to 'sites of significance' to Māori (many of which relate to inshore reefs), Council has already agreed, subject to conditions, to recognise iwi as an affected party for all resource consent applications. There will be further opportunity to set consultation requirements and expectations as part of the development of any Mana Whakahono a Rohe agreements.</p> |
| 43 – Royal Forest and Bird Protection Society  | 833              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 22 of the Plan by changing the rule classification to make the erection or placement of network utility structures in the coastal marine area a restricted discretionary activity (rather than a controlled activity).</p> | <p><b>Decline</b></p> <p>The Council notes that Rule 22 seeks to provide for the placement of important network utilities that might transsect the coastal marine area pursuant to Policy 6 of the Plan and subject to the appropriate management of adverse effects. Through the consenting process, relevant environmental effects on historic heritage, indigenous biodiversity and use and enjoyment of the coast will be appropriately considered and managed having reference to the General Policies of the Plan plus relevant Activity-specific Policies. Other adverse effects within the coastal marine area, e.g. water quality are likely to be less than minor and temporary. Some certainty for these uses is considered appropriate, which would not be the case if the activity was made a discretionary activity (with the ability to decline a resource consent application).</p>  |
| Further submissions – Powerco (45), Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd (46) |                  | Oppose in part  | <p>The Council has not encountered significant issues with the placement of utility structures in the coastal marine area under the current Plan and therefore do not consider it appropriate or necessary to require the placement of network utility structures to be made a restricted discretionary activity.</p> <p>Notwithstanding the above, the Council considers that an additional Restricted Discretionary rule should be included to address the placement or erection of network utility structures in Outstanding Value coastal management areas or where the activity does not meet the standards, terms or conditions of Rule</p>  |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
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|  |                  |   | 22. The Council notes that this approach is consistent with other areas of the Plan (Rules 37 and 37A).   |
| 43 – Royal Forest and Bird Protection Society  | 834              | <b>Amend</b><br>Submitter seeks the inclusion of a standard, term and condition in Rule 22 of the Plan that requires a 100m set back from Outstanding Value coastal management areas.   | <b>No relief necessary</b><br>No precise details of the rationale for the relief sought has been provided, or indeed what the proposed setback distance would achieve.<br>The Council declines the relief sought by the submitter noting that most of the activities covered by this rule require the structure to be buried or are of small scale. Of note, in the event that this activity is of a type or scale that it could have an impact on Outstanding Values, the Rule reserves control over the location of the work.<br>Of note activities occurring within the Outstanding Value coastal management areas will be addressed separately through an additional Restricted Discretionary rule.   |
| Further submissions – Powerco (45), Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd (46) |                  | Oppose in part  |   |
| 43 – Royal Forest and Bird Protection Society  | 835              | <b>Amend</b><br>Submitter seeks the inclusion of the following matters of discretion for the amended Rule 22 of the Plan:<br><u><i>(x) effect on indigenous biological diversity</i></u><br><u><i>(y) effects on natural character and natural features and landscape</i></u><br><u><i>(z) effects on any areas of Outstanding Value.</i></u> | <b>Accept in part</b><br>The Council agrees in part to the relief sought by the submitter by amending the following matters of discretion in Rule 22 (plus consequential changes to equivalent rules elsewhere in the Plan) to read:<br><i>(f) effects on <u>natural character, features and landscapes values</u></i><br><i>(fa) effects on indigenous biodiversity values</i><br>The Council also agrees that this amendment also be included in additional Rules, where appropriate, to maintain consistency.<br>The Council notes the amendments to term “ecological” better aligns with the wording adopted in the General Policies, which refers to “natural character, features and landscapes” and “indigenous biodiversity”. The Council does not believe it necessary to specify in the matters of discretion areas of outstanding values as this is a subset of natural character, features and landscapes (and therefore already provided for). |
| Further submissions – Te Korowai o Ngāruahine Trust (41)                               |                  | Support   |   |
| Further submissions – Powerco (45), Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd (46) |                  | Oppose in part  |   |
| 45 – Powerco   | 836              | <b>Support</b><br>Retain Rule 22 of the Plan as notified.   | <b>Accept</b><br>Support noted.<br>At the hearing, the submitter presented further on the rule noting that there are inconsistencies with some of the rules referring to cables and lines. The  |
| Further submissions – Port Taranaki Ltd (32)   |                  | Support   |   |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
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| Further submissions– Te Rūnanga o Ngāti Ruanui Trust (61)  |                  | Oppose   | Council, for the purposes of certainty and clarity, agrees to review and amend plan provisions to consistently refer to “cables and lines” where that is the policy intent. It is the Council’s view that this is an inconsequential amendment.  |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd         | 837              | <p><b>Amend</b></p> <p>Submitter seeks amendment to the Activity Description of Rule 14 of the Plan to read:</p> <p><i>Network utility structure erection or placement where the structure is:</i></p> <p><i>(a) A pipeline that is buried or attached to a bridge, <u>wharf</u> or access structure [...]</i></p> | <p><b>Accept</b></p> <p>The submitter notes that oil companies have existing pipelines in the coastal marine area and seek clarity that Rule 22 includes wharfs. This will ensure there is an appropriate pathway for new pipelines that may be required in the coastal marine area.</p> <p>The Council notes that the definition of “structure” as defined by the RMA means any “...facility made by people and which is fixed to land”. This would include wharfs.</p> <p>For the purposes of certainty and clarity, the Council agrees to expanding the activity description of Rule 22 of the Plan to explicitly identify wharfs.</p> <p>In addition, the Council notes that if an activity cannot comply with the standards, terms and conditions of Rule 22 or is within an area of Outstanding Value it will be addressed under new Restricted Discretionary Rule 22A.</p>  |
| Further submissions – Transpower NZ Ltd (26)               |                  | Oppose   | <p><b>Decline</b></p> <p>The Council notes that Rule 22 seeks to provide for the placement of important network utilities that might transect the coastal marine area pursuant to Policy 6 of the Plan and subject to the appropriate management of adverse effects.</p> <p>Rule 22 requires such activities to obtain a resource consent. However, some certainty for these uses is considered appropriate, which would not be the case if the activity were made a discretionary activity (with the ability to decline a resource consent application).</p> <p>Through the consenting process, relevant environmental effects on historic heritage, indigenous biodiversity and use and enjoyment of the coast will be appropriately managed. Other adverse effects within the coastal marine area, e.g. water quality are likely to be less than minor and temporary. The Council has not encountered significant issues with the placement of utility structures in the coastal marine area under the current Plan and therefore the Council</p> |
| 58 – Te Atiawa   | 838              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 22 of the Plan to change the activity classification to discretionary activity (rather than a controlled activity).</p>   |  |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support  |  |

| Submitter                            | Submission point | Submitter's requests  | Council's response and decisions   |
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|                                      |                  |   | <p>does not consider it appropriate or necessary to require the placement of network utility structures to be made a discretionary activity.</p> <p>Notwithstanding the above, the Council note that if an activity cannot comply with the standards, terms and conditions of Rule 22 or is within an area of Outstanding Value it will be addressed under new Restricted Discretionary Rule 22A.</p>  |
| 61 – Te Rūnanga o Ngāti Ruanui Trust | 839              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 22 of the Plan to include new and amended standards, terms and conditions to read:</p> <p><i>(a) no erosion or scour results from erection or placement of the structure;</i></p> <p><i>(b) erection or placement of the structure does not have an adverse effect on the values associated with <u>cultural and</u> historic heritage identified in Schedule 5 [<u>Cultural and</u> Historic heritage];</i></p> <p><i>(c) erection or placement of the structure does not have adverse effect on <u>Schedules 1 and 2</u></i></p> <p><i>(d) the activity does not have any adverse effect on any site identified in 5B [<u>Sites of significance to Māori and associated values</u>] and <u>Appendix 2</u>;</i></p> <p><i>(e) does not adversely affect the suitability of the receiving water for customary use</i></p> <p><i>(f) erection or placement of the structure does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4A [<u>Significant species and ecosystems</u>]; <u>and taonga species protected under Taranaki iwi Deed of Settlement including those identified in Schedule 4C [<u>Taonga species and habitat</u>]</u> and</i></p> <p><i>(g) structure does not adversely affect access to or use of the area surrounding the structure.</i></p> | <p><b>Accept in part</b></p> <p>The Council notes that Rule 22 seeks to provide for the placement of important network utilities that might transect the coastal marine area pursuant to Policy 6 of the Plan and subject to the appropriate management of adverse effects. Through the consenting process, relevant environmental effects on historic heritage, indigenous biodiversity and use and enjoyment of the coast will be appropriately managed. Other adverse effects within the coastal marine area, e.g. water quality are likely to be less than minor and temporary.</p> <p>The submitter seeks to introduce a number of new and amended standards, terms and conditions to the Rule. Specific comments on the new and amended proposed conditions are as follows:</p> <ul style="list-style-type: none"> <li>Decline the relief sought in relation to Condition (b). The Council refers the submitter to previous comments made on expanding the scope of historic heritage.</li> <li>Decline the relief sought in relation to Condition (c). Schedules 1 and 2 capture the whole coastal marine area plus landward parts of the coastal environment identified as having outstanding natural character or being an outstanding natural feature or landscape. The proposed Condition (c) is too wide ranging, unnecessarily restrictive, and uncertain for Plan users.</li> <li>Relief sought in relation to Condition (d) is unnecessary. The submitter proposes to include a new standard (d), however, the reference to sites of significance to Māori located in Schedule 5B has already been included within Condition (b) of the Plan. It is not necessary to repeat this Condition using different wording.</li> <li>Relief sought in relation to Condition (e) is unnecessary. Again such matters are largely already addressed in Condition (b) of the</li> </ul> |



| Submitter                            | Submission point | Submitter's requests  | Council's response and decisions   |
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|                                      |                  |   | <p>Plan, which protects customary sites of significance. However, it is noted that any impacts on receiving water quality will be temporary and unlikely to be noticeable in natural prevailing conditions).</p> <ul style="list-style-type: none"> <li>Grant the relief in kind in relation to Condition (f). The Council agrees to expanding the scope of Rule conditions to include reference to scheduled taonga species (new standard, term and condition (ca)).</li> </ul>   |
| 61 – Te Rūnanga o Ngāti Ruanui Trust | 840              | <p><b>Amend</b></p> <p>Submitter seeks amendment the control and notification column of Rule 22 of the Plan to read:</p> <p>(a) location, method, timing and notification of works;</p> <p>(b) design, construction, maintenance and decommissioning of structure;</p> <p>(c) effects on other authorised structures or activities;</p> <p>(d) sediment movement and erosion;</p> <p><u>(e) effects on matters/values identified for protection by mana whenua in the cultural impact assessment;</u></p> <p>(f) effects on water quality <u>and mauri values;</u></p> <p>(g) effects on ecological values;</p> <p>(h) effects on historic, cultural and amenity values;</p> <p>(i) effects on surf breaks;</p> <p>(j) effects of occupation on public access;</p> <p>(k) effects on navigation;</p> <p>(l) effects of noise and light;</p> <p><u>(m) consistent with iwi management plan;</u></p> <p>(n) monitoring <u>(including tangata whenua indicators referred to in the tangata whenua monitoring plan)</u> and information requirements;</p> <p>(o) duration of consent; and</p> <p>(p) review of consent conditions.</p> <p><u>(q) effects on Cultural Zone (referred to in Spatial Plan)</u></p> | <p><b>Decline</b></p> <p>The Council declines the relief sought by the submitter.</p> <p>The suggested changes seem to be mixing jurisdictional, policy and operational matters and introducing a level of specificity and complexity that are not considered appropriate or necessary for a Plan. Most of the changes sought are a subset of matters that have already been provided for while the submitter has also introduced some new concepts such as a cultural zone and a spatial plan that do not fit within the Proposed Plan framework. There is also 'requirement' to be consistent with iwi management plans, while the submitter is silent on how other planning documents might also fit within this framework.</p> <p>The Council notes that this activity is already subject to the General Policies 1 to 21 of which Policies 15 [Historic heritage] and 16 [Relationship of tangata whenua] are particularly relevant. The Council further notes that there will be an opportunity to develop an agreed framework and operational detail for implementing the Plan as part of any Mana Whakahono a Rohe agreement with the submitter.</p> <p>In relation to notification requirements, the submitter (and others) have highlighted an issue with the notification requirements stated in the Plan which in turn raises issues with notification requirements in the RMA being regularly changed. The Council notes that, over time, the notification requirements identified in the Plan may become misleading and outdated following changes to RMA. Consequently, the Council agrees to amending the heading throughout the rules section to refer only to "matters of control/discretion" and deleting reference to notification requirements from the Plan (noting that the</p> |



| Submitter   | Submission point | Submitter's requests  | Council's response and decisions  |
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|   |                  | <i>Resource consent applications under this Rule will <del>not be publicly notified but may be limited notified.</del></i>  | relevant notification requirements are set out in sections 95A to 95G of the RMA).  |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) |                  | Support   |   |
| <b>NEW Rule 22A – Network utility structure erection or placement</b>                                     |                  |   |   |
| 29 – Department of Conservation   | 841              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Plan to include a new Restricted Discretionary rule that deals with network utility structure erection or placement where the structure is a pipeline that is buried, or a communication or electricity cable that is buried.</p> | <p><b>Accept in part</b></p> <p>The Council notes that Rule 22 already seeks to provide for the placement of important network utilities that might transect the coastal marine area as a controlled activity. This is consistent with Policy 6 [Regionally important infrastructure] of the Plan but is still subject to the appropriate management of any adverse effects.</p> <p>Through the consenting process, relevant environmental effects on historic heritage, indigenous biodiversity and use and enjoyment of the coast will be appropriately managed. Other adverse effects within the coastal marine area, e.g. water quality are likely to be less than minor and temporary. Some certainty for allowing the placement of network utilities in the coastal marine area is considered appropriate, which would not be the case if the activity was made a restricted discretionary activity (with the ability to decline a resource consent application). Of note, as part of this Coastal Plan review, this Council has adopted a precautionary approach whereby, if uncertain that effects can be adequately identified and addressed as a permitted activity or controlled activity, it has determined that the effects will be considered as a full discretionary activity to ensure issues are fully and comprehensively canvassed.</p> <p>The Council has not encountered significant issues with the placement of utility structures in the coastal marine area under the current Plan and therefore the Council does not consider it appropriate or necessary to require the placement of network utility structures to be made a restricted discretionary activity unless the activity is not covered by or cannot comply with the standards terms and conditions of the controlled activity rule.</p> |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions  |
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|   |                  |   | Notwithstanding the above, the Council agree to an additional Restricted Discretionary rule to address placement or erection of network utility structures in Outstanding Value coastal management areas or where the activity does not meet the standards, terms or conditions of Rule 22. The Council note that this approach is consistent with other areas of the Plan (Rules 37 and 37A).  |
| 45 – Powerco  | 842              | <p><b>Amend</b></p> <p>Submitter seeks new or amended rule to provide a permitted activity pathway for new network utility structures attached to existing road bridges in the coastal marine area.</p>                               | <p><b>Decline</b></p> <p>The Council declines the relief sought.</p> <p>The Council notes that the majority of bridges that occur within the coastal marine area (and addressed through the Coastal Plan) are within estuaries and may be sensitive to activities of this nature. The Council considers that the activity may be uncertain in terms of scale and effects and consider it appropriate to be addressed through the consenting process to ensure that any environmental effects are appropriately managed. The controlled pathway provided under Rule 22 offers the Plan user certainty of being able to undertake the necessary works provided the standards, terms and conditions are met.</p>   |
| <b>Rule 23 –Port launching, mooring or berthing</b> |                  |   |   |
| 40 – Te Rūnanga o Ngāti Mutunga                     | 843              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 23 of the Plan to make the erection and placement of launching, mooring or berthing structures in the Port a discretionary activity (rather than a controlled activity).</p> | <p><b>Decline</b></p> <p>The Council declines the relief sought by the submitter.</p> <p>The Council notes that Rule 23 seeks to provide for the erection and placement of launching, mooring or berthing structures in the Port as a controlled activity. This is consistent with Policy 6 [Regionally important infrastructure] of the Plan, but is still subject to the appropriate management of adverse effects.</p> <p>The Council notes that the Port is already a highly modified environment that provides a national and regionally important function whereby the movement of goods is dependent upon the erection and placement of launching, mooring and berthing structures. This is subject to complying with the standards, terms and conditions addressing the avoidance, remedying or mitigating of adverse effects (of which those relating to historic heritage and indigenous biodiversity are particularly pertinent). The Council sees no net environmental benefit to</p> |

| Submitter                                     | Submission point | Submitter's requests  | Council's response and decisions  |
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|   |                  |   | reducing business certainty in the Port by making the activity a discretionary activity.  |
| 43 – Royal Forest and Bird Protection Society | 844              | <b>Amend</b>  | <b>Decline</b>  |
|   |                  | Submitter seeks amendment to Rule 23 of the Plan to make the erection and placement of launching, mooring or berthing structures in the Port a restricted discretionary activity (rather than a controlled activity). | The Council declines the relief sought by the submitter.<br>The Council notes that Rule 23 seeks to provide for the erection and placement of launching, mooring or berthing structures in the Port as a controlled activity. This is consistent with Policy 6 [Regionally important infrastructure] of the Plan, but is still subject to the appropriate management of adverse effects.  |
| Further submissions – Port Taranaki Ltd (32)  |                  | Oppose  | The Council notes that the Port is already a highly modified environment that provides a national and regionally important function whereby the movement of goods is dependent upon the erection and placement of launching, mooring and berthing structures. This is subject to complying with the standards, terms and conditions addressing the avoidance, remedying or mitigating of adverse effects (of which those relating to historic heritage and indigenous biodiversity are particularly pertinent). The Council sees no net environmental benefit to reducing business certainty in the Port by making the activity a restricted discretionary activity.  |
| 58 – Te Atiawa                                | 845              | <b>Amend</b>  | <b>Decline</b>  |
|   |                  | Submitter seeks amendment to Rule 23 of the Plan to change the activity classification to discretionary activity (rather than a controlled activity).   | The Council declines the relief sought by the submitter.<br>The Council notes that Rule 23 seeks to provide for the erection and placement of launching, mooring or berthing structures in the Port as a controlled activity. This is consistent with Policy 6 [Regionally important infrastructure] of the Plan, but is still subject to the appropriate management of adverse effects.<br>The Council notes that the Port is already a highly modified environment that provides a national and regionally important function whereby the movement of goods is dependent upon the erection and placement of launching, mooring and berthing structures. This is subject to complying with the standards, terms and conditions addressing the avoidance, remedying or mitigating of adverse effects (of which those relating to historic heritage and indigenous biodiversity are particularly pertinent). The Council sees no net environmental benefit to reducing business certainty in the Port by making the activity a discretionary activity. |

| Submitter                                     | Submission point | Submitter's requests  | Council's response and decisions   |
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| <b>Rule 24 – Whitebait stands</b>             |                  |   |  |
| 21 – Climate Justice Taranaki                 | 846              | <b>Support</b>  | <b>Accept</b>  |
|   |                  | Retain the prohibited activity status for whitebait stands in the coastal marine area.  | Support noted. Rule 24 is retained subject to minor inconsequential amendments that do not change the rule's scope.  |
| 29 – Department of Conservation               | 847              | <b>Support</b>  | <b>Accept</b>  |
|   |                  | Retain the prohibited activity status for whitebait stands in the coastal marine area.  | Support noted. Rule 24 is retained subject to minor inconsequential amendments that do not change the rule's scope.  |
| 40 – Te Rūnanga o Ngāti Mutunga               | 848              | <b>Support</b>  | <b>Accept</b>  |
|   |                  | Retain the prohibited activity status for whitebait stands in the coastal marine area.  | Support noted.   |
| 41 – Te Korowai o Ngāruahine Trust            | 849              | <b>Amend</b>  | <b>Decline</b>   |
|   |                  | Submitter seeks amendment to Rule 24 of the Plan to make whitebait stands in the coastal marine area a discretionary or non-complying activity (rather than a prohibited activity). | <p>The Rule does not exclude run-of-the-river whitebaiting, which is a popular recreational activity at many river mouths across Taranaki. However, the Rule does prohibit the establishment of whitebait structures that may contribute to over harvesting and exploitation of inanga species.</p> <p>The Council notes that this Rule is an existing rule in the current Plan. It is a unique regional position adopted by this Council with strong community support to better protect whitebait stocks in this region. This is considered appropriate given the ongoing decline in the abundance of whitebait species in the region due to over harvesting (other necessary interventions relating to the loss of fish habitat are addressed in the Freshwater and Soil Plan).</p> |
| 43 – Royal Forest and Bird Protection Society | 850              | <b>Support</b>  | <b>Accept</b>  |
|   |                  | Retain the prohibited activity status for whitebait stands in the coastal marine area.  | Support noted. Rule 24 is retained as notified.  |
| 58 – Te Ahiawa                                | 851              | <b>Support</b>  | <b>Accept</b>  |
|   |                  | Retain Rule 24 of the Plan as notified.   | Support noted. Rule 24 is retained as notified.  |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions  |
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| <b>Rule 25 – Hard protection structure erection or placement</b>      |                  |  |   |
| 32 – Port Taranaki  | 852              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 25 of the Plan to provide for hard protection structures within the Port coastal management area as a controlled activity (rather than a discretionary activity).</p>   | <p><b>Decline</b></p> <p>The Council declines the relief sought by the submitter.</p> <p>The Council notes that this Rule is an existing rule in the current Plan. Further, in accordance with the <i>New Zealand Coastal Policy Statement</i> and the policies of this Plan (particularly Policy 34), there is an expectation that hard protection structures will be discouraged and the use of alternatives promoted. This expectation is unlikely to be realised as a controlled activity.</p>  |
| 43 – Royal Forest and Bird Protection Society                         | 853              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 25 of the Plan by clarifying the purposes to which erosion control applies.</p>   | <p><b>Decline</b></p> <p>The Council declines the relief sought by the submitter.</p> <p>The Council does not believe this level of specificity needs to be provided in the rule. Such matters are more appropriately addressed through the consenting process, whereby the type of activity, its scale, purpose and effects can be considered on a case-by-case basis noting hard protection structures are a discretionary activity.</p>  |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Atiawa (58) |                  | Support  | <p>The Council further notes that the General Policies 1 to 21, 22, 31, 32, 33, 34, 35, 39, 40, 41, 42, 44, 45, 46, and 49 provide broad and comprehensive guidance and direction on the erection and placements of hard protection structures.</p>   |
| 43 – Royal Forest and Bird Protection Society                         | 854              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 25 of the Plan by deleting Outstanding Value, Estuaries Unmodified, Estuaries Modified coastal management areas from the rule (and provide a new non-complying activity rule for the erection or placement of hard protections structures in such areas).</p> | <p><b>Decline</b></p> <p>The Council notes there are significant urban areas that would be affected by the relief sought by the submitter such as New Plymouth, Waitara, Urenui and Patea. Many coastal settlements rely on hard protection structures to protect them from natural hazard processes.</p> <p>The Council notes that this rule is an existing rule in the current Plan. The Council recognises that, in accordance with the <i>New Zealand Coastal Policy Statement</i> and the policies of this Plan (particularly Policy 34), there is an expectation that hard protection structures will be discouraged and the use of alternatives promoted. This expectation can be met as a discretionary activity.</p> |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions  |
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| 59 KiwiRail   | 855              | <b>Support</b><br>Retain Rule 25 of the Plan as notified.   | <b>Accept</b><br>Support noted.   |
| Further submissions – Fonterra (47)   |                  | Support   |   |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61)  |                  | Oppose  |   |
| 61 – Te Rūnanga o Ngāti Ruanui Trust  | 856              | <b>Amend</b><br>Submitter seeks amendment to Rule 25 of the Plan to include standards, terms and conditions to read:<br><i><a href="#">(a) placement of structure and discharge does not adversely affect the matters/values identified for protection by mana whenua in the cultural impact assessment;</a></i><br><i><a href="#">(b) discharge complies with tangata whenua indicators referred to in the tangata whenua monitoring plan</a></i><br><i><a href="#">(c) discharge is consistent with iwi management plan.</a></i><br>AND<br>Include the following notification note:<br><i><a href="#">Resource consent applications under this Rule will be notified to tangata whenua.</a></i> | <b>Decline</b><br>The submitter has sought the inclusion of standards, terms and conditions for rules in the Plan relating to discretionary and non-complying activities.<br>The Council declines the relief noting that it is not standard planning practice for discretionary activity or non-complying rules to include standards, terms and conditions. Conditions relating to a discretionary activity are developed on a case-by-case basis through the consenting process having regard to the relevant Plan policies.<br>The Council notes that all matters identified by the submitter would be considered through the consenting process with Policies 1 to 21, 22, 31, 32, 33, 34, 35, 39, 40, 41, 42, 44, 45, 46, and 49 being given effect to.<br>In relation to notification requirements proposed by the submitter, the Council notes that the Plan is not intended to provide the operational detail for implementing every aspect of the Plan. Such detail is more appropriately included in the Council's standard operating procedures and/or any Mana Whakahono a Rohe agreements.<br>In relation to notification requirements, the submitter (and others) has highlighted an issue with the notification requirements stated in the Plan which in turn raises issues with notification requirements in the RMA being regularly changed. The Council notes that, over time the notification requirements identified in the Plan may become misleading and outdated following changes to RMA. Consequently, the Council agrees to amending the heading throughout the rules section to refer only to "matters of control/discretion" and deleting any references to notification requirements in the rules (noting that the relevant notification requirements are set out in sections 95A to 95G of the RMA). |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) |                  | Support   |   |



| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
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| <b>Rule 26 – Exploration or appraisal of well drilling in the Open Coast or Port</b>   |                  |   |  |
| 15 – Surfbreak Protection Society  | 857              | <b>Other</b><br>Submitter seeks that there be no impacts to surf breaks and that key surfing groups and representative groups be part of any limited notification for discharge or disturbance consent applications with the potential to impact on surf breaks or coastal water.   | <b>No relief necessary</b><br>Submitter's comments are noted and have been previously addressed in submission point 448 relating to surfing policies. Policy 19 would be considered as part of any resource consent application under this Rule.<br>The Council notes that matters relating to affected and interested party status and limited notification are addressed separately in accordance with the Council's consenting standard operating procedures. |
| Further submissions – Petroleum Exploration and Production Association of New Zealand (37)   |                  | Oppose  |  |
| 25 - New Zealand Petroleum and Minerals  | 858              | <b>Support</b><br>Retain Rule 26 of the Plan as notified.   | <b>Accept</b><br>Support noted. Rule 26 is retained subject to amendments made to offer relief to other submitters.  |
| Further submissions – Trans-Tasman Resources (6), Port Taranaki Ltd (32), Petroleum Exploration and Production Association of New Zealand (37) |                  | Support   |  |
| Further submissions – Climate Justice Taranaki Inc (21)  |                  | Oppose  |  |
| 37 – Petroleum Exploration and Production Association of NZ  | 859              | <b>Amend</b><br>Submitter supports Rule 26 of the Plan but seeks amendment to the Activity Description (b) in Rule 26 to align with Rule 27 to read:<br><i>Exploration or appraisal well drilling by an offshore installation or drilling by a land based drilling rig, and placement of a well structure in, on, under or over the foreshore or seabed and any associated:</i><br>[...]<br><i>(b) <b>temporary exclusive</b> occupation of space in the common marine and coastal area [...]</i> | <b>Accept</b><br>The Council agrees to granting the relief sought by the submitter as it further clarifies for plan users the type of occupation of space that occurs under Rule 26 as an associated activity.   |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions  |
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| Further submissions21 – Climate Justice Taranaki Inc (21), Taranaki Energy Watch (51) |                  | Oppose   |   |
| 37 – Petroleum Exploration and Production Association of NZ                           | 860              | <p><b>Amend</b></p> <p>Submitter supports Rule 26 but seeks amendment to standard, term and condition (a) to read:</p> <p><i>(a) drilling is not undertaken within 2,000 m of any site where drilling has occurred in the previous five years <u>unless the Applicant can show to the satisfaction of Council that drilling within these parameters would avoid any potential cumulative effects</u> [...]</i></p> | <p><b>Grant in kind</b></p> <p>The Council agree to granting in kind the relief sought by the submitter.</p> <p>The Council notes that the reason for including a buffer distance is to address the cumulative effects of drilling fluids and cuttings being discharged and deposited on the seafloor surrounding the drilling site which may have an adverse effect on benthic communities. The Council considers that if drilling cuttings and fluids are removed during the operation that there will be no cumulative effects. The Council agree to amending Condition (a) to provide an option for this that read as follows (Council notes that additional amendments are also agreed to in response to other submitters concerns relating to Condition (a)):</p> <p><i><u>(a) the activity does not involve the discharge or deposition of drilling fluids, muds or cuttings:</u></i></p> <p><i>(i) within 2,000 m of any <u>seabed location</u> where drilling has occurred in the previous five years; <u>or</u></i></p> <p><i><u>(ii) from multiple wells originating from a single well head; [...]</u></i></p> <p>The Council considers that further direction with regards to the disposal of drilling fluids and cuttings is required and agree to a footnote to read as follows:</p> <p><i><u>Drilling fluids, muds and cuttings must be removed for authorised disposal.</u></i></p> <p>At the hearing, the submitter opposed standards, terms and conditions (d) and (da) relating to significant indigenous biodiversity and taonga species noting that compliance with these conditions would be subjective and therefore is uncertain. The Council notes that as part of a precautionary approach these conditions have been considered appropriate and give effect to Policy 11 [Indigenous biological diversity (biodiversity)] of the <i>New Zealand Coastal Policy Statement</i> and other policies of the Plan. The Council notes that for certainty, and to assist Plan users, species and habitats identified as significant indigenous biodiversity and taonga species of concern have been</p> |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
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|  |                  |  | <p>included in Schedules 4A, 4B and 4C. The Council notes that it is not uncommon for plans to include values based assessments for permitted and controlled activities and that similar conditions are included in the current <i>Coastal Plan for Taranaki</i> and have been successfully implemented and enforced over the life of the Plan.</p> <p>In addition, at the hearing, the submitter sought that an additional rule be included in the Plan to allow exploration and appraisal drilling to occur as a restricted discretionary activity should it not meet the standards, terms and conditions of Rule 26. The Council declines this relief and considers that an appropriate activity classification has already been provided as discretionary and non-complying activities under Rules 27 and 28 noting the values and sensitivities of the coastal management areas affected.</p>  |
| 40 – Te Rūnanga o Ngāti Mutunga  | 861              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 26 of the Plan to make exploration or appraisal of well drilling a discretionary activity (rather than controlled activity)</p> <p>AND</p> <p>Amend Conditions (c) and (e) to read:</p> <p>(c) <i>Drilling is not undertaken <del>within</del> <u>in the airspace above any site and to the centre of the earth below</u> any site identified in Schedule 5</i></p> <p>[...]</p> <p>(e) <i>Drilling is undertaken at least <del>2,000 m</del> <u>6,000 m</u> from the line of mean high water springs [...]</i></p> | <p><b>Decline</b></p> <p>The Council notes that the seabed drilling in the Open Coast and Port is a permitted activity under the current Plan but is proposed to be a controlled activity for which a resource consent is required. It is important to differentiate between hydrocarbon <u>exploration</u> activities and later <u>production</u> activities as they are totally different activities with totally different associated environmental effects, i.e. due to the increased scale of activities and therefore effects associated with the construction and operation of an offshore petroleum production installation.</p> <p>The drilling associated with seabed exploration is not considered to have more than minor adverse effects, subject to compliance with standards, terms and conditions set out in Rule 26. Through the consenting process, relevant environmental effects will be appropriately managed and, in part reflecting a precautionary approach, specific conditions apply whereby the activity must be 2,000 m or more from the line of the mean high water springs or from any Outstanding Value coastal management area, 1,000 m or more from any sensitive marine benthic habitats, including reef systems, and 2,000 m from any other drilling site.</p> <p>The development of the rules regime and proposed standards, terms and conditions were informed by the report <i>Offshore Petroleum Drilling Review</i> (August 2015). Some certainty for these uses is considered appropriate,</p> |
| Further submissions – Petroleum Exploration and Production Association of New Zealand (37) |                  | Oppose   |   |

| Submitter                          | Submission point | Submitter's requests  | Council's response and decisions   |
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|                                    |                  |   | <p>which would not be the case if the activity was made a discretionary activity (with the ability to decline a resource consent application).</p> <p>In relation to the amendments to the conditions, those relating to (c) are considered unnecessary. The Council also does not agree to extending the buffer distance from 2,000 m to 6,000 m from the line of the mean high water springs. The submitter has not provided any additional information as to why the additional buffer area is required. However, the Council notes that Conditions (b), (c) and (d) include additional locational constraints that should address any areas of concern.</p>  |
| 41 – Te Korowai o Ngāruahine Trust | 862              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 26 of the Plan to make exploration or appraisal of well drilling a discretionary activity (rather than controlled activity) AND</p> <p>Amend Condition (c) to read:<br/> <i>(c) Drilling is not drilling is not undertaken within any site identified in Schedule 5A and B Historic heritage; [...].</i></p> | <p><b>Accept in part</b></p> <p>The Council notes that the seabed drilling in the Open Coast and Port is a permitted activity under the current Plan but is proposed to be a controlled activity for which a resource consent is required. It is important to differentiate between hydrocarbon <u>exploration</u> activities and later <u>production</u> activities as they are different activities with different associated environmental effects, i.e. due to the increased scale of activities and therefore effects associated with the construction and operation of an offshore petroleum production installation.</p> <p>The drilling associated with seabed exploration is not considered to have more than minor adverse effects, subject to compliance with standards, terms and conditions set out in Rule 26. Through the consenting process, relevant environmental effects will be appropriately managed and, in part reflecting a precautionary approach, specific conditions apply whereby the activity must be 2,000 m or more from the line of the mean high water springs or from any Outstanding Value coastal management area, 1,000 m or more from any sensitive marine benthic habitats, including reef systems, and 2,000 m from any other drilling site.</p> <p>The development of the rules regime and proposed standards, terms and conditions were informed by the report <i>Offshore Petroleum Drilling Review</i> (August 2015). Some certainty for these uses is considered appropriate, which would not be the case if the activity was made a discretionary activity (with the ability to decline a resource consent application).</p> <p>In relation to the amendment sought to Condition (c), the Council agrees to the relief sought.</p> |

| Submitter                                     | Submission point | Submitter's requests  | Council's response and decisions  |
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|   |                  |   | <p>At the hearing, the submitter sought that consent applications for exploration to also assess the activity for the production phase. The Council notes that the seabed drilling in the Open Coast and Port is a permitted activity under the current Plan but is proposed to be a controlled activity for which a resource consent is required. The Council notes that it is important to differentiate between hydrocarbon exploration activities and later production activities as they are different activities with different associated environmental effects, i.e. due to the increased scale of activities and therefore effects associated with the construction and operation of an offshore petroleum production installation, and it would be unreasonable and inefficient to assess the effects of exploration and production during the exploration phase.</p> <p>The Council considers that an assessment of effects of production during exploration phase is potentially unreasonable. First, there is no certainty that production will occur. Second, consenting an activity that might not occur until sometime in the future, may have a perverse outcome in that new information on environmental effects might arise in the interim but the activity has already been authorised.</p> |
| 42 – Ngati Rahiri Hapū                        | 863              | <p><b>Amend</b></p> <p>Submitter seeks amendment to the conditions of Rule 26(c) to read:<br/> <i>(c) drilling is undertaken within, <u>over, or under,</u> any site identified in Schedule 5 Historic heritage]; [...]</i><br/> AND<br/> That there be iwi/hapū consultation in all cases.</p> | <p><b>No relief necessary</b></p> <p>The Council declines the relief sought noting that the relief would restrict the consideration of more environmentally acceptable options to avoid or mitigate impacts on historic heritage values such as directional drilling under sites of significance.</p> <p>The Council notes that, as part of this Coastal Plan review process, and in relation to 'sites of significance' to Māori, Council has already agreed, subject to conditions, to recognise iwi as an affected party for all resource consent applications. There will be further opportunity to set consultation requirements and expectations as part of the development of Mana Whakahono a Rohe agreements.</p>  |
| 43 – Royal Forest and Bird Protection Society | 864              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 26 of the Plan by amending the Activity classification to make exploration or appraisal of well drilling a restricted discretionary activity (rather than controlled activity).</p>  | <p><b>Decline</b></p> <p>The Council notes that the seabed drilling in the Open Coast and Port is a permitted activity under the current Plan but is proposed to be a controlled activity for which a resource consent is required. It is important to differentiate</p>  |



| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
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| Further submissions – Department of Conservation (29), Te Korowai o Ngāruahine Trust (41)  |                  | Support  | <p>between hydrocarbon <u>exploration</u> activities and later <u>production</u> activities as they are different activities with very different associated environmental effects, i.e. due to the increased scale of activities and therefore effects associated with the construction and operation of an offshore petroleum production installation.</p> <p>The drilling associated with seabed exploration is not considered to have more than minor adverse effects, subject to compliance with standards, terms and conditions set out in Rule 26. Through the consenting process, relevant environmental effects will be appropriately managed and, in part reflecting a precautionary approach, specific conditions apply whereby the activity must be 2,000 m or more from the line of the mean high water springs or from any Outstanding Value coastal management area, 1,000 m or more from any sensitive marine benthic habitats, including reef systems, and 2,000 m from any other drilling site.</p> <p>The development of the rules regime and proposed standards, terms and conditions were informed by the report <i>Offshore Petroleum Drilling Review</i> (August 2015). Some certainty for drilling activities is considered appropriate, which would not be the case if the activity was made a restricted discretionary activity.</p> |
| Further submissions – Petroleum Exploration and Production Association of New Zealand (37) |                  | Oppose   |   |
| 43 – Royal Forest and Bird Protection Society  | 865              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 26 of the Plan by adding matter of discretion to consider effects on indigenous biodiversity and natural character.</p> | <p><b>Accept</b></p> <p>The Council agrees to granting the relief sought by the submitter by amending the following matters of discretion in Rule 26 (plus consequential changes to equivalent rules elsewhere in the Plan) to read:</p> <p><i>(f) effects on <u>natural character, features and landscapes values</u></i><br/> <i>(fa) effects on <u>indigenous biodiversity values</u></i></p> <p>Of note, the suggested amendments that include replacing the term “ecological” better aligns with the wording adopted in the General Policies and references to natural character, features and landscapes and indigenous biodiversity.</p>   |
| Further submissions – Department of Conservation (29), Te Korowai o Ngāruahine Trust (41)  |                  | Support  | <p><b>No relief required</b></p> <p>The Council considers that the relief sought by the submitter has already been provided for.</p>  |
| Further submissions – Petroleum Exploration and Production Association of New Zealand (37) |                  | Oppose   |   |
| 43 – Royal Forest and Bird Protection Society  | 866              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 26 of the Plan by identifying areas of significant biodiversity and excluding these from this rule.</p>                 |   |



| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
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| Further submissions – Department of Conservation (29)                                      |                  | Support  | <p>The Council notes that Rule 26 already excludes drilling areas from Outstanding Value, Estuary Unmodified and Estuary Modified coastal management areas. Furthermore Conditions (b) and (d) also apply that require the consideration of indigenous biodiversity matters. The Council does not consider it appropriate or necessary to exclude drilling activities from other parts of the Open Coast or the Port regardless of whether the activity is having adverse effects or not.</p> <p>The effects associated with seabed exploration drilling will generally be less than minor, subject to compliance with standards, terms and conditions set out in Rule 26. Through the consenting process, relevant environmental effects will be appropriately managed and, in part reflecting a precautionary approach, specific conditions apply whereby any activity involving the incidental deposition of drilling cuttings and fluids must be 2,000 m or more from the line of the mean high water springs or from any Outstanding Value coastal management area, 1,000 m or more from any sensitive marine benthic habitats, including reef systems, and 2,000 m from any other drilling site where the activity will result in the deposition of drilling fluids and cuttings.</p> <p>The Council believes it is important to differentiate between hydrocarbon <u>exploration</u> activities and later <u>production</u> activities as they are totally different activities with totally different associated environmental effects, i.e. due to the increased scale of activities and therefore effects associated with the construction and operation of an offshore petroleum production installation.</p> |
| Further submissions – Petroleum Exploration and Production Association of New Zealand (37) |                  | Oppose   |  |
| 43 – Royal Forest and Bird Protection Society  | 867              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 26 of the Plan by adding a requirement to publicly notify under this rule.</p>  | <p><b>Decline</b></p> <p>The Council does not consider it appropriate to include this level of operational detail in the Plan but notes that in accordance with its standard operating procedures, activities that are identified as a controlled activity are generally not publicly notified.</p>  |
| Further submissions – Petroleum Exploration and Production Association of New Zealand (37) |                  | Oppose   |  |
| 51 - Taranaki Energy Watch   | 868              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 26 of the Plan by amending the activity classification to make exploration or appraisal of well drilling so that it is a :</p> <ul style="list-style-type: none"> <li>discretionary activity (rather than controlled activity)</li> </ul> | <p><b>Decline</b></p> <p>The Council declines the relief sought by the submitter (although noting that some matters are already addressed in the Plan).</p>  |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
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|  |                  | <ul style="list-style-type: none"> <li>• non-complying activity in open coast, estuaries modified and port areas</li> <li>• prohibited activity in the coastal managements areas of outstanding value and estuaries unmodified</li> </ul>   | <p>The Council believes that it is important to differentiate between hydrocarbon <u>exploration</u> activities and later <u>production</u> activities as they are totally different activities with totally different associated environmental effects, i.e. due to the increased scale of activities and therefore effects associated with the construction and operation of an offshore petroleum production installation.</p> <p>The effects associated with seabed exploration drilling will generally be less than minor in the Open Coast or Port, subject to compliance with standards, terms and conditions set out in Rule 26. Through the consenting process, relevant environmental effects associated with the drilling will be appropriately managed and specific conditions applied to ensure any adverse effects are appropriately avoided, mitigated or remediated.</p> <p>Drilling activities in the Open Coast or Port that cannot comply with the standards, terms and conditions of Rule 26 are a discretionary activity (under Rule 27). It is also noted that drilling in Estuaries Modified is already addressed in the Plan as a non-complying activity (under Rule 28).</p> <p>The Council emphasises that Rule 26 already excludes drilling areas from the Outstanding Value, Estuary Unmodified and Estuary Modified coastal management areas. Non-complying activities require a resource consent and Council cannot grant the consent unless the effects of the activity are minor and the activity is not contrary to the objectives and policies of the Plan. This represents a high level of protection.</p> |
| Further submissions – Petroleum Exploration and Production Association of New Zealand (37) |                  | Oppose  |   |
| 51 - Taranaki Energy Watch   | 869              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 26 of the Plan to identify how many exploration wells can be drilled by a company as part of “exploration and appraisal well drilling”. In cases where more than one exploration well is drilled indicate how this will affect the buffer zone area.</p> |   |
| Further submissions – Petroleum Exploration and Production Association of New Zealand (37) |                  | Oppose  | <p><b>Accept</b></p> <p>The submitter is concerned that multiple wells may be drilled as a controlled activity when advice to the Council from the Cawthron Institute regarding separation distances recommended larger distances than those identified in the Rule standards, terms and conditions.</p> <p>The Council agree to amendments to Rule 26 in response to the concerns of the submitter.</p> <p>Prior to the notification of the Proposed Plan, the Council sought advice from the Cawthron Institute on appropriate buffer distances for exploration and appraisal drilling activities. The advice received noted that effects on benthic communities are generally localised and associated with the deposition of drilling material at, or near the drilling site. A 1,000 m buffer distance was recommended by Cawthron for exploration drilling activities involving a single</p>  |

| Submitter                      | Submission point | Submitter's requests  | Council's response and decisions   |
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|                                |                  |   | <p>well, however, a greater distance (possibly greater than 6,000 m) was advised for drilling campaigns where multiple wells were to be drilled.</p> <p>The Council considers the current buffer Condition (a) to be appropriate for single well (exploration) drilling operations but considers that the rule should offer direction for multiple wells. The Council notes that the environmental effects of concern associated with multiple wells relates to the cumulative effects of drilling cuttings and fluids being discharged and deposited on the seabed. The Council considers that, under the controlled activity classification, drilling of this nature should not occur unless the drilling fluids and cuttings are removed during the drilling process prior to being discharged.</p> <p>At the hearing, the submitter also sought amendment to Condition (a) to clarify that the drilling activity does not involve the discharge or deposition of drilling muds. The Council agrees to amending Condition (a) to read as follows:</p> <p><i><u>(a) the activity does not involve the discharge or deposition of drilling fluids, muds or cuttings:</u></i></p> <p><i><u>(i) within 2,000 m of any seabed location where drilling has occurred in the previous five years; or</u></i></p> <p><i><u>(ii) from multiple wells originating from a single well head; [...]</u></i></p> <p>The Council also considers that further direction with regards to the disposal of drilling fluids and cuttings is required and agrees to a footnote to read as follows:</p> <p><i><u>Drilling fluids, muds and cuttings must be removed for authorised disposal.</u></i></p> |
| 53 - Taranaki Regional Council | 870              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Activity Description (b) of Rule 26 of the Plan to read:</p> <p>(b) <u>temporary exclusive</u> occupation of space in the common marine and coastal area; [...]</p> | <p><b>Accept</b></p> <p>The Council agrees to granting the relief sought by the submitter to clarify that occupation of space, associated with the drilling activity, in the common marine and coastal area is not permanent.</p>  |
| 58 – Te Atiawa                 | 871              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 26 of the Plan to change the activity classification to discretionary activity (rather than controlled activity).</p>  | <p><b>Decline</b></p> <p>The Council declines the relief sought by the submitter.</p>  |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
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| Further submissions – Petroleum Exploration and Production Association of New Zealand (37) |                  | Oppose  | <p>The Council notes that the seabed drilling in the Open Coast and Port is a permitted activity under the current Plan but is proposed to be a controlled activity for which a resource consent is required. It is important to differentiate between hydrocarbon exploration activities and later production activities as they are totally different activities with totally different associated environmental effects, i.e. due to the increased scale of activities and therefore effects associated with the construction and operation of an offshore petroleum production installation.</p> <p>The drilling associated with seabed exploration is not considered to have more than minor adverse effects, subject to compliance with standards, terms and conditions set out in Rule 26. Through the consenting process, relevant environmental effects will be appropriately managed and, in part reflecting a precautionary approach, specific conditions apply whereby the activity must be 2,000m or more from the line of the mean high water springs or from any Outstanding Value coastal management area, 1,000 m or more from any sensitive marine benthic habitats, including reef systems, and 2,000 m from any other drilling site.</p> <p>The development of the rules regime and proposed standards, terms and conditions were informed by the report <i>Offshore Petroleum Drilling Review</i> (August 2015). Some certainty for drilling activities is considered appropriate, which would not be the case if the activity was made a discretionary activity.</p> |
| Further submissions 55 – Kiwis Against Seabed Mining (55)                                  |                  | Support   |  |
| 58 – Te Atiawa   | 872              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 26 of the Plan to change the reference to Schedule 5 in the Conditions to Schedules 5A and 5B.</p>   | <p><b>Accept</b></p> <p>The Council agrees to granting the relief sought by the submitter.</p>   |
| 58 – Te Atiawa   | 873              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Conditions (c) and (e) of Rule 26 of the Plan to read as follows:</p> <p><i>(c) drilling is not undertaken <u>in the airspace above and in the ground below to the earth's core within any site identified in Schedule 5 [Historic heritage]; and [...]</u></i></p> <p><i>(e) drilling is undertaken at least <del>2,000 m</del> <u>6,000m</u> from the line of mean high water springs [...]</i></p> | <p><b>Decline</b></p> <p>The Council notes that the seabed drilling in the Open Coast and Port is a permitted activity under the current Plan but is proposed to be a controlled activity for which a resource consent is required. It is important to differentiate between hydrocarbon <u>exploration</u> activities and later <u>production</u> activities as they are totally different activities with totally different associated environmental effects, i.e. due to the increased scale of activities and</p>  |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
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| Further submissions – Petroleum Exploration and Production Association of New Zealand (37) |                  | Oppose  | <p>therefore effects associated with the construction and operation of an offshore petroleum production installation.</p> <p>The drilling associated with seabed exploration is not considered to have more than minor adverse effects, subject to compliance with standards, terms and conditions set out in Rule 26. Through the consenting process, relevant environmental effects will be appropriately managed and, in part reflecting a precautionary approach, specific conditions apply whereby the activity must be 2,000m or more from the line of the mean high water springs or from any Outstanding Value coastal management area, 1,000 m or more from any sensitive marine benthic habitats, including reef systems, and 2,000m from any other drilling site.</p> <p>The development of the rules regime and proposed standards, terms and conditions were informed by the report <i>Offshore Petroleum Drilling Review</i> (August 2015). Some certainty for these uses is considered appropriate, which would not be the case if the activity was made a discretionary activity (with the ability to decline a resource consent application).</p> <p>In relation to the amendments to the Conditions, those relating to (c) are considered unnecessary. The Council does not agree to extending the buffer distance from 2,000 m to 6,000 m from the line of the mean high water springs. The submitter has not provided any additional information as to why the additional buffer area is required. However, the Council notes that Condition (b), (c) and (d) include additional locational constraints that should address any areas of concern.</p> |
| 60 – Te Kaahui o Rauru   | 874              | <b>Amend</b>  | <b>Decline</b>  |
| Further submissions – Petroleum Exploration and Production Association of New Zealand (37) |                  | Submitter seeks amendment to the activity classification of Rule 26 of the Plan by removing the controlled activity classification. | <p>Oppose</p> <p>The Council notes that the seabed drilling in the Open Coast and Port is a permitted activity under the current Plan but is proposed to be a controlled activity for which a resource consent is required. It is important to differentiate between hydrocarbon <u>exploration</u> activities and later <u>production</u> activities as they are totally different activities with totally different associated environmental effects, i.e. due to the increased scale of activities and therefore effects associated with the construction and operation of an offshore petroleum production installation.</p> <p>The drilling associated with seabed exploration is not considered to have more than minor adverse effects, subject to compliance with standards, terms and conditions set out in Rule 26. Through the consenting process, relevant</p>  |



| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
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|  |                  |  | <p>environmental effects will be appropriately managed and, in part reflecting a precautionary approach, specific conditions apply whereby the activity must be 2000 m or more from the line of the mean high water springs or from any Outstanding Value coastal management area, 1,000 m or more from any sensitive marine benthic habitats, including reef systems, and 2,000 m from any other drilling site.</p> <p>The development of the rules regime and proposed standards, terms and conditions were informed by the report <i>Offshore Petroleum Drilling Review</i> (August 2015). Some certainty for drilling activities is considered appropriate, which would not be the case if the activity was made a restricted discretionary, discretionary or non-complying activity.</p>  |
| 61 – Te Rūnanga o Ngāti Ruanui Trust   | 875              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 26 of the Plan by amending the activity classification to make exploration or appraisal of well drilling a discretionary activity (rather than controlled activity)</p> | <p><b>Decline</b></p> <p>The Council declines the relief sought by the submitter.</p> <p>The Council notes that the seabed drilling in the Open Coast and Port is a permitted activity under the current Plan but is proposed to be a controlled activity for which a resource consent is required. It is important to differentiate between hydrocarbon <u>exploration</u> activities and later <u>production</u> activities as they are totally different activities with totally different associated environmental effects, i.e. due to the increased scale of activities and therefore effects associated with the construction and operation of an offshore petroleum production installation.</p>   |
| Further submissions – Petroleum Exploration and Production Association of New Zealand (37) |                  | Oppose   |  |
| Further submissions – Kiwis Against Seabed Mining (55)                                     |                  | Support  | <p>The drilling associated with seabed exploration is not considered to have more than minor adverse effects, subject to compliance with standards, terms and conditions set out in Rule 26. Through the consenting process, relevant environmental effects will be appropriately managed and, in part reflecting a precautionary approach, specific conditions apply whereby the activity must be 2,000 m or more from the line of the mean high water springs or from any Outstanding Value coastal management area, 1,000 m or more from any sensitive marine benthic habitats, including reef systems, and 2,000 m from any other drilling site.</p> <p>The development of the rules regime and proposed standards, terms and conditions were informed by the report <i>Offshore Petroleum Drilling Review</i> (August 2015). Some certainty for drilling activities is considered appropriate, which would not be the case if the activity was made a discretionary activity.</p> |



| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
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| 61 – Te Rūnanga o Ngāti Ruanui Trust   | 876              | <p><b>Amend</b></p> <p>Submitter seeks amendment to the standards, terms and conditions of Rule 26 of the Plan to read:</p> <p><del>(a) drilling is not undertaken within 2,000 m of any site where drilling has occurred in the previous five years; placement of structure and discharge does not adversely affect the matters/values identified for protection by mana whenua in the cultural impact assessment;</del></p> <p><del>(b) drilling is not undertaken directly into or within 1000 m of any sensitive marine benthic habitat identified in Schedule 4B or reef system; discharge complies with tangata whenua indicators referred to in the tangata whenua monitoring plan;</del></p> <p><del>(c) drilling is not undertaken within any site identified in Schedule 5 [Historic heritage]; discharge is consistent with iwi management plan.</del></p> <p><del>(d) drilling does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4A [Significant species and ecosystems];</del></p> <p><del>(e) drilling is undertaken at least 2,000 m from the line of mean high water springs or at least 1,000 m from the boundary of coastal management area — Outstanding Value;</del></p> <p><del>(f) only water based or synthetic based drilling fluids and muds are used; and</del></p> <p><del>(g) activity complies with the general standards in Section 8.6 of this Plan.</del></p> | <p><b>Decline</b></p> <p>The submitter has sought the inclusion of new and amended standards, terms, conditions for Rule 26.</p> <p>The Council declines the relief noting that all matters identified by the submitter would be considered through the consenting process with Policies 1 to 21, 22, 28, 29, 30, 31, 32, 36, 37, 38, 39, 40, 41, 42, 44, 47 and 49 being given effect to. Of note the matters of control in the Rule make provision to address many of the matters sought by the submitter such as cultural heritage and monitoring.</p> <p>The Council are further opposed to deleting those conditions addressing the type of drill muds and fluids used, general height, lighting and noise standards, and effects on natural character, indigenous biodiversity, historic heritage (including sites of significance to Māori) and amenity values, including cumulative effects of multiple drilling sites in a single locality. The development of the rules regime and proposed standards, terms and conditions were informed by the report <i>Offshore Petroleum Drilling Review</i> (August 2015).</p> <p>Through the consenting process, relevant environmental effects associated with drilling will be appropriately managed by compliance with standards, terms and conditions set out in Rule 26. A number of conditions that the submitter seeks to have deleted reflect a precautionary approach. Granting the relief would derogate from that approach, particularly those conditions requiring the activity to be 2,000 m or more from the line of the mean high water springs or from any Outstanding Value coastal management area, 1,000 m or more from any sensitive marine benthic habitats, including reef systems, and 2,000 m from any other drilling site.</p> |
| Further submissions – Petroleum Exploration and Production Association of New Zealand (37) |                  | Oppose  |  |
| Further submissions – Te Atiawa (58)   |                  | Support   |  |
|  | 877              | <b>Amend</b>  | <b>Decline</b>   |

| Submitter                            | Submission point | Submitter's requests  | Council's response and decisions   |
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| 61 – Te Rūnanga o Ngāti Ruanui Trust |                  | <p>Submitter seeks amendment to Rule 26 of the Plan by deleting matters included in the Control/Notification column of the Rule and including the following notification note:</p> <p><u><i>Resource consent applications under this Rule will be notified to tangata whenua.</i></u></p> | <p>In relation to notification requirements, the submitter (and others) has highlighted an issue with the notification requirements stated in the Plan which in turn raises issues with notification requirements in the RMA being regularly changed. The Council notes that, over time the notification requirements identified in the Plan may become misleading and outdated following changes to RMA. Consequently, the Council agrees to amending the heading throughout the rules section to refer only to “matters of control/discretion” and deleting any references to consenting notification requirements from the rules (noting that the relevant notification requirements are set out in sections 95A to 95G of the RMA).</p> <p>The Council further notes that, in addition to the requirements of the RMA, notification to iwi can also be addressed through Mana Whakahono a Rohe agreements without the need to be included in the Plan rules.</p> |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions  |
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| <b>NEW Rule 26A – Disturbance of seabed by mining</b> |                  |  |   |
| 6 – Trans-Tasman Resources Ltd                        | 878              | <p><b>Amend</b></p> <p>Submitter seeks amendment to the Plan by including a new Rule 26A to explicitly address disturbance of the seabed by drilling, which reads as follows:</p> <p><u><i>26A Disturbance of seabed by drilling</i></u></p> <p><u><i>Classification: Permitted activity</i></u></p> <p><u><i>Coastal management areas: Estuaries Unmodified, Estuaries Modified, Open Coast, Port</i></u></p> <p><u><i>Standards, terms and conditions</i></u></p> <p><u><i>(a) Drilling is confined to mud, silt, sand, gravel and other fine sediments;</i></u></p> <p><u><i>(b) drilling does not occur within the Schedule 2 locations or within 200m of the Schedule 2 locations;</i></u></p> <p><u><i>(c) spacing between drilling locations (other than a re-drill or twinning of a hole) is not less than 0.5 km;</i></u></p> <p><u><i>(d) recurrent drilling (other than a re-drill or twinning of a hole) at the same location does not occur more frequently than once every two months;</i></u></p> <p><u><i>(e) the volume of material removed from a drilling location does not exceed 0.3 m<sup>3</sup>;</i></u></p> <p><u><i>(f) the area of seabed disturbed at a drilling location does not exceed 3 m<sup>2</sup>;</i></u></p> <p><u><i>(g) drilling does not have an adverse effect on the values associated with historic heritage identified in Schedule 5 [Historic heritage];</i></u></p> <p><u><i>(h) drilling does not have an adverse effect on any threatened or at risk (declining) species, or any rare and uncommon ecosystem type, including those identified in Schedule 4 [Significant indigenous biodiversity] or any reef system; and</i></u></p> <p><u><i>(i) Taranaki Regional Council is informed of the scale, location and timing of the activity at least five working days before work commences by entering details of the of the activity at <a href="http://www.trc.govt.nz/informcouncil">www.trc.govt.nz/informcouncil</a>.</i></u></p> | <p><b>Grant in kind</b></p> <p>The submitter presented additional evidence on the requested Rule 26A at the hearing of submissions. The submitter clarified that the intent of the rule was to provide a pathway for drilling for the taking of core samples for scientific purposes and considers that this activity is minor and routine.</p> <p>The Council notes that Rule 52 already addresses minor disturbances of the seafloor for the activity of benthic grab samples. The Council considers that the activity described is similar in scale and impact to Rule 52 and agree to amending Rule 52 to broaden the 'gateway' to provide for small-scale drilling for scientific purposes as a permitted activity.</p> <p>The Council notes that the drilling activity must comply with all the standards, terms and conditions, which, amongst other things, set specific limits to ensure that the effects will be less than minor. If the activity is unable to comply with the standards, terms and conditions, a resource consent is required. The Council agrees to the inclusion of a revised controlled activity rule and a new restricted discretionary rule (depending upon coastal management area affected) to allow for drilling in circumstances where the activity cannot meet the permitted activity standards, terms and conditions .</p> <p>The Council refers the submitter to Rules 52, 52A and 52B and note that Rule 52A has also been crafted to address geotechnical bore hole drilling amongst others.</p> |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions  |
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| Further submissions – Climate Justice Taranaki Inc (21), Te Rūnanga o Ngāti Mutunga (40), Te Korowai o Ngāruahine Trust (41), Royal Forest and Bird Protection Society (43), Te Atiawa (58), Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Oppose  |   |
| Further submissions – Port Taranaki Ltd (32)  |                  | Oppose in part  |   |
| Further submissions – Petroleum Exploration and Production Association of New Zealand (37)  |                  | Neutral   |   |
| <b>Rules 26, 27 and 28 – Exploration or appraisal of well drilling in the Open Coast or Port</b>  |                  |   |   |
| 21 – Climate Justice Taranaki   | 879              | <p><b>Amend</b></p> <p>Submitter seeks that drilling of any petroleum exploration or appraisal well and associated activities in the coastal marine area be a prohibited activity</p> <p>OR</p> <p>If this is not acceptable to Council, seek that the drilling of any petroleum exploration or appraisal well and associated activities in the Open Coast and Port be a discretionary activity (rather than controlled activity) and that consent applications be Publicly Notified (whether the activity is deemed Discretionary or Controlled)</p> <p>OR</p> <p>If Rule 26 retains its controlled activity status, seek that the setback distance of 1,000m from sensitive marine benthic habitat (Schedule 4B), reef system or boundary of Outstanding Value coastal management areas be increased to at least 6,000 m.</p> | <p><b>Decline</b></p> <p>The Council declines the relief sought by the submitter.</p> <p>The Council notes that the seabed drilling in the Open Coast and Port is a permitted activity under the current Plan but is proposed to be a controlled activity for which a resource consent is required. It is important to differentiate between hydrocarbon <u>exploration</u> activities and later <u>production</u> activities as they are totally different activities with totally different associated environmental effects, i.e. due to the increased scale of activities and therefore effects associated with the construction and operation of an offshore petroleum production installation.</p> <p>The drilling associated with seabed exploration should not result in more than minor adverse effects, subject to compliance with standards, terms and conditions set out in Rule 26. It is therefore considered inappropriate to make this activity a discretionary activity yet alone a prohibited activity.</p> <p>The submitter states that if the controlled activity status is retained, then they seek extended set back distances (from 1,000 m to 6,000 m) to be made from sensitive marine benthic habitat, reef systems or the boundary of Outstanding Value coastal management areas. No information has been provided to demonstrate why the proposed buffer distances are more appropriate</p> |
| Further submissions – Port Taranaki Ltd (32), Petroleum Exploration and Production Association of New Zealand (37)  |                  | Oppose  |   |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
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|  |                  |   | compared to those adopted in the Rule and which were based on Cawthron recommendations set out in their advice entitled <i>Petroleum Drilling Activities: Buffer Distances From Outstanding Areas and Substrate Types Requiring Protection</i> .  |
| <b>Rules 26 to 30 – Exploration or appraisal well drilling</b>   |                  |   |   |
| 51 - Taranaki Energy Watch   | 880              | <p><b>Amend</b></p> <p>Submitter supports the bundling of consents in Rules 26 to 30 of the Plan and that activities that include an onshore and offshore component should be bundled together, however, opposes the use of bundling to make all petroleum activities a controlled activity in the coastal marine area.</p>   | <p><b>Decline</b></p> <p>The Council note the submitter's support in relation to bundling the onshore and offshore components of drilling.</p> <p>In relation to the submitter's opposition to bundling all petroleum activities as a controlled activity in the coastal marine area, the Council notes that the rules differentiate between hydrocarbon <u>exploration</u> activities and later <u>production</u> activities. Accordingly not "all" petroleum related activities have been bundled in this Rule. Separate rules apply recognising the different phases of hydrocarbon exploration and production activities and associated environmental effects, i.e. due to the increased scale of activities and therefore effects associated with the construction and operation of an offshore petroleum production installation.</p> <p>In relation to drilling activities, the 'bundled' activities identified in the Activity Description are incidental activities that would typically occur in association with any drilling activity. Their effects are considered and addressed as part of the standards, terms and conditions set out in the Rule.</p> |
| Further submissions – Port Taranaki Ltd (32), Petroleum Exploration and Production Association of New Zealand (37) |                  | Oppose  |   |
| Further submissions – Te Korowai o Ngāruahine Trust (41)   |                  | Support   |   |
| 51 - Taranaki Energy Watch   | 881              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rules 26-30 of the Plan by:</p> <ul style="list-style-type: none"> <li>• incorporating a precautionary approach in the rules</li> <li>• having regard to the <i>Marine Oil Spill Contingency Plan (MOSCP, 2012)</i>, in particular <i>Appendix 4. Sensitive Site Coastal Info</i> when considering the rules notification and activity status</li> <li>• applying an assessment criteria to discretionary oil and gas activities within the coastal marine area that includes consideration of low probability but significant adverse effects events and buffer zones as appropriate planning tools</li> </ul> | <p><b>Decline</b></p> <p>The Council suggests that Rules 26 to 30 of the Plan do incorporate a precautionary approach, whereby for drilling in the Open Coast or Port (for which the activity and adverse effects are relatively low, subject to compliance with standards, terms and conditions) conditions have been applied that includes buffer distances based on Cawthron advice requiring the activity to be 2,000 m or more from the line of the mean high water springs or from any Outstanding Value coastal management area, 1,000 m or more from any sensitive marine benthic habitats, including reef systems, and 2,000 m from any other drilling site.</p>   |



| Submitter   | Submission point | Submitter's requests  | Council's response and decisions   |
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|   |                  | <ul style="list-style-type: none"> <li>add a requirement to publically notify under these rules.</li> </ul> |  |
| Further submissions – Climate Justice Taranaki Inc (21), Te Korowai o Ngāruahine Trust (41) |                  | Support   |  |
| Further submissions – Petroleum Exploration and Production Association of New Zealand (37)  |                  | Oppose  |  |
| Further submissions – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd (46)                    |                  | Oppose/Oppose in part   | <p>Rules 27 to 30 relate to drilling activities not being able to comply with Rule 26 and/or later production activities (which involve an increased scale of activities and therefore effects associated with the construction and operation of an offshore petroleum production installation). These Rules require any drilling or later production activities to be considered as a discretionary activity or a non-complying activity depending upon coastal management area affected. Through the consenting process, relevant environmental effects will be appropriately considered and Policies 1 to 21, 22, 28, 29, 30, 31, 32, 36, 37, 38, 39, 40, 41, 42, 44, 47 and 49, including Policy 3 relating to the adoption of a precautionary approach.</p> <p>The development of the rules regime and proposed standards, terms and conditions were informed by the report <i>Offshore Petroleum Drilling Review</i> (August 2015). It included consideration of the <i>Marine Oil Spill Contingency Plan (2012)</i> when considering the rules notification and activity status. However, through the consenting process this and other relevant strategies, plans and reports will be further considered. Throughout this Plan review process the consideration of low probability but significant adverse effects events have been considered and work commissioned to investigate buffer zones as appropriate planning tools.</p> <p>In relation to public notification, the Council notes that such operational matters are not a content requirement of a Plan and are addressed separately in accordance with the Council's consenting standard operating procedures which have been determined from requirements under section 95A to 95G of the RMA.</p> <p>At the hearing, the submitter presented further on the on Rules 26 to 30 requesting that all exploration activities be required to provide an assessment of effects for the activity of production also. The Council declines this relief noting that it is unreasonable and inefficient to assess the effects of exploration and production during the exploration phase. First, there is no certainty that production will occur. Second, consenting an activity that might not occur until sometime in the future, may have a perverse outcome in that new information on environmental effects might arise in the interim but the activity has already been authorised.</p> |



| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
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| 55 – Kiwis Against Seabed Mining   | 882              | <b>Amend</b><br><br>Submitter seeks amendment to the Plan so that Rules 26 to 30 are, at minimum, a discretionary activity classification and that areas with higher natural and cultural values are either non-complying activities or prohibited activity. | <p><b>No relief necessary/Decline</b></p> <p>The submitter seeks that all drilling and production activities in the coastal marine area be a discretionary activity, at the very least, and non-complying or prohibited activity within areas with higher natural and cultural values.</p> <p>The Council notes that the Rules 27 to 30 already give effect to the relief sought by the submitter (but not in relation to Rule 26).</p> <p>For Rules 27 to 30, the Council suggests no relief is necessary as drilling and production activities in the coastal marine area are already a discretionary or non-complying activity depending upon what coastal management area the activity occurs in. As part of that framework, Outstanding Value. Estuaries Unmodified and Estuaries Modified coastal management areas have a higher level of regulatory protection under the Plan.</p> <p>However, drilling activities in the Open Coast or Port coastal management areas, are currently proposed to be a controlled activity (noting it is a permitted activity under the current Plan). This is considered appropriate as drilling associated with seabed exploration should have less than minor adverse effects, subject to compliance with standards, terms and conditions set out in Rule 26. It is important to differentiate between hydrocarbon <u>exploration</u> activities and later <u>production</u> activities as they are totally different activities with totally different associated environmental effects, i.e. due to the increased scale of activities and therefore effects associated with the construction and operation of an offshore petroleum production installation. The Council does not consider it appropriate to require this activity to be a discretionary activity.</p> |
| Further submissions – Climate Justice Taranaki Inc (21), Te Korowai o Ngāruahine Trust (41)  |                  | Support  |   |
| Further submissions – Petroleum Exploration and Production Association of New Zealand (37), Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd (46) |                  | Oppose   |   |
| 56 – Greenpeace  | 883              | <b>Amend</b><br><br>Submitter seeks amendment to the Plan so that Rules 26 to 30 are, at minimum, a discretionary activity classification.   |   |
| Further submissions – Climate Justice Taranaki Inc (21), Te Korowai o Ngāruahine Trust (41)  |                  | Support  | <p><b>Decline</b></p> <p>The submitter seeks that all drilling and production activities in the coastal marine area be a discretionary activity at the very least and non-complying or prohibited activity within areas with higher natural and cultural values.</p> <p>The Council notes that the Rules 27 to 30 already give effect to the relief sought by the submitter (but not in relation to Rule 26).</p> <p>For Rules 27 and 30, the Council suggests no relief is necessary as drilling and production activities in the coastal marine area are already a discretionary or non-complying activity depending upon what coastal management area the activity occurs in.</p>  |
| Further submissions – Petroleum Exploration and Production Association of New Zealand (37), Z  |                  | Oppose   |   |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
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| Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd 46)                                      |                  |   | However, drilling activities in the Open Coast or Port coastal management areas, are currently proposed to be a controlled activity (it is a permitted activity under the current Plan). This is considered appropriate as drilling associated with seabed exploration should have less than minor adverse effects, subject to compliance with standards, terms and conditions set out in Rule 26. It is important to differentiate between hydrocarbon exploration activities and later production activities as they are totally different activities with totally different associated environmental effects, i.e. due to the increased scale of activities and therefore effects associated with the construction and operation of an offshore petroleum production installation. The Council does not believe it appropriate to require this activity to be a discretionary activity. |
| <b>Rule 27 – Exploration or appraisal of well drilling in the Open Coast or Port</b> |                  |   |  |
| 25 – New Zealand Petroleum and Minerals  | 884              | <b>Support</b><br>Retain Rule 27 of the Plan as notified<br>OR<br>Amend to restricted discretionary and include similar matters of discretion to the matters of control in Rule 26. | <b>Accept</b><br>Support for retaining Rule 27 noted.  |
| Further submissions – Trans-Tasman Resources (6)                                     |                  | Support   |  |
| 42 – Ngati Rahiri Hapū   | 885              | <b>Other</b><br>Submitter question why the standards, terms and conditions and the control and notification columns are left blank for this discretionary activity rule.            | <b>No relief necessary</b><br>The submitter question why there are no standards, terms and conditions for rules in the Plan relating to discretionary activities.<br>The Council notes that it is not standard planning practice for discretionary activity rules to include standards, terms and conditions. Conditions relating to a discretionary activity are developed on a case-by-case basis through the consenting process having regard to the relevant Plan policies.  |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
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| 43 – Royal Forest and Bird Protection Society            | 886              | <b>Amend</b>   | <b>Decline</b><br><br>The Council declines the relief sought noting that “ <i>temporary</i> ” requires some context and temporary occupation will depend upon a broad consideration of all relevant policies and would be best determined on a case-by-case basis through the consenting process.   |
|  |                  | Submitter suggests that the application of Rule 26 is uncertain as to what duration of occupation is considered temporary under Activity (b). Submitter seeks amendment to the Plan to include a policy or definition of temporary occupation.   |   |
|  |                  | Further submissions – Petroleum Exploration and Production Association of New Zealand (37)   |   |
| Further submissions – Taranaki Energy Watch (51)         |                  | Support  |   |
| 43 – Royal Forest and Bird Protection Society            | 887              | <b>Amend</b>   | <b>Accept in part</b><br><br>The submitter suggests that exploration and appraisal well drilling activities generates noise, vibration and disturbance that has adverse effects on marine mammals. They note that noise, vibration and disturbance can be as or more significant than for production wells and are unclear as to how the Council will ensure that activities will not have adverse effects that extend into Outstanding Value, Estuaries Unmodified and Estuaries Modified management areas.<br><br>The Council agrees to amend relevant policies in the Plan that address, in part, some of the matters sought by the submitter. |
|  |                  | Submitter seeks other reliefs to the Plan that give effect to policies 11, 13, and 15 of the <i>New Zealand Coastal Policy Statement</i> and so that they provide direction for considering consent applications under this rule.  |   |
| 58 – Te Atiawa   | 888              | <b>Amend</b>   | <b>Decline</b><br><br>The submitter has sought the inclusion of standards, terms and conditions for a discretionary activity rule.<br><br>The Council notes that it is not standard planning practice for discretionary activity rules to include standards, terms and conditions. Conditions relating to a discretionary activity are developed on a case-by-case basis through the consenting process having regard to the relevant Plan policies.  |
|  |                  | Submitter seeks amendment to Rule 27 of the Plan to include two new standards, terms and conditions to read:<br><br><i>(a) drilling is not undertaken in the airspace above and in the ground below to the earth's core within any site identified in Schedule 5 [Historic heritage]; and</i><br><br><i>(b) drilling is undertaken at least 6,000m from the line of mean high water springs.</i> |   |
| Further submissions – Te Korowai o Ngāruahine Trust (41) |                  | Support  |   |
| 61 – Te Rūnanga o Ngāti Ruanui Trust                     | 889              | <b>Amend</b>   | <b>Decline</b><br><br>The submitter has sought the inclusion of standards, terms and conditions for rules in the Plan relating to discretionary and non-complying activities.   |
|  |                  | Submitter seeks amendment to Rule 27 of the Plan to include standards, terms and conditions to read:   |   |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
|--|------------------|--|---|
|  |                  | <p><u><i>(a) exploration or appraisal well drilling does not adversely affect the matters/values identified for protection by mana whenua in the cultural impact assessment;</i></u></p> <p><u><i>(b) exploration or appraisal well drilling complies with tangata whenua indicators referred to in the tangata whenua monitoring plan</i></u></p> <p><u><i>(c) exploration or appraisal well drilling is consistent with iwi management plan.</i></u></p> <p>AND</p> <p>Include the following notification note:</p> <p><u><i>Resource consent applications under this Rule will be notified to tangata whenua.</i></u></p> | <p>The Council declines the relief noting that it is not standard planning practice for discretionary activity or non-complying activity rules to include standards, terms and conditions. Conditions relating to a discretionary activity are developed on a case-by-case basis through the consenting process having regard to the relevant Plan policies.</p> <p>The Council note that all the matters identified by the submitter would be considered through the consenting process with Policies 1 to 21, 22, 28, 29, 30, 31, 32, 36, 37, 38, 39, 40, 41, 42, 44, 47 and 49 being given effect to.</p> <p>In relation to notification requirements proposed by the submitter, the Council notes that the Plan is not intended to provide the operational detail for implementing every aspect of the Plan. Such detail is more appropriately included in the Council's standard operating procedures and or Mana Whakahono a Rohe agreements.</p> <p>In relation to notification requirements, the submitter (and others) has highlighted an issue with the notification requirements stated in the Plan which in turn raises issues with notification requirements in the RMA being regularly changed. The Council notes that, over time the notification requirements identified in the Plan may become misleading and outdated following changes to RMA. Consequently, the Council agrees to amending the heading throughout the rules section to refer only to "matters of control/discretion" and deleting any references to consenting notification requirements from the rules (noting that the relevant notification requirements are set out in sections 95A to 95G of the RMA).</p> |
| Further submissions – Petroleum Exploration and Production Association of New Zealand (37)   |                  | Oppose   |   |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Korowai o Ngāruahine Trust (41), Te Atiawa (58)  |                  | Support  |   |
| <b>Rule 28 – Exploration or appraisal of well drilling in coastal management areas: Outstanding Value, Estuaries Unmodified and Estuaries Modified</b> |                  |  |   |
| 25 – New Zealand Petroleum and Minerals  | 890              | <b>Support</b>   | <b>Accept</b>   |
|  |                  | Retain Rule 28 of the Plan as notified.  | Support noted.  |
| Further submissions – Trans-Tasman Resources (6)   |                  | Support  |   |
| 40 – Te Rūnanga o Ngāti Mutunga  | 891              | <b>Support</b>   | <b>Accept</b>   |
|  |                  | Retain Rule 28 of the Plan as notified.  | Support noted.  |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions  |
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| 43 – Royal Forest and Bird Protection Society         | 892              | <b>Amend</b>   | <b>Decline</b>  |
|   |                  | Submitter seeks amendment to Rule 28 of the Plan to make exploration or appraisal of well drilling in the Outstanding Value, Estuaries Unmodified and Estuaries Modified coastal management areas a prohibited activity (rather than a non-complying activity).  | The Council does not believe it is appropriate to preclude any consideration of any exploration activities being considered in these areas regardless of any environmental effect considerations.<br><br>The Council notes that a non-complying activity already has a very high level of regulatory protection whereby a resource consent cannot be granted unless the effects of the activity are minor and the activity is not contrary to the objectives and policies of the Plan. Of note, the policies themselves are also very prescriptive.   |
| Further submissions – Department of Conservation (29) |                  | Support  |   |
| 51 – Taranaki Energy Watch                            | 893              | <b>Amend</b>   | <b>Decline</b>  |
|   |                  | Submitter seeks amendment to the Rule 28 of the Plan to make exploration or appraisal of well drilling in the Outstanding Value, Estuaries Unmodified and Estuaries Modified coastal management areas a prohibited activity (rather than a non-complying activity).  | The Council does not believe it is appropriate to preclude any consideration of any exploration or appraisal of well drilling in the Outstanding Value, Estuaries Unmodified and Estuaries Modified coastal management areas.<br><br>The Council notes that non-complying activity already provides a very high level of regulatory protection whereby a resource consent cannot be granted unless the effects of the activity are minor and the activity is not contrary to the objectives and policies of the Plan. Of note the policies themselves are also very prescriptive.   |
| 58 – Te Atiawa  | 894              | <b>Support</b>   | <b>Accept</b>   |
|   |                  | Retain Rule 28 of the Plan as notified.  | Support noted.  |
| 61 – Te Rūnanga o Ngāti Ruanui Trust                  | 895              | <b>Amend</b>   | <b>Decline</b>  |
|   |                  | Submitter seeks amendment to Rule 28 of the Plan to include standards, terms and conditions to read:<br><br><i><u>(a) exploration or appraisal well drilling does not adversely affect the matters/values identified for protection by mana whenua in the cultural impact assessment;</u></i><br><br><i><u>(b) exploration or appraisal well drilling complies with tangata whenua indicators referred to in the tangata whenua monitoring plan</u></i><br><br><i><u>(c) exploration or appraisal well drilling is consistent with iwi management plan.</u></i><br><br>AND<br>Include the following notification note: | The submitter has sought the inclusion of standards, terms and conditions for rules in the Plan relating to discretionary and non-complying activities.<br><br>The Council declines the relief noting that it is not standard planning practice for discretionary activity or non-complying activity rules to include standards, terms and conditions. Conditions relating to a non-complying activity are developed on a case-by-case basis through the consenting process having regard to the relevant Plan policies.<br><br>The Council notes that all matters identified by the submitter would be considered through the consenting process with Policies 1 to 21, 22, 28, 29, 30, 31, 32, 36, 37, 38, 39, 40, 41, 42, 44, 47 and 49 being given effect to. |



| Submitter   | Submission point | Submitter's requests   | Council's response and decisions   |
|---|------------------|--|--|
|   |                  | <u><i>Resource consent applications under this Rule will be notified to tangata whenua.</i></u>  |  |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Korowai o Ngāruahine Trust (41), Te Atiawa (58)                 |                  | Support  | <p>In relation to notification requirements proposed by the submitter, the Council also notes that the Plan is not intended to provide the operational detail for implementing every aspect of the Plan. Such detail is more appropriately included in the Council's standard operating procedures and/or any Mana Whakahono a Rohe agreements.</p> <p>In relation to notification requirements, the submitter (and others) has highlighted an issue with the notification requirements stated in the Plan which in turn raises issues with notification requirements in the RMA being regularly changed. Council note that, over time the notification requirements identified in the Plan may become misleading and outdated following changes to RMA. Consequently, the Council agrees to amending the heading throughout the rules section to refer only to "matters of control/discretion" and deleting any references to consenting notification requirements from the rules (noting that the relevant notification requirements are set out in sections 95A to 95G of the RMA).</p> |
| <b>Rule 29 – Petroleum production installation erection or placement in coastal management areas: Port and Open Coast</b> |                  |  |  |
| 25 – New Zealand Petroleum and Minerals   | 896              | <b>Support</b>   | <b>Accept</b>  |
|   |                  | Retain Rule 29 of the Plan as notified.  | Support noted.   |
| Further submissions – Port Taranaki Ltd (32)  |                  | Support  |  |
| 40 – Te Rūnanga o Ngāti Mutunga   | 897              | <b>Amend</b>   | <b>Decline</b>   |
|   |                  | Submitter seeks amendment to Rule 29 of the Plan to include the addition of the conditions listed for Rule 26 with the alteration from 2,000m to 6,000m as outlined for that rule. | The submitter has sought the inclusion of standards, terms and conditions for rules in the Plan relating to a discretionary activity. The Council declines the relief noting that it is not standard planning practice for discretionary activity rules to include standards, terms and conditions.  |
| Further submissions – Department of Conservation (29)   |                  | Support  | The Council notes that the rules differentiate between hydrocarbon exploration activities and later production activities. Due to the increased scale of effects associated with the construction and operation of an offshore petroleum production installation it may be that a buffer distance of 6,000 m from the line of the mean high water springs is appropriate. However, the Council still considers it is appropriate that locational and other considerations be addressed on a case-by-case basis (noting that Council may decide not to  |



| Submitter                                     | Submission point | Submitter's requests   | Council's response and decisions   |
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|   |                  |  | grant a consent if not satisfied that adverse effects can be appropriately avoided, remedied or mitigated) as part of a consenting process.  |
| 42 – Ngati Rahiri Hapū                        | 898              | <b>Other</b>   | <b>No relief necessary</b>   |
|   |                  | Submitter question why the standards, terms and conditions and the control and notification columns are left blank for this discretionary activity rule.   | The Council notes that it is not standard planning practice for discretionary activity rules to include standards, terms and conditions. Conditions relating to a discretionary activity are developed on a case-by-case basis through the consenting process having regard to the relevant Plan policies.   |
| 43 – Royal Forest and Bird Protection Society | 899              | <b>Other</b>   | <b>No relief necessary</b>   |
|   |                  | <p>The submitter notes that the installation and placement for petroleum production and drilling activities generate noise, vibration and disturbance which has an adverse effect on marine species and habitats. The submitter is unclear how the Council will ensure that activities will not have adverse effects that extend into Outstanding Value, Estuaries Unmodified and Estuaries Modified coastal management areas.</p> <p>Submitter seeks amendment to the Plan, as sought, to give effect to policies 11, 13, and 15 of the <i>New Zealand Coastal Policy Statement</i> and so they provide direction for considering consent applications under this rule.</p> | <p>The Council notes that amendments have been made to relevant policies in the Plan that address in part some of the matters sought by the submitter in relation to giving effect to Policies 11, 13, and 15 of the <i>New Zealand Coastal Policy Statement</i>.</p> <p>The Council notes that all matters identified in Policies 1 to 21, 22, 28, 29, 30, 31, 32, 36, 37, 38, 39, 40, 41, 42, 44, 47 and 49 would be considered and given effect to as part of any resource consent application. The Council considers that these policies would provide the necessary direction and guidance to inform Council decision-making (noting that Council may decide not to grant a consent if it is not satisfied that adverse effects can be appropriately avoided, remedied or mitigated).</p>   |
| 58 – Te Atiawa                                | 900              | <b>Amend</b>   | <b>Decline</b>   |
|   |                  | <p>Submitter seeks amendment to Rule 29 to include two new conditions to read:</p> <p><i>(a) drilling is not undertaken in the airspace above and in the ground below to the earth's core within any site identified in Schedule 5 [Historic heritage]; and;</i></p> <p><i>(b) drilling is undertaken at least 6,000m from the line of mean high water springs.</i></p>  | <p>The submitter has sought the inclusion of standards, terms and conditions for rules in the Plan relating to a discretionary activity.</p> <p>The Council declines the relief sought noting that it is not standard planning practice for discretionary activity rules to include standards, terms and conditions.</p> <p>The Council notes that the rules differentiate between hydrocarbon exploration activities and later production activities. Due to the increased scale of effects associated with the construction and operation of an offshore petroleum production installation it maybe that a buffer distance of 6,000 m from the line of the mean high water springs is appropriate. However, the Council still considers it is appropriate that locational and other considerations be addressed on a case-by-case basis (noting that Council may decide not to</p> |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions   |
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|   |                  |  | grant a consent if not satisfied that adverse effects can be appropriately avoided, remedied or mitigated) as part of a consenting process.  |
| 61 – Te Rūnanga o Ngāti Ruanui Trust  | 901              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 29 to include standards, terms and conditions to read:</p> <p><i><u>(a) placement of a structure and discharge does not adversely affect the matters/values identified for protection by mana whenua in the cultural impact assessment;</u></i></p> <p><i><u>(b) placement of a structure and discharge complies with tangata whenua indicators referred to in the tangata whenua monitoring plan</u></i></p> <p><i><u>(c) placement of a structure and discharge is consistent with iwi management plan.</u></i></p> <p>AND</p> <p>Include the following notification note:</p> <p><i><u>Resource consent applications under this Rule will be notified to tangata whenua.</u></i></p> | <p><b>Decline</b></p> <p>The submitter has sought the inclusion of standards, terms and conditions for rules in the Plan relating to Discretionary Activities.</p> <p>The Council declines the relief sought noting that it is not standard planning practice for discretionary activity rules to include standards, terms and conditions. Conditions relating to a discretionary activity are developed on a case-by-case basis through the consenting process having regard to the relevant Plan policies.</p> <p>The Council notes that all matters identified by the submitter would be considered through the consenting process with Policies 1 to 21, 22, 28, 29, 30, 31, 32, 36, 37, 38, 39, 40, 41, 42, 44, 47 and 49 being given effect to.</p> <p>In relation to notification requirements proposed by the submitter, the Council notes that the Plan is not intended to provide the operational detail for implementing every aspect of the Plan. Such detail is more appropriately included in the Council's standard operating procedures and or Mana Whakahono a Rohe agreements.</p> <p>In relation to notification requirements, the submitter (and others) has highlighted an issue with the notification requirements stated in the Plan which in turn raises issues with notification requirements in the RMA being regularly changed. The Council notes that, over time the notification requirements identified in the Plan may become misleading and outdated following changes to RMA. Consequently, the Council agrees to amending the heading throughout the rules section to refer only to "matters of control/discretion" and deleting references to consenting notification requirements in the rules (noting that the relevant notification requirements are set out in sections 95A to 95G of the RMA).</p> |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) |                  | Support  |  |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
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| <b>Rules 29 and 30 – Petroleum production installation erection or placement</b>   |                  |   |  |
| 21 – Climate Justice Taranaki  | 902              | <p><b>Amend</b></p> <p>Submitter opposes the drilling of new production wells but would support provisions for the maintenance and occupation of space by existing wells and associated infrastructure. If any new production wells are to be drilled, then prudent buffer distances should apply.</p> <p>Submitter supports provisions for the maintenance and occupation of space by existing wells and associated infrastructure but seek that the setback distance from sensitive marine benthic habitat (Schedule 4B), reef system or boundary of coastal marine area Outstanding Value be at least 6,000 m.</p> | <p><b>No relief necessary</b></p> <p>The Council considers that the issues raised by the submitter are already addressed in Rules 29 and 30.</p> <p>Pursuant to Rules 29 and 30 any new production well would require a resource consent as a discretionary activity or a non-complying activity, depending upon which coastal management area the activity will occur in. Through those rules a resource consent must be obtained, which would involve the consideration of appropriate buffer distances.</p> <p>The Council notes that the rules differentiate between hydrocarbon exploration activities and later production activities. Due to the increased scale of effects associated with the construction and operation of an offshore petroleum production installation it maybe that a buffer distance of 6,000 m from the line of the mean high water springs is appropriate. However, the Council still considers it is appropriate that locational and other considerations be addressed on a case-by-case basis (noting that Council may decide not to grant a consent if not satisfied that adverse effects can be appropriately avoided, remedied or mitigated) as part of a consenting process.</p> |
| Further submissions – Petroleum Exploration and Production Association of New Zealand (37)   |                  | Oppose  |  |
| Further submissions – Te Korowai o Ngāruahine (41)   |                  | Support   |  |
| <b>Rule 30 – Petroleum production installation erection or placement in coastal management areas: Outstanding Value, Estuaries Unmodified and Estuaries Modified</b> |                  |   |  |
| 21 – Climate Justice Taranaki  | 903              | <p><b>Amend</b></p> <p>Amend Rule 30 of the Plan to be a prohibited activity (rather than non-complying).</p>   | <p><b>Decline</b></p> <p>The Council does not consider it is appropriate to preclude any consideration of an activity being considered regardless of the effects.</p> <p>The Council notes that non-complying activity is already a very high level of regulatory protection whereby a resource consent cannot be granted unless the effects of the activity are minor and the activity is not contrary to the objectives and policies of the Plan. Of note the policies themselves are very prescriptive.</p>   |
| Further submissions – Department of Conservation (29)  |                  | Support   |  |
| Further submissions – Petroleum Exploration and Production Association of New Zealand (37)   |                  | Oppose  |  |
| 25 – New Zealand Petroleum and Minerals  | 904              | <p><b>Support</b></p> <p>Retain Rule 30 of the Plan as notified.</p>  | <p><b>Accept</b></p> <p>Support noted.</p>   |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
|--|------------------|---|--|
| Further submissions – Port Taranaki Ltd (32)   |                  | Support   |  |
| 40 – Te Rūnanga o Ngāti Mutunga  | 905              | <b>Support</b><br>Retain Rule 30 of the Plan as notified.   | <b>Accept</b><br>Support noted.  |
| Further submissions – Petroleum Exploration and Production Association of New Zealand (37) |                  | Support   |  |
| 42 – Ngāti Rahiri Hapū   | 906              | <b>Other</b><br>Submitter question why the standards, terms and conditions and the control and notification columns are left blank for this non-complying activity rule.  | <b>No relief necessary</b><br>The submitter has sought the inclusion of standards, terms and conditions for rules in the Plan relating to a non-complying activity.<br>The Council notes that it is not standard planning practice for non-complying rules to include standards, terms and conditions. Conditions relating to a non-complying activity are developed on a case-by-case basis through the consenting process having regard to the relevant Plan policies.   |
| 43 – Royal Forest and Bird Protection Society  | 907              | <b>Amend</b><br>Submitter seeks amendment to Rule 30 of the Plan to make erection or placement of petroleum production installations in the Outstanding Value, Estuaries Unmodified and Estuaries Modified coastal management areas a prohibited activity (rather than a non-complying activity). | <b>Decline</b><br>The Council does not believe it is appropriate to preclude any consideration of the placement of petroleum production installations in the Outstanding Value, Estuaries Unmodified and Estuaries Modified coastal management areas being considered regardless of the effects.<br>The Council notes that non-complying activity is already a very high level of regulatory protection whereby a resource consent cannot be granted unless the effects of the activity are minor and the activity is not contrary to the objectives and policies of the Plan. Of note, the policies themselves are very prescriptive. |
| Further submissions – Petroleum Exploration and Production Association of New Zealand (37) |                  | Oppose  |  |
| 51 – Taranaki Energy Watch   | 908              | <b>Amend</b><br>Submitter seeks amendment to Rule 30 of the Plan to make erection or placement of petroleum production installations in the Outstanding Value, Estuaries Unmodified and Estuaries Modified coastal management areas a prohibited activity (rather than a non-complying activity). | <b>Decline</b><br>The Council does not consider it is appropriate to preclude any consideration of an activity being considered regardless of the effects.<br>The Council notes that non-complying activity is already a very high level of regulatory protection whereby a resource consent cannot be granted unless  |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions   |
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| Further submissions – Petroleum Exploration and Production Association of New Zealand (37)                |                  | Oppose  | the effects of the activity are minor and the activity is not contrary to the objectives and policies of the Plan. Of note the policies themselves are very prescriptive.  |
| 58 – Te Atiawa  | 909              | <b>Support</b><br>Retain Rule 30 of the Plan as notified.   | <b>Accept</b><br>Support noted. Rule 30 is retained subject to minor inconsequential amendments to better differentiate between placement, maintenance, alteration and extension activities.   |
| Further submissions – Petroleum Exploration and Production Association of New Zealand (37)                |                  | Support   |  |
| 61 – Te Rūnanga o Ngāti Ruanui Trust  | 910              | <b>Amend</b><br>Submitter seeks amendment to the standards, terms and conditions of Rule 30 of the Plan to read:<br><i><u>(a) placement of structure and discharge does not adversely affect the matters/values identified for protection by mana whenua in the cultural impact assessment</u></i><br><i><u>(b) placement of structure and discharge complies with tangata whenua indicators referred to in the tangata whenua monitoring plan</u></i><br><i><u>(c) placement of structure and discharge is consistent with iwi management plan</u></i><br>AND<br>include as a control/notification:<br><i><u>Resource consent applications under this rule will be notified to tangata whenua.</u></i> | <b>Decline</b><br>The submitter has sought the inclusion of standards, terms and conditions for rules in the Plan relating to a non-complying activity.<br>The Council declines the relief sought noting that it is not standard planning practice for non-complying rules to include standards, terms and conditions. Conditions relating to a non-complying activity are developed on a case-by-case basis through the consenting process having regard to the relevant Plan policies.<br>The Council notes that all matters identified by the submitter would be considered through the consenting process with Policies 1 to 21, 22, 28, 29, 30, 31, 32, 36, 37, 38, 39, 40, 41, 42, 44, 47 and 49 being given effect to.<br>In relation to notification requirements proposed by the submitter, the Council notes that the Plan is not intended to provide the operational detail for implementing every aspect of the Plan. Such detail is more appropriately included in the Council's standard operating procedures and/or any Mana Whakahono a Rohe agreements.<br>In relation to notification requirements, the submitter (and others) has highlighted an issue with the notification requirements stated in the Plan which in turn raises issues with notification requirements in the RMA being regularly changed. The Council notes that, over time the notification requirements identified in the Plan may become misleading and outdated following changes to RMA. Consequently, the Council agrees to amending the heading throughout the rules section to refer only to "matters of control/discretion" and deleting references to consenting notification requirements in the rules (noting |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) |                  | Support   |  |



| Submitter   | Submission point | Submitter's requests   | Council's response and decisions   |
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|   |                  |  | that the relevant notification requirements are set out in sections 95A to 95G of the RMA).  |
| <b>Rule 31– Temporary military training</b>             |                  |  |  |
| 29 – Department of Conservation                         | 911              | <b>Amend</b><br>Submitter seeks amendment to Rule 31 to exclude its application to coastal management areas Estuaries Unmodified.  | <b>Decline</b><br>The Council declines the relief sought.<br>The Council considers the relief sought to be unnecessary and excessive. The Council notes that granting the relief sought would exclude the New Zealand Defence Force from carrying out temporary military training exercises in and around a number of Taranaki coastal settlements (such as New Plymouth, Waitara, Urenui and Patea) as a permitted activity. This is despite the activity being a permitted activity in the current Plan and for which there have been no issues to date.   |
| Further submissions – Climate Justice Taranaki Inc (21) |                  | Support in part  |  |
| Further submissions – New Zealand Defence Force (33)    |                  | Oppose in part   |  |
| 33 – New Zealand Defence Force                          | 912              | <b>Amend</b><br>Rule 31 is supported by the New Zealand Defence Force but, seek amendments to the conditions of the rule in the following areas: <ul style="list-style-type: none"> <li>(a) is amended to allow temporary military training to occur for a duration of up to 31 day</li> <li>(d) is removed in its entirety<br/><i>[...] written notice is given to the adjacent territorial authority at least five working days prior to the activity commencing; [...]</i></li> <li>(g) is affected by an amendment to General Standard 8.6.3 [noise]</li> <li>(h) and (j) are retained as notified.</li> </ul> | <b>Accept in part</b><br>The Council agrees to granting most of the reliefs sought by the submitter. Specific comments on each of their submission points are as follows: <ul style="list-style-type: none"> <li>Accept in part: The submitter noted that most temporary military training can be completed in a 31 day period and sought that this be provided for noting that they have sought a similar duration in other plans around the country. The Council agrees to increasing the duration period from 21 days (in the notified Plan) to 30 days noting that this is in alignment with that in other plans around the country and in the interests of inter-regional consistency.</li> <li>Accept: The Council agree to deleting a Condition (d) and the requirement to notify another jurisdictional authority.</li> <li>Refer to submission point 1157 in relation to the Council response on amendments sought to General Standard 8.6.3 [noise].</li> <li>Accept: The Council notes the submitter's support for retaining Conditions (h) and (j).</li> </ul> |
| Further submissions – Climate Justice Taranaki Inc (21) |                  | Oppose   |  |



| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
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| 41 – Te Korowai o Ngāruahine Trust                       | 913              | <b>Amend</b><br>Submitter seeks amendment to Condition (j) of Rule 31 of the Plan to read:<br><i>(b) activity does not have an adverse effect on the values associated with historic heritage identified in Schedule 5A and B Historic heritage; [...]</i> | <b>Accept</b><br><br>The Council agrees to granting the relief sought by the submitter.   |
| Further submissions – New Zealand Defence Force (33)     |                  | Support  |   |
| 42 – Ngati Rahiri Hapū                                   | 914              | <b>Amend</b><br>Submitter seeks amendment to Rule 31 of the Plan to make temporary military training a controlled activity (rather than a permitted activity)<br>AND<br>that there be iwi/hapū consultation in all cases.                                  | <b>Decline</b><br><br>The Council declines the relief sought.<br>The Council considers the relief sought to be unnecessary and excessive. The Council notes temporary military training exercises are already a permitted activity in the current Plan for which there have been no issues identified to date.  |
| Further submissions – Te Korowai o Ngāruahine Trust (41) |                  | Support  | Notwithstanding the above, the Council notes that temporary training activities not able to comply with the standards, terms and conditions of Rule 31 are a controlled activity under Rule 32 or a discretionary or non-complying activity under Rules 33 and 34, depending on the coastal management area involved. The Council further notes Guidance note (1) of that rule that states that iwi authorities that have requested to be informed of this activity will be advised by Council. |
| Further submissions – New Zealand Defence Force (33)     |                  | Oppose   |   |
| 43 – Royal Forest and Bird Protection Society            | 915              | <b>Amend</b><br>Submitter seeks amendment to Rule 31 of the Plan by deleting the Estuaries Unmodified and Estuaries Modified coastal management areas from the rule.   | <b>Decline</b><br><br>The Council declines relief sought by the submitter noting that temporary military training exercises are already a permitted activity for these areas in the current Plan for which there have been no issues identified to date.  |
| Further submissions – Climate Justice Taranaki Inc (21)  |                  | Support in part  | The Council agrees with the submitter in terms of the importance of estuaries to indigenous species but believes the issue has been adequately addressed in the Plan. Conditions (c) and (k) are particularly relevant.   |
| Further submissions – New Zealand Defence Force (33)     |                  | Oppose   | Condition (k) means the activity is subject to the activity being of a scale/type/time/location that it does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4 [Significant indigenous biodiversity].  |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions  |
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|   |                  |  | <p>Many training activities are of a type or carried out at a time that impacts on indigenous biodiversity should not be an issue. However, through Condition (c), which requires that the Council be notified at least five working days prior to the activity being undertaken, the Council will have the opportunity to consider the proposed activity and confirm that that is the case (noting that Council's GIS and other information systems are a significant repository of biodiversity information).</p> <p>If, in the Council's view the activity is of a type or being carried out at a time that there are likely to be adverse impacts on indigenous biodiversity, a resource consent would be required under Rules 32, 33 or 34.</p>  |
| 43 – Royal Forest and Bird Protection Society           | 916              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 31 of the Plan by adding a standard, term and condition that noise and vibration must only be from normal operation of marine vessels and does not include any seismic testing, explosions, artillery or sonar.</p> | <p><b>No relief necessary</b></p> <p>The Council does not believe the amendments sought by the submitter are necessary noting that temporary military training exercises can take a number of forms, only some of which might involve noise and explosions. The effect of those activities are likely to differ depending upon where and when it is carried out. To preclude certain type of activities regardless of the likely adverse effect is not considered appropriate and would be unnecessarily restrictive.</p>   |
| Further submissions – Climate Justice Taranaki Inc (21) |                  | Support in part  |   |
| Further submissions – New Zealand Defence Force (33)    |                  | Oppose   | <p>The Council notes that temporary military training exercises are already a permitted activity for these areas in the current Plan for which there have been no issues identified to date. Notwithstanding that, the Council notes that the Rule includes a number of new conditions. Conditions (c) and (k) are particularly relevant.</p> <p>Condition (k) means the activity is subject to the activity being of a scale/type/time/location that it does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4 [Significant indigenous biodiversity].</p> <p>Many training activities are of a type or carried out at a time that impacts on indigenous biodiversity should not be an issue. However, through Condition (c), which requires that the Council be notified at least five working days prior to the activity being undertaken, Council will have the opportunity to consider the proposed activity and confirm that that is the case (noting that Council's GIS and other information systems are a significant repository of biodiversity information).</p> |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions  |
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|   |                  |  | If, in the Council's view, the activity is of a type or being carried out at a time that there are likely to be adverse impacts on indigenous biodiversity, a resource consent would be required under Rules 32, 33 or 34.  |
| 43 – Royal Forest and Bird Protection Society           | 917              | <b>Amend</b><br>Submitter seeks amendment to Rule 31 by adding new standard, term and condition that the activities must not have lighting at night.   | <b>Decline</b><br>The Council declines the relief sought noting that Rule 31 needs to be read in conjunction with the General Standards set out in Section 8.6 of the Plan which addresses lighting matters.  |
| Further submissions – Climate Justice Taranaki Inc (21) |                  | Support in part  |   |
| 57 – Heritage New Zealand                               | 918              | <b>Amend</b><br>Submitter seeks amendment to the conditions of Rule 31(j) to read:<br><i>(j) activity does not have an adverse effect on the value associated with historic heritage identified in Schedule 5 [Historic Heritage]; and <u>structures and activities are not to be placed at any site identified in Schedule 5; and [...]</u></i> | <b>Decline</b><br>The Council declines the relief sought by the submitter.<br>The Council notes the broad RMA definition of historic heritage, which includes sites and places of significance to Maori. Through this Plan review process most estuaries and reefs have been identified by iwi as significant historic heritage. Accordingly, the relief sought would unnecessarily preclude temporary military training exercises over large parts of the Taranaki coastline regardless of whether the activity is of a type/scale/time/location that it would have an impact on those values.<br>The Council notes that temporary military training exercises are already a permitted activity for these areas in the current Plan for which there have been no issues identified to date. Notwithstanding that, the Council notes that the Rule includes a number of new conditions. Conditions (c) and (j) are particularly relevant.<br>Condition (j) means the activity is subject to the activity being of a scale/type/time/location that it does not have an adverse effect on the values associated with historic heritage identified in Schedule 5A and B (41) [Historic heritage].<br>Many training activities are of a type or carried out at a time that impacts on historic heritage values, e.g. mahinga kai, should not be an issue. However, through Condition (c), which requires that the Council be notified at least five working days prior to the activity being undertaken, Council will have the opportunity to consider the proposed activity and confirm that that is the case. |
| Further submissions – Climate Justice Taranaki Inc (21) |                  | Support in part  |   |
| Further submissions – New Zealand Defence Force (33)    |                  | Oppose   |   |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
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|  |                  |   | If, in the Council's view, the activity is of a type or being carried out at a time that there are likely to be adverse impacts on historic heritage, a resource consent would be required under Rules 32, 33 or 34.  |
| 61 – Te Rūnanga o Ngāti Ruanui Trust                     | 919              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 31 of the Plan to include new or amended standards, terms and conditions to read:</p> <p>[...]</p> <p><i>(j) activity does not have an adverse effect on the values associated with <u>cultural and historic heritage identified in Schedule 5 [Cultural and Historic heritage];</u></i></p> <p><i><u>(k) activity and discharge does not have adverse effect on Schedules 1 and 2;</u></i></p> <p><i><u>(l) activity and discharge does not adversely affect the suitability of the receiving water for customary use;</u></i></p> <p><i><u>(m) the activity does not have any adverse effect on any site identified in 5B [Sites of significance to Māori and associated values] and Appendix 2;</u></i></p> <p><i><u>(n) activity does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4A [Significant indigenous biodiversity] and taonga species protected under Taranaki iwi Deed of Settlement including those identified in Schedule 4C [Taonga species and habitat].</u></i></p> | <p><b>Accept in part</b></p> <p>The Council notes that Rule 31 provides for the temporary military training in the coastal marine area, subject to the appropriate management of adverse effects. Through the standards, terms and conditions of the Rule, relevant environmental effects on historic heritage, indigenous biodiversity and use and enjoyment of the coast will be appropriately managed. Other adverse effects within the coastal marine area, e.g. water quality are likely to be less than minor and temporary. Of note, temporary military training exercises are already a permitted activity for these areas in the current Plan for which there have been no issues identified to date.</p> <p>The submitter seeks to introduce a number of new and amended standards, terms and conditions to the Rule. Specific comments on the new and amended proposed conditions are as follows:</p> <ul style="list-style-type: none"> <li>Decline the relief sought in relation to Condition (j). The Council refers the submitter to previous comments made on expanding the scope of historic heritage.</li> <li>Relief sought in relation to Condition (k) is unnecessary and uncertain for Plan users. The Rule is only allowing incidental discharges of sediment that might arise from the training exercises. Other discharges are addressed by other rules. The Council further notes that the effect of granting this relief would be to make this rule redundant as it requires no adverse effects (including less than minor) across the whole coastal marine area, noting that Schedules 1 and 2 capture the whole coastal marine area plus landward parts of the coastal environment identified as having outstanding natural character or being an outstanding natural feature or landscape.</li> <li>Relief sought in relation to Condition (l) is unnecessary. Such matters are largely already addressed in Condition (j) of the Plan, which protects customary sites of significance. However, it is noted</li> </ul> |
| Further submissions – Climate Justice Taranaki Inc (21)  |                  | Support in part   |   |
| Further submissions – New Zealand Defence Force (33)     |                  | Oppose in part  |   |
| Further submissions – Te Korowai o Ngāruahine Trust (41) |                  | Support   |   |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
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|  |                  |   | <p>that any impacts on receiving water quality will be temporary and unlikely to be noticeable in natural prevailing conditions.</p> <ul style="list-style-type: none"> <li>Relief sought in relation to Condition (m) is unnecessary. The submitter proposes to include a new standard (m), however, the reference to sites of significance to Māori located in Schedule 5B has already been included within Condition (j) of the Rule. It is not necessary to repeat this Condition using different wording.</li> <li>Grant the relief in kind in relation to Condition (n). The Council agrees to expanding the scope of Rule conditions to include reference to scheduled taonga species.</li> </ul> |
| <b>Rules 31 and 32 – Temporary military training</b> |                  |   |  |
| 21 – Climate Justice Taranaki                        | 920              | <b>Amend</b>  | <b>Decline</b>   |
|  |                  | Submitter opposes Rules 31 and 32 providing for temporary military training.  | No precise details of amendments sought to the Plan have been provided. However, the Council note that temporary military training exercises are already a permitted activity for these areas in the current Plan for which there have been no issues identified to date.  |
| Further submissions – New Zealand Defence Force (33) |                  | Oppose  |  |
| <b>Rule 32 – Temporary military training</b>         |                  |   |  |
| 15 – Surfbreak Protection Society                    | 921              | <b>Other</b>  | <b>No relief necessary</b>   |
|  |                  | Submitter seeks that there be no impacts to surf breaks and that key surfing groups and representative groups be part of any limited notification for discharge or disturbance consent applications with the potential to impact on surf breaks or coastal water. | The submitter's comments are noted and have been previously addressed in submission points 448 relating to surfing policies. Policy 19 would be considered as part of any resource consent application under this Rule. The Council notes that matters relating to affected and interested party status and limited notification are addressed separately in accordance with the Council's consenting standard operating procedures.   |
| Further submissions – New Zealand Defence Force (33) |                  | Support in part   |  |
| 29 – Department of Conservation                      | 922              | <b>Amend</b>  | <b>Accept in part</b>  |
|  |                  | Submitter seeks amendment to Rule 32 of the Plan by: <ul style="list-style-type: none"> <li>excluding its application to coastal management areas of "Estuaries Unmodified"</li> </ul>  | The Council notes that Rule 32 seeks to provide for the temporary military training in the coastal marine area as a controlled activity, subject to the appropriate management of adverse effects. Through the standards, terms  |



| Submitter   | Submission point | Submitter's requests  | Council's response and decisions   |
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|   |                  | <ul style="list-style-type: none"> <li>including a condition after (c) that reads occupation is for a period of no more than three consecutive weeks</li> <li>amending the advice note to: [...] refer to Rule 32 33 and 33 34 [...]</li> </ul> | <p>and conditions of the Rule, relevant environmental effects on historic heritage, indigenous biodiversity and use and enjoyment of the coast will be appropriately managed.</p>  |
| Further submissions – Climate Justice Taranaki Inc (21), New Zealand Defence Force (33) |                  | Support in part   | <p>The submitter seeks a number of amendments to the Rule. Specific comments on the new and amended proposed conditions are as follows:</p> <ul style="list-style-type: none"> <li>Decline the relief sought in terms of excluding Estuaries Unmodified. As previously noted, the Council considers the relief sought to be unnecessary and excessive. The Council notes that granting the relief sought would exclude the New Zealand Defence Force from carrying out temporary military training exercises in and around a number of Taranaki coastal settlements (such as New Plymouth, Waitara, Oakura, Urenui and Patea) as a permitted activity.</li> <li>Decline the relief sought. The Council notes that the New Zealand Defence Force has sought changes to the permitted activity rule that would allow temporary activities to occur over 31 days. The Council further notes that the Rule's matters of control include consideration of the duration of the consent and do not believe it necessary to confine this rule to a specific duration. Such matters can be appropriately considered on a case-by-case basis as part of the consenting process.</li> <li>Grant the relief sought in relation to the Advice Note. The submitter has highlighted a typographical error in the Advice Note that needs to be corrected.</li> </ul> |
| 33 - New Zealand Defence Force  | 923              | <p><b>Support</b></p> <p>Retain Rule 32 of the Plan as notified.</p>  | <p><b>Accept</b></p> <p>At the hearing, the submitter noted that Rule 32 has been amended to include temporary exclusive occupation and the placement of structures as an inconsequential amendment. Although the submitter supports the inclusion, they suggested reframing the rule's 'gateway' for consistency with similar rules elsewhere in the Plan. The Hearing Panel agreed and recommended that Rule 32 be aligned with similar provisions in the Plan.</p> <p>The Council agrees with the Hearing Panel's recommendation and for consistency, the Council also agrees to similar amendments to Rule 31.</p>   |



| Submitter   | Submission point | Submitter's requests  | Council's response and decisions  |
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| 41 – Te Korowai o Ngāruahine Trust                      | 924              | <b>Amend</b>  | <b>Accept</b><br><br>The Council agrees to granting the relief sought by the submitter.   |
|   |                  | Submitter seeks amendment to Condition (b) of Rule 32 to read:<br><i>(b) activity does not have an adverse effect on the values associated with historic heritage identified in Schedule 5 <u>A and B</u> Historic heritage; [...]</i>  |   |
| Further submissions – New Zealand Defence Force (33)    |                  | Support   |   |
| 43 – Royal Forest and Bird Protection Society           | 925              | <b>Amend</b>  | <b>Decline</b><br><br>The Council considers the relief sought to be unnecessary and excessive. The Council notes that granting the relief sought would impose unnecessary constraints and costs on the New Zealand Defence Force from carrying out temporary military training exercises. This is despite there being an equivalent controlled activity rule in the current Plan and for which there have been no issues to date.   |
|   |                  | Submitter seeks amendment to Rule 32 of the Plan to make temporary military training under this rule a restricted discretionary activity (rather than a controlled activity).   |   |
| Further submissions – Climate Justice Taranaki Inc (21) | Support in part  |   |   |
| Further submissions – New Zealand Defence Force (33)    | Oppose           |   |   |
| 61 – Te Rūnanga o Ngāti Ruanui Trust                    | 926              | <b>Amend</b>  | <b>Accept in part</b><br><br>The submitter seeks to introduce a number of new and amended standards, terms and conditions to the Rule. Specific comments on the new and amended proposed conditions are as follows: <ul style="list-style-type: none"> <li>Decline the relief sought in relation to Condition (b). The Council refers the submitter to previous comments made on expanding the scope of historic heritage.</li> <li>Relief sought in relation to Condition (c) is unnecessary and uncertain for Plan users. The Rule is only allowing incidental discharges of sediment that might arise from the training exercises. Other discharges are addressed by other rules. The Council further notes that the effect of granting this relief would be to make this rule redundant as it requires no adverse effects (including less than minor) across the whole coastal marine area, noting that Schedules 1 and 2 capture the whole coastal marine area plus</li> </ul> |
|   |                  | Submitter seeks amendment to Rule 32 of the Plan to include new or amended standards, terms and conditions to read:<br><i>(b) activity does not have an adverse effect on the values associated with <u>cultural and historic heritage identified in Schedule 5 [Cultural and Historic heritage];</u></i><br><i><u>(c) the discharge does not have adverse effect on Schedules 1 and 2;</u></i><br><i><u>(d) the discharge does not have any adverse effect on any site identified in 5B [Sites of significance to Māori and associated values] and Appendix 2;</u></i><br><i><u>(e) activity does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4A [Significant species and ecosystems]; and taonga species protected under Taranaki iwi Deed of Settlement including those identified in Schedule 4C [Taonga species and habitat]</u></i><br><i><u>(f) the discharge does not adversely affect the suitability of the receiving area for customary use</u></i> |   |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions  |
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|   |                  | <p><u><i>(g) discharge does not adversely affect the matters/values identified for protection by mana whenua in the cultural impact assessment;</i></u></p> <p><u><i>(h) discharge complies with tangata whenua indicators referred to in the tangata whenua monitoring plan</i></u></p> <p><u><i>(i) discharge is consistent with iwi management plan.</i></u></p>  | <p>landward parts of the coastal environment identified as having outstanding natural character or being an outstanding natural feature or landscape.</p> <ul style="list-style-type: none"> <li>Reliefs sought in relation to Condition (d) and (f) are unnecessary. Such matters are largely already addressed in Condition (b) of the Rule, which protects customary sites of significance. However, it is noted that any impacts on receiving water quality will be temporary and unlikely to be noticeable in natural prevailing conditions.</li> <li>Grant the relief in kind in relation to Condition (e). The Council agrees to expanding the scope of Rule conditions to include reference to scheduled taonga species</li> <li>Decline the relief sought in relation to Condition (g), (h) and (i) as being uncertain in terms of their application and given the details as to managing effects on water quality and monitoring are already identified in the rule as matters of control.</li> </ul>   |
| Further submissions – Climate Justice Taranaki Inc (21) |                  | Support in part  |   |
| Further submissions – New Zealand Defence Force (33)    |                  | Oppose   |   |
| 61 – Te Rūnanga o Ngāti Ruanui Trust                    | 927              | <p><b>Amend</b></p> <p>Submitter seeks amendment to the Control/notification column for Rule 32 of the Plan to read:</p> <p><i>Control is reserved over:</i></p> <p>[...]</p> <p><i>(e) effects on water quality <u>and mauri values;</u></i></p> <p>[...]</p> <p><i><u>(m) effects on Cultural Zone (referred to in Spatial Plan);</u></i></p> <p><i>(n) monitoring (including tangata whenua indicators referred to in the tangata whenua monitoring plan) and information requirements;</i></p> <p><i>(o) duration of consent; and</i></p> <p><i>(p) review of consent conditions.</i></p> <p><i>Resource consent applications under this Rule will <del>not be publicly notified but may be limited notified</del> <u>be notified to tangata whenua.</u></i></p> | <p><b>Decline</b></p> <p>The Council declines the relief sought.</p> <p>The suggested changes seem to be mixing jurisdictional, policy and operational matters and introducing a level of specificity that is not considered appropriate or necessary. Most of the changes sought are a subset of matters that have already been provided for while the submitter has also introduced some new concepts such as a cultural zone and a spatial plan that do not fit within the Proposed Plan framework. There is also a 'requirement' to be consistent with iwi management plans, while the submitter is silent on how other planning documents might fit within this framework.</p> <p>The Council notes that this activity is already subject to the General Policies 1 to 21 of which Policies 15 [Historic heritage] and 16 [Relationship of tangata whenua] are particularly relevant. The Council further notes that there will be an opportunity to develop an agreed framework and operational detail for implementing the Plan as part of any Mana Whakahono a Rohe agreement with the submitter.</p> |
| Further submissions – Climate Justice Taranaki Inc (21) |                  | Support in part  | In relation to notification requirements, the submitter (and others) has highlighted an issue with the notification requirements stated in the Plan which   |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
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| Further submissions – New Zealand Defence Force (33)       |                  | Oppose   | in turn raises issues with notification requirements in the RMA being regularly changed. The Council notes that, over time the notification requirements identified in the Plan may become misleading and outdated following changes to RMA. Consequently, the Council agrees to amending the heading throughout the rules section to refer only to "matters of control/discretion" and deleting any references to consenting notification requirements in the rules (noting that the relevant notification requirements are set out in sections 95A to 95G of the RMA). |
| <b>NEW Rule 32A – Temporary military training</b>          |                  |  |  |
| 29 – Department of Conservation                            | 928              | <b>Amend</b><br>Submitter seeks amendment to the Plan to include a new discretionary activity rule that deals with temporary military training activities that do not come within or comply with Rule 31 or Rule 32.   | <b>Grant in kind</b><br>The Council agrees to amending the Activity Description of Rules 33 and 34 to include temporary military training activities and to also amend the associated activities to ensure that the gateway fully captures the associated activities relating to temporary military training activities.   |
| Further submissions – New Zealand Defence Force (33)       |                  | Support  |  |
| <b>Rule 33 – Other structure erection or placement</b>     |                  |  |  |
| 6 – Trans-Tasman Resources Ltd                             | 929              | <b>Support</b><br>Retain Rule 33 of the Plan as notified.  | <b>Accept</b><br>Support noted.  |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Oppose   |  |
| 26 – Transpower NZ Ltd                                     | 930              | <b>Amend</b><br>Submitter supports Rule 33 but seek amendment to delete reference to <i>National Environmental Standards for Electricity Transmission Activities</i> :<br><del>[...] or the Resource Management (National Environmental Standards for Electricity Transmission Activities Regulations 2009 (Appendix 6))</del> . | <b>Accept</b><br>The reference to the <i>National Environmental Standards for Electricity Transmission</i> is redundant and does not add further value to the Plan. The Council agrees to granting the relief sought by the submitter.   |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions   |
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| 32 – Port Taranaki                                      | 931              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 33 of the Plan to provide for hard protection structures within the Port coastal management area not provided for in rules 18-32 to be a controlled activity.</p>  | <p><b>Decline</b></p> <p>The Council declines the relief sought by the submitter.</p> <p>The Council notes that this Rule is an existing rule in the current Plan that provides a consenting pathway to authorise activities not otherwise provided for in the preceding rules. Given it is too difficult to envisage or foresee every form or type of activity that might take place in the coastal marine area, a catch-all rule is considered appropriate. The Council does not consider it appropriate in such circumstances to differentiate between the Port and other activities given that, in accordance with the <i>New Zealand Coastal Policy Statement</i> and the policies of this Plan (particularly Policy 34), there is an expectation that hard protection structures will be discouraged and the use of alternatives promoted. This expectation is unlikely to be realised as a controlled activity.</p> |
| 32 – Port Taranaki                                      | 932              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 33 of the Plan to provide an exception for Port Taranaki Ltd within the Port coastal management area for flood protection structures (similar or same definition as in the draft New Plymouth District Plan) to be Permitted Activities.</p> | <p><b>No relief necessary</b></p> <p>The Council does not consider any relief is necessary.</p> <p>The Council is unclear what flood protection structure exist within the Port Taranaki coastal management area noting that the rules are confined to the coastal marine area.</p>  |
| 43 – Royal Forest and Bird Protection Society           | 933              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 33 of the Plan to exclude Estuaries Modified coastal management areas from the discretionary activity rule.</p>  | <p><b>Decline</b></p> <p>The Council declines the relief sought by the submitter and that Rule 33 continues to apply to the Estuaries Modified coastal management areas.</p>   |
| Further submissions – Climate Justice Taranaki Inc (21) |                  | <p>Support</p>  | <p>The Council notes there are significant urban areas that would be affected by the relief sought by the submitter such as New Plymouth, Waitara, Oakura, Urenui and Patea. The proposed rules regime recognises that these estuaries have already been modified and already include structures within the coastal marine area that contribute to social, cultural, economic and environmental wellbeing of local communities. However, through the resource consents process the appropriateness of further use and development can be considered having regard to General Policies 1 to 21 and Activity Specific Policies 31, 32, 33, 34, 35, 39 and 49.</p>  |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
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| 45 – Powerco   | 934              | <b>Support</b><br>Retain Rule 33 of the Plan as notified.  | <b>Accept</b><br>Support noted. Rule 33 is retained subject to minor amendments sought by other submitters to better capture relevant activities.  |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Oppose   |  |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd         | 935              | <b>Support</b><br>Retain Rule 33 of the Plan as notified.  | <b>Accept</b><br>Support noted. Rule 33 is retained subject to minor amendments sought by other submitters to better capture relevant activities.  |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Oppose   |  |
| 47 – Fonterra  | 936              | <b>Support</b><br>Retain Rule 33 of the Plan as notified.  | <b>Accept</b><br>Support noted. Rule 33 is retained subject to minor amendments sought by other submitters to better capture relevant activities.  |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Oppose   |  |
| 59 – KiwiRail  | 937              | <b>Support</b><br>Retain Rule 33 of the Plan as notified.  | <b>Accept</b><br>Support noted. Rule 33 is retained subject to minor amendments sought by other submitters to better capture relevant activities.  |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Oppose   |  |
| 61 – Te Rūnanga o Ngāti Ruanui Trust                       | 938              | <b>Amend</b><br>Submitter seeks amendment to Rule 33 of the Plan to include standards, terms and conditions to read:<br><i><a href="#">(a) placement of structure and discharge does not adversely affect the matters/values identified for protection by mana whenua in the cultural impact assessment</a></i><br><i><a href="#">(b) placement of structure and discharge complies with tangata whenua indicators referred to in the tangata whenua monitoring plan</a></i><br><i><a href="#">(c) placement of structure and discharge is consistent with iwi management plan.</a></i><br>AND<br>Include the following notification note: | <b>Decline</b><br>The submitter has sought the inclusion of standards, terms and conditions for rules in the Plan relating to Discretionary Activities.<br>The Council declines the relief noting that it is not standard planning practice for discretionary activity rules to include standards, terms and conditions. Conditions relating to a discretionary activity are developed on a case-by-case basis through the consenting process having regard to the relevant Plan policies.<br>The Council notes that all matters identified by the submitter would be considered through the consenting process with General Policies 1 to 21 and Activity-based Policies 31, 32, 33, 34, 35, 39 and 49 being given effect to. |



| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
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|  |                  | <u><a href="#">Resource consent applications under this Rule will be notified to tangata whenua.</a></u>  | In relation to notification requirements proposed by the submitter, the Council notes that the Plan is not intended to provide the operational detail for implementing every aspect of the Plan. Such detail is more appropriately included in the Council's standard operating procedures and/or any Mana Whakahono a Rohe agreements.   |
| Further submissions – Trans-Tasman Resources Ltd (6), Transpower NZ Ltd (26)   |                  | Oppose  |   |
| Further submissions – Climate Justice Taranaki Inc (21), Te Rūnanga o Ngāti Mutunga (40), Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) |                  | Support   | In relation to notification requirements, the submitter (and others) has highlighted an issue with the notification requirements stated in the Plan which in turn raises issues with notification requirements in the RMA being regularly changed. The Council notes that, over time the notification requirements identified in the Plan may become misleading and outdated following changes to RMA. Consequently, the Council agrees to amending the heading throughout the rules section to refer only to “ <i>matters of control/discretion</i> ” and deleting any references to consenting notification requirements in the rules (noting that the relevant notification requirements are set out in sections 95A to 95G of the RMA). |
| <b>Rule 34 – Other structure erection or placement</b>   |                  |   |   |
| 6 – Trans-Tasman Resources Ltd   | 939              | <b>Support</b><br>Retain Rule 34 of the Plan as notified.   | <b>Accept</b><br>Support noted. Rule 34 is retained subject to minor amendments sought by other submitters to better capture relevant activities.   |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61)   |                  | Oppose  |   |
| 26 – Transpower NZ Ltd   | 940              | <b>Amend</b><br>Submitter supports Rule 34, but seeks amendment to delete reference to <i>National Environmental Standards for Electricity Transmission Activities</i> :<br><del>[...] or the Resource Management (National Environmental Standards for Electricity Transmission Activities Regulations 2009 (Appendix 6)).</del> | <b>Accept</b><br>The reference to the <i>National Environmental Standards for Electricity Transmission</i> is redundant and does not add further value to the Plan. The Council agrees to granting the relief sought by the submitter.  |
| 30 – First Gas Ltd   | 941              | <b>Amend</b><br>Submitter seeks amendment to Rule 34 of the Plan to make network utility underground pipelines or pipelines attached to existing bridge or access structures in Outstanding Value coastal management area a controlled activity (rather than non-complying).  | <b>Grant in kind</b><br>The Council agrees to granting an alternative relief to that sought by the submitter that provides a similar outcome to that which has been requested. The Council agrees to amending the Plan to include a new rule, Rule 22A [Network utility structure erection or placement] to include Outstanding Value   |



| Submitter   | Submission point | Submitter's requests  | Council's response and decisions   |
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| Further submissions – Department of Conservation (29), Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Oppose  | coastal management areas as a restricted discretionary activity. This amendment is similar to other reliefs provided for network utility structures in Outstanding Value areas (Rules 37 and 37A).   |
| Further submissions – Powerco (45)  |                  | Support in part   |  |
| 30 – First Gas Ltd  | 942              | <b>Amend</b>  | <b>Decline</b>   |
|   |                  | Submitter seeks amendment to the standards, terms and conditions for Rule 34 of the Plan, similar in kind to those of Rule 22.              | The Council declines the relief sought by the submitter. Refer to submission point 941 above.  |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61)                                  |                  | Oppose  |  |
| 43 – Royal Forest and Bird Protection Society   | 943              | <b>Amend</b>  | <b>Decline</b>   |
|   |                  | Submitter seeks amendment to Rule 34 of the Plan to include Estuaries Modified coastal management areas in the non-complying activity rule. | The Council declines the relief sought.  |
| Further submissions – Climate Justice Taranaki Inc (21)                                     |                  | Support   | The Council notes there are significant urban areas that would be affected by the relief sought by the submitter such as New Plymouth, Waitara, and Patea. The proposed rules regime recognises that these estuaries have already been modified and already include structures within the coastal marine area that contribute to social, cultural, economic and environmental wellbeing of local communities. However, through the resource consents process the appropriateness of further use and development can be considered having regard to General Policies 1 to 21 and Activity-based Policies 31, 32, 33, 34, 35, 39 and 49. |
| 45 – Powerco  | 944              | <b>Support</b>  | <b>Accept</b>  |
|   |                  | Retain Rule 34 of the Plan as notified.   | Support noted. Rule 33 is retained subject to minor amendments sought by other submitters to better capture relevant activities.   |
| Further submissions – Port Taranaki Ltd (32)  |                  | Support   |  |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61)                                  |                  | Oppose  |  |
| 61 – Te Rūnanga o Ngāti Ruanui Trust  | 945              | <b>Amend</b>  | <b>Decline</b>   |
|   |                  | Submitter seeks amendment to Rule 34 of the Plan to include standards, terms and conditions to read:  | The submitter has sought the inclusion of standards, terms and conditions for rules in the Plan relating to discretionary and non-complying activities.  |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
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|  |                  | <p><u><a href="#">(a) placement of structure and discharge does not adversely affect the matters/values identified for protection by mana whenua in the cultural impact assessment</a></u></p> <p><u><a href="#">(b) placement of structure and discharge complies with tangata whenua indicators referred to in the tangata whenua monitoring plan</a></u></p> <p><u><a href="#">(c) placement of structure and discharge is consistent with iwi management plan</a></u></p> <p>AND</p> <p>Include the following notification note:</p> <p><u><a href="#">Resource consent applications under this Rule will be notified to tangata whenua.</a></u></p> | <p>The Council declines the relief sought noting that it is not standard planning practice for non-complying rules to include standards, terms and conditions. Conditions relating to a non-complying activity are developed on a case-by-case basis through the consenting process having regard to the relevant Plan policies.</p> <p>The Council notes that all matters identified by the submitter would be considered through the consenting process with Policies 1 to 21, 31, 32, 33, 34, 35, 39 and 49 being given effect to.</p> <p>In relation to notification requirements proposed by the submitter, the Council notes that the Plan is not intended to provide the operational detail for implementing every aspect of the Plan. Such detail is more appropriately included in the Council's standard operating procedures and/or any Mana Whakahono a Rohe agreements.</p> <p>In relation to notification requirements, the submitter (and others) has highlighted an issue with the notification requirements stated in the Plan which in turn raises issues with notification requirements in the RMA being regularly changed. The Council notes that, over time the notification requirements identified in the Plan may become misleading and outdated following changes to RMA. Consequently, the Council agrees to amending the heading throughout the rules section to refer only to "matters of control/discretion" and deleting any references to consenting notification requirements in the rules (noting that the relevant notification requirements are set out in sections 95A to 95G of the RMA).</p> |
| Further submissions – Trans-Tasman Resources Ltd (6), Transpower NZ Ltd (26)   |                  | Oppose   |  |
| Further submissions – Climate Justice Taranaki Inc (21), Te Rūnanga o Ngāti Mutunga (40), Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) |                  | Support  |  |
| <b>NEW Rule 34A – Other structure erection or placement</b>  |                  |  |  |
| 26 – Transpower NZ Ltd   | 946              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Plan to include a new discretionary activity rule that provides for Regionally Important Infrastructure (or specific to the National Grid) in coastal management areas: Outstanding Value; Estuaries Unmodified and reads as follows:</p> <p><u><a href="#">Structure erection or placement associated with Regionally Significant Infrastructure (or the National Grid) and any associated works:</a></u></p> <p><u><a href="#">(a) occupation of space in the common marine and coastal area and does not come within or comply with Rules 18 to 32.</a></u></p>                                   | <p><b>Accept</b></p> <p>The Council accepts the relief sought by the submitter.</p> <p>The Council notes amendments to the Plan to include a new rule addressing the placement and erection of network utility structures (that do not come within or comply with Rule 22) as a restricted discretionary activity under Rule 22A. The Council notes that this approach is consistent with other areas of the Plan where network utilities have been recognised and provided for.</p> <p>The Council considers that this is a more appropriate consenting pathway for network utilities, including the National Grid, than relying on other catch-all</p>   |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
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| Further submissions – Department of Conservation (29), Royal Forest and Bird Protection Society (43) |                  | Oppose  | rules that would have potentially made the activity a non-complying activity in coastal management areas Estuaries Unmodified and Outstanding Value.   |
| Further submissions – Powerco (45)   |                  | Support in part   |  |
| <b>Rule 35 – Maintenance repair of existing lawfully established structures</b>                      |                  |   |  |
| 21 – Climate Justice Taranaki  | 947              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 35 [Existing lawfully established structure maintenance and repair] of the Plan to make the activity Discretionary (rather than a permitted activity).</p>   | <p><b>Decline</b></p> <p>The Council does not consider it appropriate to require this activity to be a discretionary activity.</p> <p>The Council notes that Rule 35 is providing for the ongoing maintenance, repair or minor alterations to already existing lawfully established structures in the coastal marine area. Subject to compliance with the standards, terms and conditions of the Rule, any adverse effects should be less than minor.</p> <p>The erection and placement of new structures are addressed in separate rules. The Council notes that granting the relief would have the perverse outcome of making the authorisation for the maintenance of a structure more restrictive than its original placement. Maintenance of structures is important for ensuring the structure continues to be in sound condition. Structures that are not adequately maintained may become unsafe, hazardous or create additional environmental concerns.</p> |
| 26 – Transpower NZ Ltd   | 948              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 35 of the Plan to delete reference to National Environmental Standards for Electricity Transmission Activities:<br/> [...] <i>or the Resource Management (National Environmental Standards for Electricity Transmission Activities Regulations 2009 (Appendix 6)).</i></p> | <p><b>Accept</b></p> <p>The reference to the <i>National Environmental Standards for Electricity Transmission</i> is redundant and does not add further value to the Plan. The Council agrees to granting the relief sought by the submitter.</p>  |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
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| 29 – Department of Conservation  | 949              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 35 of the Plan to include new conditions addressing:</p> <ul style="list-style-type: none"> <li>• how the use of vehicles and machinery in the coastal environment will be avoided where possible, and minimised/effects mitigated where necessary (including taking the shortest and least sensitive route)</li> <li>• the requirement for construction equipment including spoil, litter or equipment to be removed within 24 hours of completion of any works</li> <li>• the prohibition of any refuelling or fuel storage occur within the coastal environment and that methods should be employed to avoid any fuel spillage.</li> </ul> | <p><b>Grant in kind</b></p> <p>At the hearing, the submitter presented alternative wording suggestions requiring any disturbance to be restored to its previous state 48 hours after the activity has been completed. The Council considers that this addition strengthens Condition (e) by encouraging Plan users to minimise any disturbances. The Council agrees to amend the condition to read as follows:</p> <p><i>(e) the extent of disturbance of the foreshore and seabed is limited to the minimum required to undertake the activity <b>and is restored to its previous state 48 hours following the completion of the activity;</b> [...]</i></p> <p>The submitter also requested an additional amendment to avoid storing fuel in the coastal marine area and to minimise the extent of any contaminant entering the coastal marine area. The Council notes that no adverse environmental effects occur from storing fuel in the coastal marine area and that adverse effects only occur when fuel is spilled. Condition (d) addresses unacceptable discharges which any spilled fuel would trigger. The relief sought is also problematic in that that fuel storage includes fuel stored inside vehicles, such as boats, and would preclude their use for maintenance and alteration activities. Further, it is noted that the activity description includes discharges of sediment only as an associated activity (the discharges of other contaminants are not provided for under this rule).</p> |
| Further submissions45 – Powerco (45), Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd (46) |                  | Oppose   |   |
| 32 – Port Taranaki   | 950              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 35 of the Plan to include the Port coastal management area to this rule.</p>  | <p><b>Grant in kind</b></p> <p>Of note, the Plan includes a suite of rules specific to Port structures (Rules 39, 40 and 41) which includes permitted activity Rule 39 [Port wharves or breakwaters and attached structures, maintenance, repair or alteration].</p> <p>In pre-hearing engagement, the submitter commented that it is not always evident which Rule applies to specific conditions and that a simpler cascade would assist Plan users and ensure that activities are managed consistently.</p> <p>The Council notes that the standards, terms and conditions for Rule 39 are less directive than Rule 35. Rule 39 is also limited in its scope and only allows maintenance, repairs and alterations to the port wharves or breakwaters. Of note there are other structures in the Port coastal management area which may require maintenance and alteration. The Council consider that this distinction between different Port structures in the notified Plan was not necessary and that maintenance, alteration and</p>   |

| Submitter          | Submission point | Submitter's requests  | Council's response and decisions   |
|--------------------|------------------|---|--|
|                    |                  |   | <p>extension of Port structures generally should be provided for as long as the appropriate standards, terms and conditions are met.</p> <p>The Council agrees to an alternative relief to that sought by the submitter. The Council agrees to including the Port within Rule 35 and also to deleting Rule 39 to avoid unnecessary duplication between rules and confusion as to which rule applies to structures within the Port.</p> <p>The Council agrees to further consequential changes elsewhere in the Plan to simplify the Rules cascade for Port structures. These changes involve combining Rules 40 and 41 (and then deleting the now redundant Rule 41) to provide a similar drafting approach to Rule 35.</p>  |
| 32 – Port Taranaki | 951              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 35 of the Plan to clarify the rule to enable clear determination of minor alteration as a permitted activity. The submitter seeks that any consequential amendments required to the rules to give effect to this submission point are also recommended by the Council.</p> | <p><b>Accept</b></p> <p>The submitter has concerns whether this rule would allow Port Taranaki Ltd to replace displaced akmons on the breakwaters and other areas within the Port. In pre-hearing engagement the submitter explained that akmons are often moved about during storms and that periodic maintenance of the breakwaters and other areas of the Port is required to ensure that Port infrastructure is safeguarded. The submitter is concerned that Rule 35 as drafted would not allow this activity, despite the inclusion of the Port within the coastal management areas because of the potential for the replaced akmons to be slightly outside the original external dimensions of the structure.</p> <p>In response to the concerns of the submitter (and others) in pre-hearing engagement in relation to the application of the suite of maintenance, alteration and extension rules, the Council agrees to realigning the rules to more clearly identify the activities encompassed within each rule. Of note, the Council has agreed to changes to the definition of 'maintenance', 'alteration' and 'extension', as well as redrafting of the rules.</p> <p>The Council considers the activity described by the submitter, and other similar activities, to be appropriate for a permitted activity, provided there are size thresholds to ensure that incremental creep does not occur over time through 'maintenance', 'repairs' and 'minor alterations'.</p> <p>The Council further agrees to amending Rule 35 to allow '<i>minor extensions</i>' that are incidental to a maintenance or alteration activity. This would address the example above, where it may be technically impossible to return the structure to its <u>exact</u> size/dimensions during maintenance. To prevent any perverse outcome or Plan users misusing the permitted activity rule, the</p> |



| Submitter                                     | Submission point | Submitter's requests  | Council's response and decisions   |
|---|------------------|---|--|
|   |                  |   | <p>Council agree that Condition (a) include an extension limit of 10% of the original structure size.</p> <p>The amended Condition reads as as follows:</p> <p><i><u>(a) Minor extensions are incidental to maintenance or alteration activities and the structure, including length, width and height, does not increase beyond 5% of the original size;</u></i></p>  |
| 41 – Te Korowai o Ngāruahine Trust            | 952              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 35 of the Plan to require notification to iwi of any maintenance, repair or minor alteration work of lawfully established structures in the coastal marine area.</p> | <p><b>Grant in kind</b></p> <p>The Council notes that standard, term and condition (h) requires those undertaking the activity to notify the Council at least 5 working days prior to the commencement of the activity. The Council has worked with iwi regarding permitted activities that require notification to establish a notification system that includes iwi authorities.</p> <p>The Council agrees that Rule 35 clarify this in an activity note that reads as follows:</p> <p><i><u>Note (2): Iwi authorities that have requested to be informed of this activity will be advised by the Council.</u></i></p>   |
| Further submissions – Transpower NZ Ltd (26)  |                  | <p>Oppose</p>   |  |
| 43 – Royal Forest and Bird Protection Society | 953              | <p><b>Amend</b></p> <p>Submitter seeks amendment to the Activity Description of Rule 35 of the Plan to read:</p> <p><i>Structure maintenance, <del>repair</del> or minor alteration [...]</i></p>                             | <p><b>Accept</b></p> <p>The submitter is generally supportive of the provision allowing structures to be maintained so that they can be retained in good conditions and not cause adverse environmental effects, however, the submitter is confused by the exclusion of “repair” from the definition of maintenance which is commonly considered a component of maintenance. The submitter seeks amendments to the definitions of maintenance (submission point 1213) and minor alteration (submission point 1223) to address these concerns and that the Activity Description of Rule 35 be amended as requested.</p> <p>The Council notes that a number of submitters have raised questions around the interpretation/application of the rules relating to maintenance, alterations, extensions. In response, the Council agrees to consequential amendments to better clarify what is meant by maintenance, alteration and extension and differentiate between related activities. Consequential amendments to relevant definitions and Rules 35 to 43 will also be made.</p> |



| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
|--|------------------|---|--|
|  |                  |   | The Council also agrees to granting the relief sought by the submitter by amending relevant definitions so that the reader understands that repairs may be an aspect of maintenance activities or alteration activities.   |
| 45 – Powerco                                       | 954              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 35(a) of the Plan to read:</p> <p>[...]</p> <p><i>(a) size of the structure, including length, width and height, does not increase beyond original size (except for existing communications cables or electricity transmission <u>or distribution</u> lines where <del>these activities do not result in an increase in the design voltage and</del> the new or altered cables or lines are not lower in height above the foreshore or seabed)</i></p> <p>OR</p> <p><i>(a) size of the structure, including length, width and height, does not increase beyond original size (except for existing communications cables or electricity transmission <u>or distribution</u> lines where these activities do not result in an increase in the design voltage <u>above 33kV</u> and the new or altered cables or lines are not lower in height above the foreshore or seabed)</i></p> | <p><b>Grant in kind</b></p> <p>The Council agrees to granting an alternative relief to that sought by the submitter that takes into account other amendments sought by other submitters to Condition (a).</p> <p>The alternative amendment splits the existing condition into two separate conditions to improve readability and reads as follows:</p> <p><i>(aa) for existing communication cables, electricity transmission <u>or distribution</u> lines the activity <u>does not cause</u> an increase in the design voltage <u>above 33kV</u> and the new or altered cables or lines are not lowered in height above the foreshore or seabed; [...]</i></p> <p>The Council notes that the submitter requested additional amendments to Condition (a) to allow more more than a 10% extension increase where a greater increase is required to meet the <i>Australian/New Zealand Standard for Overhead line design (AS/NZS 7000:2016)</i> or the <i>Electricity (Safety) Regulations 2010</i>. The Council does not consider that this would be appropriate for a permitted activity rule noting that these standards could change over the life of the Plan and allow even more significant extensions in the future.</p> |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd | 955              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 35 of the Plan to:</p> <ul style="list-style-type: none"> <li>• delete reference in the Activity Description to “<i>minor</i>”</li> <li>• include the Port coastal management area to this rule.</li> </ul>  | <p><b>Accept in part</b></p> <p>The Council agree to accepting in part the relief sought by the submitter.</p> <p>The Council considers that the reference to “<i>minor</i>” is necessary as it reflects the amended wording in Policy 36 [Maintenance, minor alteration or minor extension of existing structures]. There is a distinction between those alteration and extension activities that are minor (and can therefore comply with the standards, terms and conditions listed in Rule 35) and those which are considered more significant and will require a resource consent.</p> <p>The Council notes that consequential amendments are also agreed to the Plan definitions including amending the existing definition for “<i>maintenance</i>” and introducing new definitions for “<i>alteration</i>” and “<i>extension</i>”.</p>   |

| Submitter                            | Submission point | Submitter's requests   | Council's response and decisions   |
|--------------------------------------|------------------|--|--|
|                                      |                  |  | <p>The Council agrees to granting the relief sought by the submitter to include the Port within Rule 35, however, agree to deleting Rule 39 as a consequential amendment to ensure that there is no confusion around which rule applies to structures within the Port.</p> <p>Further to simplifying the Rules cascade for Port structures and ensuring consistency within the Plan with regards to the inclusion of the Port within Rule 35, the Council agree that Rule 41 is also deleted and that the provisions that are covered by Rule 41 are incorporated into Rule 40. This will provide a similar drafting approach to Rule 35 and ensures a simpler pathway for Port structures that do not comply with the standards, terms and conditions of Rule 35 as a permitted activity.</p>   |
| 47 – Fonterra                        | 956              | <b>Support</b>   | <b>Accept</b>  |
|                                      |                  | Retain Rule 35 of the Plan as notified.  | Support noted. The Council notes that amendments to Rule 35 which includes the inclusion of the Port coastal management area, and further clarification of the standards, terms and conditions.  |
| 59 – KiwiRail                        | 957              | <b>Support</b>   | <b>Accept</b>  |
|                                      |                  | Retain Rule 35 of the Plan as notified.  | Support noted. The Council notes amendments to Rule 35 which includes the inclusion of the Port coastal management area, and further clarification of the standards, terms and conditions.   |
| 61 – Te Rūnanga o Ngāti Ruanui Trust | 958              | <b>Amend</b>   | <b>Accept in part</b>  |
|                                      |                  | <p>Submitter seeks amendment to the standards, terms and conditions of Rule 35 of the Plan to read:</p> <p>[...]</p> <p><i>(ca) the activity does not have any adverse effect on any site identified in 5B [Sites of significance to Māori and associated values] and Appendix 2;</i></p> <p><i>(cb) the activity does not have adverse effect on Schedules 1 and 2</i></p> <p><i>(c) for structures <u>and culturally significant areas</u> identified in Schedule 5 [Cultural and Historic heritage];</i></p> <p>[...]</p> <p><i>(e) the extent of disturbance of the foreshore and seabed is limited to the minimum required to undertake the activity; <u>and does not adversely affect continued customary use within the area;</u></i></p> | <p>The Council notes that Rule 35 is providing for the ongoing maintenance, minor alteration or minor extension of already existing lawfully established structures in the coastal marine area. Subject to compliance with the standards, terms and conditions of the Rule, any adverse effects should be less than minor.</p> <p>The erection and placement of new structures are addressed in separate rules. Specific comments on the new and amended proposed conditions are as follows:</p> <ul style="list-style-type: none"> <li>Relief sought in relation to Condition (ca) is unnecessary and uncertain for Plan users. The Rule is only providing for maintenance, repair or minor alterations to structures already existing in the coastal marine area. The Council notes that impacts on cultural sites of significance are already addressed in Condition</li> </ul> |

| Submitter | Submission point | Submitter's requests  | Council's response and decisions  |
|-----------|------------------|---|---|
|           |                  | <p>[...]</p> <p>(g) activity does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4A [Significant species and ecosystems]; <u>and taonga species protected under Taranaki iwi Deed of Settlement including those identified in Schedule 4C [Taonga species and habitat] [...].</u></p> | <p>(c). The effect of granting this relief regarding Appendix 2 would be to make this rule redundant as it requires no adverse effects (including less than minor) across the entire coastal marine area.</p> <ul style="list-style-type: none"> <li>The Council declines the relief sought in relation to Condition (cb). The Council notes that the effect of granting this relief would also make this rule redundant as it again requires no adverse effects (including less than minor) across the whole coastal marine area, noting that Schedules 1 and 2 capture the whole coastal marine area plus landward parts of the coastal environment identified as having outstanding natural character or being an outstanding natural feature or landscape.</li> <li>Decline the relief sought in relation to Condition (c). The Council refers the submitter to previous comments made on expanding the scope of historic heritage.</li> <li>Reliefs sought in relation to Condition (e) are unnecessary. Such matters should already be addressed in Condition (c) of the Rule, which protects customary sites of significance. However, it is noted that any impacts on receiving water quality will be temporary and unlikely to be noticeable in natural prevailing conditions.</li> <li>Grant the relief in kind in relation to Condition (g). The Council agrees to expanding the scope of Rule conditions to include reference to scheduled taonga species.</li> </ul> |

**Rule 36 – Hard protection structure repair, alteration, extension or removal and replacement**

|                                     |     |   |  |
|-------------------------------------|-----|---|--|
| 29 – Department of Conservation     | 959 | <b>Support</b>                          | <b>Decline</b>   |
|                                     |     | Retain Rule 36 of the Plan as notified. | Support noted. However, the Council notes amendments to delete Rule 36 in order to improve the structure, maintenance, alteration and extension rules pathway. See submission point below for further clarification. |
| Further submissions – Fonterra (47) |     | Support                                 |  |
| 32 – Port Taranaki                  | 960 | <b>Amend</b>                            | <b>Grant in kind</b>   |

| Submitter | Submission point | Submitter's requests   | Council's response and decisions  |
|-----------|------------------|--|---|
|           |                  | <p>Submitter seeks amendment to Rule 36 of the Plan to provide for repair, alteration, extension or removal and replacement of existing lawfully established hard protection structures within the Port coastal management area as a controlled activity (rather than a discretionary activity) and provide a non-notification clause.</p> <p>The submitter seeks that any consequential amendments required to the rules to give effect to this submission point are also adopted by Council.</p> | <p>The Council notes that there are three aspects to this submission point which will be addressed separately, (1) maintenance, alteration and extension of hard protection structures, (2) removal and replacement of hard protection structures, and (3) notification.</p> <p>(1) In pre-hearing engagement, the submitter noted that the Port is an area that requires hard protection structures to ensure the safety of Port infrastructure as well as the ongoing operation of the Port which is considered regionally important and has a functional need to locate within the coastal marine area. Thus hard protection structures are expected to locate in this area and their maintenance and 'future proofing' should be appropriately provided for within the Plan.</p> <p>The submitter noted that hard protection structures are not always isolated structures and are generally integrated into other Port structures. The current regime would potentially require two consents to be sought (potentially with different activity classifications) for one activity: one to address the hard protection aspect of the structure and another to address the structure itself.</p> <p>The submitter further noted that the rules relating to maintenance, alteration, extension and removal and replacement of structures are confusing and unclear as to exactly which rule would apply for some activities.</p> <p>The Council notes that the <i>New Zealand Coasts Policy Statement</i> discourages the use of hard protection structures and encourages the use of alternatives, however, it is the Council's view that discouragement should only apply to the initial placement or erection of the structure and does not stretch to the maintenance and alteration of legally established hard protection structures.</p> <p>Providing an appropriate pathway for the maintenance and upgrading to ensure the 'future proofing' of hard protection structures is necessary for good environmental outcomes and personnel safety. Further to this, the Council notes that maintenance and minor alteration of hard protection structures has already been provided for generally under Rule 35 as a permitted activity (hard protection structures are not excluded from the rule).</p> |

| Submitter                                     | Submission point | Submitter's requests  | Council's response and decisions  |
|---|------------------|---|---|
|   |                  |   | <p>For this reason, the Council agree to an alternative relief that addresses the submitter's concerns to delete Rule 36 so that it is clear that maintenance, alteration or extension of hard protection structures are initially addressed under Rule 35 (for all structure types and coastal management areas as a permitted activity). If the activity cannot comply with Rule 35 then a higher regulatory process and consent will be required under Rules 37 and 37A (for network utility structures); and Rules 40 and 40A (for all Port structures). Other hard protection structure maintenance, alteration and extension that does not comply with Rule 35 is addressed under Rules 42 (discretionary) and 43 (non-complying) depending on the coastal management area involved.</p> <p>(2) In relation to the removal and replacement aspect of the submitter's concerns, the Council notes that there are potentially two pathways within the Plan for this activity. Through Rule 38 [Structure removal and replacement] or through Rules 44, 45 and 46 [Structure removal and demolition] and then the appropriate structure erection or placement rule (Rules 18 to 25).</p> <p>It is vital that the Plan provide a single clear pathway for Plan users. For this reason, the Council agrees to deleting Rule 38 so that a Plan user will have to consult the appropriate removal rule as well as the appropriate placement or erection rule. This will ensure an appropriate level of regulatory control depending on the activity. Permitted, controlled and discretionary pathways are all possible depending on the activity specifics.</p> <p>(3) Regarding the non-notification clause, the Council considers that this level of detail is not necessary to be included within a Plan and is more appropriately set out within the RMA sections 95A to 95G. In order to ensure alignment with the RMA, the Council agrees to an alternative relief that deletes reference to consenting notification requirements in the Plan rules.</p> |
| 43 – Royal Forest and Bird Protection Society | 961              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Activity Description of Rule 36 of the Plan to read: <i>Existing lawfully established hard protection structure <u>maintenance repair</u>, <u>minor alteration</u>, <del>extension</del> or removal and replacement [...]</i></p> | <p><b>Decline</b></p> <p>The submitter supports the intention to provide for structures to be retained in good repair, however, considers that the definitions for the activity described are uncertain. The submitter requests that the definitions for 'maitnenance' and 'minor alteration' be amended as sought in submission points 1213 and 1223.</p> <p>The Council declines the relief sought by the submitter noting that it is proposed to delete Rule 36. The Council agrees that existing lawfully established hard protection structures be addressed in the same manner as</p>   |



| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
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|  |                  |  | other lawfully established structures and that the inclusion of a specific rule for hard protection structures is confusing and unnecessary.   |
| 59 – KiwiRail  | 962              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 36 of the Plan to provide for repair of hard protection structures as a permitted activity (rather than a discretionary activity)<br/>OR<br/>Amend Rule 35 to allow hard protection structures to be maintained, repaired or have minor alterations.</p>  | <p><b>No relief necessary</b></p> <p>The Council notes that Rule 35 already provides for the maintenance of hard protection and other structures as a permitted activity, subject to compliance with the standards, terms and conditions.</p> <p>The Council agrees that the rules relating to maintenance, alterations, extensions and removal be reframed to more clearly differentiate between the respective activities based upon changes in their external dimensions and environmental effects.</p>   |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Oppose   | <p>In addition to other consequential amendments to definitions, the Council agree that Rule 36 is deleted and that the rules relating to maintenance, alteration and extension of structures need not differentiate hard protection structures as separate from other types of structures.</p> <p>Instead, a simplified cascade is agreed to which begins as Permitted (Rule 35) and then identifies network utility structures (37 and 37A) and port structures (40 and 40A) separately. The 'catch-all' provisions (Rules 42 and 43) will address any activities not covered by this framework.</p> |
| 61 – Te Rūnanga o Ngāti Ruanui Trust                       | 963              | <p><b>Amend</b></p> <p>Submitter seeks amendment to the standards, terms and conditions of Rule 36 of the Plan to read:</p> <p><i><u>(a) repair, alteration, extension or removal of structure and discharge does not adversely affect the matters/values identified for protection by mana whenua in the cultural impact assessment</u></i></p> <p><i><u>(b) repair, alteration, extension or removal of structure and discharge complies with tangata whenua indicators referred to in the tangata whenua monitoring plan</u></i></p> <p><i><u>(c) repair, alteration, extension or removal of structure and discharge is consistent with iwi management plan.</u></i></p> <p>AND</p> <p>Include the following notification note:</p> <p><i><u>Resource consent applications under this Rule will be notified to tangata whenua.</u></i></p> | <p><b>Decline</b></p> <p>The Council declines the relief sought by the submitter.</p> <p>The Council notes its previous decision to delete Rule 36. The Council considers that existing lawfully established hard protection structures should be addressed in the same manner as other lawfully established structures and that the inclusion of a specific rule for hard protection structures is confusing and unnecessary.</p>   |



| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
|--|------------------|---|--|
| <b>Rule 37 – Network utility structure, repair, alteration or extension</b>                              |                  |   |  |
| 15 – Surfbreak Protection Society  | 964              | <p><b>Other</b></p> <p>Submitter seeks that there be no impacts to surf breaks and that key surfing groups and representative groups be part of any limited notification for discharge or disturbance consent applications with the potential to impact on surf breaks or coastal water.</p>  | <p><b>No relief necessary</b></p> <p>The submitter's comments are noted and have been previously addressed in submission point 446 relating to surfing policies. Policy 19 would be considered as part of any resource consent application under this Rule.</p> <p>The Council notes that matters relating to affected and interested party status and limited notification are addressed separately in accordance with the Council's consenting standard operating procedures which are in accordance with the requirements for notification under sections 95A to 95G of the RMA.</p>  |
| 26 – Transpower NZ Ltd   | 965              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 37 of the Plan to delete reference to National Environmental Standards for Electricity Transmission Activities:<br/> <del>[...] or the Resource Management (National Environmental Standards for Electricity Transmission Activities Regulations 2009 (Appendix 6)).</del></p> | <p><b>Accept</b></p> <p>The reference to the <i>National Environmental Standards for Electricity Transmission</i> is redundant and does not add further value to the Plan. The Council agrees to granting the relief sought by the submitter.</p>  |
| 29 – Department of Conservation  | 966              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 37 of the Plan to include a provision about limiting the size of any extension of the structure.</p>   | <p><b>Accept</b></p> <p>The Council accepts the amendments requested relating to an extension limit. The Council has reviewed other similar conditions in other regional coastal plans and consider a 10% extension limit to be appropriate provided other environmental concerns are addressed.</p> <p>The new standard, term and condition reads as follows:<br/> <u>(aa) the structure envelope, including length, width and height does not increase beyond 10% of the original size within a five year period; [...]</u></p> <p>The Council also agrees that, for the purposes of consistency, a similar condition be included in Rule 40 (Controlled).</p> |
| Further submissions – Climate Justice Taranaki Inc (21), Te Rūnanga o Ngāti Mutunga (40), Te Atiawa (58) |                  | Support   |  |
| Further submissions – Powerco (45), Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd (46)                   |                  | Oppose  |  |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions  |
|---|------------------|--|---|
| 30 – First Gas Ltd  | 967              | <b>Amend</b><br><br>Submitter seeks amendment to Rule 37 of the Plan to make network utility pipeline repair, alteration or extension a permitted activity (rather than a non-complying activity)<br><br>AND<br><br>Extend the Rule to include Outstanding Value coastal management areas. | <b>Grant in kind</b><br><br>In response to submitters, the rules relating to maintenance, alteration and extension of structures have been reframed to more clearly delineate between the respective activities.<br><br>The Council agrees to granting the relief in kind by including a new Restricted Discretionary rule addressing network utilities, including those in Outstanding Value areas, not covered by Rule 35 and 37. |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Atiawa (58), Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Oppose   | The Council notes that most maintenance and minor alteration activities associated with network utilities can be addressed as a permitted activity under Rule 35. Other alteration and extension activities associated with network utilities can be addressed under Rule 37.   |
| Further submissions – Powerco (45), Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd (46)                      |                  | Support in part  | The Council notes that, for those activities not covered by Rule 35 and 37, would be addressed under a new rule, Rule 37A, whereby alteration and extension of network utilities can be addressed as a restricted discretionary activity. This is part of a framework that better recognises and provides for regionally important network utilities.   |
| 41 – Te Korowai o Ngāruahine Trust  | 968              | <b>Amend</b><br><br>Submitter seeks amendment to Condition (c) of Rule 37 of the Plan to read:<br><br>[...]<br><br><i>(c) the activity does not have an adverse effect on the values associated with historic heritage identified in Schedule 5A and B [Historic heritage]; [...]</i>      | <b>Grant in kind</b><br><br>The Council agrees to granting the relief sought by the submitter in kind. The wording as requested by the submitter would have the perverse outcome of allowing an adverse effect on values associated with one of the Schedules and would only trigger non-compliance when values from both Scheduled A AND B occurred.   |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61)  |                  | Support  | The amended Condition (c) reads as follows:<br><br>[...]<br><br><i>(c) the activity does not have an adverse effect on the values associated with historic heritage identified in Schedule 5A or B [Historic heritage]; [...]</i>   |
| 43 – Royal Forest and Bird Protection Society   | 969              | <b>Amend</b><br><br>Submitter seeks amendment to the Activity Description of Rule 37 of the Plan to read:<br><br><i>Lawfully established hard protection structure <u>maintenance repair, minor alteration, extension</u> or removal and replacement [...]</i>                             | <b>Accept in part</b><br><br>The Council agrees to granting in part the relief sought by the submitter.<br><br>The Council agrees that rules relating to maintenance, alterations, extensions and removal be reframed to more clearly differentiate between the respective activities based upon changes in their external dimensions. Consequential  |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions  |
|---|------------------|--|---|
| Further submissions – Climate Justice Taranaki Inc (21) |                  | Support  | <p>changes are proposed to Rule 37 to limit the rule to alteration and extension of network utility structures in the coastal marine area. As part of that amendment, all references to repair have been deleted. The Council recognises that both the maintenance and alteration of structures in the coastal marine area may involve repairs.</p> <p>In relation to deleting 'extension' from the activity description, the Council declines the request and notes that greater constraints are agreed with the inclusion of a new standard, term and condition (aa). The 10% limit is similar to other limits set on other regional coastal plans around the country.</p>  |
| 45 – Powerco  | 970              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 37 of the Plan to read:<br/> <i>Lawfully established network utility structure <b>maintenance</b>, repair, alteration or extension where the structure is:</i><br/> <i>(a) a pipeline that is buried or attached to a bridge or access structure;</i><br/> <i>[...]</i><br/> <i>(d) a communication or electricity cable that is buried or attached to a bridge or access structure <b>or pole</b>; or</i><br/> <i>[...]</i><br/> <i>(d) discharge of sediment</i><br/> <i>and does not <del>come within or</del> comply with Rule 35 [...]</i></p> | <p><b>Accept in part</b></p> <p>The Council notes that there are multiple aspects to the submitter's request. Each is addressed in turn below.</p> <ul style="list-style-type: none"> <li>In relation to the inclusion of 'maintenance', the Council agrees to amending the Rule and note that there may be instances where a maintenance activity may not meet all of the standards, terms and conditions. In these instances, the activity may be addressed as a controlled activity under Rule 37.</li> <li>The Council agrees to an alternative relief to the amendment sought in relation to amending the Activity Description (d) to read as follows:<br/> <i>(d) a communication or electricity cable <b>or line</b>; or [...]</i></li> <li>Regarding compliance with Rule 35, the Council declines the request and note that there may be instances where an activity does not come within the activity description of that Rule. Maintaining the current wording will ensure consistency with the rest of the Plan.</li> </ul> <p>The Council notes that the submitter requested additional amendments to Condition (a) to allow more more than a 10% extension increase where a greater increase is required to meet the <i>Australian/New Zealand Standard for Overhead line design (AS/NZS 7000:2016)</i> or the <i>Electricity (Safety) Regulations 2010</i>. The Council does not consider that this would be appropriate for a permitted activity rule noting that these standards could change over the life of the Plan and allow even more significant extensions in the future. The Council agrees to retaining amendments to Condition (a) as identified above.</p> |
| Further submissions – Port Taranaki Ltd (32)            |                  | Support  |   |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions   |
|---|------------------|---|--|
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd  | 971              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 37 of the Plan to read:<br/> <i>Lawfully established network utility structure <u>maintenance</u>, repair, alteration or extension where the structure is:</i><br/> <i>(a) a pipeline that is buried or attached to a bridge, <u>wharf</u> or access structure;</i><br/> <i>[...]</i><br/> <i>(h) discharge of sediment</i><br/> <i>and does not <del>come within or</del> comply with Rule 35</i><br/> <i>excluding activities regulated by the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (Appendix 6).</i></p> | <p><b>Accept in part</b></p> <p>The Council agrees to granting the relief sought in relation to amending the activity description (a) and the inclusion of 'wharf'.</p> <p>Regarding compliance with Rule 35, the Council declines the relief sought noting that there may be instances where an activity does not come within the activity description of that Rule. Maintaining the current wording will ensure drafting consistency with the rest of the Plan.</p>  |
| 58 – Te Atiawa  | 972              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 37 of the Plan to recognise Iwi notified as an affected party<br/> AND<br/> Change reference in the Conditions to Schedule 5 to Schedules 5A and 5B.</p>   | <p><b>Accept in part</b></p> <p>The Council agrees to granting the relief sought by the submitter in relation to amending Condition (c) to refer to Schedules 5A or 5B (rather than just Schedule 5). However, in relation to the notification requirements proposed by the submitter, the Council notes that the Plan is not intended to provide the operational detail for implementing every aspect of the Plan. Such detail is more appropriately included in the Council's standard operating procedures and/or any Mana Whakahono a Rohe agreements.</p> <p>Notwithstanding the above, the Council notes that, as part of this Coastal Plan review process, and in relation to 'sites of significance' to Māori (refer Condition (c)), Council has already agreed to recognise Iwi, subject to conditions, as an affected party for all resource consent applications that affect the values identified in Schedules 5A and B.</p> |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Rūnanga o Ngāti Ruanui Trust (61) |                  | <p><b>Support</b></p>   |  |
| 59 – KiwiRail   | 973              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 37 of the Plan to remove the (a) to (e) Activity Descriptions on the type of network utility structure,<br/> OR<br/> Include existing railway assets as new (f).</p>   | <p><b>Accept</b></p> <p>The Council considers railway assets in the coastal marine area are likely to be bridges or access structures. The Council agrees to amending Rule 37 to include bridges, wharves and access structures for network utilities. The Council therefore agrees to amending the gateway clause (a) to read as follows:</p>   |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions  |
|---|------------------|--|---|
|   |                  |  | <p>(a) <u>a bridge, wharf or access structure, including any attached pipelines or cables or lines that are buried or attached; [...]</u></p> <p>The Council notes that this amendment aligns with equivalent provisions in the operative Freshwater Plan.</p>  |
| 61 – Te Rūnanga o Ngāti Ruanui Trust  | 974              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 37 of the Plan to include new and amended standards, terms and conditions to read:</p> <p>[...]</p> <p>(c) <u>activity does not have an adverse effect on the values associated with cultural and historic heritage identified in Schedule 5 [Cultural and Historic heritage];</u></p> <p><u>(ca) the activity does not have adverse effect on Schedules 1 and 2;</u></p> <p><u>(cb) the activity does not have any adverse effect on any site identified in 5B [Sites of significance to Māori and associated values] and Appendix 2;</u></p> <p><u>(d) the structure does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4A [Significant species and ecosystems]; and taonga species protected under Taranaki iwi Deed of Settlement including those identified in Schedule 4C [Taonga species and habitat]</u></p> <p><u>(e) activity does not adversely affect the matters/values identified for protection by mana whenua in the cultural impact assessment;</u></p> <p><u>(f) activity complies with tangata whenua indicators referred to in the tangata whenua monitoring plan</u></p> <p><u>(g) activity is consistent with iwi management plan.</u></p> | <p><b>Accept in part</b></p> <p>The Council notes that Rule 37 is providing for the ongoing maintenance, repair or minor alterations to already existing lawfully established network utility structures in the coastal marine area. Subject to compliance with the standards, terms and conditions of the Rule, any adverse effects should be less than minor.</p> <p>The erection and placement of new structures are addressed in separate rules. Specific comments on the new and amended proposed conditions are as follows:</p> <ul style="list-style-type: none"> <li>Decline the relief sought in relation to Condition (c). The Council refers the submitter to previous comments made on expanding the scope of historic heritage.</li> <li>Decline the relief sought in relation to Condition (ca). The Council notes that the effect of granting this relief would also make this rule redundant as it requires no adverse effects (including less than minor) across the whole coastal marine area, noting that Schedules 1 and 2 capture the whole coastal marine area plus landward parts of the coastal environment identified as having outstanding natural character or being an outstanding natural feature or landscape.</li> </ul> |
| Further submissions – Climate Justice Taranaki Inc (21), Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) |                  | Support  | <ul style="list-style-type: none"> <li>Decline the relief sought in relation to Condition (cb) as unnecessary and uncertain for Plan users. The Rule is only providing for maintenance, repair or minor alterations to network utility structures already existing in the coastal marine area. Council note that impacts on cultural sites of significance are already addressed in Condition (c). The effect of granting this relief would be to make this rule redundant as it requires no adverse effects (including less than minor).</li> </ul>  |



| Submitter                            | Submission point | Submitter's requests  | Council's response and decisions   |
|--------------------------------------|------------------|---|--|
|                                      |                  |   | <ul style="list-style-type: none"> <li>Grant the relief in kind in relation to Condition (d). The Council agrees to expanding the scope of Rule conditions to include reference to scheduled taonga species.</li> <li>Reliefs sought in relation to Condition (e) are unnecessary. Such matters should already be addressed in Condition (c) of the Rule, which protects customary sites of significance. However, it is noted that any impacts on receiving water quality will be temporary and unlikely to be noticeable in natural prevailing conditions.</li> <li>Decline the relief sought in relation to Condition (f) and (g) as being uncertain in terms of their application and given the details as to managing effects on water quality and monitoring are already identified in the rule as matters of control.</li> </ul>  |
| 61 – Te Rūnanga o Ngāti Ruanui Trust | 975              | <p><b>Amend</b></p> <p>Submitter seeks amendment to the control and notification column for Rule 37 of the Plan to read:</p> <p><i>Control is reserved over:</i></p> <p>[...]</p> <p><i>(e) effects on water quality <u>and mauri values</u>;</i></p> <p><i>(f) effects on ecological values;</i></p> <p><i>(g) effects on historic, cultural and amenity values;</i></p> <p><i>(hi) effects on surf breaks;</i></p> <p><i>(i) effects of occupation on public access;</i></p> <p><i>(j) effects on navigation;</i></p> <p><i>(k) effects of noise and light;</i></p> <p><i><u>(l) effects on Cultural Zone (referred to in Spatial Plan)</u>;</i></p> <p><i>(m) monitoring <u>(including tangata whenua indicators referred to in the tangata whenua monitoring plan)</u> and information requirements;</i></p> <p><i>(n) duration of consent; and</i></p> <p><i>(o) review of consent conditions.</i></p> <p><i>Resource consent applications under this Rule will <u>not be publicly notified but may be limited notified be notified to tangata whenua.</u></i></p> | <p><b>Decline</b></p> <p>The Council declines the relief sought by the submitter.</p> <p>The suggested changes seem to be mixing jurisdictional, policy and operational matters and introducing a level of specificity that is not considered appropriate or necessary for a regional plan. Most of the changes sought are a subset of matters that have already been provided for while the submitter has also introduced some new concepts such as a cultural zone and a spatial plan that do not fit within the Proposed Plan framework. There is also a 'requirement' to be consistent with iwi management plans, while the submitter is silent on how other planning documents, by other parties, might fit within this framework.</p> <p>The Council notes that this activity is already subject to the General Policies 1 to 21 of which Policies 15 [Historic heritage] and 16 [Relationship of tangata whenua] are particularly relevant. The Council further notes that there will be an opportunity to develop an agreed framework and operational detail for implementing the Plan as part of any Mana Whakahoā Rohe agreement with the submitter.</p> |



| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
|--|------------------|--|--|
| Further submissions – Climate Justice Taranaki Inc (21)                          |                  | Support  |  |
| <b>Rule 38 – Existing lawfully established structure removal and replacement</b> |                  |  |  |
| 12 – Chorus New Zealand Limited  | 976              | <p><b>Amend</b></p> <p>Submitter seeks amendment to the standards, terms and conditions of Rule 38 [Existing lawfully established structure removal and replacement] of the Plan to read:</p> <p>[...]</p> <p><i>(f) the replacement structure is built in the same <u>or similar location</u> as the original structure;</i></p> <p><i>(g) the existing structure is removed completely with no waste being placed into the coastal marine area, <u>unless the removal of the structure is considered by a Suitably Experienced and Qualified Coastal Professional, in collaboration with the Regional Council, to have greater adverse effects on the environment than leaving it in place;</u></i></p> <p>OR</p> <p>the standards, terms and conditions are amended to read:</p> <p><i>(f) the replacement structure, <u>except for submarine cables or lines</u>, is built in the same location as the original structure. <u>A replacement submarine cable or line must be laid or suspended within a horizontal distance of no more than three times the depth of water from the cable or line which is being replaced;</u></i></p> <p><i>(g) the existing structure is removed completely with no waste being placed into the coastal marine area, <u>unless the removal of the structure is considered by an independent suitably qualified and experienced coastal practitioner, to have greater adverse effects on the environment than leaving it in place. The reasoning for this must be provided to Taranaki Regional Council; [...]</u></i></p> | <p><b>Decline</b></p> <p>In response to other submitters, the Council considers that Rule 38 is unnecessary as it addresses matters already covered through a different rule pathway. The Council agrees to deleting Rule 38 to avoid confusion for Plan users and instead rely on Rules 44, 45 and 46 for the removal aspect of the structure, and Rules 18 to 34 for the 'replacement' aspects of the structure.</p> |
| Further submissions – Powerco (45)   |                  | Support in part  |  |
| 13 – Spark New Zealand Trading Limited   | 977              | <p><b>Amend</b></p> <p>Submitter seeks amendment to the standards, terms and conditions of Rule 38 [Existing lawfully established structure removal and replacement] of the Plan to read:</p>  | <p><b>Decline</b></p> <p>In response to other submitters, the Council considers that Rule 38 is unnecessary as it addresses matters already covered through a different Rule pathway. The Council agrees to deleting Rule 38 to avoid confusion for Plan</p>   |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
|--|------------------|--|--|
|  |                  | <p>[...]</p> <p>(f) the replacement structure is built in the same <u>or similar location</u> as the original structure;</p> <p>(g) The existing structure is removed completely with no waste being placed into the coastal marine area, <u>unless the removal of the structure is considered by a Suitably Experienced and Qualified Coastal Professional, in collaboration with the Regional Council, to have greater adverse effects on the environment than leaving it in place;</u></p> <p>OR</p> <p>the standards, terms and conditions are amended to read:</p> <p>(f) the replacement structure, <u>except for submarine cables or lines,</u> is built in the same location as the original structure. <u>A replacement submarine cable or line must be laid or suspended within a horizontal distance of no more than three times the depth of water from the cable or line which is being replaced;</u></p> <p>(g) the existing structure is removed completely with no waste being placed into the coastal marine area, <u>unless the removal of the structure is considered by an independent suitably qualified and experienced coastal practitioner, to have greater adverse effects on the environment than leaving it in place. The reasoning for this must be provided to Taranaki Regional Council; [...]</u></p> | <p>users and instead rely on Rules 44, 45 and 46 for the removal aspect of the structure, and Rules 18 to 34 for the 'replacement' aspects of the structure.</p>   |
| Further submissions – Port Taranaki Ltd (32), Powerco (45) |                  | Support in part  |  |
| 14 – Vodafone New Zealand Limited                          | 978              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 38 [Existing lawfully established structure removal and replacement] of the Plan to include standards, terms and conditions to read:</p> <p>[...]</p> <p>(f) the replacement structure is built in the same <u>or similar location</u> as the original structure;</p> <p>(g) the existing structure is removed completely with no waste being placed into the coastal marine area, <u>unless the removal of the structure is considered by a Suitably Experienced and Qualified Coastal Professional, in collaboration with the Regional Council, to have greater adverse effects on the environment than leaving it in place;</u></p>  | <p><b>Decline</b></p> <p>In response to other submitters, the Council considers that Rule 38 is unnecessary as it addresses matters already covered through a different Rule pathway. The Council agrees to deleting Rule 38 to avoid confusion for Plan users and instead rely on Rules 44, 45 and 46 for the removal aspect of the structure, and Rules 18 to 34 for the 'replacement' aspects of the structure.</p> |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions  |
|---|------------------|---|---|
|   |                  | <p>OR</p> <p>the standards, terms and conditions are amended to read:</p> <p>(f) the replacement structure, <u>except for submarine cables or lines, is built in the same location as the original structure. A replacement submarine cable or line must be laid or suspended within a horizontal distance of no more than three times the depth of water from the cable or line which is being replaced;</u></p> <p>(g) the existing structure is removed completely with no waste being placed into the coastal marine area, <u>unless the removal of the structure is considered by an independent suitably qualified and experienced coastal practitioner, to have greater adverse effects on the environment than leaving it in place. The reasoning for this must be provided to Taranaki Regional Council: [...]</u></p> |   |
| Further submissions – Powerco (45)  |                  | Support in part   |   |
| 21 – Climate Justice Taranaki   | 979              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 38 of the Plan to make the activity a discretionary activity (rather than permitted activity).</p>   | <p><b>Grant in kind</b></p> <p>The Council agrees to an alternative relief that will address the concerns of the submitter. The Council notes that Rule 38 is uncertain as there are multiple rules which may apply for the same activity.</p> <p>The Council agrees to deleting Rule 38 to offer a more certain pathway for Plan users and a suite of rules to better take into account the differing level of environmental effects that removing and replacing an activity might have. This would mean that the removal of a structure is addressed as a permitted, controlled or discretionary activity under Rules 44, 45 and 46. The 'replacement' of the structure would similarly be addressed as a permitted, controlled, discretionary or non-complying activity under Rules 18 to 34.</p> <p>The Council also notes that additional standards, terms and conditions have also been included in the appropriate removal and demolition rules which increases and broadens environmental considerations for Permitted and Controlled Activities.</p> |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) |                  | Support   |   |
| 26 – Transpower NZ Ltd  | 980              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 38 of the Plan to delete reference to National Environmental Standards for Electricity Transmission Activities:<br/> <del>[...] or the Resource Management (National Environmental Standards for Electricity Transmission Activities Regulations 2009 (Appendix 6)).</del></p>   | <p><b>Accept</b></p> <p>The reference to the <i>National Environmental Standards for Electricity Transmission</i> is redundant and does not add further value to the Plan. The Council agrees to granting the relief sought by the submitter.</p>   |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
|--|------------------|---|---|
| 29 – Department of Conservation  | 981              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 38 of the Plan to include new standards, terms and conditions addressing:</p> <ul style="list-style-type: none"> <li>• how the use of vehicles and machinery in the coastal environment will be avoided where possible, and minimised/effects mitigated where necessary (including taking the shortest and least sensitive route)</li> <li>• the requirement for construction equipment including spoil, litter or equipment to be removed within 24 hours of completion of any works</li> <li>• the prohibition of any refuelling or fuel storage occur within the coastal environment and that methods should be employed to avoid any fuel spillage.</li> </ul> | <p><b>Decline</b></p> <p>The Council declines the relief sought by the submitter.</p> <p>Similar type conditions have been considered as part of the Plan review process and were not deemed to be not necessary with the effects of those activities being addressed in the standards, terms and conditions of the Rule.</p> <p>Notwithstanding the above, in response to other submitters' requests, the Council notes that it has agreed to delete Rule 38 as it addresses activities already covered through a different rule pathway. The Council believes the deletion of Rule 38 is necessary to avoid confusion for Plan users and for resource users to instead rely on Rules 44, 45 and 46 for the removal aspect of the structure, and Rules 18 to 34 for the 'replacement' aspects of the structure.</p>  |
| Further submissions – Climate Justice Taranaki Inc (21)                                |                  | Support   |   |
| Further submissions – Powerco (45), Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd (46) |                  | Oppose  |   |
| 30 – First Gas Ltd   | 982              | <p><b>Amend</b></p> <p>Submitter seeks that network utility pipeline removal and replacement within coastal management areas: Outstanding Value and Estuaries Unmodified, Estuaries Modified and Port be classified as a permitted activity and be included under Rule 38 (or under a separate rule).</p>   | <p><b>Decline</b></p> <p>The Council declines the relief sought by the submitter.</p> <p>The Council notes that the Activity Description of Rule 38 deliberately excludes petroleum production installations and pipelines because of the higher environmental risks involved.</p> <p>The Council further notes that rules relating to maintenance, alterations, extensions and removal are agreed to be reframed to more clearly differentiate between the respective activities.</p> <p>In response to other submitters, the Council considers that Rule 38 is unnecessary as it addresses matters already covered through a different Rule pathway. The Council agrees to deleting Rule 38 to avoid confusion for Plan users and for resource users to instead rely on Rules 44, 45 and 46 for the removal aspect of the structure, and Rules 18 to 34 for the 'replacement' aspects of the structure.</p> |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Atiawa (58)                  |                  | Oppose  |   |
| Further submissions – Powerco (45)   |                  | Neutral   |   |

| Submitter                                     | Submission point | Submitter's requests   | Council's response and decisions   |
|---|------------------|--|--|
| 40 – Te Rūnanga o Ngāti Mutunga               | 983              | <p><b>Amend</b></p> <p>Submitter opposes permitting the removal or replacement of existing lawfully established structures in the coastal marine area and seek that such activities be a discretionary activity (rather than a permitted activity).</p>  | <p><b>Grant in kind</b></p> <p>The Council agrees to granting in kind the relief sought by the submitter.</p> <p>In response to other submitters, the Council agrees to deleting Rule 38, which permits the removal and replacement of lawfully established structures. To better clarify and differentiate between the different structure activities, the Council considers Rules 44, 45 and 46 to adequately provide for the removal aspect. In relation to the structure replacement, Rules 18 to 34 would be considered as part of the “<i>placement</i>”. Together these rules provide a broad suite of regulatory control from permitted activity to non-complying activity depending on the significance of effects.</p>   |
| 41 – Te Korowai o Ngāruahine Trust            | 984              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Condition (i) of Rule 38 of the Plan to read:<br/><i>(i) structure is not located within any historic heritage site identified in Schedule 5A and B [Historic heritage] or any other archaeological site; [...]</i></p>  | <p><b>Grant in kind</b></p> <p>The Council notes that, in response to other submitters, the Council agrees to deleting Rule 38 as it addresses matters already covered through a different Rule pathway. The Council agrees to deleting Rule 38 to avoid confusion for Plan users and for resource users to instead rely on Rules 44, 45 and 46 for the removal aspect of the structure, and Rules 18 to 34 for the ‘replacement’ aspects of the structure</p> <p>Notwithstanding the above, the Council agrees that the relevant standards, terms and conditions are amended in the other rules to ensure that they reference Schedule 5A and B as requested by the submitter.</p>  |
| 43 – Royal Forest and Bird Protection Society | 985              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 38 of the Plan by:</p> <ul style="list-style-type: none"> <li>deleting and excluding Outstanding Value coastal management areas from the rule</li> <li>deleting and excluding the “replacement” of lawfully established structures from the rule (and instead providing for the replacement of existing structures via rules for erection and placement of new structures</li> </ul> <p>OR</p> <p>Alternatively provide for replacement of lawfully established structures as a Restricted Discretionary rule (rather than a permitted activity) and include matters for discretion that address: effects on natural character and natural features and</p> | <p><b>Accept in part</b></p> <p>The Council accepts in part, the relief sought by the submitter. The Council considers that Rule 38 is confusing as removal of structures is already addressed under Rules 44, 45 and 46. In order to assist Plan users, the Council agrees to delete Rule 38 and rely on Rules 44, 45 and 46 for the removal aspect of the activity and to (as requested by the submitter) provide for the replacement of existing structures through the appropriate structure placement and erection rules (Rules 18 to 34).</p> <p>In relation to excluding Outstanding Value coastal management areas it is noted that when considering whether there are any adverse effects on the characteristics and qualities of ‘outstanding areas’, it must be recognised that many areas contain ongoing use and development that was present when the areas were first identified as outstanding. Removal and replacement of</p> |



| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
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|  |                  | landscapes; effects on indigenous biodiversity; generation of noise; location; and whether the replacement structure maintains the form of the original structure with no increase in length, width or height, or increase in adverse effects.  | structures in accordance with the standards, terms and conditions of the appropriate rules will have only minor and temporary effects.  |
| Further submissions – Climate Justice Taranaki Inc (21)                                      |                  | Support   |   |
| 47 – Fonterra  | 986              | <b>Support</b>  | <b>Decline</b>  |
|  |                  | Retain Rule 38 of the Plan as notified.   | Support noted. However, the Council notes that Rule 38 is to be deleted in response to other submitter's requests due to duplication of Plan provisions.  |
| Further submissions – Port Taranaki Ltd (32)   |                  | Support in part   |   |
| 61 – Te Rūnanga o Ngāti Ruanui Trust   | 987              | <b>Amend</b>  | <b>Accept in part</b>   |
|  |                  | Submitter seeking amendment to Rule 38 of the Plan to include new and amended standards, terms and conditions to read:<br>[...]<br><i>(i) structure is not located within <u>cultural and</u> historic heritage identified in Schedule 5 [<u>Cultural and</u> Historic heritage] or any other archaeological site;</i><br><i>(ia) structure is not located within Schedules 1 and 2;</i><br><i>(ib) structure does not adversely affect the suitability of the receiving area for <u>customary use</u>;</i><br><i>(ic) structure is not located within any site identified in 5B [Sites of significance to Māori and associated values] and Appendix 2;</i><br><i>(j) structure is not located at any site identified in Schedules 5 [Sites of geological significance];</i><br><i>(k) the structure does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4A [Significant species and ecosystems]; and <u>taonga species protected under Taranaki iwi Deed of Settlement including those identified in Schedule 4C [Taonga species and habitat].</u> [...]</i> | The Council notes that, in response to other submitters, it has agreed to delete Rule 38 as it addresses matters already covered through a different Rule pathway.<br><br>The Council agrees to delete Rule 38 to avoid confusion for Plan users and instead rely on Rules 44, 45 and 46 for the removal aspect of the structure, and Rules 18 to 34 for the 'replacement' aspects of the structure.<br><br>The Council notes that, in relation to the requests made by the submitter, consideration of the points raised is detailed in other submission points made by the submitter in regards to Rules 44 to 46 and 18 to 34. |
| Further submissions – Climate Justice Taranaki Inc (21), Te Rūnanga o Ngāti Mutunga (40), Te |                  | Support   |   |



| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
|--|------------------|--|---|
| Korowai o Ngāruahine Trust (41), Te Atiawa (58)  |                  |  |   |
| <b>NEW Rule 38A – Existing lawfully established structure removal and replacement in Outstanding Value areas</b> |                  |  |   |
| 43 – Royal Forest and Bird Protection Society  | 988              | <p><b>Amend</b></p> <p>Submitter seeks amendment to the Plan to include a new Rule that would provide for the removal of existing lawfully established structures in Outstanding Value coastal management areas as a controlled activity (rather than a permitted activity provided for in Rule 38).</p> | <p><b>Decline</b></p> <p>In response to other submitters, the Council considers that Rule 38 is unnecessary as it addresses matters already covered through a different Rule pathway. The Council agrees to deleting Rule 38 to avoid confusion for Plan users and instead rely on Rules 44, 45 and 46 for the removal aspect of the structure, and Rules 18 to 34 for the 'replacement' aspects of the structure.</p> <p>The Council suggests that this relief provides a more certain pathway for Plan users for the replacement of structures which includes permitted, controlled and discretionary activity classifications as well as additional standards, terms and conditions.</p> <p>The Council does not believe it necessary to exclude Outstanding Value coastal management areas from the permitted activity pathway noting that when considering whether there are any adverse effects on the characteristics and qualities of 'outstanding areas', it must be recognised that many areas contain ongoing use and development that was present when the areas were first identified as outstanding and which continue to be identified as 'outstanding'.</p> |
| <b>Rule 39 – Existing lawfully established Port structure maintenance and repair</b>                             |                  |  |   |
| 40 – Te Rūnanga o Ngāti Mutunga  | 989              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 39 of the Plan to make the maintenance, repair or alteration of structures in the Port a controlled activity (rather than a permitted activity).</p>  | <p><b>Decline</b></p> <p>The Council notes that Rule 39 relates to the maintenance, repair or alteration of existing lawfully established structures in the Port. It is similar in kind to existing rules in the current Plan relating to the Port.</p> <p>The Council notes that the Port is already a highly modified environment that provides a national and regionally important function whereby the movement of goods is dependent upon the ongoing maintenance, repair and alteration of Port structures. Subject to complying with the standards, terms and conditions that include that the structure does not increase beyond original size, in accordance with Policy 6 the Council should seek to provide for such activities. The Council sees no net environmental benefit to imposing</p>   |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
|--|------------------|---|---|
|  |                  |   | <p>consenting and compliance costs on the Port by making the activity a controlled activity.</p> <p>Notwithstanding the above, the Council agree to deleting Rule 39 and addressing the matters covered by Rule 39 under Rule 35. This addresses concerns raised by other submitters relating to issues of potential duplication and overlap between rules as well as wider issues relating to providing a simpler cascade for Plan users in relation to the maintenance, alteration and extension rules framework.</p>   |
| 43 – Royal Forest and Bird Protection Society  | 990              | <p><b>Amend</b></p> <p>Submitter seeks amendment to the Activity Description of Rule 39 of the Plan to read:</p> <p><i>Existing lawfully established structure maintenance <del>repair</del>, or <u>minor</u> alteration where the activity [...]</i></p>   | <p><b>Accept in kind</b></p> <p>The Council agrees to granting the relief sought by the submitter in kind.</p> <p>The Council agrees to deleting Rule 39 and addressing the matters covered by Rule 39 under Rule 35. This addresses concerns raised by other submitters relating to issues of potential duplication and overlap between rules as well as wider issues relating to providing a simpler cascade for Plan users in relation to the maintenance, alteration and extension rules framework. Notwithstanding the above, the Council notes that the amendments sought by the submitter have been provided in Rule 35 as requested under submission point 953.</p> |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd                                   | 991              | <p><b>Amend</b></p> <p>Submitter seeks amendment to the Activity Description of Rule 39 of the Plan to read:</p> <p><i>Existing lawfully established structure maintenance, repair or alteration where the activity relates to that part of the wharves or breakwaters that is normally above the water surface including any attached structures, and relates directly to port <del>company</del> operations and any associated: [...]</i></p> | <p><b>Grant in kind</b></p> <p>The Council agrees to granting the relief in kind.</p> <p>The Council notes that amendments made to Rule 35 have made Rule 39 redundant due to duplication of provisions. As a result, Rule 39 is to be deleted.</p> <p>The Council notes that the concerns raised by the submitter and request to broaden the scope of Rule 39 to all Port operations has already been provided for under Rule 35.</p>  |
| Further submissions – Port Taranaki Ltd (32)   |                  | Support   |   |
| 58 – Te Atiawa   | 992              | <p><b>Support</b></p> <p>Retain Rule 39 of the Plan as notified.</p>  | <p><b>Decline</b></p> <p>Support for Rule 39 is noted. However, Rule 39 is agreed to be deleted in order to address the concerns of other submitters.</p>   |
| <b>Rule 40 – Existing lawfully established Port structure maintenance and repair</b> |                  |   |   |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
|--|------------------|--|--|
| 40 – Te Rūnanga o Ngāti Mutunga                    | 993              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 40 of the Plan to make the maintenance, repair or alteration of structures in the Port where it does not comply with Rule 39 a discretionary activity (rather than a controlled activity).</p>  | <p><b>Decline</b></p> <p>The Council notes that Rule 40 relates to the maintenance, repair or alteration of existing lawfully established structures in the Port where the activity does not come within or comply with Rule 39.</p> <p>The Port is already a highly modified environment that provides a national and regionally important function whereby the movement of goods is dependent upon the ongoing maintenance, repair and alteration of Port structures. Subject to complying with the standards, terms and conditions it is agreed that the activity be allowed to get a resource consent as a controlled activity to provide some business certainty in accordance with Policy 6. The Council sees no net environmental benefit to reducing business certainty for the Port (in terms of whether a consent would be granted or not) by making the activity a discretionary activity.</p> <p>Notwithstanding the above, the Council notes amendments to the Activity Description and inclusion of additional standards, terms and conditions to ensure adverse effects can be appropriately considered and managed as a controlled activity.</p> |
| 43 – Royal Forest and Bird Protection Society      | 994              | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 40 of the Plan by:</p> <ul style="list-style-type: none"> <li>including a new condition that the activity will not have adverse effects on the adjacent Outstanding Value area</li> <li>amending the matters for control to include consideration of effects on indigenous biodiversity and natural character.</li> </ul> | <p><b>Accept in part</b></p> <p>The Council suggests that the current Rule, which applies only to the 'Port' coastal management area, and which has conditions whereby the size of the structure does not increase from its original size and where the activity cannot impact on significant indigenous biodiversity (which includes not just within the Port but also the Sugar Loaf Islands), already address potential impacts on adjacent areas. The Council does not consider any change is necessary or appropriate.</p> <p>With regards to amending the matters of control to explicitly address indigenous biodiversity and natural character, the Council agrees. The Council agrees to replacing the term "ecological values" with "natural character, features and landscapes" and "indigenous biodiversity" to clarify its policy intent.</p>   |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd | 995              | <p><b>Support</b></p> <p>Retain Rule 40 of the Plan as notified.</p>   | <p><b>Accept</b></p>   |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
|--|------------------|---|--|
| Further submission – Port Taranaki Ltd (32)  |                  | Support   | Support noted but note the inclusion of additional standards, terms and conditions.  |
| 58 – Te Atiawa   | 996              | <b>Support</b>  | <b>Accept</b>  |
|  |                  | Retain Rule 40 of the Plan as notified.   | Support noted but note the inclusion of additional standards, terms and conditions.  |
| <b>Rule 41 – Existing lawfully established Port repair, alteration and extension</b> |                  |   |  |
| 15 – Surfbreak Protection Society  | 997              | <b>Other</b>  | <b>No relief necessary</b>   |
|  |                  | Submitter seeks that there be no impact on surf breaks.   | Submitter's comments are noted and have been previously addressed in submission point 448 relating to surfing policies. Policy 19 would be considered as part of any resource consent application under this Rule.   |
| 40 – Te Rūnanga o Ngāti Mutunga  | 998              | <b>Amend</b>  | <b>Decline</b>   |
|  |                  | Submitter seeks amendment to Rule 41 of the Plan to make the maintenance, repair or alteration of structures in the Port that does not come within or comply with other related rules a discretionary activity (rather than a controlled activity). | The Council declines the relief sought.<br>The Council notes that the Port is already a highly modified environment that provides a national and regionally important function whereby the movement of goods is dependent upon the ongoing maintenance, repair and alteration of Port structures. Subject to complying with the standards, terms and conditions, in accordance with Policy 6 the Council seeks to provide for such activities. The Council sees no net environmental benefit to reducing business certainty for the Port (by the potential of declining a resource consent application) by making the activity a discretionary activity.<br>Notwithstanding the above, the Council notes that in order to simplify the rules cascade relating to structure maintenance, alteration and extension Rules 40 and 41 have been merged and additional standards, terms and conditions inserted to address environmental effects to ensure the broader consideration of environmental effects. |
| Further submission – Port Taranaki Ltd (32)  |                  | Oppose  |  |
| 58 – Te Atiawa   | 999              | <b>Amend</b>  | <b>No relief necessary</b>   |
|  |                  | Submitter seeks amendment to Rule 41 of the Plan to notify Iwi as an affected party.  | The Council considers that no relief is necessary.<br>The Council notes that in order to simplify the rules cascade relating to structure maintenance, alteration and extension Rules 40 and 41 have been merged and additional standards, terms and conditions inserted to address  |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
|--|------------------|--|--|
|  |                  |  | <p>environmental effects to ensure the broader consideration of environmental effects.</p> <p>The Council further notes that, as part of this Coastal Plan review process, and in relation to 'sites of significance' to Māori (refer Condition (c)), Council has already agreed to recognise iwi, subject to conditions, as an affected party for all resource consent applications. There will be further opportunity to set consultation requirements and expectations as part of the development of Mana Whakahono a Rohe agreements.</p>  |
| <b>Rule 42 – Other structure repair, extension, removal or replacement</b> |                  |  |  |
| 6 – Trans-Tasman Resources Ltd   | 1000             | <p><b>Support</b></p> <p>Retain Rule 42 of the Plan as notified.</p>   | <p><b>Accept</b></p> <p>Support noted. Rule 42 is retained subject to amendments to offer relief to other submitters' concerns where appropriate.</p>  |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61)                 |                  | <p>Oppose</p>  |  |
| 26 – Transpower NZ Ltd   | 1001             | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 42 of the Plan to delete reference to National Environmental Standards for Electricity Transmission Activities: <i>[...] or the Resource Management (National Environmental Standards for Electricity Transmission Activities Regulations 2009 (Appendix 6)).</i></p>   | <p><b>Accept</b></p> <p>The reference to the <i>National Environmental Standards for Electricity Transmission</i> is redundant and does not add further value to the Plan. The Council agrees to grant the relief sought by the submitter.</p>   |
| 32 – Port Taranaki   | 1002             | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 42 of the Plan to:</p> <ul style="list-style-type: none"> <li>insert a new rule specifically for the Port coastal management area and in respect to Port activities providing controlled activity status for other structure repair, alteration, extension or removal and replacement that is not provided for in Rules 35 to 41</li> <li>make any consequential amendments to other rules and objectives and policies to give effect to this relief</li> </ul> <p>OR</p> <ul style="list-style-type: none"> <li>provide another rule structure or amendment/additional rules to Rules 35-41 that delivers the same result for the port.</li> </ul> | <p><b>Accept in part</b></p> <p>The Council accepts in part the relief requested by the submitter. The Council considers that regionally important infrastructure, which includes the Port, should be recognised within the Rules and provided for in a manner that promotes the maintenance and future proofing of infrastructure, subject to the appropriate regulatory controls and environmental outcomes.</p> <p>The Council agrees to including two additional rules that provide a Restricted Discretionary pathway for maintenance, alteration and extension activities for the Port and for network utilities. These are new Rules 37A for network utility structures and 40A for Port structures. The Council notes that Rules 35 and 37 already provide a permitted and controlled activity pathway for most maintenance, alteration and extension activities within the Port. Only in circumstances where the activity cannot comply with the standards, terms and</p> |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
|--|------------------|--|---|
| Further submissions – Port Taranaki Ltd (32), Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd (46) |                  | Support  | conditions of these rules will a higher regulatory rule be required, i.e. Rule 40A.   |
| 45 – Powerco   | 1003             | <b>Support</b><br>Retain Rule 42 of the Plan as notified.  | <b>Accept</b><br>Support noted. Rule 42 is retained subject to amendments to offer relief to other submitters' concerns where appropriate.  |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61)                                       |                  | Oppose   |   |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd   | 1004             | <b>Support</b><br>Retain Rule 42 of the Plan as notified.  | <b>Accept</b><br>Support noted. Rule 42 is retained subject to amendments to offer relief to other submitters' concerns where appropriate.  |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61)                                       |                  | Oppose   |   |
| 47 – Fonterra  | 1005             | <b>Support</b><br>Retain Rule 42 of the Plan as notified.  | <b>Accept</b><br>Support noted. Rule 42 is retained subject to amendments to offer relief to other submitters' concerns where appropriate.  |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61)                                       |                  | Oppose   |   |
| 61 – Te Rūnanga o Ngāti Ruanui Trust   | 1006             | <b>Amend</b><br>Submitter seeks amendment to Rule 42 of the Plan to include standards, terms and conditions to read:<br><i><u>(a) repair, alteration, extension or removal of structure and discharge does not adversely affect the matters/values identified for protection by mana whenua in the cultural impact assessment;</u></i><br><i><u>(b) repair, alteration, extension or removal of structure and discharge complies with tangata whenua indicators referred to in the tangata whenua monitoring plan</u></i><br><i><u>(c) repair, alteration, extension or removal of structure and discharge is consistent with iwi management plan.</u></i><br>AND<br>Include the following notification note:<br><i><u>Resource consent applications under this Rule will be notified to tangata whenua.</u></i> | <b>Decline</b><br>The submitter has sought the inclusion of standards, terms and conditions for rules in the Plan relating to discretionary and non-complying activities.<br>The Council declines the relief noting that it is not standard planning practice for discretionary activity or non-complying activity rules to include standards, terms and conditions. Conditions relating to a discretionary activity are developed on a case-by-case basis through the consenting process having regard to the relevant Plan policies.<br>The Council notes that all matters identified by the submitter would be considered through the consenting process with Policies 1 to 21, 36, 37 and 38 being given effect to.<br>In relation to notification requirements proposed by the submitter, the Council notes that the Plan is not intended to provide the operational detail for implementing every aspect of the Plan. Such detail is more appropriately |



| Submitter   | Submission point | Submitter's requests   | Council's response and decisions   |
|---|------------------|--|--|
| Further submissions – Trans-Tasman Resources (6)  |                  | Oppose   | included in the Council's standard operating procedures and/or any Mana Whakahono a Rohe agreements.<br><br>In relation to notification requirements, the submitter (and others) has highlighted an issue with the notification requirements stated in the Plan which in turn raises issues with notification requirements in the RMA being regularly changed. The Council notes that, over time the notification requirements identified in the Plan may become misleading and outdated following changes to RMA. Consequently, the Council agrees amending the heading throughout the rules section to refer only to "matters of control/discretion" and deleting any references to consenting notification requirements in the rules (noting relevant notification requirements are set out in sections 95A to 95G of the RMA). |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) |                  | Support  |  |
| <b>Rule 43 – Other structure repair, extension, removal or replacement</b>                                |                  |  |  |
| 6 – Trans-Tasman Resources Ltd  | 1007             | <b>Support</b><br><br>Retain Rule 43 of the Plan as notified.  | <b>Accept</b><br><br>Support noted. Rule 43 is retained subject to amendments to offer relief to other submitters' concerns where appropriate.   |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61)  |                  | Oppose   |  |
| 26 – Transpower NZ Ltd  | 1008             | <b>Amend</b><br><br>Submitter seeks amendment to Rule 43 of the Plan to delete reference to the <i>National Environmental Standards for Electricity Transmission Activities: [...] or the Resource Management (National Environmental Standards for Electricity Transmission Activities Regulations 2009 (Appendix 6))</i> . | <b>Accept</b><br><br>The reference to the <i>National Environmental Standards for Electricity Transmission</i> is redundant and does not add further value to the Plan. The Council agrees to granting the relief sought by the submitter.   |
| 43 – Royal Forest and Bird Protection Society   | 1009             | <b>Support</b><br><br>Retain the non-complying classification for Rule 43 of the Plan.   | <b>Accept</b><br><br>Support noted. Rule 43 is retained subject to amendments to offer relief to other submitters' concerns where appropriate.   |
| 45 – Powerco  | 1010             | <b>Support</b><br><br>Retain Rule 43 of the Plan as notified.  | <b>Accept</b><br><br>Support noted. Rule 43 is retained subject to amendments to offer relief to other submitters' concerns where appropriate.   |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61)  |                  | Oppose   |  |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions  |
|---|------------------|---|---|
| 61 – Te Rūnanga o Ngāti Ruanui Trust  | 1011             | <p><b>Amend</b></p> <p>Submitter seeks amendment to the standards, terms and conditions of Rule 43 of the Plan to read:</p> <p><i><u>(a) repair, alteration, extension or removal of structure and discharge does not adversely affect the matters/values identified for protection by mana whenua in the cultural impact assessment;</u></i></p> <p><i><u>(b) repair, alteration, extension or removal of structure and discharge complies with tangata whenua indicators referred to in the tangata whenua monitoring plan</u></i></p> <p><i><u>(c) repair, alteration, extension or removal of structure and discharge is consistent with iwi management plan.</u></i></p> <p>AND</p> <p>Include the following notification note:</p> <p><i><u>Resource consent applications under this Rule will be notified to tangata whenua.</u></i></p> | <p><b>Decline</b></p> <p>The submitter has sought the inclusion of standards, terms and conditions for rules in the Plan relating to discretionary and non-complying activities.</p> <p>The Council declines the relief noting that it is not standard planning practice for discretionary activity or non-complying activity rules to include standards, terms and conditions. Conditions relating to a non-complying activity are developed on a case-by-case basis through the consenting process having regard to the relevant Plan policies.</p> <p>The Council notes that all matters identified by the submitter would be considered through the consenting process with Policies 1 to 21, 36, 37 and 38 being given effect to.</p> <p>In relation to notification requirements proposed by the submitter, the Council notes that the Plan is not intended to provide the operational detail for implementing every aspect of the Plan. Such detail is more appropriately included in the Council's standard operating procedures and or Mana Whakahono a Rohe agreements.</p> <p>In relation to notification requirements, the submitter (and others) has highlighted an issue with the notification requirements stated in the Plan which in turn raises issues with notification requirements in the RMA being regularly changed. The Council notes that, over time the notification requirements identified in the Plan may become misleading and outdated following changes to RMA. Consequently, the Council has determined to amend the heading throughout the rules section to refer only to "matters of control/discretion" and deleting any references to consenting notification requirements in the rules (noting relevant notification requirements are set out in sections 95A to 95G of the RMA).</p> |
| Further submissions – Trans-Tasman Resources (6)  |                  | Oppose  |   |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) |                  | Support   |   |
| <b>Rule 44 – Structure removal or demolition</b>  |                  |   |   |
| 6 – Trans-Tasman Resources Ltd  | 1012             | <p><b>Support</b></p> <p>Retain Rule 44 of the Plan as this rule appropriately recognises the benefits of enabling removal of structures as a permitted activity from the coastal marine area when they are no longer required.</p>   | <p><b>Accept</b></p> <p>Support noted. Rule 44 is retained subject to amendments to offer relief to other submitters' concerns where appropriate.</p>   |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
|--|------------------|--|---|
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61)                             |                  | Oppose   |   |
| 26 – Transpower NZ Ltd   | 1013             | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 44 of the Plan to delete reference to the <i>National Environmental Standards for Electricity Transmission Activities</i>:<br/> <del>[...] or the Resource Management (National Environmental Standards for Electricity Transmission Activities Regulations 2009 (Appendix 6))</del>.</p>   | <p><b>Accept</b></p> <p>The reference to the <i>National Environmental Standards for Electricity Transmission</i> is redundant and does not add further value to the Plan. The Council agrees to granting the relief sought by the submitter.</p>   |
| 29 – Department of Conservation  | 1014             | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 44 of the Plan to include new conditions addressing:</p> <ul style="list-style-type: none"> <li>• how the use of vehicles and machinery in the coastal environment will be avoided where possible, and minimised/effects mitigated where necessary (including taking the shortest and least sensitive route)</li> <li>• the requirement for construction equipment including spoil, litter or equipment to be removed within 24 hours of completion of any works</li> <li>• the prohibition of any refuelling or fuel storage occur within the coastal environment and that methods should be employed to avoid any fuel spillage.</li> </ul> | <p><b>Accept in part</b></p> <p>At the hearing, the submitter presented alternative wording suggestions requiring any disturbance to be restored to its previous state 48 hours after the activity has been completed. The Council agrees to amending Condition (a) to require Plan users to minimise the impact of their disturbance activities and to restore the disturbed area to its previous state. The amended Condition reads as as follows:</p> <p><i>(a) the extent of disturbance of the foreshore and seabed is limited to the minimum required to undertake the activity <b>and is restored to its previous state 48 hours following the completion of the activity</b>; [...]</i></p> <p>The submitter also requested an additional amendment to avoid storing fuel in the coastal marine area and to minimise the extent of any contaminant entering the coastal marine area. The Council notes the relief sought by the submitter is problematic in that that fuel storage includes fuel stored inside vehicles, such as boats, and the relief sought would preclude their use. However, the Council believes the risk sought to be addressed by the submitter relates to avoiding fuel spills and, in the event of an oil spill, there are a variety of management/enforcement actions available to the Council. Of note, the rule's activity description includes discharges of sediment only as an associated activity (the discharges of other contaminants are not provided for under this rule).</p> <p>The Council considers that the amendment requested is not necessary as the only discharge permitted through the rule is the discharge of sediment incidental to the removal activity.</p> |
| Further submissions – Powerco (45), Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd (46) |                  | Oppose   |   |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
|--|------------------|---|--|
| 41 – Te Korowai o Ngāruahine Trust                         | 1015             | <b>Amend</b><br>Submitter seeks amendment to Rule 44 of the Plan to require notification to iwi of any structure removal or demolition work in the coastal marine area. | <b>Accept</b><br><br>In relation to notification requirements proposed by the submitter, Council notes that the rule includes a notification requirement to the Council under standard, term and condition (g). The Council have already agreed to pass the notification information onto interested iwi authorities.<br><br>The Council agrees to amending the rule to include an additional note under the Activity Description to indicate this for Plan users.   |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support   |  |
| 43 – Royal Forest and Bird Protection Society              | 1016             | <b>Support</b><br>Retain Rule 44 of the Plan as notified.   | <b>Accept</b><br><br>Support noted. Rule 44 is retained subject to amendments to offer relief to other submitters' concerns where appropriate.   |
| Further submissions – Port Taranaki Ltd (32)               |                  | Support   |  |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd         | 1017             | <b>Support</b><br>Retain Rule 44 of the Plan as notified.   | <b>Accept</b><br><br>Support noted. Rule 44 is retained subject to amendments to offer relief to other submitters' concerns where appropriate.   |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Oppose  |  |
| 58 – Te Atiawa   | 1018             | <b>Amend</b><br>Submitter seeks amendment to Rule 44 of the Plan by changing the activity classification to controlled activity (rather than a permitted activity).     | <b>Decline</b><br><br>The Council notes that Rule 44 relates to the removal or demolition of a structure in the coastal marine area not involving the use of explosives and includes a suite of standards, terms and conditions such that the environmental effects of the activity should be less than minor and transitory.<br><br>The Council does not consider it appropriate to require a consent to remove or demolish a structure in the coastal marine area, provided the standards, terms and conditions can be met. The Council notes that the removal of structures in the coastal marine area is generally a positive environmental outcome that contributes to the enhancement of natural character plus other values.<br><br>The Council requires that the person undertaking the activity to notify it under Condition (g) at least five working days before commencing the activity so that the Council can assess and confirm that the activity is appropriate and that |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
|--|------------------|--|---|
|  |                  |  | <p>any adverse effects arising from the activity should be less than minor and transitory.</p> <p>The Council seeks to encourage removal or demolition of structures in the coastal marine area (not involving the use of explosives) by providing for the activity as a permitted activity. The Council sees no net environmental benefit to imposing unnecessary consenting and compliance costs on people by making the activity a controlled activity.</p>  |
| 61 – Te Rūnanga o Ngāti Ruanui Trust                                     | 1019             | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 44 of the Plan to include new and amended standards, terms and conditions to read:</p> <p>[...]</p> <p><i>(e) activity is not located within <u>cultural and</u> historic heritage identified in Schedule 5 [<u>Cultural and</u> Historic heritage] or any other archaeological site;</i></p> <p><i><u>(ea) activity is not located within Schedules 1 and 2;</u></i></p> <p><i><u>(eb) the activity does not have any adverse effect on any site identified in 5B [Sites of significance to Māori and associated values] and Appendix 2;</u></i></p> <p><i><u>(ec) activity does not adversely affect the suitability of the receiving area for customary use;</u></i></p> <p><i>(f) the activity does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4A [Significant species and ecosystems]; <u>and taonga species protected under Taranaki iwi Deed of Settlement including those identified in Schedule 4C [Taonga species and habitat].</u> [...]</i></p> | <p><b>Accept in part</b></p> <p>The Council notes that Rule 44 relates to the removal or demolition of a structure in the coastal marine area not involving the use of explosives (with some exceptions).</p> <p>The submitter is seeking amendment to Rule 44 of the Plan to include new and amended standards, terms and conditions. Specific comments on the new and amended proposed conditions are as follows:</p> <ul style="list-style-type: none"> <li>• Decline the relief sought in relation to Condition (e). The Council refers the submitter to previous comments made on expanding the scope of historic heritage.</li> <li>• Decline the relief sought in relation to Condition (ea). The Council notes that the effect of granting this relief would also make this rule redundant as Schedules 1 and 2 capture the whole coastal marine area plus landward parts of the coastal environment identified as having outstanding natural character or being an outstanding natural feature or landscape.</li> <li>• Decline relief sought in relation to Condition (eb) as unnecessary and uncertain for Plan users. The Rule is only providing for the removal and replacement of structures already existing in the coastal marine area. The Council notes that impacts on cultural sites of significance are already addressed in Condition (e).</li> <li>• Reliefs sought in relation to Condition (ec) are unnecessary. Such matters should already be addressed in Condition (i) of the Rule, which protects customary sites of significance. However, it is noted that any impacts on receiving water quality or disturbances to the</li> </ul> |
| Further submissions – Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) |                  | Support  |   |



| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
|--|------------------|--|--|
|  |                  |  | <p>foreshore and seabed will be temporary and unlikely to be noticeable in natural prevailing conditions.</p> <ul style="list-style-type: none"> <li>Grant the relief in kind in relation to Condition (f). The Council has determined to expand the scope of Rule conditions to include reference to scheduled taonga species in new standard, term and condition (fa).</li> </ul>  |
| <b>Rule 45 – Structure removal or demolition</b> |                  |  |  |
| 26 – Transpower NZ Ltd                           | 1020             | <b>Amend</b>   | <b>Accept</b>  |
|  |                  | Submitter seeks amendment to Rule 45 of the Plan to delete reference to the <i>National Environmental Standards for Electricity Transmission Activities: [...] or the Resource Management (National Environmental Standards for Electricity Transmission Activities Regulations 2009 (Appendix 6))</i> . | The reference to the <i>National Environmental Standards for Electricity Transmission</i> is redundant and does not add further value to the Plan. The Council agrees to granting the relief sought by the submitter.  |
| 29 – Department of Conservation                  | 1021             | <b>Amend</b>   | <b>Accept</b>  |
|  |                  | Submitter seeks amendment to Rule 45 of the Plan to read: <i>[...] and the activity does not comply with Rule 45 44 [...]</i> .  | The Council agrees to granting the relief sought by the submitter.   |
| 32 – Port Taranaki                               | 1022             | <b>Amend</b>   | <b>Accept</b>  |
|  |                  | Submitter seeks amendment to Rule 45 of the Plan to read <i>[...] and the activity does not comply with Rule 45 44 [...]</i> .   | The Council agrees to granting the relief sought by the submitter.   |
| 43 – Royal Forest and Bird Protection Society    | 1023             | <b>Amend</b>   | <b>Grant in kind</b>   |
|  |                  | Submitter seeks amendment to Rule 45 of the Plan to delete and exclude the Outstanding Value, Estuary Unmodified and Estuary Modified coastal management areas from the Rule.  | <p>The Council notes that Rule 45 relates to the removal or demolition of a structure in the coastal marine area. However, it does allow the use of explosives.</p> <p>The Council does not consider it appropriate to make the removal or demolition of a structure in Outstanding Value, Estuary Unmodified and Estuary Modified coastal management areas a discretionary or non-complying activity (for which a resource consent might be refused). The Council notes that the removal of structures in the coastal marine area is generally a positive environmental outcome that contributes to the enhancement of natural character plus other values. It is particularly positive in the aforementioned</p> |



| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
|--|------------------|---|---|
|  |                  |   | <p>areas where people might be seeking the enhancement or restoration of natural values.</p> <p>The submitter is concerned about the effects of using explosives on indigenous marine species noting that this may not be appropriate in all cases. The Council agrees to an alternative relief involving the inclusion of a new standards, terms and condition addressing adverse effects on significant indigenous biodiversity and taonga species under new Conditions (aa) and (ab). Such matters can then be considered through the resource consent process and may result in limitations in location, method, and timing of works.</p>   |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd         | 1024             | <b>Support</b>  | <b>Accept</b>   |
|  |                  | Retain Rule 45 of the Plan as notified.   | Support noted. Rule 45 is retained subject to amendments to offer relief to other submitters' concerns where appropriate.   |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Oppose  |   |
| 58 – Te Atiawa   | 1025             | <b>Amend</b>  | <b>Grant in kind</b>  |
|  |                  | Submitter seeks amendment to Rule 45 of the Plan by changing the activity classification to discretionary activity (rather than a controlled activity). | <p>The Council notes that Rule 45 relates to the removal or demolition of a structure in the coastal marine area.</p> <p>The Council does not consider it appropriate to make the removal or demolition of a structure in the coastal marine area a discretionary or non-complying activity (for which a resource consent might be refused). The Council notes that the removal of structures in the coastal marine area is generally a positive environmental outcome that contributes to the enhancement of natural character plus other values.</p> <p>However, the submitter is concerned about the effects of using explosives on sites of significant ecological value and historic heritage and suggest as a discretionary activity they can be involved in the decision making process and there will be consent monitoring.</p> <p>The Council notes that, as part of this Coastal Plan review process, and in relation to 'sites of significance' to Māori (refer Condition (a)), Council has already agreed to recognise iwi, subject to conditions, as an affected party for all resource consent applications having an impact on scheduled sites of significance. There will be further opportunity to set consultation requirements and expectations as part of the development of Mana Whakahono a Rohe</p> |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support   |   |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions   |
|---|------------------|--|--|
|   |                  |  | <p>agreements. The Council further notes that as a controlled activity, one of its matters of control include information and monitoring requirements.</p> <p>Notwithstanding the above, the Council agrees to an alternative relief involving the inclusion of a new condition addressing adverse effects on significant indigenous biodiversity and taonga species under new Conditions (aa) and (ab). Such matters can then be considered through the resource consent process and may result in limitations in location, method, and timing of works or impose requirements to notify and consult.</p>   |
| 61 – Te Rūnanga o Ngāti Ruanui Trust  | 1026             | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 45 of the Plan to include new and amended standards, terms and conditions to read:</p> <p>[...]</p> <p><i>(a) activity is not located within <b>cultural and</b> historic heritage identified in Schedule 5 [<b>Cultural and</b> Historic heritage] or any other archaeological site;</i></p> <p><i><b>(b) activity is not located within Schedules 1 and 2;</b></i></p> <p><i><b>(c) activity does not adversely affect the suitability of the receiving area for customary use;</b></i></p> <p><i><b>(d) the activity does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4A [Significant species and ecosystems]; and taonga species protected under Taranaki iwi Deed of Settlement including those identified in Schedule 4C [Taonga species and habitat];</b></i></p> <p><i><b>(e) the activity does not have any adverse effect on any site identified in 5B [Sites of significance to Māori and associated values] and Appendix 2;</b></i></p> <p><i><b>(f) activity does not adversely affect the matters/values identified for protection by mana whenua in the cultural impact assessment;</b></i></p> <p><i><b>(g) activity complies with tangata whenua indicators referred to in the tangata whenua monitoring plan</b></i></p> <p><i><b>(h) activity is consistent with iwi management plan.</b></i></p> | <p><b>Accept in part</b></p> <p>The submitter is seeking amendment to Rule 45 of the Plan to include new and amended standards, terms and conditions. Specific comments on the new and amended proposed conditions are as follows:</p> <ul style="list-style-type: none"> <li>Decline the relief sought in relation to Condition (a). The Council refers the submitter to previous comments made on expanding the scope of historic heritage.</li> <li>Decline the relief sought in relation to Condition (b). The Council notes that the effect of granting this relief would also make this rule redundant as Schedules 1 and 2 capture the whole coastal marine area plus landward parts of the coastal environment identified as having outstanding natural character or being an outstanding natural feature or landscape.</li> <li>Decline relief sought in relation to Condition (c) and (e) as unnecessary and uncertain for Plan users. The Rule is only providing for the removal and replacement of structures already existing in the coastal marine area. The Council notes that impacts on cultural sites of significance are already addressed in Condition (a).</li> <li>Grant the relief in kind in relation to Condition (d). The Council agrees to expanding the scope of Rule conditions to include reference to scheduled taonga species (new Condition (ab)).</li> <li>Decline the relief sought in relation to Condition (f), (g) and (h) as being uncertain in terms of their application and given the details</li> </ul> |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) |                  | Support  |  |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions  |
|---|------------------|---|---|
|   |                  |   | as to managing effects on water quality and monitoring are already identified in the rule as matters of control.  |
| 61 – Te Rūnanga o Ngāti Ruanui Trust  | 1027             | <p><b>Amend</b></p> <p>Submitter seeks amendment to the Control/notification column for Rule 45 of the Plan to read:</p> <p><i>Control is reserved over:</i></p> <p>[...]</p> <p>(d) effects on water quality <i>and mauri values</i>;</p> <p>(e) effects on ecological values;</p> <p>(f) effects on historic, cultural and amenity values;</p> <p>(g) effects on surf breaks;</p> <p>(h) effects of occupation on public access;</p> <p>(i) effects on navigation;</p> <p>(j) effects of noise and light;</p> <p>(k) effects on Cultural Zone (referred to in Spatial Plan);</p> <p>(l) monitoring (including tangata whenua indicators referred to in the tangata whenua monitoring plan) and information requirements;</p> <p>(m) duration of consent; and</p> <p>(n) review of consent conditions.</p> <p>Resource consent applications under this Rule will <del>not be publicly notified but may be limited notified</del> <i>be notified to tangata whenua</i>.</p> | <p><b>Decline</b></p> <p>The suggested changes seem to be mixing jurisdictional, policy and operational matters and introducing a level of specificity that is not considered appropriate or necessary. Most of the changes sought are a subset of matters that have already been provided for while the submitter has also introduced some new concepts such as a cultural zone and a spatial plan that do not fit within the Proposed Plan framework. There is a 'requirement' to be consistent with iwi management plans, while the submitter is silent on how other planning documents might fit within this framework.</p> <p>The Council notes that this activity is already subject to the General Policies 1 to 21 of which Policies 15 [Historic heritage] and 16 [Relationship of tangata whenua] are particularly relevant. The Council further notes that there will be an opportunity to develop an agreed framework and operational detail for implementing the Plan as part of any Mana Whakahono a Rohe agreement with the submitter.</p> <p>In relation to notification requirements, the submitter (and others) has highlighted an issue with the notification requirements stated in the Plan which in turn raises issues with notification requirements in the RMA being regularly changed. The Council notes that, over time the notification requirements identified in the Plan may become misleading and outdated following changes to RMA. Consequently, the Council has determined to amend the heading throughout the rules section to refer only to "matters of control/discretion" and deleting any references to consenting notification requirements in the rules (noting relevant notification requirements are set out in sections 95A to 95G of the RMA).</p> |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) |                  | Support   |   |
| <b>Rule 45A – Structure removal or demolition</b>   |                  |   |   |
| 43 – Royal Forest and Bird Protection Society   | 1028             | <p><b>Amend</b></p> <p>Submitter seeks amendment to Plan to include a new Rule that would provide for the removal or demolition of structures in the Outstanding Value, Estuary</p>   | <p><b>Decline</b></p> <p>The Council does not believe it is appropriate or necessary to include a new Rule that provides for the removal or demolition of structures in the</p>   |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions  |
|---|------------------|---|---|
|   |                  | <p>Unmodified and Estuary Modified coastal management areas as a restricted discretionary activity (rather than a controlled activity provided for in Rule 45)</p> <p>OR</p> <p>provide for the removal or demolition of structures in the Outstanding Value, Estuary Unmodified and Estuary Modified coastal management areas as a discretionary activity under Rule 46.</p> | <p>Outstanding Value, Estuary Unmodified and Estuary Modified coastal management areas as a restricted discretionary activity. Refer to submission point 1023.</p>  |
| <b>Rule 46 – Structure removal or demolition</b>            |                  |   |   |
| 26 – Transpower NZ Ltd                                      | 1029             | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 46 of the Plan to delete reference to the <i>National Environmental Standards for Electricity Transmission Activities</i>:<br/> <del>[...] or the Resource Management (National Environmental Standards for Electricity Transmission Activities Regulations 2009 (Appendix 6))</del></p>                             | <p><b>Accept</b></p> <p>The reference to the <i>National Environmental Standards for Electricity Transmission</i> is redundant and does not add further value to the Plan. The Council agrees to granting the relief sought by the submitter.</p> |
| 37 – Petroleum Exploration and Production Association of NZ | 1030             | <p><b>Support</b></p> <p>Retain Rule 46 of the Plan's discretionary activity classification as notified.</p>  | <p><b>Accept</b></p> <p>Support noted. Rule 46 is retained subject to amendments to offer relief to other submitters' concerns where appropriate.</p>   |
| 43 – Royal Forest and Bird Protection Society               | 1031             | <p><b>Support</b></p> <p>Retain Rule 46 of the Plan as notified.</p>  | <p><b>Accept</b></p> <p>Support noted. Rule 46 is retained subject to amendments to offer relief to other submitters' concerns where appropriate.</p>   |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd          | 1032             | <p><b>Support</b></p> <p>Retain Rule 46 of the Plan as notified.</p>  | <p><b>Accept</b></p> <p>Support noted. Rule 46 is retained subject to amendments to offer relief to other submitters' concerns where appropriate.</p>   |
| Further submissions – Port Taranaki Ltd (32)                |                  | Support   |   |
| 61 – Te Rūnanga o Ngāti Ruanui Trust                        | 1033             | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 46 of the Plan to include standards, terms and conditions to read:</p>   | <p><b>Decline</b></p> <p>The submitter has sought the inclusion of standards, terms and conditions for rules in the Plan relating to discretionary and non-complying activities.</p>  |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions   |
|---|------------------|---|--|
|   |                  | <p><u><i>(a) demolition or removal of structure and discharge does not adversely affect the matters/values identified for protection by mana whenua in the cultural impact assessment</i></u></p> <p><u><i>(b) demolition or removal of structure and discharge complies with tangata whenua indicators referred to in the tangata whenua monitoring plan</i></u></p> <p><u><i>(c) demolition or removal of structure and discharge is consistent with iwi management plan.</i></u></p> <p>AND</p> <p>Include the following notification note:<br/> <u><i>Resource consent applications under this Rule will be notified to tangata whenua.</i></u></p> | <p>The Council declines the relief noting that it is not standard planning practice for discretionary activity or non-complying activity rules to include standards, terms and conditions. Conditions relating to a discretionary activity are developed on a case-by-case basis through the consenting process having regard to the relevant Plan policies.</p> <p>The Council notes that all matters identified by the submitter would be considered through the consenting process with Policies 1 to 21, 22, 38, 40, 41, 42, 44 and 49 being given effect to.</p> <p>In relation to notification requirements proposed by the submitter, the Council notes that the Plan is not intended to provide the operational detail for implementing every aspect of the Plan. Such detail is more appropriately included in the Council's standard operating procedures and or Mana Whakahono a Rohe agreements.</p> <p>In relation to notification requirements, the submitter (and others) has highlighted an issue with the notification requirements stated in the Plan which in turn raises issues with notification requirements in the RMA being regularly changed. The Council notes that, over time the notification requirements identified in the Plan may become misleading and outdated following changes to RMA. Consequently, the Council has determined to amend the heading throughout the rules section to refer only to "matters of control/discretion" and deleting any references to consenting notification requirements in the rules (noting relevant notification requirements are set out in sections 95A to 95G of the RMA).</p> |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) |                  | Support   |  |
| <b>Rule 47 – Temporary occupation for community, recreational or sporting events</b>                      |                  |   |  |
| 22 – Lyndon DeVantier   | 1034             | <p><b>Amend</b></p> <p>Submitter opposes Rule 47 of the Plan providing for the temporary occupation for community, recreational or sporting events, up to four days, as a permitted activity.</p>   | <p><b>Decline</b></p> <p>The Council declines the relief sought noting that the purpose of Rule 47 is to allow for community (volunteer) recreational or sporting events to occur as much as possible without imposing unnecessary costs and constraints on the event associated with obtaining a resource consent. It potentially applies to such events as national and regional sailing, surf live saving, surfing, triathlons, swimming events and beach carnivals.</p> <p>The Council recognises that temporary occupation of parts of the coastal marine area for such events may impact or impinge on other users. As part of the Coastal Plan review, Council compared the proposed rule against</p>   |



| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
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|  |                  |  | equivalent rules elsewhere in the country in terms of duration and area of the temporary occupation and noted that the duration of such events would range from three days to unlimited. The Council notes that the relief sought by the submitter is more restrictive than the norm elsewhere in the country.  |
| 38 – Nigel Cliffe  | 1035             | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 47 of the Plan to limit temporary occupation for community, recreational or sporting events to no more than 3 consecutive days over a 5-day period, as a permitted activity.</p>  | <p><b>Decline</b></p> <p>The Council notes that the purpose of Rule 47 is to allow for community (voluntary) recreational or sporting events to occur as much as possible without imposing unnecessary costs and constraints on the event associated with obtaining a resource consent. It potentially applies to such events as national and regional sailing, surf life saving, surfing, triathlons, swimming events and beach carnivals.</p> <p>The Council recognises that temporary occupation of parts of the coastal marine area for such events may impact or impinge on other users. As part of the Coastal Plan review, the Council compared the proposed rule against equivalent rules elsewhere in the country in terms of duration and area of the temporary occupation and noted that the duration of such events ranged from three days to unlimited. The Council notes that the relief sought by the submitter is more restrictive than the norm elsewhere in the country. The Council declines amending the permitted activity rule to restrict temporary occupation for community, recreational or sporting events to three consecutive days.</p> |
| 41 – Te Korowai o Ngāruahine Trust                         | 1036             | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 47 of the Plan to require notification to iwi of any community, recreational or sporting events authorised by this rule</p> <p>AND</p> <p>Amend Condition (b) of Rule 47 to read:</p> <p><i>(b) the activity does not have an adverse effect on the values associated with historic heritage identified in Schedule 5A and B [Historic heritage]; [...]</i></p> | <p><b>Accept</b></p> <p>The Council agrees to granting the relief sought by the submitter.</p> <p>The Council notes that Condition (g) requires that the person undertaking the activity notify the Council at least 5 working days prior to the activity commencing. The Council have agreed to pass the notification information to interested iwi authorities.</p> <p>The Council therefore agrees to amending the rule to include an additional note under the Activity Description to indicate this for Plan users.</p> <p>In relation to amending Condition (c) to refer to Schedules 5A and 5B (rather than just Schedule 5), the Council also agrees to the relief sought.</p>  |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support  |   |



| Submitter                                     | Submission point | Submitter's requests  | Council's response and decisions   |
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| 42 – Ngati Rahiri Hapū                        | 1037             | <b>Amend</b>  | <b>No relief necessary</b>   |
|   |                  | Submitter seeks amendment to Rule 47 of the Plan (if it remains a permitted activity) to include a new or amended condition that no activity can take place within 100m of an historic site unless consultation with iwi has taken place. | The Council believes no relief is necessary in that any activity must comply with Condition (b), which relates to the protection of historic heritage (and sites of significance to tangata whenua). Further more Condition (g) includes the requirement for the organisers to notify the Council. This provides the opportunity for Council to check that no scheduled sites of significance are likely to be affected and the appropriateness of a buffer distance. The need or appropriateness of a buffer zone would depend upon the activity and/or the values associated with the particular site.   |
| 43 – Royal Forest and Bird Protection Society | 1038             | <b>Amend</b>  | <b>Decline</b>   |
|   |                  | Submitter seeks amendment to Rule 47 of the Plan to make temporary occupation for community, recreational or sporting events a controlled activity (rather than a permitted activity).  | The Council declines granting the relief sought by the submitter.<br>The Council notes that the purpose of Rule 47 is to allow for community (voluntary) recreational or sporting events to occur as much as possible without imposing unnecessary costs and constraints on the event associated with obtaining a resource consent. It potentially applies to such events as national and regional sailing, surf live saving, surfing, triathlons, swimming events and beach carnivals and is largely a continuation of an existing rule in the current Plan.  |
| Further submissions – Port Taranaki Ltd (32)  |                  | Oppose  |  |
| 43 – Royal Forest and Bird Protection Society | 1039             | <b>Amend</b>  | <b>Decline</b>   |
|   |                  | Submitter seeks amendment to Rule 47 of the Plan to include matters for control to consider effects on indigenous biodiversity, natural character and natural features and landscapes.  | The Council declines granting the relief sought by the submitter.<br>The Council notes that the purpose of Rule 47 is to allow for as many community (voluntary) recreational or sporting events to occur as possible without imposing unnecessary costs and constraints associated with obtaining a resource consent.<br>Of note the permitted activity rule already includes conditions that address indigenous biodiversity. Council's experience with the current Rule has also been that any adverse effects are less than minor and are temporary and certainly do not impact on natural character, features and landscapes. However, through the notification requirement there is an opportunity for the Council to undertake a preliminary assessment to ensure that this is indeed the case. |

| Submitter                                     | Submission point | Submitter's requests  | Council's response and decisions   |
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| 43 – Royal Forest and Bird Protection Society | 1040             | <p><b>Amend</b></p> <p>Submitter seeks amendment to the note in Rule 47 of the Plan to refer to Rule 50, which is a discretionary activity classification.</p>  | <p><b>Accept</b></p> <p>The Council agrees to granting the relief sought by the submitter, which refers the reader to Rule 50 should they not be able to comply with all the standards, terms and conditions of Rule 47.</p>   |
| 61 – Te Rūnanga o Ngāti Ruanui Trust          | 1041             | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 47 of the Plan to include new or amended standards, terms and conditions to read:</p> <p><i>(a) activity does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4A [Significant indigenous biodiversity]; <u>and taonga species protected under Taranaki iwi Deed of Settlement including those identified in Schedule 4C [Taonga species and habitat]</u></i></p> <p><i>(b) the activity does not have an adverse effect on the values associated with <u>cultural and</u> historic heritage identified in Schedule 5 [<u>Cultural and</u> Historic heritage];</i></p> <p><i><u>(ba) the activity does not have adverse effect on Schedules 1 and 2</u></i></p> <p><i><u>(bb) the activity does not adversely affect the suitability of the receiving environment for customary use;</u></i></p> <p><i><u>(bc) the activity does not have any adverse effect on any site identified in 5B [Sites of significance to Māori and associated values] and Appendix 2; [...]</u></i></p> | <p><b>Accept in part</b></p> <p>The submitter is seeking amendment to Rule 45 of the Plan to include new and amended standards, terms and conditions. Specific comments on the new and amended proposed conditions are as follows:</p> <ul style="list-style-type: none"> <li>Grant the relief in kind in relation to Condition (a). The Council agrees to expanding the scope of Rule conditions to include reference to scheduled taonga species.</li> <li>Decline the relief sought in relation to Condition (b). Council refers the submitter to previous comments made on expanding the scope of historic heritage.</li> <li>Decline the relief sought in relation to Condition (ba). The Council notes that the effect of granting this relief would also make this rule redundant as Schedules 1 and 2 capture the whole coastal marine area plus landward parts of the coastal environment identified as having outstanding natural character or being an outstanding natural feature or landscape.</li> <li>Decline relief sought in relation to Condition (bb) and (bc) as unnecessary and uncertain for Plan users. The Rule is only providing for the removal and replacement of structures already existing in the coastal marine area. The Council notes that impacts on cultural sites of significance are already addressed in Condition (b).</li> </ul> |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
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| <b>Rule 48 – Continued occupation</b>                      |                  |   |   |
| 6 – Trans-Tasman Resources Ltd                             | 1042             | <b>Support</b><br>Retain Rule 48 of the Plan as notified.   | <b>Accept</b><br>Support noted. Rule 48 is retained subject to amendments to offer relief to other submitters' concerns where appropriate.  |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Oppose  |   |
| 40 – Te Rūnanga o Ngāti Mutunga                            | 1043             | <b>Amend</b><br>Submitter seeks amendment to Rule 48 of the Plan to include two additional conditions to read:<br><i><u>(b) the activity does not have an adverse effect on the values associated with historic heritage identified in Schedule 5 (Historic Heritage)</u></i><br><i><u>(c) the activity does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4A.</u></i> | <b>Accept in part</b><br>The Council notes that, through the Coastal Plan review process, permitted activity rule conditions have been reviewed and in many instances have additional or more restrictive limits to ensure that adverse environmental effects are no more than minor. The Council therefore agrees to amend Rule 48 to include additional standards, terms and conditions addressing erosion and scouring impacts, significant indigenous biodiversity impacts and impacts on taonga species.<br>The amended Rule 48 would read as follows:<br><i><u>(a) The structure is being used for its originally permitted purpose;</u></i><br><i><u>(b) the structure is not causing erosion or scour; and</u></i><br><i><u>(c) the structure does not have an adverse effect on significant indigenous biodiversity, including those identified in Schedule 4 [Significant indigenous biodiversity]; and</u></i><br><i><u>(d) the structure does not have an adverse effect on the values associated with taonga species identified in Schedule 4C [Taonga species].</u></i> |
| 41 – Te Korowai o Ngāruahine Trust                         | 1044             | <b>Amend</b><br>Submitter seeks amendment to Rule 48 of the Plan to make the continued occupation of the common marine and coastal area, with an existing lawfully established structure (where the occupation was previously a permitted activity) a restricted discretionary activity (rather than a permitted activity).   | <b>Grant in kind</b><br>At the hearing, the submitter presented further on this rule and recommended that if the Council does not consider that it is necessary to raise the activity classification of the rule to restricted discretionary to include additional standards, terms and conditions to ensure that the continued occupation of the structure is not causing adverse environmental effects.<br>The Council notes that through the Coastal Plan review process, permitted rule conditions have been reviewed and in many instances have additional or more restrictive limits to ensure that adverse environmental effects are no more than minor. The Council therefore agrees to amend Rule 48 to include additional standards, terms and conditions addressing erosion and scouring   |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
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|  |                  |   | <p>impacts, significant indigenous biodiversity impacts and impacts on taonga species.</p> <p>The amended Rule 48 would read as follows:</p> <p><i>(a) The structure is being used for its originally <u>permitted</u> purpose;</i><br/> <i>(b) the structure is not causing erosion or scour;</i><br/> <i>(c) the structure does not have an adverse effect on significant indigenous biodiversity, including those identified in Schedule 4 [Significant indigenous biodiversity]; and</i><br/> <i>(d) the structure does not have an adverse effect on the values associated with taonga species identified in Schedule 4C [Taonga species].</i></p>   |
| 43 – Royal Forest and Bird Protection Society              | 1045             | <b>Amend</b>  | <b>Accept in part</b>   |
|  |                  | <p>Submitter seeks amendment to Rule 48 of the Plan by:</p> <ul style="list-style-type: none"> <li>amending Condition (a) to refer to the original permitted use of the structure</li> <li>removing Outstanding Value, Estuaries Unmodified, and Estuaries Modified coastal management areas from the rule and to make the continued occupation of an existing lawfully established structure in such areas (where the occupation was previously a permitted activity) a restricted discretionary activity (rather than a permitted activity).</li> </ul> | <p>The Council agrees to amending Condition (a) to refer to the original permitted use of the structure.</p> <p>In relation to removing Outstanding Value, Estuaries Unmodified, and Estuaries Modified coastal management areas from Rule 48 and to making the continued occupation of an existing lawfully established structure in such areas a restricted discretionary activity seems unnecessary and would result in the imposition of unnecessary consenting costs for structures already present in these areas and which are considered to be having less than minor adverse effects (noting that issues with placement have already been separately addressed in another rule).</p> <p>Notwithstanding the above, the Council agrees to additional standards, terms and conditions to address any adverse environmental effects that may be occurring through the continued occupation of the structure and notes that if the new standards, terms and conditions are not met then a consent would be required under Rule 49.</p> |
| 45 – Powerco   | 1046             | <b>Support</b>  | <b>Accept</b>   |
|  |                  | Retain Rule 48 of the Plan as notified.   | Support noted. Rule 48 is retained subject to amendments to offer relief to other submitters' concerns where appropriate.   |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Oppose  |   |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
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| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd         | 1047             | <b>Support</b><br>Retain Rule 48 of the Plan as notified.   | <b>Accept</b><br><br>Support noted. Rule 48 is retained subject to amendments to offer relief to other submitters' concerns where appropriate.  |
| Further submissions – Port Taranaki Ltd (32)               | Support          |   |   |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) | Oppose           |   |   |
| 47 – Fonterra  | 1048             | <b>Support</b><br>Retain Rule 48 of the Plan as notified.   | <b>Accept</b><br><br>Support noted. Rule 48 is retained subject to amendments to offer relief to other submitters' concerns where appropriate.  |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) | Oppose           |   |   |
| 58 – Te Atiawa   | 1049             | <b>Amend</b><br><br>Submitter seeks amendment to Rule 48 of the Plan to make the continued occupation of the common marine and coastal area, with an existing lawfully established structure (where the occupation was previously a permitted activity) a restricted discretionary activity (rather than a permitted activity). | <b>Decline</b><br><br>The Council notes that Rule 48 relates to the continued occupation of existing lawfully established structures where the occupation was a permitted activity at the time of its placement or erection).<br><br>At the time of the original placement and erection of the structure wider considerations relating to historic heritage and indigenous biodiversity would have been addressed (under alternative rules). The Council believes that ongoing occupation of a structure is likely to have less adverse effects subject to it continuing to be used for its originally consented purpose. The Council does not believe it practicable, necessary or appropriate to make the continued occupation of existing lawfully established structures in the coastal marine area a restricted discretionary activity for which a resource consent would be required.<br><br>Of note, as part of this Coastal Plan review, this Council has adopted a precautionary approach whereby, if uncertain that effects can be adequately identified and addressed as a permitted activity or controlled activity, it has determined that the effects will be considered as a fully discretionary activity to ensure issues are comprehensively canvassed.<br><br>Notwithstanding the above, the Council agrees to the inclusion of additional standards, terms and conditions to address any adverse environmental effects that may be occurring through the continued occupation of the |



| Submitter   | Submission point | Submitter's requests  | Council's response and decisions  |
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|   |                  |   | structure and note that if the new standards, terms and conditions are not met then a consent will be required under Rule 49.   |
| <b>Rule 49 – Continued occupation</b>                                 |                  |   |   |
| 15 – Surfbreak Protection Society                                     | 1050             | <b>Other</b>  | <b>No relief necessary</b>  |
|   |                  | Submitter seeks that there be no impacts to surf breaks.  | Submitter's comments are noted and have been previously addressed in submission point 448 relating to surfing policies. Policy 19 would be considered as part of any resource consent application under this Rule.  |
| 41 – Te Korowai o Ngāruahine Trust                                    | 1051             | <b>Amend</b>  | <b>Decline</b>  |
|   |                  | Submitter seeks amendment to Rule 49 of the Plan to make the continued occupation of the common marine and coastal area, with an existing lawfully established structure (where the occupation was previously a controlled activity) a restricted discretionary activity (rather than a controlled activity).   | The Council notes that Rule 49 relates to the continued occupation of existing lawfully established structures after the expiry of its consent (and where the occupation was a controlled activity at the time of its placement or erection).<br>At the time of the original placement and erection of the structure wider considerations relating to historic heritage and indigenous biodiversity would have been addressed (under alternative rules). The Council believes that ongoing occupation of a structure is likely to have less adverse effects subject to it continuing to be used for its originally consented purpose. The Council does not believe it necessary to include additional conditions.<br>Of note, as part of this Coastal Plan review, the Council has adopted a precautionary approach whereby, if uncertain that effects can be adequately identified and addressed as a permitted activity or controlled activity, it has determined that the effects will be considered as a fully discretionary activity to ensure issues are comprehensively canvassed. |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Atiawa (58) |                  | Support   |   |
| 43 – Royal Forest and Bird Protection Society                         | 1052             | <b>Amend</b>  | <b>Accept in part</b>   |
|   |                  | Submitter seeks amendment to Rule 49 of the Plan by: <ul style="list-style-type: none"> <li>removing Outstanding Value, Estuaries Unmodified, and Estuaries Modified coastal management areas from the rule and to make the continued occupation of an existing lawfully established structure in such areas (where the occupation was previously a controlled activity) a restricted discretionary activity (rather than a controlled activity)</li> </ul> | The Council declines the relief sought by the submitter in relation to removing Outstanding Value, Estuaries Unmodified, and Estuaries Modified coastal management areas from Rule 49. Making the continued occupation of an existing lawfully established structure in such areas a restricted discretionary activity is not considered appropriate or necessary and would result in the imposition of unnecessary consenting costs for structures already present in these areas and which are considered to be having less than minor adverse effects (noting that issues with placement have already been separately addressed in another rule).  |



| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
|--|------------------|---|--|
|  |                  | <ul style="list-style-type: none"> <li>including matters for control to consider effects on indigenous biodiversity, natural character and natural features and landscapes and other matters to consider the effects of noise, light and location.</li> </ul> | <p>The Council notes that Rule 49 relates to the continued occupation of existing lawfully established structures after the expiry of its consent (and where the occupation was a controlled activity at the time of its placement or erection). At the time of the original placement and erection of the structure wider considerations relating to indigenous biodiversity and natural character would have been addressed (under alternative rules). The Council believes that ongoing occupation of a structure is likely to have less adverse effects subject to it continuing to be used for its originally consented purpose.</p> <p>Notwithstanding the above, the Council agrees to amending Rule 49 to grant the submitter the second part of their relief, namely that the matters of control be amended to include natural character, features and landscape values and effects on indigenous biodiversity.</p> |
| 45 – Powerco   | 1053             | <b>Support</b>  | <b>Accept</b>  |
|  |                  | Retain Rule 49 of the Plan as notified.   | Support noted. Rule 49 is retained subject to amendments to offer relief to other submitters' concerns where appropriate.  |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Oppose  |  |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd         | 1054             | <b>Support</b>  | <b>Accept</b>  |
|  |                  | Retain Rule 49 of the Plan as notified.   | Support noted. Rule 49 is retained subject to amendments to offer relief to other submitters' concerns where appropriate.  |
| Further submissions – Port Taranaki Ltd (32)               |                  | Support   |  |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Oppose  |  |
| 47 – Fonterra  | 1055             | <b>Support</b>  | <b>Accept</b>  |
|  |                  | Retain Rule 49 of the Plan as notified.   | Support noted. Rule 49 is retained subject to amendments to offer relief to other submitters' concerns where appropriate.  |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Oppose  |  |
| 58 – Te Atiawa   | 1056             | <b>Amend</b>  | <b>Decline</b>   |
|  |                  | Submitter seeks amendment to Rule 49 to make the continued occupation of an existing lawfully established structure in such areas (where the occupation was   | The Council declines the relief sought by the submitter.   |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions   |
|---|------------------|---|--|
|   |                  | previously a controlled activity) a restricted discretionary activity (rather than a controlled activity).  |  |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61)  |                  | Oppose  | <p>In relation to removing Outstanding Value, Estuaries Unmodified, and Estuaries Modified coastal management areas from Rule 49, and to making the continued occupation of an existing lawfully established structure in such areas a restricted discretionary activity, is not considered appropriate or necessary and would result in the imposition of unnecessary consenting costs for structures already present in these areas and which are considered to be having less than minor adverse effects (noting that issues with placement have already been separately addressed in another rule).</p> <p>The Council notes that Rule 49 relates to the continued occupation of existing lawfully established structures after the expiry of its consent (and where the occupation was a controlled activity at the time of its placement or erection). At the time of the original placement and erection of the structure wider considerations relating to indigenous biodiversity and natural character would have been addressed (under alternative rules). The Council believes that ongoing occupation of a structure is likely to have less adverse effects subject to it continuing to be used for its originally consented purpose.</p> <p>Of note, as part of this Coastal Plan review, this Council has adopted a precautionary approach whereby, if uncertain that effects can be adequately identified and addressed as a permitted activity or controlled activity, it has determined that the effects will be considered as a fully discretionary activity to ensure issues are comprehensively canvassed.</p> |
| 61 – Te Rūnanga o Ngāti Ruanui Trust  | 1057             | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 49 of the Plan to include new and amended standards, terms and conditions to read:</p> <p><i>(a) the structure is being used for its originally intended purpose;</i></p> <p><i><u>(b) continued occupation does not adversely affect the matters/values identified for protection by mana whenua in the cultural impact assessment;</u></i></p> <p><i><u>(c) continued occupation complies with tangata whenua indicators referred to in the tangata whenua monitoring plan</u></i></p> <p><i><u>(d) continued occupation is consistent with iwi management plan.</u></i></p> | <p><b>Decline</b></p> <p>The Council declines the relief sought in relation to Conditions (b), (c) and (d) as being uncertain in terms of their application and given the details as to managing adverse effects on a range of values including cultural and heritage values and monitoring are already identified in the rule as matters of control.</p> <p>The Council notes that Rule 49 relates to the continued occupation of existing lawfully established structures where the occupation was a controlled activity at the time of its placement or erection. At the time of the original placement and erection of the structure wider considerations relating to historic heritage and indigenous biodiversity would have been addressed (under alternative rules). The Council believes that ongoing occupation of a structure is likely to have less adverse effects subject to it continuing to be used for its originally consented purpose. The Council does not believe it necessary to include additional conditions.</p>  |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) |                  | Support   |  |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions  |
|---|------------------|--|---|
| 61 – Te Rūnanga o Ngāti Ruanui Trust  | 1058             | <b>Amend</b>   | <b>Decline</b>  |
|   |                  | <p>Submitter seeks amendment to the Control/notification column for Rule 49 of the Plan to read:</p> <p><i>Control is reserved over:</i></p> <p>[...]</p> <p>(d) effects on water quality <i>and mauri values</i>;</p> <p>(e) effects on ecological values;</p> <p>(f) effects on historic, cultural and amenity values;</p> <p>(g) effects on surf breaks;</p> <p>(h) effects of occupation on public access;</p> <p>(i) effects on navigation;</p> <p>(j) effects of noise and light;</p> <p><i>(k) effects on Cultural Zone (referred to in Spatial Plan);</i></p> <p>(l) monitoring <i>(including tangata whenua indicators referred to in the tangata whenua monitoring plan)</i> and information requirements;</p> <p>(m) duration of consent; and</p> <p>(n) review of consent conditions.</p> <p>Resource consent applications under this Rule will <i>not be publicly notified but may be limited notified be notified to tangata whenua.</i></p> | <p>The Council declines the relief sought by the submitter.</p> <p>The suggested changes seem to be mixing jurisdictional, policy and operational matters and introducing a level of specificity that is not considered appropriate or necessary. Most of the changes sought are a subset of matters that have already been provided for while the submitter has also introduced some new concepts such as a cultural zone and a spatial plan that do not fit within the Proposed Plan framework. There is a 'requirement' to be consistent with iwi management plans, while the submitter is silent on how other planning documents might fit within this framework.</p> <p>The Council notes that this activity is already subject to the General Policies 1 to 21 of which Policies 15 [Historic heritage] and 16 [Relationship of tangata whenua] are particularly relevant. The Council further notes that there will be an opportunity to develop an agreed framework and operational detail for implementing the Plan as part of any Mana Whakahono a Rohe agreement with the submitter.</p> <p>In relation to notification requirements, the submitter (and others) has highlighted an issue with the notification requirements stated in the Plan which in turn raises issues with notification requirements in the RMA being regularly changed. The Council notes that, over time the notification requirements identified in the Plan may become misleading and outdated following changes to RMA. Consequently, the Council has determined to amend the heading throughout the rules section to refer only to "matters of control/discretion" and deleting any references to consenting notification requirements in the rules (noting relevant notification requirements are set out in sections 95A to 95G of the RMA).</p> |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) |                  | Support  |   |
| <b>Rule 50 – Coastal occupation</b>   |                  |  |   |
| 26 – Transpower NZ Ltd  | 1059             | <b>Amend</b>   | <b>Accept</b>   |
|   |                  | <p>Submitter seeks amendment to Rule 50 of the Plan to delete reference to the <i>National Environmental Standards for Electricity Transmission Activities</i>: [...]</p> <p><i>or the Resource Management (National Environmental Standards for Electricity Transmission Activities Regulations 2009 (Appendix 6)).</i></p>   | <p>The reference to the <i>National Environmental Standards for Electricity Transmission</i> is redundant and does not add further value to the Plan. The Council agrees to granting the relief sought by the submitter.</p>  |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
|--|------------------|---|--|
| 29 – Department of Conservation                            | 1060             | <b>Amend</b>  | <b>Accept</b>  |
|  |                  | Submitter seeks amendment to Rule 50 of the Plan's activity description to read: <i>[...] and the activity does not come within or comply with Rules 47 – <del>50</del> 49 [...]</i> :  | The Council agrees to granting the relief sought by the submitter.   |
| 32 – Port Taranaki   | 1061             | <b>Amend</b>  | <b>Accept</b>  |
|  |                  | Submitter seeks amendment to Rule 50 of the Plan's activity description to read: <i>[...] and the activity does not come within or comply with Rules 47 – <del>50</del> 49 [...]</i> :  | The Council agrees to granting the relief sought by the submitter.   |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd         | 1062             | <b>Support</b>  | <b>Accept</b>  |
|  |                  | Retain Rule 50 of the Plan as notified.   | Support noted. Rule 50 is retained subject to amendments to offer relief to other submitters' concerns where appropriate.  |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Oppose  |  |
| 47 – Fonterra  | 1063             | <b>Support</b>  | <b>Accept</b>  |
|  |                  | Retain Rule 50 of the Plan as notified.   | Support noted. Rule 50 is retained subject to amendments made to offer relief to other submitters' concerns where appropriate.   |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Oppose  |  |
| 61 – Te Rūnanga o Ngāti Ruanui Trust                       | 1064             | <b>Amend</b>  | <b>Decline</b>   |
|  |                  | Submitter seeks amendment to Rule 50 of the Plan to include standards, terms and conditions to read:<br><i><u>(a) the occupation does not adversely affect the matters/values identified for protection by mana whenua in the cultural impact assessment;</u></i><br><i><u>(b) the occupation complies with tangata whenua indicators referred to in the tangata whenua monitoring plan</u></i><br><i><u>(c) the occupation is consistent with iwi management plan.</u></i><br>AND<br>Include the following notification note:<br><i><u>Resource consent applications under this Rule will be notified to tangata whenua.</u></i> | The submitter has sought the inclusion of standards, terms and conditions for rules in the Plan relating to discretionary and non-complying activities.<br><br>The Council declines the relief sought noting that it is not standard planning practice for discretionary activity or non-complying activity rules to include standards, terms and conditions. Conditions relating to a discretionary activity are developed on a case-by-case basis through the consenting process having regard to the relevant Plan policies.<br><br>The Council notes that all matters identified by the submitter would be considered through the consenting process with Policies 1 to 21, 31, 32 and 39 being given effect to. |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions  |
|---|------------------|--|---|
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Korowai o Ngāruahine Trust (41) |                  | Support  | <p>In relation to notification requirements, the submitter (and others) has highlighted an issue with the notification requirements stated in the Plan which in turn raises issues with notification requirements in the RMA being regularly changed. The Council notes that, over time the notification requirements identified in the Plan may become misleading and outdated following changes to RMA. Consequently, the Council has determined to amend the heading throughout the rules section to refer only to “<i>matters of control/discretion</i>” and deleting any references to consenting notification requirements in the rules (noting relevant notification requirements are set out in sections 95A to 95G of the RMA).</p> <p>The Council further notes that, in addition to the requirements of the RMA, notification to iwi can also be addressed through Mana Whakahono a Rohe agreements without the need to be included in the Plan rules.</p> |
| <b>NEW Rule 50A – Coastal occupation</b>  |                  |  |   |
| 43 – Royal Forest and Bird Protection Society   | 1065             | <p><b>Amend</b></p> <p>Submitter seeks amendment to the Plan to make the continued occupation of an existing lawfully established structure in Outstanding Value, Estuaries Unmodified, and Estuaries Modified coastal management areas (where the occupation was previously a Permitted or controlled activity).</p>                            | <p><b>Decline</b></p> <p>Refer to submission points 1045 and 1052.</p>  |
| <b>Rule 51 – Clearance of outfalls, culverts and intake structures</b>                    |                  |  |   |
| 21 – Climate Justice Taranaki   | 1066             | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 51 [Clearance of outfalls, culverts and intake structures and any associated activities] of the Plan to make the activity Discretionary (rather than Permitted) in coastal management areas: Outstanding value and Estuaries Unmodified – especially the discharge of contaminants.</p> | <p><b>Decline</b></p> <p>The Council declines the relief sought by the submitter.</p> <p>The Council notes that the activity is to allow minor disturbances of the foreshore and seabed for the purpose of removing accumulated sediment that is adversely affecting the use and performance of a culvert, outfall or intake structure. Anticipated effects should be less than minor, subject to compliance with the standards, terms and conditions.</p> <p>Of note, Rule 51 relates only to maintenance activities (and incidental discharges) associated with existing structures rather than the discharge itself. Given that the placement of these structures are already authorised in Outstanding value and Estuaries Unmodified coastal management areas,</p>   |



| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
|--|------------------|--|--|
|  |                  |  | requiring a resource consent for ongoing maintenance works is not considered appropriate or necessary.   |
| 40 – Te Rūnanga o Ngāti Mutunga                          | 1067             | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 51 of the Plan to include two additional conditions:</p> <p><i>(f) the activity does not have an adverse effect on the values associated with historic heritage identified in Schedule 5 (Historic Heritage)</i></p> <p><i>(g) the activity does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4A.</i></p> | <p><b>Accept</b></p> <p>The Council notes that Rule 51 relates to allowing minor disturbances of the foreshore and seabed for the purpose of removing accumulated sediment that is adversely affecting the use and performance of a culvert, outfall or intake structure.</p> <p>At the time of the original placement and erection of the structure wider considerations relating to historic heritage and indigenous biodiversity would have been addressed (under alternative rules).</p> <p>However, to ensure a precautionary approach, the Council agrees to the inclusion of additional standards terms and conditions to ensure no adverse effects to significant indigenous biodiversity, including taonga species and historic heritage identified in Schedules 5A and B. These are reflected in new standards terms and conditions (aa), (ab) and (ac).</p> |
| Further submissions – Te Korowai o Ngāruahine Trust (41) |                  | Support  |  |
| 40 – Te Rūnanga o Ngāti Mutunga                          | 1068             | <p><b>Amend</b></p> <p>Submitter opposes permitting the clearance of outfalls, culverts and intake structures in the coastal marine area and seek amendment to Rule 51 of the Plan to make such activities be a discretionary activity.</p>  | <p><b>Decline</b></p> <p>The Council declines the relief sought by the submitter noting that the activity is to allow minor disturbances of the foreshore and seabed for the purpose of removing accumulated sediment that is adversely affecting the use and performance of a culvert, outfall or intake structure. Anticipated effects should be less than minor, subject to compliance with the standards, terms and conditions.</p> <p>Of note Rule 51 relates only to maintenance activities (and incidental discharges) associated with existing structures rather than the discharge itself. Requiring a resource consent for ongoing maintenance works is not considered appropriate or necessary.</p>   |
| 43 – Royal Forest and Bird Protection Society            | 1069             | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 51 of the Plan to clarify that the rule provides for clearance of lawfully established structures only and add further conditions and limits to specify:</p> <ul style="list-style-type: none"> <li>the amount of disturbance or deposition of material</li> </ul>  | <p><b>Accept in part</b></p> <p>The Council agrees to amending the Activity Description of Rule 51 to refer to lawfully established structures.</p> <p>In relation to the other matters raised by the submitter, the Council declines granting that part of the reliefs sought. Of note, the Rule is based on an</p>   |



| Submitter     | Submission point | Submitter's requests  | Council's response and decisions  |
|---------------|------------------|---|---|
|               |                  | <ul style="list-style-type: none"> <li>• a limit or guidance on “<i>minimum necessary</i>” to ensure removal of material does not result in adverse effects</li> <li>• whether mitigation may be appropriate in outstanding or significant locations and require consent</li> <li>• the type of material which can be deposited</li> <li>• adverse effects of depositing the material inappropriately.</li> </ul> | <p>equivalent rule in the current Plan for which there have been no issues with its implementation and application to date. Specific comments are as follows:</p> <ul style="list-style-type: none"> <li>• The amount of disturbance or deposition of material will depend upon the structure but given there can be significant costs associated with doing this maintenance works there is an incentive for the person not to do more than they need to do to protect the use and performance of their culvert, outfall or intake structure.</li> <li>• As per above, the minimum amount of material that can be removed will depend upon the structure but given there can be significant costs associated with doing this maintenance works, again, there is an incentive for the person not to do more than they need to do to protect the use and performance of their culvert, outfall or intake structure.</li> <li>• As per the reading of the condition, any material placed on the foreshore or seabed will consist of the same material as the receiving environment., e.g. shingle or rocks on rocky shores, sand on sandy beaches or sea floors.</li> <li>• Subject to the standards, terms and conditions, the Council believes adverse environments will be appropriately managed. However, in response to concerns raised by the submitter, the Council agrees to the inclusion of two new standards, terms and conditions addressing adverse effects on indigenous biodiversity and historic heritage.</li> </ul> |
| 47 – Fonterra | 1070             | <p><b>Amend</b></p> <p>Submitter seeks amendment to Condition (e) of Rule 51 of the Plan to read:<br/> <i>(e) activity does not restrict public access for more than <u>seven days 24 hours</u>.</i></p>  | <p><b>Accept in part</b></p> <p>Submitter notes that clearance activities on larger structures may take longer than one day due to weather events and notes that these structures are located in areas where there is generally low levels of demand for access.</p> <p>The Council agrees in part but consider a restriction on public access up to 7 days to be excessive for a permitted activity. Instead, the Council agrees that public access restrictions be limited to 72 hours.</p>   |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
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| 57 – Heritage New Zealand                                | 1071             | <b>Amend</b>  | <b>Accept</b>  |
|  |                  | Submitter seeks amendment to Rule 51 of the Plan to include an additional condition:<br><i>(f) disturbance does not occur within a site included in Schedule 5 [Historic Heritage].</i>   | The Council agrees to granting the relief sought by the submitter with the inclusion of new standard, term and condition (ac).   |
| 58 – Te Atiawa   | 1072             | <b>Amend</b>  | <b>Accept</b>  |
|  |                  | Submitter seeks amendment to Rule 51 of the Plan to include two additional conditions to read:<br><i>(f) activity does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4A [Significant indigenous biodiversity], and:</i><br><i>(g) the activity does not have an adverse effect on the values associated with sites of significance to Māori identified in Schedule 5A and 5B.</i>  | The Council agrees to granting the relief sought by the submitter.   |
| Further submissions – Te Korowai o Ngāruahine Trust (41) |                  | Support   |  |
| 59 – KiwiRail  | 1073             | <b>Support</b>  | <b>Accept</b>  |
|  |                  | Retain Rule 51 of the Plan as notified.   | Support noted. Rule 51 is retained subject to amendments to offer relief to other submitters' concerns where appropriate.  |
| Further submissions – Port Taranaki Ltd (32)             |                  | Support   |  |
| 61 – Te Rūnanga o Ngāti Ruanui Trust                     | 1074             | <b>Amend</b>  | <b>Accept in part</b>  |
|  |                  | Submitter seeks amendment to Rule 51 of the Plan to include new standards, terms and conditions to read:<br>[...]<br><i>(f) the discharge does not have an adverse effect on the values associated with cultural and historic heritage identified in Schedule 5 [Cultural and Historic heritage];</i><br><i>(g) the discharge does not have adverse effect on Schedules 1 and 2;</i><br><i>(h) the discharge does not have any adverse effect on any site identified in 5B [Sites of significance to Māori and associated values] and Appendix 2;</i> | The submitter is seeking amendment to Rule 51 of the Plan to include new and amended standards, terms and conditions that primarily address cultural and historic heritage and indigenous biodiversity considerations.<br>The Council notes that a number of submitters have raised similar considerations. The Council therefore agrees (in a manner that is consistent to that adopted in conditions adopted in other rules) to the inclusion of three new conditions that read as follows:<br>[...] |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
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|  |                  | <p><u>(i) the discharge does not adversely affect the suitability of the receiving environment for customary use;</u></p> <p><u>(j) activity does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type, or any sensitive marine benthic habitat including those identified in Schedule 4 [Significant indigenous biodiversity] or any reef system; and taonga species protected under Taranaki iwi Deed of Settlement including those identified in Schedule 4C [Taonga species and habitat].</u></p> | <p><u>(aa) disturbance does not have an adverse effect on significant indigenous biodiversity, including those identified in Schedule 4 [Significant indigenous biodiversity];</u></p> <p><u>(ab) the activity does not have a significant effect on the values associated with taonga species identified in Schedule 4C [Taonga species];</u></p> <p><u>(ac) disturbance does not have an adverse effect on the values associated with historic heritage identified in Schedule 5A and B [Historic heritage];</u></p>  |
| Further submissions – Te Korowai o Ngāruahine Trust (41)   |                  | Support  |   |
| <b>Rule 52 – Collection of benthic grab samples</b>        |                  |  |   |
| 6 – Trans-Tasman Resources Ltd                             | 1075             | <p><b>Support</b></p> <p>Retain Rule 52 of the Plan as this rule appropriately enables monitoring of effects on benthic communities by providing for the removal of benthic material as a permitted activity where it is for scientific or monitoring purposes and where it meets the terms set out in the rule.</p>   | <p><b>Accept</b></p> <p>Support noted. Rule 52 is retained subject to amendments to offer relief to other submitters' concerns where appropriate.</p> <p>The Council further notes that in relation to other requests from the submitter (and others) additional rules have been incorporated into the Plan to address other disturbance activities for scientific sampling and monitoring purposes generally (Rules 52, 52A and 52B).</p>  |
| Further submissions – Port Taranaki Ltd (32)               |                  | Support  |   |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Oppose   |   |
| 6 – Trans-Tasman Resources Ltd                             | 1076             | <p><b>Amend</b></p> <p>Submitter seeks consequential changes to Condition (g) of Rule 52 of the Plan that gives effect to previous reliefs sought. Consequential amendments read as follows:</p> <p><u>(g) sampling does not have an adverse effect on any threatened or at risk, <del>or regionally distinctive (declining)</del> species, or any rare and uncommon ecosystem type, <del>or any sensitive marine benthic habitat</del> including those identified in Schedule 4 [Significant indigenous biodiversity] or any reef system; [...]</u></p>                             | <p><b>Decline</b></p> <p>The Council declines granting this relief as deleting reference to regionally distinctive species would be inconsistent with Bio Policy 4 of the <i>Regional Policy Statement</i>, which refers to, amongst other things, the presence of regionally distinctive species as a criteria for identifying significant indigenous biodiversity values in Taranaki. The category also contributes to giving effect to Policy 11(a)(iv) of the <i>New Zealand Coastal Policy Statement</i>. It is the Council's view that Plan provisions should recognise the local context and provide for the protection of indigenous species that are locally significant to the Taranaki region, irrespective of their national threat status.</p> |
| Further submissions – Department of Conservation (29)      |                  | Oppose   |   |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions   |
|---|------------------|---|--|
|   |                  |   | The Council also declining the relief sought in relation to deleting reference to sensitive benthic habitats. Sensitive benthic habitats refer to marine habitats identified in the report <a href="https://www.trc.govt.nz/assets/Documents/Plans-policies/CoastalPlanReview/SensitiveHabitats.PDF">https://www.trc.govt.nz/assets/Documents/Plans-policies/CoastalPlanReview/SensitiveHabitats.PDF</a> that have low tolerance to habitat damage and for which the time for the habitat to recover from any damage would be significant. Given the sensitivity and vulnerability of such marine habitats, the Council considers it appropriate that they be recognised and provided for in Rule 52.  |
| 41 – Te Korowai o Ngāruahine Trust                                    | 1077             | <b>Amend</b><br>Submitter seeks amendment to Rule 52 of the Plan to require notification to iwi of any benthic grab sampling authorised by this rule. | <b>Accept</b><br>The Council notes that, under Condition (h), the Council requires to be informed of the activity at least five working days prior to the activity commencing and have agreed to pass this information to iwi authorities.<br>The Council agrees, in response to the submitter's request, to including an additional note under the Activity Description that reads as follows:<br><i>Note (2): Iwi authorities that have requested to be informed of this activity will be advised by the Council.</i>  |
| Further submissions – Trans-Tasman Resources Ltd (6)                  |                  | Oppose  |  |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Atiawa (58) |                  | Support   |  |
| 43 – Royal Forest and Bird Protection Society                         | 1078             | <b>Support</b><br>Retain Rule 52 of the Plan as notified.   | <b>Accept</b><br>Support noted. Rule 52 is retained subject to minor amendments as requested by other submitters that do not change the policy intent.   |
| 58 – Te Atiawa  | 1079             | <b>Amend</b><br>Submitter seeks amendment to Rule 52 of the Plan so that Iwi are notified.  | <b>Accept</b><br>In relation to notification requirements proposed by the submitter, the Council notes that the Plan is not intended to provide the operational detail for implementing every aspect of the Plan. Such detail is more appropriately included in the Council's standard operating procedures and/or any Mana Whakahono a Rohe agreements.<br>However, in relation to permitted activity notifications, the Council requires notification under standard, term and condition (h) at least five working day before the activity is due to commence, and has agreed to forward this notification to iwi authorities that have requested to be kept informed.<br>The Council agrees, in response to the submitter's request, to including Note (2) that reads as follows: |
| Further submissions – Trans-Tasman Resources Ltd (6)                  |                  | Oppose  |  |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61)            |                  | Support   |  |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
|--|------------------|--|---|
|  |                  |  | <u>Note (2): Iwi authorities that have requested to be informed of this activity will be advised by the Council.</u>  |
| 61 – Te Rūnanga o Ngāti Ruanui Trust                 | 1080             | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 52 of the Plan to include new and amended standards, terms and conditions to read:</p> <p>[...]</p> <p><i>(f) sampling does not have an adverse effect on the values associated with <u>cultural and historic heritage identified in Schedule 5 [Cultural and Historic heritage];</u></i></p> <p><i><u>(fa) the sampling does not have adverse effect on Schedules 1 and 2;</u></i></p> <p><i><u>(fb) the activity does not have any adverse effect on any site identified in 5B [Sites of significance to Māori and associated values] and Appendix 2;</u></i></p> <p><i>(g) sampling does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type, or any sensitive marine benthic habitat including those identified in Schedule 4 [Significant indigenous biodiversity] or any reef system <u>and taonga species protected under Taranaki iwi Deed of Settlement including those identified in Schedule 4C [Taonga species and habitat] [...]</u></i></p> | <p><b>Accept in part</b></p> <p>The submitter is seeking amendment to Rule 52 of the Plan to include new and amended standards, terms and conditions. Specific comments on the new and amended proposed conditions are as follows:</p> <ul style="list-style-type: none"> <li>Decline the relief sought in relation to Condition (f). The Council refers the submitter to previous comments made on expanding the scope of historic heritage.</li> <li>Decline the relief sought in relation to Condition (fa). The Council notes that the effect of granting this relief would also make this rule redundant as Schedules 1 and 2 capture the whole coastal marine area plus landward parts of the coastal environment identified as having outstanding natural character or being an outstanding natural feature or landscape and it requires no adverse effects (even those less than minor),</li> <li>Decline relief sought in relation to Condition (fb) as unnecessary and uncertain for Plan users. The Rule is only providing for the collection of benthic grab samples for scientific or monitoring purposes in the coastal marine area. The Council notes that impacts on cultural sites of significance are already addressed in Condition (f).</li> <li>Grant the relief in kind in relation to Condition (d). The Council agrees to expanding the scope of Rule conditions to include reference to scheduled taonga species.</li> </ul> |
| Further submissions – Trans-Tasman Resources Ltd (6) |                  | Oppose   |   |
| <b>Rule 53 – Minor disturbance and removal</b>       |                  |  |   |
| 6 – Trans-Tasman Resources Ltd                       | 1081             | <p><b>Support</b></p> <p>Retain Rule 53 of the Plan as this rule recognises the minor effects arising from such disturbance and removal.</p>   | <p><b>Accept</b></p> <p>Support noted. Rule 53 is retained subject to amendments to offer relief to other submitters' concerns where appropriate.</p>   |



| Submitter   | Submission point | Submitter's requests  | Council's response and decisions  |
|---|------------------|---|---|
| Further submissions – Climate Justice Taranaki Inc (21), Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Oppose  |   |
| 43 – Royal Forest and Bird Protection Society   | 1082             | <b>Amend</b><br>Submitter supports retaining Conditions (c) to (g) but seeks amendment to Rule 53 of the Plan by removing Outstanding Value, Estuaries Unmodified, and Estuaries Modified coastal management areas from the rule and to make minor disturbance and removal of sand, shingle or other natural material in such areas a restricted discretionary activity (rather than a permitted activity). | <b>Decline</b><br>The Council notes that Rule 53 is a new rule providing for the removal of small quantities of sand for non-commercial purposes, e.g. for the sandpit or material for customary uses. Subject to compliance with standards, terms and conditions set out in the Rule, any adverse effects would be less than minor and transitory. The Council does not believe it appropriate or necessary to require people to obtain a resource consent to take less than 0.5 m <sup>3</sup> of sand, shingle, shell or other natural material. |
| Further submissions – Climate Justice Taranaki Inc (21)                                       |                  | Support   |   |
| 43 – Royal Forest and Bird Protection Society   | 1083             | <b>Amend</b><br>Submitter seeks amendment to Rule 53 of the Plan by including matters for control to consider effects on indigenous biodiversity, natural character and natural features and landscapes and other matters to consider the effects of noise, light and location.   | <b>Decline</b><br>Refer to submission point 1082.<br>The Council does not agree with requiring people to get a resource consent for such small scale activities. Notwithstanding that, it is the Council's view that indigenous biodiversity considerations are adequately addressed in the standards, terms and conditions.  |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61)                                    |                  | Oppose  |   |
| 43 – Royal Forest and Bird Protection Society   | 1084             | <b>Amend</b><br>Submitter seeks amendment to Rule 53 of the Plan by adding a new condition that restricts the activity to outside of bird breeding periods.   | <b>Decline</b><br>Refer to submission point 1082.<br>The Council does not consider the amendment sought to add any further value and consider the current standards, terms and conditions to provide the necessary direction for Plan users. The Council declines the relief sought noting that the scale of the activity is small and can be appropriately managed as a permitted activity.  |



| Submitter   | Submission point | Submitter's requests   | Council's response and decisions   |
|---|------------------|--|--|
| 61 – Te Rūnanga o Ngāti Ruanui Trust                    | 1085             | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 53 of the Plan to include new and amended standards, terms and conditions to read:</p> <p><i>(a) the activity does not have an adverse effect on the values associated with <u>cultural and historic heritage identified in Schedule 5 [Cultural and Historic heritage];</u></i></p> <p><i><u>(aa) the activity does not have adverse effect on Schedules 1 and 2;</u></i></p> <p><i><u>(ab) the activity does not have any adverse effect on any site identified in 5B [Sites of significance to Māori and associated values] and Appendix 2;</u></i></p> <p><i>(b) the activity does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type, or any sensitive marine benthic habitat including those identified in Schedule 4 [Significant indigenous biodiversity] or any reef system <u>and taonga species protected under Taranaki iwi Deed of Settlement including those identified in Schedule 4C [Taonga species and habitat]; [...]</u></i></p> | <p><b>Accept in part</b></p> <p>The submitter is seeking amendment to Rule 53 of the Plan to include new and amended standards, terms and conditions. Specific comments on the new and amended proposed conditions are as follows:</p> <ul style="list-style-type: none"> <li>Decline the relief sought in relation to Condition (a). The Council refers the submitter to previous comments made on expanding the scope of historic heritage.</li> <li>Decline the relief sought in relation to Condition (aa). The Council notes that the effect of granting this relief would also make this rule redundant as Schedules 1 and 2 capture the whole coastal marine area plus landward parts of the coastal environment identified as having outstanding natural character or being an outstanding natural feature or landscape and it requires no adverse effects (even those less than minor or transitory).</li> <li>Decline relief sought in relation to Condition (ab) as unnecessary and uncertain for Plan users. The Rule is only providing for the extraction of small quantities of material (e.g. for a sandpit) in the coastal marine area. The Council also notes that impacts on cultural sites of significance are already addressed in Condition (a)</li> <li>Grant the relief in kind in relation to Condition (b). The Council agrees to expanding the scope of Rule conditions to include reference to scheduled taonga species.</li> </ul> |
| Further submissions – Trans-Tasman Resources Ltd (6)    |                  | Oppose   |  |
| Further submissions – Climate Justice Taranaki Inc (21) |                  | Support  |  |
| <b>Rule 54 – Burial of dead animals</b>                 |                  |  |  |
| 29 – Department of Conservation                         | 1086             | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 54(e) of the Plan to read:</p> <p><i>(e) <u>except for seals</u>, where a marine mammal is buried, the relevant iwi authority is notified prior to the burial taking place [...]</i></p>  | <p><b>Accept</b></p> <p>The submitter notes that most of the marine mammals that the Department of Conservation bury are dead seals and that the frequency of dead seal burials means that it is likely to be impracticable to consult with iwi on every occasion. The submitter further notes that the Taranaki Iwi deed of settlement already adequately covers the requirement for the Department to cooperate with and advise iwi of any marine mammal strandings and burials.</p> <p>The Council agrees to granting the relief sought by the submitter.</p>   |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
|--|------------------|---|--|
| 40 – Te Rūnanga o Ngāti Mutunga                          | 1087             | <b>Amend</b>  | <b>Accept</b>  |
|  |                  | Submitter seeks amendment to Rule 54(b) of the Plan to read:<br><i>(b) the activity does not occur at any site identified in Schedule 56B [Sites of significance to Māori] [...]</i>  | The Council agrees to granting the relief sought by the submitter.   |
| Further submissions – Te Korowai o Ngāruahine Trust (41) |                  | Support   |  |
| 58 – Te Atiawa   | 1088             | <b>Support in Part</b>  | <b>Accept</b>  |
|  |                  | Submitter seeks amendment to Rule 54(b) of the Plan to read:<br><i>(b) the activity does not occur at any site identified in Schedule 56B [Sites of significance to Māori] [...]</i>  | The Council agrees to granting the relief sought by the submitter.   |
| Further submissions – Te Korowai o Ngāruahine Trust (41) |                  | Support   |  |
| 60 – Te Kaahui o Rauru                                   | 1089             | <b>Amend</b>  | <b>Decline</b>   |
|  |                  | Submitter seeks amendment to Rule 54 of the Plan to require active involvement of tangata whenua (not just notification) when it comes to the burial of dead animals on the beach, particularly the burial of marine mammals. | In relation to notification requirements proposed by the submitter, the Council notes that the Plan is not intended to provide the operational detail for implementing every aspect of the Plan. Such detail is more appropriately included in the Council's standard operating procedures and/or any Mana Whakahono a Rohe agreements.  |
| Further submissions – Te Korowai o Ngāruahine Trust (41) |                  | Support   | In addition, the Council notes that the activity of burying marine mammals in the coastal marine area is undertaken by the Department of Conservation and notes that involvement with local iwi and hapu is often provided for through the Department of Conservation engagement processes. The Council notes that Council routinely works with the Department of Conservation in such matters. Treaty of Waitangi deeds of settlement adequately covers Departmental requirements to cooperate with and advise iwi of any marine mammal strandings and burials. |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
|--|------------------|---|--|
| 61 – Te Rūnanga o Ngāti Ruanui Trust                     | 1090             | <b>Amend</b>  | <b>Accept in part</b><br><br>The submitter is seeking amendment to Rule 54 of the Plan to include new and amended standards, terms and conditions. Specific comments on the new and amended proposed conditions are as follows: <ul style="list-style-type: none"> <li>Decline the relief sought in relation to Condition (a). The Council refers the submitter to previous comments made on expanding the scope of historic heritage.</li> <li>Decline the relief sought in relation to Condition (aa) and (ab). Council notes that the effect of granting this relief would also make this rule redundant as Schedules 1 and 2 capture the whole coastal marine area plus landward parts of the coastal environment identified as having outstanding natural character or being an outstanding natural feature or landscape and it requires no adverse effects (even those less than minor or transitory).</li> <li>Decline relief sought in relation to deleting Condition (b) as express permission from the appropriate iwi authority should the burial of dead animals be required in their sites of significance is considered appropriate.</li> <li>Grant the relief in kind in relation to Condition (b). The Council agrees to expanding the scope of Rule conditions to include reference to scheduled taonga species.</li> </ul> |
|  |                  | Submitter seeks amendment to Rule 54 of the Plan to include new and amended standards, terms and conditions to read:<br><i>(a) the activity does not have an adverse effect on the values associated with <u>cultural and historic heritage identified in Schedule 5 [Cultural and Historic heritage];</u></i><br><i>(aa) the activity does not have adverse effect on Schedules 1 and 2;</i><br><i>(ab) the activity does not have any adverse effect on any site identified in 5B [Sites of significance to Māori and associated values] and Appendix 2;</i><br><i>(b) the activity does not occur at any site identified in 6B [Sites of significance to Māori and associated values] except with express permission of the relevant iwi authority;</i><br><i>(c) activity complies with the general standards in Section 8.6;</i><br><i>(d) the activity does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type, or any sensitive marine benthic habitat including those identified in Schedule 4 [Significant indigenous biodiversity] or any reef system and taonga species protected under Taranaki iwi Deed of Settlement including those identified in Schedule 4C [Taonga species and habitat]; [...]</i> |  |
| Further submissions – Te Korowai o Ngāruahine Trust (41) |                  | Support   |  |
| <b>Rule 55 – Dredging and spoil disposal (Port)</b>      |                  |   |  |
| 43 – Royal Forest and Bird Protection Society            | 1091             | <b>Support</b>  | <b>Accept</b>  |
|  |                  | Retain Rule 55 of the Plan as notified.   | Support noted.   |
| 58 – Te Atiawa   | 1092             | <b>Support</b>  | <b>Accept</b>  |
|  |                  | Retain Rule 55 of the Plan as notified.   | Support noted.   |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions   |
|---|------------------|---|--|
| <b>Rule 56 – Dredging and spoil disposal (Open Coast)</b>                                 |                  |   |  |
| 43 – Royal Forest and Bird Protection Society   | 1093             | <b>Support</b><br>Retain Rule 56 of the Plan as notified.   | <b>Accept</b><br>Rule 56 is retained as notified.  |
| Further submissions – Port Taranaki Ltd (32)  |                  | Support   |  |
| 58 – Te Atiawa  | 1094             | <b>Amend</b><br>Submitter seeks amendment to Rule 56 of the Plan to include the following conditions:<br><i><u>(a) activity does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4A [Significant indigenous biodiversity], and;</u></i><br><i><u>(b) the activity does not have an adverse effect on the values associated with sites of significance to Māori identified in Schedule 5A and 5B.</u></i>   | <b>Decline</b><br>The submitter has sought the inclusion of standards, terms and conditions for rules in the Plan relating to Discretionary activities.<br>The Council declines the relief noting that it is not standard planning practice for discretionary or non-complying activity rules to include standards, terms and conditions. Conditions relating to a discretionary activity are developed on a case-by-case basis through the consenting process having regard to the relevant Plan policies.<br>The Council notes that all matters identified by the submitter would be considered through the consenting process with Policies 1 to 21, 22, 39, 40, 41, 42, 43, 44 and 49 being given effect to. In particular, Policy 14 [Indigenous biodiversity], Policy 15 [Historic heritage] and Policy 16 [Relationship with tangata whenua] will provide protections for areas of concern identified by the submitter. |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Korowai o Ngāruahine Trust (41) |                  | Support   |  |
| 61 – Te Rūnanga o Ngāti Ruanui Trust  | 1095             | <b>Amend</b><br>Submitter seeks amendment to Rule 56 of the Plan to include standards, terms and conditions to read:<br><i><u>(a) the activity does not adversely affect the matters/values identified for protection by mana whenua in the cultural impact assessment;</u></i><br><i><u>(b) the activity complies with tangata whenua indicators referred to in the tangata whenua monitoring plan</u></i><br><i><u>(c) the activity is consistent with iwi management plan.</u></i><br>AND<br>Include the following notification note:<br><i><u>Resource consent applications under this Rule will be notified to tangata whenua.</u></i> | <b>Decline</b><br>The submitter has sought the inclusion of standards, terms and conditions for rules in the Plan relating to Discretionary activities.<br>The Council declines the relief noting that it is not standard planning practice for Discretionary or non-complying activity rules to include standards, terms and conditions. Conditions relating to a discretionary activity are developed on a case-by-case basis through the consenting process having regard to the relevant Plan policies.<br>The Council notes that all matters identified by the submitter would be considered through the consenting process with Policies 1 to 21, 22, 39, 40, 41, 42, 43, 44 and 49 being given effect to. In particular, Policy 16  |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions   |
|---|------------------|---|--|
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) |                  | Support   | [Relationship with tangata whenua] will provide protections for areas of concern identified by the submitter.<br><br>In relation to notification requirements proposed by the submitter, the Council notes that the Plan is not intended to provide the operational detail for implementing every aspect of the Plan. Such detail is more appropriately included in the Council's standard operating procedures and/or any Mana Whakahono a Rohe agreements.   |
| <b>Rule 57 – Beach replenishment</b>  |                  |   |  |
| 29 – Department of Conservation   | 1096             | <b>Amend</b><br><br>Submitter seeks amendment to Rule 57 of the Plan to read:<br><i>Deposition of natural <b>marine</b> material [...]</i><br>AND<br>Include controls around particle size, and requirements for marine material similar to that of the receiving environment.  | <b>Decline</b><br><br>The Council agrees that beach replenishment materials should be similar to the sediments that already existing in the natural receiving environment, however, this is a detail that would be addressed within the consenting process on a case-by-case basis and does not require mention within the rule itself.  |
| 40 – Te Rūnanga o Ngāti Mutunga   | 1097             | <b>Amend</b><br><br>Submitter seeks amendment to Rule 57 of the Plan to include 2 additional conditions:<br><i>(c) the activity does not have an adverse effect on the values associated with historic heritage identified in Schedule 5 [Historic Heritage]</i><br><i>(d) the activity does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4A.</i> | <b>Decline</b><br><br>The submitter has sought the inclusion of standards, terms and conditions for a rule in the Plan that has a discretionary activity classification.<br><br>The Council declines the relief noting that it is not standard planning practice for discretionary activity or non-complying activity rules to include standards, terms and conditions. Conditions relating to a non-complying activity are developed on a case-by-case basis through the consenting process having regard to the relevant Plan policies.<br><br>The Council notes that effects on species and ecosystems are provided for and protected under Policy 14 [Indigenous biodiversity] and will be required to be given effect through this rule by having regard for Policies 1 to 21, 22, 40, 41, 42, 44 and 49 being given effect to. |
| Further submissions – Te Korowai o Ngāruahine Trust (41)  |                  | Support   |  |
| 41 – Te Korowai o Ngāruahine Trust  | 1098             | <b>Amend</b><br><br>Submitter seeks amendment to Rule 57 of the Plan to acknowledge the role that kaitiaki play in wanting to protect areas of ecological value and biodiversity and sites of significance.   | <b>Decline</b><br><br>The Council declines the relief sought by the submitter.<br><br>The Council does not consider the rules to be an appropriate place to discuss the role of kaitiaki in wanting to protect areas of ecological value, biodiversity   |



| Submitter                                     | Submission point | Submitter's requests  | Council's response and decisions   |
|---|------------------|---|--|
|   |                  |   | <p>and sites of significance. Such matters have been addressed elsewhere in the Plan.</p> <p>The Council notes that the rules are subject to the provisions within the policies and as such kaitiaki is already provided for within Policy 16 [Relationship of tangata whenua]. Thus, kaitiaki will have to be considered through this rule irrespective of whether it is explicitly mentioned or not and can be done so through iwi involvement in the consent process on a case-by-case basis.</p>   |
| 41 – Te Korowai o Ngāruahine Trust            | 1099             | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 57 of the Plan to include standards, terms and conditions to ensure that the activities do not have any adverse effects on species and ecosystems and do not impact on the values of the sites listed in Schedules 5A and B.</p>   | <p><b>Decline</b></p> <p>The submitter has sought the inclusion of standards, terms and conditions for a rule in the Plan that has a discretionary activity classification.</p> <p>The Council declines the relief noting that it is not standard planning practice for discretionary activity or non-complying activity rules to include standards, terms and conditions. Conditions relating to a non-complying activity are developed on a case-by-case basis through the consenting process having regard to the relevant Plan policies.</p> <p>The Council notes that effects on species and ecosystems are provided for and protected under Policy 14 [Indigenous biodiversity] and will be subject to the activity obtaining a resource consent and giving effect to Policies 1 to 21, 22, 40, 41, 42, 44 and 49.</p> |
| 43 – Royal Forest and Bird Protection Society | 1100             | <p><b>Support</b></p> <p>Retain Rule 57 of the Plan as notified.</p>  | <p><b>Accept</b></p> <p>Support noted. Rule 57 is retained as notified.</p>  |
| Further submissions – Port Taranaki Ltd (32)  |                  | Support   |  |
| 58 – Te Atiawa                                | 1101             | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 57 of the Plan to include the following conditions:</p> <p><i><u>(a) activity does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4A [Significant indigenous biodiversity], and;</u></i></p> | <p><b>Decline</b></p> <p>The submitter has sought the inclusion of standards, terms and conditions for a rule in the Plan that has a discretionary activity classification.</p> <p>The Council declines the relief noting that it is not standard planning practice for discretionary activity or non-complying activity rules to include standards, terms and conditions. Conditions relating to a non-complying activity are</p>   |



| Submitter                            | Submission point | Submitter's requests   | Council's response and decisions  |
|--------------------------------------|------------------|--|---|
|                                      |                  | <p><i><u>b) the activity does not have an adverse effect on the values associated with sites of significance to Māori identified in Schedule 5A and 5B.</u></i></p>  | <p>developed on a case-by-case basis through the consenting process having regard to the relevant Plan policies.</p> <p>The Council notes that all matters identified by the submitter would be considered through the consenting process with Policies 1 to 21, 22, 40, 41, 42, 44 and 49 being given effect to. In particular, Policy 14 [Indigenous biodiversity] and Policy 15 [Historic heritage] will provide for the areas of concern raised by the submitter.</p>   |
| 61 – Te Rūnanga o Ngāti Ruanui Trust | 1102             | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 57 of the Plan to include standards, terms and conditions to read:</p> <p><i><u>(a) the activity does not adversely affect the matters/values identified for protection by mana whenua in the cultural impact assessment;</u></i></p> <p><i><u>(b) the activity complies with tangata whenua indicators referred to in the tangata whenua monitoring plan</u></i></p> <p><i><u>(c) the activity is consistent with iwi management plan.</u></i></p> <p>AND</p> <p>Include the following notification note:</p> <p><i><u>Resource consent applications under this Rule will be notified to tangata whenua.</u></i></p> | <p><b>Decline</b></p> <p>The submitter has sought the inclusion of standards, terms and conditions for a rule in the Plan that has a discretionary activity classification.</p> <p>The Council declines the relief noting that it is not standard planning practice for discretionary activity or non-complying activity rules to include standards, terms and conditions. Conditions relating to a discretionary activity are developed on a case-by-case basis through the consenting process having regard to the relevant Plan policies.</p> <p>The Council notes that all matters identified by the submitter would be considered through the consenting process with Policies 1 to 21, 22, 40, 41, 42, 44 and 49 being given effect to. In particular, Policy 16 [Relationship with tangata whenua] will provide protections for areas of concern identified by the submitter.</p> <p>In relation to notification requirements proposed by the submitter, the Council notes that the Plan is not intended to provide the operational detail for implementing every aspect of the Plan. Such detail is more appropriately included in the Council's standard operating procedures and or Mana Whakahono a Rohe agreements.</p> <p>In relation to notification requirements, the submitter (and others) has highlighted an issue with the notification requirements stated in the Plan which in turn raises issues with notification requirements in the RMA being regularly changed. The Council notes that, over time the notification requirements identified in the Plan may become misleading and outdated following changes to RMA. Consequently, the Council agrees to amending the heading throughout the rules section to refer only to "matters of control/discretion" and deleting any references to consenting notification requirements in the rules (noting that the relevant notification requirements are set out in sections 95A to 95G of the RMA).</p> |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions   |
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| <b>Rule 58 – Introduction of exotic plants</b>        |                  |  |  |
| 29 – Department of Conservation                       | 1103             | <b>Support</b>   | <b>Accept</b>  |
|   |                  | Retain Rule 58 of the Plan as notified.  | Support noted. Rule 58 is retained as notified.  |
| 43 – Royal Forest and Bird Protection Society         | 1104             | <b>Support</b>   | <b>Accept</b>  |
|   |                  | Retain Rule 58 of the Plan as notified.  | Support noted. Rule 58 is retained as notified.  |
| 58 – Te Atiawa  | 1105             | <b>Other</b>   | <b>No relief necessary</b>   |
|   |                  | Seek discussion with the Taranaki Regional Council with respect to the purpose of allowing the introduction of exotic plants into the coastal marine area.   | Comments noted. The Council note that the Rule framework recognises that the introduction of exotic plants into the coastal marine area would not generally be acceptable. Hence, the activity can only be authorised through the consenting process as a discretionary activity or a non-complying activity (depending upon the coastal marine area where the activity is proposed to occur).   |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40) |                  | Support  |  |
| 61 – Te Rūnanga o Ngāti Ruanui Trust                  | 1106             | <b>Amend</b>   | <b>Decline</b>   |
|   |                  | <p>Submitter seeks amendment to Rule 58 of the Plan to include standards, terms and conditions to read:</p> <p><i><u>(a) the activity does not adversely affect the matters/values identified for protection by mana whenua in the cultural impact assessment;</u></i></p> <p><i><u>(b) the activity complies with tangata whenua indicators referred to in the tangata whenua monitoring plan</u></i></p> <p><i><u>(c) the activity is consistent with iwi management plan.</u></i></p> <p>AND</p> <p>Include the following notification note:</p> <p><i><u>Resource consent applications under this Rule will be notified to tangata whenua.</u></i></p> | <p>The submitter has sought the inclusion of standards, terms and conditions for a rule in the Plan that has a discretionary activity classification.</p> <p>The Council declines the relief noting that it is not standard planning practice for discretionary activity or non-complying rules to include standards, terms and conditions. Conditions relating to a discretionary activity are developed on a case-by-case basis through the consenting process having regard to the relevant Plan policies.</p> <p>The Council notes that all matters identified by the submitter would be considered through the consenting process with General Policies 1 to 21 and Activity-specific Policy 28 being given effect to. In particular, Policy 16 [Relationship with tangata whenua] would provide protections for areas of concern identified by the submitter.</p> <p>In relation to notification requirements proposed by the submitter, the Council notes that the Plan is not intended to provide the operational detail for implementing every aspect of the Plan. Such detail is more appropriately included in the Council's standard operating procedures and or Mana Whakahono a Rohe agreements.</p> |

| Submitter                                      | Submission point | Submitter's requests  | Council's response and decisions   |
|--|------------------|---|--|
|  |                  |   | In relation to notification requirements, the submitter (and others) has highlighted an issue with the notification requirements stated in the Plan which in turn raises issues with notification requirements in the RMA being regularly changed. The Council notes that, over time the notification requirements identified in the Plan may become misleading and outdated following changes to RMA. Consequently, the Council agrees to amending the heading throughout the rules section to refer only to "matters of control/discretion" and deleting any references to consenting notification requirements in the rules (noting that the relevant notification requirements are set out in sections 95A to 95G of the RMA).   |
| <b>Rule 59 – Introduction of exotic plants</b> |                  |   |  |
| 29 – Department of Conservation                | 1107             | <b>Support</b>  | <b>Accept</b>  |
|  |                  | Retain Rule 59 of the Plan as notified.   | Rule 59 retained as notified.  |
| 40 – Te Rūnanga o Ngāti Mutunga                | 1108             | <b>Support</b>  | <b>Accept</b>  |
|  |                  | Retain Rule 59 of the Plan as notified.   | Rule 59 retained as notified.  |
| 43 – Royal Forest and Bird Protection Society  | 1109             | <b>Amend</b>  | <b>No relief necessary</b>   |
|  |                  | Submitter seek amendment to Rule 59 to give effect to the <i>New Zealand Coastal Policy Statement</i> . | The submitter notes that the introduction of exotic plants is not consistent with protection or enhancement of natural character. In particular they are concerned about adverse effects on significant biodiversity values.<br><br>The Council does not believe that relief is required. The Council agrees with the submitter that the introduction of exotic plants in the coastal marine area is likely to degrade natural character. This has been recognised in the Plan whereby Rule 59 makes this activity a non-complying activity for which a resource consent would be required. The Council notes that non-complying activity represents a very high level of regulatory protection whereby a resource consent cannot be granted unless the effects of the activity are minor and the activity is not contrary to the objectives and policies of the Plan. |
| 58 – Te Atiawa                                 | 1110             | <b>Support</b>  | <b>Accept</b>  |
|  |                  | Submitter supports Rule 59 of the Plan as notified.   | Support noted. Rule 59 retained as notified.   |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
|--|------------------|--|--|
| 61 – Te Rūnanga o Ngāti Ruanui Trust   | 1111             | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 59 of the Plan to include standards, terms and conditions to read:</p> <p><i><u>(a) the activity does not adversely affect the matters/values identified for protection by mana whenua in the cultural impact assessment;</u></i></p> <p><i><u>(b) the activity complies with tangata whenua indicators referred to in the tangata whenua monitoring plan</u></i></p> <p><i><u>(c) the activity is consistent with iwi management plan.</u></i></p> <p>AND</p> <p>Include the following notification note:</p> <p><i><u>Resource consent applications under this Rule will be notified to tangata whenua.</u></i></p> | <p><b>Decline</b></p> <p>The submitter has sought the inclusion of standards, terms and conditions for a rule in the Plan that has a non-complying activity classification.</p> <p>The Council declines the relief sought noting that it is not standard planning practice for discretionary activity or non-complying activity rules to include standards, terms and conditions. Conditions relating to a non-complying activity are developed on a case-by-case basis through the consenting process having regard to the relevant Plan policies.</p> <p>The Council notes that all matters identified by the submitter would be considered through the consenting process with Policies 1 to 21 and 28 being given effect to. In particular, Policy 16 [Relationship with tangata whenua] will provide protections for areas of concern identified by the submitter.</p> <p>In relation to notification requirements proposed by the submitter, the Council notes that the Plan is not intended to provide the operational detail for implementing every aspect of the Plan. Such detail is more appropriately included in the Council's standard operating procedures and or Mana Whakahono a Rohe agreements.</p> <p>In relation to notification requirements, the submitter (and others) has highlighted an issue with the notification requirements stated in the Plan which in turn raises issues with notification requirements in the RMA being regularly changed. The Council notes that, over time the notification requirements identified in the Plan may become misleading and outdated following changes to RMA. Consequently, the Council agrees to amending the heading throughout the rules section to refer only to "matters of control/discretion" and deleting any references to consenting notification requirements in the rules (noting that the relevant notification requirements are set out in sections 95A to 95G of the RMA).</p> |
| <b>Rule 60 – Other disturbance, damage, destruction, removal or deposition</b> |                  |  |  |
| 26 – Transpower NZ Ltd   | 1112             | <p><b>Amend</b></p> <p>Submitter supports Rule 60 of the Plan but seeks amendment to Rule to delete reference to National Environmental Standards for Electricity Transmission Activities:</p>   | <p><b>Accept</b></p> <p>The reference to the <i>National Environmental Standards for Electricity Transmission</i> is redundant and does not add further value to the Plan. The Council agrees to granting the relief sought by the submitter.</p>  |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions   |
|---|------------------|--|--|
|   |                  | [...] <del>or the Resource Management (National Environmental Standards for Electricity Transmission Activities Regulations 2009 (Appendix 6)).</del>  |  |
| 40 – Te Rūnanga o Ngāti Mutunga                         | 1113             | <b>Amend</b><br>Submitter seeks amendment to Rule 60 of the Plan to make disturbance, damage, destruction, removal or deposition of the foreshore and seabed a non-complying activity in Estuaries Modified, Open Coast and Port coastal management areas (i.e. all coastal management areas). | <b>Decline</b><br>The Council declines the relief sought by the submitter.<br>The Council notes that discretionary activity classifications provides a high level of regulatory protection and the Council does not consider it appropriate to preclude this activity across coastal management areas already modified by coastal activities without determining the scale and possible effects as would be determined on a case-by-case basis through the consenting process.   |
| Further submissions – Trans-Tasman Resources Ltd (6)    |                  | Oppose   |  |
| Further submissions – Climate Justice Taranaki Inc (21) |                  | Support  |  |
| 43 – Royal Forest and Bird Protection Society           | 1114             | <b>Amend</b><br>Submitter seeks amendment to Rule 60 of the Plan to give effect to the <i>New Zealand Coastal Policy Statement</i> .   | <b>No relief necessary</b><br>The Council declines the relief sought by the submitter.<br>The submitter suggests that these activities can have significant adverse effects on indigenous biodiversity and natural character not identified in the Plan. The submitter seeks amendments to Plan policies to give effect to the <i>New Zealand Coastal Policy Statement</i> and believes amendments are necessary to provide for this activity as a discretionary activity.<br>The Council notes that the submitters concerns regarding indigenous biodiversity and natural character are provided for within the Plan in Policy 9 [Natural character and natural features and landscapes] and Policy 14 [Indigenous biodiversity] and that Rule 60 must give effect to the relevant policies including all of the General Policies as indicated in the Policy reference column.<br>It is Council's view that the requirements of the <i>New Zealand Coastal Policy Statement</i> have been fulfilled through the Proposed Plan and suggested amendments to the Proposed Plan (addressed elsewhere in this report). |
| 47 – Fonterra   | 1115             | <b>Support</b><br>Retain Rule 60 of the Plan as notified.  | <b>Accept</b><br>Support noted. Rule 60 retained as notified.  |
| Further submissions – Port Taranaki Ltd (32)            |                  | Support  |  |



| Submitter   | Submission point | Submitter's requests  | Council's response and decisions  |
|---|------------------|---|---|
| 58 – Te Atiawa  | 1116             | <b>Amend</b><br><br>Submitter seeks amendment to Rule 60 of the Plan to change the activity classification to non-complying (currently discretionary activity) for the Estuaries Modified and the Open Coast coastal management areas.  | <b>Decline</b><br><br>The Council declines the relief requested by the submitter.<br><br>The Council does not consider it appropriate to further restrict this activity in the Estuaries Modified and the Open Coast coastal management areas. As a discretionary activity a resource consent is required and, through the consenting process, any application for disturbance activities on the foreshore or seabed can be fully considered.   |
| Further submissions – Trans-Tasman Resources Ltd (6), Department of Conservation (29) |                  | Oppose  |   |
| Further submissions – Climate Justice Taranaki Inc (21)                               |                  | Support   |   |
| 61 – Te Rūnanga o Ngāti Ruanui Trust  | 1117             | <b>Amend</b><br><br>Submitter seeks amendment to Rule 60 of the Plan to include standards, terms and conditions to read:<br><br><i><u>(a) the activity does not adversely affect the matters/values identified for protection by mana whenua in the cultural impact assessment;</u></i><br><br><i><u>(b) the activity complies with tangata whenua indicators referred to in the tangata whenua monitoring plan</u></i><br><br><i><u>(c) the activity is consistent with iwi management plan.</u></i><br><br>AND<br><br>Include the following notification note:<br><br><i><u>Resource consent applications under this Rule will be notified to tangata whenua.</u></i> | <b>Decline</b><br><br>The submitter has sought the inclusion of standards, terms and conditions for rules in the Plan relating to discretionary and non-complying activities.<br><br>The Council declines the relief noting that it is not standard planning practice for discretionary activity or non-complying rules to include standards, terms and conditions. Conditions relating to a discretionary activity are developed on a case-by-case basis through the consenting process having regard to the relevant Plan policies.<br><br>The Council notes that all matters identified by the submitter would be considered through the consenting process with Policies 1 to 21, 39, 40, 41, 42 and 44 being given effect to. In particular, Policy 16 [Relationship with tangata whenua] will provide protections for areas of concern identified by the submitter. |
| Further submissions – Trans-Tasman Resources Ltd (6)                                  |                  | Oppose  | In relation to notification requirements proposed by the submitter, the Council notes that the Plan is not intended to provide the operational detail for implementing every aspect of the Plan. Such detail is more appropriately included in the Council's standard operating procedures and or Mana Whakahono a Rohe agreements.<br><br>In relation to notification requirements, the submitter (and others) has highlighted an issue with the notification requirements stated in the Plan which in turn raises issues with notification requirements in the RMA being regularly changed. The Council notes that, over time the notification requirements identified in the Plan may become misleading and outdated following changes to RMA. Consequently, the Council agrees to amending the heading  |



| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
|--|------------------|--|--|
|  |                  |  | throughout the rules section to refer only to "matters of control/discretion" and deleting any references to consenting notification requirements in the rules (noting that the relevant notification requirements are set out in sections 95A to 95G of the RMA).   |
| <b>Rules 60 and 61 - Other disturbance, damage, destruction, removal, or deposition that is not provided for in Rules 51 to 59</b> |                  |  |  |
| 6 – Trans-Tasman Resources Ltd   | 1118             | <b>Support</b><br>Retain Rules 60 and 61 providing for other disturbance activities as Discretionary or non-complying in more sensitive areas and suggests this is appropriate and consistent with the way in which the other rules have approached similar catch all provisions (Rules 13, 14, 33, 34, 42, and 43). | <b>Accept</b><br>Support noted. Rules 60 and 61 are retained with minor amendment to Rule 61 to remove the reference to the <i>Resource Management (National Environmental Standards for Electricity Transmission Activity Regulations 2009 (Appendix 6))</i> .  |
| Further submissions – Port Taranaki Ltd (32)   |                  | Support  |  |
| 21 – Climate Justice Taranaki  | 1119             | <b>Amend</b><br>Submitter notes concerns that Rules 60 and 61 are silent on seabed mining and seeks that the Plan be amended to make seabed mining a prohibited activity.  | <b>Decline</b><br>The Council notes that non-complying activity is already a very high level of regulatory protection whereby a resource consent cannot be granted unless the effects of the activity are minor and the activity is not contrary to the objectives and policies of the Plan. Of note the policies themselves are very prescriptive and that it is necessary to give effect to all policies recognised in the policy reference column, namely General Policies 1 – 21 and Activity-based Ppolicies 39, 40, 41, 42 and 44.<br><br>The Council does not consider it appropriate to preclude any consideration of an activity being considered without first determining the possible effects. |
| Further submissions – Trans-Tasman Resources Ltd (6)   |                  | Oppose   |  |
| Further submissions – Climate Justice Taranaki Inc (21), Te Rūnanga o Ngāti Mutunga (40), Te Atiawa (58)                           |                  | Support  |  |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
|--|------------------|---|---|
| <b>Rule 61 - Other disturbance, damage, destruction, removal, or deposition that is not provided for in Rules 51 to 59 (Outstanding Value, Estuaries Unmodified)</b> |                  |   |   |
| 26 – Transpower NZ Ltd   | 1120             | <b>Amend</b>  | <b>Accept</b>   |
|  |                  | Submitter supports Rule 61 but seeks amendment to Rule to delete reference to National Environmental Standards for Electricity Transmission Activities:<br><i>[...] or the Resource Management (National Environmental Standards for Electricity Transmission Activities Regulations 2009 (Appendix 6)).</i>  | The reference to the <i>National Environmental Standards for Electricity Transmission</i> is redundant and does not add further value to the Plan. The Council agrees to granting the relief sought by the submitter.   |
| 58 – Te Atiawa   | 1121             | <b>Support</b>  | <b>Accept</b>   |
|  |                  | Retain Rule 61 as notified.   | Support noted. Rule 61 is retained with minor amendment to remove the reference to the <i>Resource Management (National Environmental Standards for Electricity Transmission Activity Regulations 2009 (Appendix 6))</i> .  |
| 61 – Te Rūnanga o Ngāti Ruanui Trust   | 1122             | <b>Amend</b>  | <b>Decline</b>  |
|  |                  | Submitter seeks amendment to Rule 61 of the Plan to include standards, terms and conditions to read:<br><i>(a) the activity does not adversely affect the matters/values identified for protection by mana whenua in the cultural impact assessment;</i><br><i>(b) the activity complies with tangata whenua indicators referred to in the tangata whenua monitoring plan</i><br><i>(c) the activity is consistent with iwi management plan.</i><br>AND<br>Include the following notification note:<br><i>Resource consent applications under this Rule will be notified to tangata whenua.</i> | The submitter has sought the inclusion of standards, terms and conditions for rules in the Plan relating to discretionary and non-complying activities.<br>The Council declines the relief sought noting that it is not standard planning practice for discretionary activity or non-complying activity rules to include standards, terms and conditions. Conditions relating to a non-complying activity are developed on a case-by-case basis through the consenting process having regard to the relevant Plan policies.<br>The Council notes that all matters identified by the submitter would be considered through the consenting process with Policies 1 to 21, 39, 40, 41, 42 and 44 being given effect to. In particular, Policy 16 [Relationship with tangata whenua] will provide protections for areas of concern identified by the submitter. |
| Further submissions – Trans-Tasman Resources Ltd (6)   |                  | Oppose  | In relation to notification requirements proposed by the submitter, the Council notes that the Plan is not intended to provide the operational detail for implementing every aspect of the Plan. Such detail is more appropriately included in the Council's standard operating procedures and or Mana Whakahono a Rohe agreements.<br>In relation to notification requirements, the submitter (and others) has highlighted an issue with the notification requirements stated in the Plan which in turn raises issues with notification requirements in the RMA being regularly changed. The Council notes that, over time the notification requirements   |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions  |
|---|------------------|--|---|
|   |                  |  | identified in the Plan may become misleading and outdated following changes to RMA. Consequently, the Council agrees to amending the heading throughout the rules section to refer only to "matters of control/discretion" and deleting any references to consenting notification requirements in the rules (noting that the relevant notification requirements are set out in sections 95A to 95G of the RMA).   |
| <b>NEW Rule 61A – Other disturbance, damage, destruction, removal or deposition associated with the National Grid</b>                     |                  |  |   |
| 26 – Transpower NZ Ltd  | 1123             | <p><b>Amend</b></p> <p>Submitter seeks amendment to the Plan to include a new rule that provides for Regionally Important Infrastructure (or specific to the National Grid) and reads as follows:</p> <p><u><i>Rule 61A - Discretionary Activity</i></u></p> <p><u><i>Coastal management areas: Outstanding Value: Estuaries Unmodified</i></u></p> <p><u><i>Other disturbance, damage, destruction, removal or deposition associated with Regionally Significant Infrastructure (or the National Grid) and any associated works:</i></u></p> <p><u><i>(a) removal of sand, shell, shingle or other natural material; or</i></u></p> <p><u><i>(b) deposition of material in, on or under the foreshore or seabed that does not come within or comply with Rules 51 to 59, or any other Rule in this Plan including the deemed rules in the Resource Management (Marine Pollution) Regulations 1998 (Appendix 5).</i></u></p> | <p><b>Decline</b></p> <p>The Council declines the relief sought by the submitter.</p> <p>The Council does not consider it necessary to have a new 'catch-all' rule for disturbance activities on the seafloor and seabed (not otherwise provided for in Rules 51 to 59) addressing regionally important infrastructure in Outstanding Value and Estuaries Unmodified coastal management areas.</p> <p>The Council notes that applications for a resource consent for Regionally Important Infrastructure may still be considered under Rule 61 as a non-complying activity. While the Council recognises that non-complying activities represent a very high level of regulatory protection, this level of protection is considered appropriate due to the exceptional/significant values in these areas. The Council notes that a resource consent can still be granted where the effects of the activity are less than minor and the activity is not contrary to the objectives and policies of the Plan.</p> |
| Further submissions – Department of Conservation (29), Royal Forest and Bird Protection Society (43)                                      |                  | Oppose   |   |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Atiawa (58)   |                  | Oppose (seek clarification)  |   |
| <b>Rule 62 - Reclamation or drainage for erosion and flood control within areas of outstanding coastal value and unmodified estuaries</b> |                  |  |   |
| 29 – Department of Conservation   | 1124             | <p><b>Support</b></p> <p>Retain Rule 62 of the Plan as notified.</p>   | <p><b>Accept</b></p> <p>Support noted. Rule 62 is retained as notified.</p>   |

| Submitter                            | Submission point | Submitter's requests   | Council's response and decisions   |
|--------------------------------------|------------------|--|--|
| 61 – Te Rūnanga o Ngāti Ruanui Trust | 1125             | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 62 of the Plan to include standards, terms and conditions to read:</p> <p><i><u>(a) the activity does not adversely affect the matters/values identified for protection by mana whenua in the cultural impact assessment;</u></i></p> <p><i><u>(b) the activity complies with tangata whenua indicators referred to in the tangata whenua monitoring plan</u></i></p> <p><i><u>(c) the activity is consistent with iwi management plan.</u></i></p> <p>AND</p> <p>Include the following notification note:</p> <p><i><u>Resource consent applications under this Rule will be notified to tangata whenua.</u></i></p> | <p><b>Decline</b></p> <p>The submitter has sought the inclusion of standards, terms and conditions for rules in the Plan relating to discretionary and non-complying activities.</p> <p>The Council declines the relief sought noting that it is not standard planning practice for discretionary activity or non-complying activity rules to include standards, terms and conditions. Conditions relating to a non-complying activity are developed on a case-by-case basis through the consenting process having regard to the relevant Plan policies as detailed in the Policy reference column. In this instance, this includes all the General Policies 1 to 21 as well as Activity-based Policies 22, 39, 40, 41, 42, 44, 45, 46, 49.</p> <p>The Council notes that all matters identified by the submitter would be considered through the consenting process by giving effect to the above policies.</p> <p>In relation to notification requirements proposed by the submitter, the Council notes that the Plan is not intended to provide the operational detail for implementing every aspect of the Plan. Such detail is more appropriately included in the Council's standard operating procedures and/or Mana Whakahono a Rohe agreements.</p> <p>In relation to notification requirements, the submitter (and others) has highlighted an issue with the notification requirements stated in the Plan which in turn raises issues with notification requirements in the RMA being regularly changed. The Council notes that, over time the notification requirements identified in the Plan may become misleading and outdated following changes to RMA. Consequently, the Council agrees to amending the heading throughout the rules section to refer only to "<i>matters of control/discretion</i>" and deleting any references to consenting notification requirements in the rules (noting that the relevant notification requirements are set out in sections 95A to 95G of the RMA).</p> |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions  |
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| <b>Rule 63 – Other reclamation or drainage that is not provided for in Rule 62 (Estuaries Modified, Open Coast, Port)</b> |                  |   |   |
| 29 – Department of Conservation   | 1126             | <b>Support</b>  | <b>Accept</b>   |
|   |                  | Retain Rule 63 of the Plan as notified.   | Support noted   |
| Further submissions – Port Taranaki Ltd (32)  |                  | Support   |   |
| 40 – Te Rūnanga o Ngāti Mutunga   | 1127             | <b>Amend</b>  | <b>Decline</b>  |
|   |                  | Submitter seeks amendment to Rule 63 of the Plan to include 2 additional conditions:<br><i>(a) the activity does not have an adverse effect on the values associated with historic heritage identified in Schedule 5 (Historic Heritage)</i><br><i>(b) the activity does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4A.</i> | The Council declines the relief requested by the submitter as rules with a discretionary activity classification do not include standards, terms or conditions as they are determined on a case-by-case basis through the consenting process. The Council notes that the activity will be required to give effect to the relevant policies, namely General Policies 1 to 21 and Activity-based Policies 45 and 46. The submitter's concerns regarding historic heritage and biodiversity will be explicitly considered and addressed when giving effect to Policy 14 [indigenous biodiversity] and Policy 15 [historic heritage].   |
| 41 – Te Korowai o Ngāruahine Trust  | 1128             | <b>Amend</b>  | <b>Decline</b>  |
|   |                  | Submitter seeks amendment to Rule 63 of the Plan to acknowledge the role that kaitiaki play in wanting to protect areas of ecological value and biodiversity and sites of significance.   | The Council declines the relief sought by the submitter.<br>The Council does not consider the rules to be an appropriate place to discuss the role of kaitiaki in wanting to protect areas of ecological value, biodiversity and sites of significance. Such matters have been addressed elsewhere in the Plan. The Council note that the rules are subject to the provisions within the policies and as such kaitiaki is already provided for within Policy 16 [Relationship of tangata whenua]. Thus, kaitiaki will have to be considered through this Rule irrespective of whether it is explicitly mentioned or not and can be done so through iwi involvement in consents. |
| 41 – Te Korowai o Ngāruahine Trust  | 1129             | <b>Amend</b>  | <b>Decline</b>  |
|   |                  | Submitter seeks amendment to Rule 63 of the Plan to include conditions to ensure that the activities do not have any adverse effects on species and ecosystems and do not impact on the values of the sites listed in Schedules 5A and B.   | It is not standard planning practice for discretionary and non-complying activities to contain standards, terms or conditions. These considerations are addressed through the consenting process on a case-by-case basis by giving effect to the relevant policies (1 to 21 and 47). The Council notes that Policy 14 [Indigenous biodiversity] provides protections for regionally important   |



| Submitter                            | Submission point | Submitter's requests   | Council's response and decisions  |
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|                                      |                  |  | <p>species and ecosystems and Policy 15 [Historic heritage] provides protections for the values of sites listed in Schedules 5A and 5B.</p> <p>The Council declines the requested relief as it is an operational level of detail that is not required within the rules section of the Plan.</p>   |
| 58 – Te Atiawa                       | 1130             | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 63 of the Plan to include the following conditions:</p> <p><i><u>(a) activity does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4A [Significant indigenous biodiversity], and;</u></i></p> <p><i><u>(b) the activity does not have an adverse effect on the values associated with sites of significance to Māori identified in Schedule 5A and 5B.</u></i></p>   | <p><b>Decline</b></p> <p>The submitter has sought the inclusion of standards, terms and conditions for rules in the Plan relating to Discretionary Activities.</p> <p>The Council declines the relief noting that it is not standard planning practice for discretionary activity or non-complying activity rules to include standards, terms and conditions. Conditions relating to a non-complying activity are developed on a case-by-case basis through the consenting process having regard to the relevant Plan policies.</p> <p>The Council notes that all matters identified by the submitter would be considered through the consenting process with Policies 1 to 21, 22, 39, 40, 41, 42, 44, 45, 46 and 49 being given effect to.</p> <p>In relation to notification requirements proposed by the submitter, the Council notes that the Plan is not intended to provide the operational detail for implementing every aspect of the Plan. Such detail is more appropriately included in the Council's standard operating procedures and or Mana Whakahono a Rohe agreements.</p> |
| 61 – Te Rūnanga o Ngāti Ruanui Trust | 1131             | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 63 of the Plan to include standards, terms and conditions to read:</p> <p><i><u>(a) the activity does not adversely affect the matters/values identified for protection by mana whenua in the cultural impact assessment;</u></i></p> <p><i><u>(b) the activity complies with tangata whenua indicators referred to in the tangata whenua monitoring plan</u></i></p> <p><i><u>(c) the activity is consistent with iwi management plan.</u></i></p> <p>AND</p> <p>Include the following notification note:</p> <p><i><u>Resource consent applications under this Rule will be notified to tangata whenua.</u></i></p> | <p><b>Decline</b></p> <p>The submitter has sought the inclusion of standards, terms and conditions for rules in the Plan relating to discretionary activities.</p> <p>The Council declines the relief noting that it is not standard planning practice for discretionary activity or non-complying activity rules to include standards, terms and conditions. Conditions relating to a non-complying activity are developed on a case-by-case basis through the consenting process having regard to the relevant Plan policies.</p> <p>The Council notes that all matters identified by the submitter would be considered through the consenting process with Policies 1 to 21, 22, 39, 40, 41, 42, 44, 45, 46 and 49 being given effect to.</p> <p>In relation to notification requirements proposed by the submitter, the Council notes that the Plan is not intended to provide the operational detail for</p>   |



| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
|--|------------------|---|--|
|  |                  |   | <p>implementing every aspect of the Plan. Such detail is more appropriately included in the Council's standard operating procedures and or Mana Whakahono a Rohe agreements.</p> <p>In relation to notification requirements, the submitter (and others) has highlighted an issue with the notification requirements stated in the Plan which in turn raises issues with notification requirements in the RMA being regularly changed. The Council notes that, over time the notification requirements identified in the Plan may become misleading and outdated following changes to RMA. Consequently, the Council agrees to amending the heading throughout the rules section to refer only to "matters of control/discretion" and deleting any references to consenting notification requirements in the rules (noting that the relevant notification requirements are set out in sections 95A to 95G of the RMA).</p> |
| <b>Rule 64 – Other reclamation or drainage that is not provided for in Rule 62 (Outstanding Value, Estuaries Unmodified)</b> |                  |   |  |
| 29 – Department of Conservation  | 1132             | <b>Support</b>  | <b>Accept</b>  |
|  |                  | Retain Rule 64 of the Plan as notified.   | Support noted.   |
| 40 – Te Rūnanga o Ngāti Mutunga  | 1133             | <b>Support</b>  | <b>Accept</b>  |
|  |                  | Retain Rule 64 of the Plan as notified.   | Support noted.   |
| 43 – Royal Forest and Bird Protection Society  | 1134             | <b>Support</b>  | <b>Accept</b>  |
|  |                  | Retain Rule 64 of the Plan as notified.   | Support noted.   |
| 58 – Te Atiawa   | 1135             | <b>Support</b>  | <b>Accept</b>  |
|  |                  | Retain Rule 64 of the Plan as notified.   | Support noted.   |
| <b>Rule 65 – Taking or use of water, heat or energy</b>  |                  |   |  |
| 6 – Trans-Tasman Resources Ltd   | 1136             | <b>Support</b>  | <b>Accept</b>  |
|  |                  | Retain Rule 65 as this rule appropriately provides for the taking and use of coastal water as a permitted activity where the taking and use would not affect significant sites, species, or ecosystems. | Support noted. Rule 65 is retained subject to amendments made to offer relief to other submitters' concerns where appropriate.   |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions   |
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| Further submissions – Port Taranaki Ltd (32)              |                  | Support   | At the hearing, the submitter presented further on Rule 65 standard, term and condition (ca). The submitter considers that there is no quantity or rate of water take that would result in a significant adverse environmental effect and consider that the condition should be removed. The Council agrees in part that it is difficult to envisage a quantity or rate of take from coastal waters likely to have adverse environmental effects. However, the Council considers that, as part of a precautionary approach, and in response to other submitter requests, the condition should be retained in the unlikely event or scenario that wider environmental impacts do occur through the taking of coastal water. |
| Further submissions– Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Oppose  |  |
| 33 - New Zealand Defence Force                            | 1137             | <b>Amend</b><br><br>Submitter seeks amendment to Rule 65 of the Plan to determine a limit on quantity and/or rate of water take, or otherwise amend to ensure consistency with Policy 47.   | <b>Accept</b><br><br>The Council is not aware of any water allocation limit that is likely to result in sea level dropping or prevent the availability of coastal water for other uses and values. Notwithstanding that, as part of a precautionary approach, the Council agrees to granting the relief sought by amending Rule 65 to include a new condition that is consistent with Policy 47 of the Plan to read as follows:<br><br><u><i>(ca) the taking or use of water is not at a quantity or rate that would cause significant adverse environmental effects.</i></u>  |
| Further submissions – Trans-Tasman Resources Ltd (6)      |                  | Oppose  | <b>Decline</b><br><br>The Council declines the relief sought by the submitter.<br><br>The Council is not aware of any water allocation limit that is likely to result in sea level dropping, prevent the availability of coastal water for other uses and values, and or have noticeable effects on natural character, features and landscapes.  |
| 40 – Te Rūnanga o Ngāti Mutunga                           | 1138             | <b>Amend</b><br><br>Submitter seeks amendment to Rule 65 of the Plan to exclude coastal management area Outstanding Value from the rule.  |  |
| 40 – Te Rūnanga o Ngāti Mutunga                           | 1139             | <b>Amend</b><br><br>Submitter seeks amendment to Rule 65 by including a new standard, term and condition (and impose a limit) on the quantity of water that can be taken and to read as follows:<br><br><u><i>(c) taking or use of water is not at a quantity or rate that would cause adverse environmental effects.</i></u> | <b>Accept in part</b><br><br>The Council is not aware of any water allocation limit that is likely to result in sea level dropping or prevent the availability of coastal water for other uses and values. Notwithstanding that, as part of a precautionary approach, the Council agrees to granting the relief sought noting that the new Condition (ca) is consistent with Policy 47 of the Plan.  |
| Further submissions – Trans-Tasman Resources Ltd (6)      |                  | Oppose  |  |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
|--|------------------|---|---|
| Further submissions – Te Korowai o Ngāruahine Trust (41)   |                  | Support   |   |
| 41 – Te Korowai o Ngāruahine Trust                         | 1140             | <b>Amend</b>  | <b>Accept</b>   |
|  |                  | Submitter seeks amendment to Condition (b) of Rule 65 of the Plan to read:<br><i>(b) activity does not have an adverse effect on the values associated with historic heritage identified in Schedule 5A and B Historic heritage:[...]</i> | The Council agrees to granting the relief sought by the submitter.  |
| 43 – Royal Forest and Bird Protection Society              | 1141             | <b>Amend</b>  | <b>Decline</b>  |
|  |                  | Submitter seeks amendment to Rule 65 of the Plan by incorporating previous reliefs sought in relation to indigenous biodiversity.   | The Council notes that Rule 65 already includes a condition specifically addressing indigenous biodiversity and no further changes are considered necessary. It is unclear what amendments are sought by the submitter to the rule noting that previous reliefs sought in other provisions will be addressed elsewhere.   |
| Further submissions – Te Korowai o Ngāruahine Trust (41)   |                  | Support   |   |
| 58 – Te Atiawa   | 1142             | <b>Amend</b>  | <b>Decline</b>  |
|  |                  | Submitter seeks amendment to Rule 65 of the Plan by removing areas of Outstanding Value from the coastal management area.   | The Council declines the relief sought by the submitter.<br>Outstanding areas includes substantial areas of the Open Coast which are unlikely to be impacted upon by any takes of water from the coastal marine area. Notwithstanding that, as part of a precautionary approach, Rule 65 of the Plan does not apply to estuaries and standards, terms and conditions apply to ensure no adverse effects on significant indigenous biodiversity, historic heritage, and surf breaks. |
| Further submissions – Trans-Tasman Resources Ltd (6)       |                  | Oppose  |   |
| 58 – Te Atiawa   | 1143             | <b>Amend</b>  | <b>Accept</b>   |
|  |                  | Submitter seeks amendment to Rule 65 of the Plan by adding a new standard, term and condition setting a water take limit.   | The Council is not aware of any water allocation limit that is likely to result in sea level dropping or prevent the availability of coastal water for other uses and values. Notwithstanding that, in response to relief sought by other submitters Council have included a new condition that reads as follows:<br><u><i>(ca) the taking or use of water is not at a quantity or rate that would cause significant adverse environmental effects</i></u>                          |
| Further submissions – Trans-Tasman Resources Ltd (6)       |                  | Oppose  |   |
| Further submissions – Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support   |   |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
|--|------------------|--|--|
| 60 – Te Kaahui o Rauru                               | 1144             | <b>Amend</b><br>Submitter seeks amendment to Rule 65 of the Plan to notify Te Kaahui o Rauru of this kind of activity, especially in regards to the scale and timing of the activity.  | <b>Decline</b><br><br>Unlike other permitted activity rules, the standards, terms and conditions do not require that the person undertaking the activity notify the Council of the activity, which, in some instances, the Council has agreed to pass on the notification details to iwi authorities. This is because the activity is considered to result in less than minor effects (if any).<br><br>The Council note that if the activity cannot comply with the standards, terms and conditions the activity will be managed as a discretionary activity under Rule 66.<br><br>The Council declines the relief requested.  |
| Further submissions – Trans-Tasman Resources Ltd (6) |                  | Oppose   |  |
| 61 – Te Rūnanga o Ngāti Ruanui Trust                 | 1145             | <b>Amend</b><br>Submitter seeks amendment to Rule 65 of the Plan to include new and amended standards, terms and conditions to read:<br>[...]<br><i>(b) the activity does not have an adverse effect on the values associated with <u>cultural and historic heritage identified in Schedule 5 [Cultural and Historic heritage]</u>;</i><br><i>(c) the activity does not have adverse effect on Schedules 1 and 2;</i><br><i>(d) the activity does not have any adverse effect on any site identified in 5B [Sites of significance to Māori and associated values] and Appendix 2;</i><br><i>(e) the activity does not adversely affect the suitability of the receiving environment for customary use;</i><br><i>(f) the activity does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4A [Significant indigenous biodiversity] and taonga species protected under Taranaki iwi Deed of Settlement including those identified in Schedule 4C [Taonga species and habitat]</i><br><i>(g) activity complies with the general standards in Section 8.6 [...]</i> | <b>Accept in part</b><br><br>The submitter is seeking amendment to Rule 65 of the Plan to include new and amended standards, terms and conditions. Specific comments on the new and amended proposed conditions are as follows: <ul style="list-style-type: none"> <li>Decline the relief sought in relation to Condition (b). The Council refer the submitter to previous comments made on expanding the scope of historic heritage.</li> <li>Decline the relief sought in relation to Condition (c). The Council note that the effect of granting this relief would also make this rule redundant as Schedules 1 and 2 capture the whole coastal marine area plus landward parts of the coastal environment identified as having outstanding natural character or being an outstanding natural feature or landscape and it requires no adverse effects (even those less than minor or transitory).</li> <li>Decline the relief sought in relation to Condition (c) and (e) noting that such matters are already addressed under Condition (b) and a new condition addressing taonga species.</li> <li>Grant the relief in kind in relation to Condition (f). The Council agrees to expanding the scope of Rule conditions to include reference to scheduled taonga species.</li> </ul> |
| Further submissions – Trans-Tasman Resources Ltd (6) |                  | Oppose   |  |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions  |
|---|------------------|--|---|
| Further submission – Te Korowai o Ngāruahine Trust (41) |                  | Support  |   |
| <b>Rule 66 – Taking or use of water, heat or energy</b> |                  |  |   |
| 40 – Te Rūnanga o Ngāti Mutunga                         | 1146             | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 66 of the Plan to include standards, terms and conditions to read:</p> <p><i><u>(a) the activity does not have an adverse effect on the values associated with historic heritage identified in Schedule 5 [Historic Heritage]</u></i></p> <p><i><u>(b) the activity does not have an adverse effect on any threatened or at risk, or regionally distinctive species, or any rare and uncommon ecosystem type including those identified in Schedule 4A</u></i></p> <p><i><u>(c) Taking or use of water is not at a quantity or rate that would cause adverse environmental effects.</u></i></p> | <p><b>Decline</b></p> <p>The submitter has sought the inclusion of standards, terms and conditions for rules in the Plan relating to discretionary activities.</p> <p>The Council declines the relief noting that it is not standard planning practice for discretionary activity or non-complying activity rules to include standards, terms and conditions. Conditions relating to a discretionary activity are developed on a case-by-case basis through the consenting process having regard to the relevant Plan policies.</p> <p>The Council notes that all matters identified by the submitter would be considered through the consenting process with Policies 1 to 21, 22, 39, 40, 41, 42, 44, 45, 46 and 49 being given effect to. In particular, Policy 16 [Relationship with tangata whenua] will provide protections for areas of concern identified by the submitter.</p> |
| 58 – Te Atiawa  | 1147             | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 66 of the Plan by removing areas of Outstanding Value, Estuaries Unmodified and Estuaries Modified from the coastal management area.</p>  | <p><b>Decline</b></p> <p>The Council declines the relief sought by the submitter. The Council note that Rule 66 specifically addresses, amongst other things, the taking and use of water, heat and energy from estuaries and areas of outstanding value as a discretionary activity. This is considered an appropriate activity classification for activities that are allowed under sections 14(3)(d) or (e) of the RMA.</p>  |
| 58 – Te Atiawa  | 1148             | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 66 of the Plan by adding a new standard, term and condition setting a water take limit.</p>   | <p><b>Decline</b></p> <p>The Council declines the relief sought by the submitter.</p> <p>The Council notes that it is not standard planning practice for discretionary activity or non-complying activity rules to include standards, terms and conditions. Conditions relating to a non-complying activity are developed on a case-by-case basis through the consenting process having regard to the relevant Plan policies.</p> <p>Notwithstanding the above, the Council that the setting of any limit relating to a coastal water take may be determined through the consenting process on a</p>  |



| Submitter                            | Submission point | Submitter's requests   | Council's response and decisions  |
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|                                      |                  |  | case-by-case basis taking into consideration the relevant policies and the nature of the activity.  |
| 61 – Te Rūnanga o Ngāti Ruanui Trust | 1149             | <p><b>Amend</b></p> <p>Submitter seeks amendment to Rule 66 of the Plan to include standards, terms and conditions to read:</p> <p><i><u>(a) the activity does not adversely affect the matters/values identified for protection by mana whenua in the cultural impact assessment;</u></i></p> <p><i><u>(b) the activity complies with tangata whenua indicators referred to in the tangata whenua monitoring plan</u></i></p> <p><i><u>(c) the activity is consistent with iwi management plan.</u></i></p> <p>AND</p> <p>Include the following notification note:</p> <p><i><u>Resource consent applications under this Rule will be notified to tangata whenua.</u></i></p> | <p><b>Decline</b></p> <p>The submitter has sought the inclusion of standards, terms and conditions for rules in the Plan relating to discretionary and non-complying activities.</p> <p>The Council declines the relief sought noting that it is not standard planning practice for discretionary activity or non-complying activity rules to include standards, terms and conditions. Conditions relating to a discretionary activity are developed on a case-by-case basis through the consenting process having regard to the relevant Plan policies.</p> <p>The Council notes that all matters identified by the submitter would be considered through the consenting process with Policies 1 to 21 and 47 being given effect to. In particular, Policy 16 [Relationship with tangata whenua] will provide protections for areas of concern identified by the submitter.</p> <p>In relation to notification requirements proposed by the submitter, the Council notes that the Plan is not intended to provide the operational detail for implementing every aspect of the Plan. Such detail is more appropriately included in the Council's standard operating procedures and/or any Mana Whakahono a Rohe agreements.</p> <p>In relation to notification requirements, the submitter (and others) has highlighted an issue with the notification requirements stated in the Plan which in turn raises issues with notification requirements in the RMA being regularly changed. The Council notes that, over time the notification requirements identified in the Plan may become misleading and outdated following changes to RMA. Consequently, the Council agrees to amending the heading throughout the rules section to refer only to "matters of control/discretion" and deleting any references to consenting notification requirements in the rules (noting that the relevant notification requirements are set out in sections 95A to 95G of the RMA).</p> |



| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
|--|------------------|---|--|
| <b>Rules 1 to 66</b>                                       |                  |   |  |
| 28 – Grant Knuckey   | 1150             | <b>Amend</b><br>Amend Rules 1 to 66, as appropriate, to identify/address two new marine spatial management areas – Wahi Tapu Areas and Wahi Taonga Areas.   | <b>Decline</b><br>The Council declines the relief sought by the submitter. Refer to submission point 1296 for further information.   |
| Further submissions – Trans-Tasman Resources Ltd (6)       | Oppose           |   |  |
| Further submissions – Ministry for Primary Industries (16) | Oppose in part   |   |  |
| 50 – Te Kāhui o Taranaki Trust                             | 1151             | <b>Amend</b><br>Submitter seeks amendment to all rules in Section 8 of the Plan to provide a new standard/term/condition to read:<br><i>[...] the activity does not adversely impact on Māori cultural values [...]</i>   | <b>Decline</b><br>All of the rules are subject to the policies within the Plan. Māori cultural values are recognised and provided for in Policy 16 [Relationship of tangata whenua] where it states:<br><i>Recognise and provide for the relationship of tangata whenua culture, values and traditions within the coastal environment [...]</i><br>The Council declines the relief sought on the basis that it is already provided for and it is unnecessary to reiterate provisions within the Plan where they already apply. The Council notes that activities will be subject to meeting the requirements of all of the General Policies as well as the relevant Activity-based Policies when being considered through the resource consenting process. |
| Further submissions – Trans-Tasman Resources (6)           | Oppose           |   |  |
| <b>General Standards</b>                                   |                  |   |  |
| 43 – Royal Forest and Bird Protection Society              | 1152             | <b>Amend</b><br>Submitter seeks amendment to General Standards to include limits for permitted activities for: <ul style="list-style-type: none"> <li>foreshore and seabed disturbance, vegetation disturbance and removal</li> <li>limits on sediment disturbance and resulting sediment plumes</li> <li>time periods to avoid removal or disturbance of vegetation during fish spawning to protect eggs until hatching</li> </ul> | <b>Decline</b><br>The requests of the submitter are already addressed within the rules under rules relating the disturbance, deposition and extraction and therefore do not require further iteration within the general standards.<br>The Council declines the relief requested as the necessary standards and limits for permitted activities are already addressed in the relevant rules standards, terms and conditions. In addition, the concerns regarding disturbance of vegetation seems to be a matter concerned with the terrestrial   |

| Submitter                                     | Submission point | Submitter's requests  | Council's response and decisions   |
|---|------------------|---|--|
|   |                  | <ul style="list-style-type: none"> <li>other limits to avoid adverse effects consistent with Policies 13, 14 and 15 of the NZCPS, and ensure that any other adverse effects are no more than minor.</li> </ul>  | environment and not within the coastal marine area, therefore, not relevant to this particular Plan.   |
| <b>General standards 8.6.2 – Light</b>        |                  |   |  |
| 43 – Royal Forest and Bird Protection Society | 1153             | <p><b>Amend</b></p> <p>Submitter seeks amendment to General Standard 8.6.2 [Lights] of the Plan to include:</p> <ul style="list-style-type: none"> <li>standards for lights to be shielded or of a colour so that they do not attract or disturb seabirds</li> <li>new standard to avoid lighting near any seabird, including penguin, breeding areas</li> <li>new standards for navigational aids and safety to mitigate any adverse effects on seabirds.</li> </ul> | <p><b>Decline</b></p> <p>The Council declines the relief sought by the submitter and note the following:</p> <ul style="list-style-type: none"> <li>General standard 8.6.2 already states that light sources will be shielded except for navigational aids and lights required under the Acts of Parliament. For navigational aids, a shielded light would lessen its effective over long distances and result in higher risks to vessels within the coastal marine area. A further consideration is that light colour is an important identifier of hazards and vessel pathways. Specific colours are required to comply with international regulations and standards.</li> <li>Lights in the coastal marine area are largely used for navigation and safety. As they are in the coastal marine area (and not on land) impacts on penguin breeding areas is likely to be minimal.</li> <li>Navigational aids are critical and ensure the safe passage of vessels within the coastal marine area and avoid incidents at sea, which, in turn are likely to have a much more significant impacts on seabirds and other marine life, e.g. marine oil spills.</li> </ul> |
| Further submissions – Port Taranaki Ltd (32)  |                  | Oppose  |  |
| 60 – Te Kaahui o Rauru                        | 1154             | <p><b>Amend</b></p> <p>Submitter seeks amendment to General Standard 8.6.2 [Lights] of the Plan to include a limit for biodiversity impacts.</p>  | <p><b>Decline</b></p> <p>The Council declines the relief sought by the submitter.</p> <p>The Council notes that biodiversity impacts will be considered through the consenting process on a case-by-case basis. The Council notes that lighting is an important tool for effective and safe movement of vessels within the coastal marine area and in most instances, the benefits of correct lighting will outweigh any adverse effects caused by their use. An example of an adverse effect occurring as a result of incorrect lighting would be a ship wreck or collision causing an oil spill. The adverse environmental effects of such an incident may be higher for biodiversity than the correct operation of navigational aids and lighting within the coastal marine area.</p>   |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
|--|------------------|---|--|
| <b>General standards 8.6.3 – Noise</b>               |                  |   |  |
| 9 – Karen Pratt                                      | 1155             | <p><b>Other</b></p> <p>Note that the noises limits written in the General Standards for noise would not be able to be complied with should an operation the size of the recently permitted ironsand mining occur in the territorial waters.</p>   | <p><b>No relief necessary</b></p> <p>Comments noted.</p>   |
| Further submissions – Trans-Tasman Resources Ltd (6) |                  | Oppose  |  |
| 32 – Port Taranaki                                   | 1156             | <p><b>Support</b></p> <p>Retain the noise provisions in the Plan based on implementation of the Port Noise Standard and alignment between the New Plymouth District Plan and the Proposed Coastal Plan provisions as each go through their respective review processes.</p>   | <p><b>Accept</b></p> <p>Support noted. General Standards 8.6.3 relating to Port activities are retained as notified.</p>   |
| 33 – New Zealand Defence Force                       | 1157             | <p><b>Amend</b></p> <p>Submitter seeks amendment to General Standard 8.6.2(c) of the Plan by removing the provisions within general standards and replacing with standards prepared by the New Zealand Defence Force specifically for temporary military training activities (NZDF standards provided with submission).</p> | <p><b>Accept</b></p> <p>The Council agrees to the relief sought by the submitter.</p> <p>The Council agrees with the submitter that the noise provisions set out in General Standard 8.6.2(c) of the Plan, plus revised standards recommended in the Section 42A report would be unnecessarily and excessively restrictive to the submitter from undertaking essential training exercises.</p> <p>The submitter has suggested the inclusion of noise standards prepared specifically to address temporary military training activities and which the submitter has successfully sought to be included in district and regional coastal plans nationally. It is the Council's view that the noise standards proposed by the submitter will protect residential amenity values adjoining the coastal marine area.</p> <p>The Council notes that the amended standard include new separation distances for activities involving live firing, firing of blanks or explosives, new guidance for helicopter noise as well as amended limits for noise during different time intervals.</p> |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions  |
|---|------------------|--|---|
| 37 – Petroleum Exploration and Production Association of NZ | 1158             | <b>Other</b>   | <b>No relief necessary</b>  |
|   |                  | Submitter note the noise limits under (d) from 10pm to 7am is now 40dB LAeq, while under the current Coastal Plan the limit is 45 dBA L10 but are unaware of any issues warranting the proposed stricter condition.  | The submitter has not requested any changes to the Plan. However, the Council notes that as part of this Plan review, the Council has sought to better align noise provisions with equivalent provisions arising from the New Plymouth district plan review. Notwithstanding that, in response to reliefs sought by submitter 33, noise limits are recommended to be amended that are more aligned with the current Coastal Plan.<br>Refer to submission point 1157 for further information.  |
| 43 – Royal Forest and Bird Protection Society               | 1159             | <b>Amend</b>   | <b>Decline</b>  |
|   |                  | Submitter seeks amendment to General Standard 8.6.2 [Noise] of the Plan to include a specific standard setting out guidance on how appropriate noise standards are to be determined for activities which generate noise in the marine environment that reads as follows (or similar):<br><br><i>Considerations of the latest information of the effects of noise of marine species and habitats. The use of the most recent professionally supported noise modelling for the marine environment. Taking a precautionary approach where limited information is available.</i> | The Council declines the relief sought by the submitter.<br>The Council is concerned that references to the “latest information” and “most recent professionally supported noise modelling for the marine environment” does not provide sufficient clarity for Plan users, is ambiguous and would result in potentially different standards to be applied throughout the life of the Plan. Further, there is often a level of division amongst the scientific community within any area of research, and therefore, may be difficult to determine a “professionally supported” noise model.<br>The Council notes that the General Standards only apply where a rule explicitly states that the standards apply. Activities to which these General Standards apply have been assessed as generally having less than minor adverse effects. |
| Further submissions – Trans-Tasman Resources Ltd (6)        |                  | Oppose   |   |
| 48 – Taranaki District Health Board                         | 1160             | <b>Support</b>   | <b>Accept</b>   |
|   |                  | Retain General Standards 8.6.3(a), (b) and (c) [Noise] of the Plan as notified.  | Support noted. General Standards 8.6.3(a) and (b) are retained as notified subject to minor amendments. The Council note that amendments are recommended to General Standard 8.6.3(c) to align with similar noise levels for temporary military training activities adopted in other district plans and coastal plans adopted nationally.   |
| 48 – Taranaki District Health Board                         | 1161             | <b>Amend</b>   | <b>Accept</b>   |
|   |                  | Submitter seeks amendment to General Standards 8.6.3(d) [Noise] of the Plan to read:   | The amendment retains the intention of the clause but contains language that is more directive and commonly understood. The Council agrees to granting the relief sought by the submitter.  |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions              |
|--|------------------|---|---|
|  |                  | Noise generated by any other activity in the coastal marine area (excluding those in (a), (b) and (c) above) shall not exceed the following at any point <del>landward of at or beyond</del> the boundary of the coastal marine area: [...] |   |
| 9 – Karen Pratt                                      | 1161A            | <b>Other</b><br>Note that the noises limits written in the General Standards for noise would not be able to be complied with should an operation the size of the recently permitted ironsand mining occur in the territorial waters.        | <b>No relief necessary</b><br>Comments noted. |
| Further submissions – Trans-Tasman Resources Ltd (6) |                  | Oppose  |   |

## 4.7 Financial contributions, monitoring and review

| Submitter                                  | Submission point | Submitter's requests   | Council's response and decisions   |
|--|------------------|--|--|
| <b>Section 9 – Financial contributions</b> |                  |  |  |
| 15 – Surfbreak Protection Society          | 1162             | <p><b>Other</b></p> <p>Submitter notes that the use of economic instruments to mitigate adverse effects to surf breaks could be problematic and that surf breaks are finite. Currently there are no manmade structures that can produce surf breaks and suggests that it is imperative that existing breaks should be given a high priority of protection.</p> | <p><b>No relief necessary</b></p> <p>Comments noted. Policy 19 provides strong direction and guidance on the protection of surf breaks.</p> <p>The Council agrees that surf breaks are finite and that for some values such as surf breaks economic instruments are not necessarily the most appropriate response to avoiding, remedying or mitigating any adverse effects arising from use and development in the coastal marine area. However, economic instruments may be an option for offsetting some adverse effects (where that is appropriate).</p> <p>Economic instruments are implemented only in accordance with Section 9 of the Plan and relevant policies and when other avoidance, mitigation and remedial options have been exhausted.</p>   |
| 29 – Department of Conservation            | 1163             | <p><b>Amend</b></p> <p>Submitter seeks amendment to Section 9 of the Plan to include a statement that states consideration of whether a coastal occupation charging regime is included in the Plan.</p>  | <p><b>Accept</b></p> <p>The Council will not be operating a coastal occupation charging regime. Under section 64A [Imposition of coastal occupation charges] of the RMA, the Council must include a statement to explain this. Therefore, the Council agrees to amend Section 9 to include the following statement:</p> <p><i>Note: The Council is not operating a charging regime for occupation of the coastal area.</i></p> <p>At the hearing of submissions the submitter presented further on this submission point noting that section 64A identifies other statutory requirements necessary before the relief can be officially adopted by the Council. The Council note that steps have been taken to ensure that the correct statutory process is being followed prior to Plan adoption by the Council.</p> |
| 32 – Port Taranaki                         | 1164             | <p><b>Amend</b></p> <p>Retain Section 9 of the Plan but seek amendment of the heading of Section 9 of the Plan to read:</p> <p>9 - Financial contributions <i>and environmental compensation.</i></p>  | <p><b>Accept</b></p> <p>The Council agrees to the requested amendment as it more accurately describes the content of this section which is not limited to financial contributions but also includes environmental compensation.</p>  |



| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
|--|------------------|--|--|
| 43 – Royal Forest and Bird Protection Society                                  | 1165             | <b>Support</b>   | <b>Accept</b>  |
|  |                  | Submitter supports retaining the note in Section 9.1.1 of the Plan, which recognises that changes to the RMA mean that councils will no longer be able to require financial contributions under the Act from 2022. | Support noted. The note is retained as notified.   |
| Further submissions – Fonterra (47)  |                  | Support in part  |  |
| <b>Section 9.1 – Purpose</b>   |                  |  |  |
| 2 – Federated Farmers  | 1166             | <b>Support</b>   | <b>Accept</b>  |
|  |                  | Submitter supports the note in Section 9.1.1 of the Plan. Retain as notified.  | Support noted. The note is retained as notified.   |
| 32 – Port Taranaki   | 1167             | <b>Amend</b>   | <b>No relief necessary</b>   |
|  |                  | Submitter seeks amendment to Section 9.1 of the Plan to include wording that provides for environmental compensation to be applied wider afield than the immediate/adjacent site or surrounding area.              | <p>The Council note that Section 9 does not generally require environmental compensation to be applied in the immediate/adjacent site or surrounding area.</p> <p>The majority of situations described in Section 9.1 refer to “<i>the general area</i>” or “<i>locality</i>” and is not confined to “<i>immediate or adjacent sites</i>”. The only exception is Section 9.1.4 [Protection, maintenance or enhancement of visual amenity and landscape] which requires compensation to occur adjacent to the site to address visual amenity impacts. The Council considers these conditions to be appropriate and provides the necessary flexibility for Council to consider the effects of consenting a particular activity and the appropriateness of avoidance, mitigation and remediation measures to address adverse environmental effects.</p> <p>On occasion there may be a requirement to offset or mitigate any residual effects. Such matters necessarily need to be considered on a case-by-case basis having regard for the scale of the activity and the nature of the receiving location, including the surrounding landscape.</p> |
| <b>Sections 9.1.3 – Protection, maintenance or enhancement of biodiversity</b> |                  |  |  |
| 60 – Te Kaahui o Rauru   | 1168             | <b>Amend</b>   | <b>Grant in kind</b>   |
|  |                  | Submitter seeks amendment to Sections 9.1.3 [Protection, maintenance or enhancement of biodiversity] of the Plan to include the option of financial contributions to improve kaitiakitanga.                        | The purpose of this section is to set out the criteria by which Council may require financial contributions from consent applicants. The purpose of the financial  |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions   |
|---|------------------|---|--|
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) |                  | Support   | <p>contributions are confined to giving effect to the objectives and policies of the Plan and, in particular, those values and uses identified in General Policies 1 to 21.</p> <p>Of note, the Council considers that there is scope for financial contributions to enhance or restore the habitats of taonga and other species and recommends the inclusion of an additional Clause (c) in section 9.1.5 [Protection, maintenance or restoration of sites of historic importance] that reads as follows:</p> <p><i>Purpose: To mitigate adverse effects on sites of historic importance by:</i></p> <p>[...]</p> <p><i>(c) enhancing or restoring habitat of taonga species.</i></p> |
| <b>Section 9.1.5 – Protection, maintenance or restoration of sites of historic importance</b>             |                  |   |  |
| 60 – Te Kaahui o Rauru  | 1169             | <b>Amend</b>  | <b>No relief necessary</b>   |
|   |                  | Submitter seeks further engagement and discussion regarding Section 9.1.5 [Protection, maintenance or restoration of sites of historic importance]. Specifically to widen offset options. | Comments noted. The Council considers the current offset options to be reasonable and note that the options should already provide for the appropriate protection of historic heritage, including sites of significance to Māori.  |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) |                  | Support   |  |
| <b>Section 9.1.6 – Protection, restoration or enhancement of seabed and foreshore</b>                     |                  |   |  |
| 60 – Te Kaahui o Rauru  | 1170             | <b>Amend</b>  | <b>Decline</b>   |
|   |                  | Submitter seeks amendment to Section 9.1.6 [Protection, restoration or enhancement of seabed and foreshore] of the Plan to include the option of improving kaitiakitanga.                 | The purpose of this section is to set out the criteria by which Council may require financial contributions from consent applicants. The purpose of the financial contributions are confined to giving effect to the objectives and policies of the Plan and, in particular, those values and uses identified in General Policies 1 to 21.   |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) |                  | Support   | There will be occasion when financial contributions addressing those matters set out in Section 9 will also contribute to improving kaitiakitanga. However, the Council does not consider it appropriate for the Plan to specify that the purpose of financial contributions to address resource management effects in the coastal marine area should be <u>specifically</u> to enhance kaitiakitanga. Such matters are implicit given the matters of consideration.   |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
|--|------------------|---|---|
| <b>Section 9.1.8 – General – environmental compensation</b>                  |                  |   |   |
| 43 – Royal Forest and Bird Protection Society                                | 1171             | <p><b>Amend</b></p> <p>The submitter is uncertain as to how these provisions are to be applied and states that it is not appropriate to consider compensation for adverse effects which are to be avoided under the <i>New Zealand Coastal Policy Statement</i>. The submitter suggests compensation does not achieve protection of the values and characteristics to be protected. There must be limits to compensation to give effect to the <i>New Zealand Coastal Policy Statement</i>.</p> <p>Submitter seeks amendment to the Plan by deleting Section 9.1.8 [General environmental compensation]:</p> <p><i>9.1.8 General – environmental compensation</i><br/> <i>Purpose: To provide environmental compensation where an activity will have adverse effects, which will not be adequately avoided, remedied or mitigated by protecting, restoring and/or enhancing natural and physical resources and/or amenity values elsewhere in the coastal environment in the same general locality.</i></p> | <p><b>Decline</b></p> <p>The submitter's comments are noted. However, the Council notes that environmental compensation is still subject to the objectives and policies of the Plan, which provide varying levels of protection including avoidance type policies. Environmental compensation cannot be considered in lieu of compliance with those policies.</p> <p>The Council declines the relief sought. Environmental compensation may be a useful tool for activities unable to avoid adverse effects. This may be the case for necessary developments, upgrade or the placement of regionally important infrastructure which is provided for under the <i>Regional Policy Statement</i> (Section 15.2 [Providing for regionally significant infrastructure]). Further, the <i>New Zealand Coastal Policy Statement</i> does not require avoidance of <u>all</u> adverse effects. In such instances the Council may be required to “avoid significant adverse effects” or to “have regard to”. This language may introduce instances where financial contributions are appropriate, acceptable, reasonable and recommended.</p> <p>It is important to recognise that these compensations can only be implemented when the policies within the Plan permit. The Council considers the policies within the Plan to be strong and to uphold the requirements of the <i>New Zealand Coastal Policy Statement</i> and therefore the compensations provided for here will be in alignment with requirements of the <i>New Zealand Coastal Policy Statement</i>.</p> |
| Further submissions – Trans-Tasman Resources Ltd (6), Port Taranaki Ltd (32) |                  | Oppose  |   |
| <b>Section 9.2 and 9.2.6 – Determining a financial contribution</b>          |                  |   |   |
| 60 – Te Kaahui o Rauru   | 1172             | <p><b>Other</b></p> <p>Submitter seeks further clarification on Section 9.2 of the Plan on the use of financial contributions and their application</p> <p>AND</p> <p>Seek further engagement and discussion regarding Section 9.2.6 specifically to clarify whether it is the intention to aim for full mitigation or compensation in general, although that may not always be achieved.</p>   | <p><b>No relief necessary</b></p> <p>The use of financial contributions will be tailored to the consent activity on a case-by-case basis having regard for the likely effects and in accordance with Plan policies.</p> <p>Full mitigation is a desirable outcome. However, the Council recognises that this may not be achievable in all circumstances. Compensation is a way of recognising and providing for instances where full mitigation is not possible or is only partially possible. Section 9.2.6 provides for these instances so is a provision for compensation in general, however, it is preferable to mitigate in full if/where possible.</p>   |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions   |
|---|------------------|--|--|
| <b>Section 9.2.1 –Matters to be considered</b>  |                  |  |  |
| 60 – Te Kaahui o Rauru  | 1173             | <b>Other</b><br>Submitter seeks clarification within Section 9.2.1 of the Plan to specify whether “community effects” is considered under cultural effects.  | <b>No relief necessary</b><br>The Council note that consideration of community effects encompasses cultural effects, amongst other things, and will recognise and take into consideration any possible cultural effects.   |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) |                  | Support  |  |
| <b>Section 10.1 – Monitoring</b>  |                  |  |  |
| 41 – Te Korowai o Ngāruahine Trust  | 1174             | <b>Amend</b><br>Submitter seeks amendment to Section 10.1 of the Plan to include a specific method about engaging in dialogue with iwi in order to understand perceptions and values, and the application of mātauranga Māori.   | <b>Accept</b><br>This section specifically describes how the Council will determine the effectiveness of the Plan through ongoing monitoring and evaluation processes. The Council is not currently in a position to implement any monitoring programmes that include elements of māuri values or the application of mātauranga Māori but will be seeking to engage with local iwi and hapū to investigate the development of such a system.<br>The Council agrees to granting the relief sought by the submitter by including a new Clause (3A) in Section 10.1 of the Plan that reads as follows:<br><a href="#"><u>3A. Investigate, develop and implement appropriate and relevant monitoring methods for the incorporation of mātauranga Māori into state of the environment monitoring for the coastal environment.</u></a> |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Atiawa (58)                                     |                  | Support  |  |
| 50 – Te Kāhui o Taranaki Trust  | 1175             | <b>Amend</b><br>Submitter seeks amendment to Section 10.1 of the Plan to include the following new monitoring methods: <ul style="list-style-type: none"> <li>development of a mātauranga Te Ao Māori monitoring system in partnership with iwi</li> <li>annual review in partnership with Iwi of the effectiveness of a co-designed and resourced Memorandum of Understanding, Mana Whakahono a Rohe Agreement and policy and consent processes.</li> </ul> | <b>Accept in part</b><br>There are two elements in relation to the relief sought by the submitter.<br>In relation to the development of a mātauranga Te Ao Māori monitoring system in partnership with Iwi, the Council agrees to the relief sought by including a new Clause (3A) in Section 10.1 of the Plan that reads as follows:<br><a href="#"><u>3A. Investigate, develop and implement appropriate and relevant monitoring methods for the incorporation of mātauranga Māori into state of the environment monitoring for the coastal environment.</u></a>   |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions  |
|---|------------------|---|---|
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Korowai o Ngāruahine Trust (41), Te Atiawa (58) |                  | Support   | <p>In relation to a new method to undertake an annual review of the effectiveness of a co-designed and a resourced Memorandum of Understanding and Mana Whakahono a Rohe Agreement, the Council does not agree granting the relief sought.</p> <p>The Council is advised that the Council are hopeful that a Memorandum of Understanding or Mana Whakahono a Rohe agreements will be implemented in the future. However, at this point in time, there are no such agreements and it is not considered appropriate to pre-empt the outcomes of those agreements, including operational details around the scope and timeframes for implementing particular aspects of those agreements, by including such detail in the Plan.</p>  |
| 60 – Te Kaahui o Rauru  | 1176             | <p><b>Amend</b></p> <p>The procedures for a review programme should include specific mention of reviewing achievement of conditions to iwi and Māori values.</p> <p>Submitter seeks amendment to Section 10.1 of the Plan to include Māori values as a focus point in monitoring.</p> | <p><b>Accept</b></p> <p>The Council notes Implementation Method 30 of the Plan, which states that the Council will work with iwi authorities to develop memoranda of understanding that establish and maintain an effective working relationship. In particular, Mana Whakahono a Rohe agreements between the Council and iwi represent an opportunity to set out agreements on Council/iwi relationship, including any requirements to review and report on the achievement of consent conditions relating to tangata whenua values.</p> <p>Section 10.1 of the Plan specifically describes how the Council will determine the effectiveness of the Plan through ongoing monitoring and evaluation processes. The Council is not currently in a position to implement any monitoring programmes that include elements of māuri values or the application of mātauranga Māori but will be seeking to engage with local iwi and hapū to investigate the development of such a systems.</p> <p>The Council agrees to granting the relief sought by the submitter by including a new Clause (3A) in Section 10.1 of the Plan that reads as follows</p> <p><u><i>3A. Investigate, develop and implement appropriate and relevant monitoring methods for the incorporation of mātauranga Māori into state of the environment monitoring for the coastal environment.</i></u></p> |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Atiawa (58)                                     |                  | Support   | <p>The Council agrees to granting the relief sought by the submitter by including a new Clause (3A) in Section 10.1 of the Plan that reads as follows</p> <p><u><i>3A. Investigate, develop and implement appropriate and relevant monitoring methods for the incorporation of mātauranga Māori into state of the environment monitoring for the coastal environment.</i></u></p>   |



## 4.8 Definitions

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
|--|------------------|--|--|
| <b>Definitions – General</b>                       |                  |  |  |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd | 1177             | <b>Support</b>   | <b>Accept</b><br>Definitions for “best practicable option”, “coastal marine area”, “common marine and coastal areas”, “discharge”, “environment”, “structure”, and “industrial or trade premises” are retained as notified.  |
|  |                  | Retain the RMA definitions such as “best practicable option”, “coastal marine area”, “common marine and coastal areas”, “discharge”, “environment”, “structure”, and “industrial or trade premises”.   |  |
| Further submissions – Port Taranaki Ltd (32)       |                  | Support  |  |
| <b>Definition – Accretion</b>                      |                  |  |  |
| 43 – Royal Forest and Bird Protection Society      | 1178             | <b>Amend</b>   | <b>Accept</b><br>Within the Plan, accretion is mentioned once in Policy 32 [Placement of structures] and therefore has been defined to assist in the interpretation and application of that Policy. The Council agrees with the submitter that accretion is related to natural processes and recommend amending the definition of “accretion” to read:<br><b>Accretion</b> means the seaward extension of land as a result <u>of the natural process</u> of deposition of sediments. |
|  |                  | Submitter notes that “accretion” is not provided for in the rules and that the definition should be amended to clarify that the term relates to the natural processes. It is suggested that, as worded, the definition could include deposition resulting from reclamation.<br>Submitter seeks amendment to the definition of “accretion” to clarify that accretion is a result of natural processes.  |  |
| <b>Definition – Adaptive management</b>            |                  |  |  |
| 6 – Trans-Tasman Resources Ltd                     | 1179             | <b>Amend</b>   | <b>Decline</b><br>Recent case law has highlighted adaptive management as an inappropriate method of managing activities that may produce impacts that are uncertain, little understood or potentially significantly adverse. As a result, the Council agrees to removing reference to adaptive management from the Plan entirely, including the definition of adaptive management.   |
|  |                  | Submitter seeks amendment to the term “adaptive management” to read:<br><i>Adaptive management means a structured, iterative process of robust decision making in the face of uncertainty, <u>which includes allowing an activity to commence on a small scale or for a short period so that its effects can be assessed and a decision made about the appropriateness of continuing the activity (with or without amendment) on the basis of those effects with an aim to reducing uncertainty over time via system monitoring.</u> For the purposes of this Plan, the principles underpinning adaptive management include:</i> |  |



| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
|--|------------------|--|--|
|  |                  | (a) <del>robust baseline monitoring to good baseline information to</del> establish the <del>existing</del> receiving environment;<br>(b) resource consent conditions that <del>require provide for</del> effective monitoring of adverse effects using appropriate indicators; [...]  |  |
| Further submissions – Royal Forest and Bird Protection Society (43), Rūnanga o Ngāti Ruanui Trust (61) |                  | Oppose   |  |
| Further submissions – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd (46)                               |                  | Support in part  |  |
| 29 – Department of Conservation  | 1180             | <b>Support</b><br>Retain the definition “adaptive management” as notified.   | <b>Decline</b><br>Recent case law has highlighted adaptive management as an inappropriate method of managing activities that may produce impacts that are uncertain, little understood or potentially significantly adverse. As a result, the Council agrees to removing reference to adaptive management from the Plan entirely, including the definition of adaptive management.   |
| Further submissions – Meridian Energy Ltd (20), Port Taranaki Ltd (32)                                 |                  | Support  |  |
| 43 – Royal Forest and Bird Protection Society  | 1181             | <b>Amend</b><br>The submitter requests reference to “adaptive management” be deleted from Policy 3 and also seeks the deletion of the definition of adaptive management from the Plan.   | <b>Accept</b><br>Recent case law has highlighted adaptive management as an inappropriate method of managing activities that may produce impacts that are uncertain, little understood or potentially significantly adverse. As a result, the Council agrees to removing reference to adaptive management from the Plan entirely, including the definition of adaptive management as requested by the submitter.  |
| <b>NEW Definition – Alteration</b>   |                  |  |  |
| 57 – Heritage New Zealand  | 1182             | <b>Amend</b><br>Alteration is referred to in a number of rules relating to structures in the coastal environment. This term can be interpreted in a variety of ways, so a specific definition would aid in Plan interpretation.<br>Submitter seeks amendment to the Plan to include a new definition for “alteration” to read:<br><u>Alteration, in relation to buildings, means any changes to the fabric or characteristics of a structure involving, but not limited to, the removal and replacement of walls, windows, ceilings, floors or roofs, either internally or</u> | <b>Accept in part</b><br>The Council agrees that the interpretation and application of the Plan, particularly in relation to rules addressing structures in the coastal marine area, would be improved by defining the term “alteration”. The Council notes that alteration may apply to many types of structures and is not restricted to buildings, therefore, for the purpose of the Plan, reads as follows:<br><u>Alteration in relation to a structure, means any modification to a structure that does not increase its external dimensions.</u> |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
|--|------------------|--|--|
|  |                  | <u>externally and includes any sign attached to the structure. In relation to structures, means any changes to function, layout, or appearance of a structure without changing its physical dimensions.</u>  | <p>The Council notes that change to the external dimensions of a structure is defined through the term “<i>extension</i>” which the Council suggests should also be included within the definitions section for consistency. The definition of “<i>extension</i>” reads:</p> <p><u><b>Extension in relation to a structure, means any modification to the external dimensions of a structure, including length, width and height.</b></u></p>  |
| Further submissions – Port Taranaki Ltd (32), Powerco (45), Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd (46) |                  | Oppose   |  |
| <b>Definition – Amenity values</b>   |                  |  |  |
| 43 – Royal Forest and Bird Protection Society  | 1183             | <p><b>Amend</b></p> <p>The submitter seeks clarity on whether “<i>amenity values</i>” includes visual amenity so that the areas identified in Policy 18 are recognised under the <i>National Environmental Standard for Plantation Forestry</i> and seeks that, if it does not include visual amenity, that the definition be amended to include visual amenity as part of amenity values.</p> | <p><b>Decline</b></p> <p>Under the <i>National Environmental Standard for Plantation Forestry</i>, visual amenity landscape means:</p> <p>“a landscape or landscape feature that –</p> <p>(a) is identified in a district plan as having visual amenity values, however described; and</p> <p>(b) is identified in the policy statement or plan by its location, including by a map, a schedule, or a description of the area.”</p> <p>The Council declines the request to amend the definition of “<i>amenity values</i>”. The term “<i>amenity values</i>” is defined by the RMA and the Council does not consider it appropriate to amend the statutory definition. In addition, the Council notes that the use of “landscapes” in the suggested amendment provides a different meaning and the application of the term “<i>amenity values</i>” meaning that only landscapes identified in plans or policy statements can be considered to have any amenity values, significantly reduces the locations where Policy 18 can be applied within the Plan.</p> <p>Notwithstanding the above, visual amenity is already implied within the current definition being a quality that contributes to “<i>people’s appreciation of its pleasantness and aesthetic coherence</i>”.</p> |
| Further submissions – Meridian Energy Ltd (20), Port Taranaki Ltd (32)   |                  | Oppose   |  |
| <b>Definition – Biofouling</b>   |                  |  |  |
| 16 – Ministry for Primary Industries   | 1184             | <p><b>Amend</b></p> <p>Submitter seeks amendment to the definition of “<i>biofouling</i>” to include the following words after aquatic environment:</p>  | <p><b>Grant in kind</b></p> <p>The Council agrees to accepting the inclusion of definitions for macrofouling and microfouling but propose an alternative relief to that sought by the submitter. The</p>   |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
|--|------------------|---|---|
|  |                  | <ul style="list-style-type: none"> <li>"<i>microfouling</i>" – a layer of microscopic organisms including bacteria and diatoms and the slimy substances they produce, Often referred to as a 'slime layer', microfouling can usually be removed by gently passing a finger over the surface.</li> <li>"<i>macrofouling</i>" – any organism not included in the definition of "microfouling".</li> </ul>   | <p>Council suggests that the appropriate location of these definitions is not within the definition of biofouling and that each term should have its own, stand-alone definition following the alphabetical listing order that is within this section of the Plan and that the definition for "<i>biofouling</i>" should remain as notified.</p> <p>Refer to new definitions for macrofouling and microfouling within this section.</p>   |
| Further submissions – Trans-Tasman Resources Ltd (6) |                  | Neutral   |   |
| Further submissions – Port Taranaki Ltd (32)         |                  | Oppose  |   |
| 33 – New Zealand Defence Force                       | 1185             | <b>Support</b>  | <b>Accept</b>   |
|  |                  | Retain the definition of " <i>biofouling</i> " as notified.   | Definition of biofouling is retained as notified.   |
| Further submissions – Port Taranaki Ltd (32)         |                  | Support   |   |
| <b>Definition – Coastal environment</b>              |                  |   |   |
| 43 – Royal Forest and Bird Protection Society        | 1186             | <b>Amend</b>  | <b>Accept</b>   |
|  |                  | <p>Submitter seeks amendment to the Plan by mapping the coastal environment for Taranaki and referencing this in an amended definition of "<i>coastal environment</i>"</p> <p>OR</p> <p>Alternatively delete the definition:</p> <p><del><i>Coastal environment means the areas where coastal processes, influences or qualities are significant, including lakes, lagoons, tidal estuaries, saltmarshes, coastal wetlands, and the margins of those and includes the coastal marine area</i></del></p> | <p>The Council notes previous recommendations to include an indicative line incorporated within the coastal mapping layers to help establish the extent of the coastal environment.</p> <p>The submitter further presented at the hearing on this issue and suggested a simplified definition of coastal environment to that presented in the Section 42A Repor (plus a footnote referring the reader to the planning maps showing the indicative coastal marine area and coastal environment line).</p> <p>The Council supports the suggestions and agree to amend the definition of coastal environment to read:</p> <p><b><i>Coastal environment means:</i></b></p> <p><del><i>(a) all of the coastal marine area; and</i></del></p> <p><del><i>(b) areas landward of the coastal marine area and identified under Policy 4.</i></del></p> |
| Further submissions – Meridian Energy Ltd (20)       |                  | Oppose  |   |
| Further submissions – Port Taranaki Ltd (32)         |                  | Oppose in part  |   |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
|--|------------------|---|---|
| 45 – Powerco                                       | 1187             | <p><b>Amend</b></p> <p>Submitter seeks amendment to the Plan by mapping the coastal environment line for Taranaki and referencing this in an amended definition of “coastal environment” to read:</p> <p><i>Coastal environment means <del>the areas where coastal processes, influences or qualities are significant, including lakes, lagoons, tidal estuaries, saltmarshes, coastal wetlands, and the margins of these and includes all of</del> the coastal marine areas, <u>land inland to the point defined on the maps at Schedule X, the natural and physical resources within it, and the atmosphere above it.</u></i></p> | <p><b>Accept</b></p> <p>The Council agrees to including an indicative coastal environment line into the coastal mapping layers to help establish the extent of the coastal environment and to amend the definition of “coastal environment”. However, the Council notes that this line is only an indicative line and the range of coastal processes captured in the original definition may still apply and may be relevant for determining on a case-by-case basis, whether or not an activity affects the coastal environment.</p> <p>The amended definition reads as follows:</p> <p><b>Coastal environment means:</b><br/> <u>(a) all of the coastal marine area; and</u><br/> <u>(b) areas landward of the coastal marine area and identified under Policy 4.</u></p> <p>The Council also agrees to an additional consequential amendments to the Plan, including amendments to associated planning maps to identify the coastal environment line that are aligned with the coastal environment line identified in a district plan or proposed district plan (or their equivalent).</p> |
| Further submissions – Meridian Energy Ltd (20)     |                  | Oppose  |   |
| Further submissions – Transpower NZ Ltd (26)       |                  | Support in part   |   |
| Further submissions – Fonterra (47)                |                  | Support   |   |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd | 1188             | <p><b>Amend</b></p> <p>Submitter seeks amendment to the Plan by mapping the coastal environment line for Taranaki and referencing this in an amended definition of “coastal environment” to read:</p> <p><i>Coastal environment means <del>the areas where coastal processes, influences or qualities are significant, including lakes, lagoons, tidal estuaries, saltmarshes, coastal wetlands, and the margins of these and includes all of</del> the coastal marine areas, <u>land inland to the point defined on the maps at Schedule X, the natural and physical resources within it, and the atmosphere above it.</u></i></p> | <p><b>Accept</b></p> <p>The Council agrees to granting the relief sought by the submitter. Refer to submission point 1187 above.</p>  |
| Further submissions – Meridian Energy Ltd (20)     |                  | Oppose  |   |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
|--|------------------|--|--|
| <b>NEW Definition – Data deficient</b>               |                  |  |  |
| 43 – Royal Forest and Bird Protection Society        | 1189             | <b>Amend</b>   | <b>Accept</b>  |
|  |                  | Submitter seeks amendment to the Plan to include a new definition for “ <i>data deficient</i> ” species which are likely to be at risk or threatened however populations are so low that information is not available to determine status under the NZ Threat Classification.  | The Council agrees to including a new definition for “ <i>data deficient species</i> ” to read:<br><br><i><u>Data deficient species means those species that are likely to be at risk or threatened, however, populations are so low that information is not available to determine their status under the New Zealand Threat Classification. This includes, but is not limited to, species identified as such in Schedule 4A.</u></i> |
| Further submissions – Trans-Tasman Resources Ltd (6) |                  | Oppose   |  |
| <b>Definition – Disturbance</b>                      |                  |  |  |
| 43 – Royal Forest and Bird Protection Society        | 1190             | <b>Support</b>   | <b>Accept</b>  |
|  |                  | Retain definition of “ <i>disturbance</i> ” as notified.   | Support noted. Definition of “ <i>disturbance</i> ” is retained as currently notified.   |
| <b>Definition – Ecosystem</b>                        |                  |  |  |
| 43 – Royal Forest and Bird Protection Society        | 1191             | <b>Support</b>   | <b>Accept</b>  |
|  |                  | Retain definition of “ <i>ecosystem</i> ” as notified.   | Support noted. Definition of “ <i>ecosystem</i> ” is retained as currently notified.   |
| <b>Definition – Erosion</b>                          |                  |  |  |
| 43 – Royal Forest and Bird Protection Society        | 1192             | <b>Support</b>   | <b>Accept</b>  |
|  |                  | Retain definition of “ <i>erosion</i> ” as notified.   | Support noted. Definition of “ <i>erosion</i> ” is retained as currently notified.   |
| <b>Definition – Estuary Modified</b>                 |                  |  |  |
| 29 – Department of Conservation                      | 1193             | <b>Amend</b>   | <b>Accept</b>  |
|  |                  | Submitter seeks amendment to the definition of “ <i>Estuary Modified</i> ” to read:<br><br><i>[...] means the coastal management area identified in Schedule 1 of the Plan, as the Pātea, Waiwhakaiho or Waitara Estuaries <u>and their outlets</u>, and which are surrounded by urban, extensively modified environments.</i> | The Council agrees to amending the definition of Estuaries Unmodified, with a minor word change to maintain consistency with the RMA and the <i>Regional Policy Statement for Taranaki</i> .<br><br>The amended definition reads as as follows:  |

| Submitter                                     | Submission point | Submitter's requests  | Council's response and decisions  |
|---|------------------|---|---|
|   |                  |   | <b>Estuaries Modified</b> refers to the coastal management area identified in Schedule 1 of the Plan, as the Pātea, Waiwhakaiho or Waitara Estuaries <u>and river mouths</u> , and which are surrounded by extensively modified environments.   |
| 43 – Royal Forest and Bird Protection Society | 1194             | <b>Amend</b><br><br>Submitter seeks amendment to the definition of “ <i>Estuary Modified</i> ” to reflect other reliefs sought by the submitter in relation to Policy 1.  | <b>Accept in part</b><br><br>The Council agrees to amending the definition of Estuaries Unmodified, with a minor word change to maintain consistency with the RMA and the <i>Regional Policy Statement for Taranaki</i> .<br><br>The amended definition reads as as follows:<br><br><b>Estuaries Modified</b> refers to the coastal management area identified in Schedule 1 of the Plan, as the Pātea, Waiwhakaiho or Waitara Estuaries <u>and river mouths</u> , and which are surrounded by extensively modified environments. |
| <b>Definition – Estuary Unmodified</b>        |                  |   |   |
| 29 – Department of Conservation               | 1195             | <b>Amend</b><br><br>The submitter seeks amendment to the definition of “ <i>Estuary Unmodified</i> ” to read: <i>[...] refers to estuaries identified in Schedule 1 of the Plan, <u>and their outlets</u> that are permanently open to tidal movements and are characteristically largely unmodified.</i> | <b>Accept in part</b><br><br>The Council agrees to amending the definition of Estuaries Unmodified, with a minor word change to maintain consistency with the RMA and the <i>Regional Policy Statement for Taranaki</i> .<br><br>The amended definition reads as as follows:<br><br><b>Estuaries unmodified</b> refers to estuaries <u>and river mouths</u> identified in Schedule 1 of the Plan, that are permanently open to tidal movements and are characteristically largely unmodified.                                     |
| 43 – Royal Forest and Bird Protection Society | 1196             | <b>Amend</b><br><br>Submitter seeks amendment to the definition of “ <i>Estuary Unmodified</i> ” to reflect other reliefs sought by submitter in relation to Policy 1.  | <b>Decline</b><br><br>The Council agrees to retaining the definition of “ <i>Estuaries Unmodified</i> ” subject to minor amendments sought by other submitters. Refer to Council decisions on Policy 1.   |
| <b>NEW definition – Functional need</b>       |                  |   |   |
| 26 – Transpower NZ Ltd                        | 1197             | <b>Amend</b><br><br>Amend Plan to include a new definition for “ <i>functional need</i> ” to read: <u><i>The locational, operational, practical or technical needs of an activity, including development and upgrades.</i></u>  | <b>Accept</b><br><br>The Council agrees to including a definition for “ <i>functional need</i> ” but noting that the definition must be aligned with the <i>National Planning Standards 2019</i> .<br><br>The definition reads as as follows:   |



| Submitter   | Submission point | Submitter's requests  | Council's response and decisions   |
|---|------------------|---|--|
| Further submissions – Meridian Energy Ltd (20)  |                  | Support   | <b>Functional need</b> means the need for a proposal of activity to traverse, locate or operate in a particular environment because the activity can only occur in that environment.   |
| Further submissions – Port Taranaki Ltd (32), Royal Forest and Bird Protection Society – (43) |                  | Oppose  |  |
| Further submissions - Powerco (45), Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd (46)        |                  | Support in part   |  |
| 45 – Powerco  | 1198             | <b>Amend</b><br>Amend Plan to include a new definition for “functional need” to read:<br><u>Functional need means a requirement for a proposal or activity to traverse, locate or operate in the coastal environment.</u>   | <b>Accept in part</b><br>The Council agrees to including a definition for “functional need” but note that the definition must be aligned with the <i>National Planning Standards 2019</i> provided by the Ministry for the Environment as this sets and aims to standardise the definitions of district and regional plans going forward.<br>The definition reads as as follows:<br><u>Functional need means the need for a proposal of activity to traverse, locate or operate in a particular environment because the activity can only occur in that environment.</u>   |
| Further submissions – Royal Forest and Bird Protection Society (43)                           |                  | Oppose  |  |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd  | 1199             | <b>Amend</b><br>Amend Plan to include a new definition for “functional need” to read:<br><u>Functional need means a requirement for a proposal or activity to traverse, locate or operate in the coastal environment.</u>   | <b>Accept in kind</b><br>The Council agrees to include a definition for “functional need” as amendments to the Plan include reference to functional need within the Policies and Rules. However, the Council agrees to alignment with the <i>National Planning Standards 2019</i> provided by the Ministry for the Environment as this sets and aims to standardise the definitions of district and regional plans going forward.<br>The definition reads as as follows:<br><u>Functional need means the need for a proposal of activity to traverse, locate or operate in a particular environment because the activity can only occur in that environment.</u> |
| 47 – Fonterra   | 1200             | <b>Amend</b><br>Amend Plan to include a new definition for “functional need” to read:<br><u>Functional need means the need for a proposal or activity to traverse, locate or operate in a particular environment because it can only occur in that environment.</u> | <b>Accept</b><br>The Council agrees to include a definition for “functional need” as requested by the submitter.   |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
|--|------------------|--|--|
| Further submissions – Trans-Tasman Resources Ltd (6)                                   |                  | Support  |  |
| Further submissions – Royal Forest and Bird Protection Society (43)                    |                  | Oppose   |  |
| Further submissions – Powerco (45), Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd (46) |                  | Oppose in part   |  |
| <b>Definition – Habitat</b>  |                  |  |  |
| 43 – Royal Forest and Bird Protection Society  | 1201             | <b>Support</b>   | <b>Accept</b>  |
|  |                  | Retain definition of “ <i>habitat</i> ” as notified.   | Support noted. Definition of “ <i>habitat</i> ” is retained as currently notified.   |
| <b>Definition – Hapū</b>   |                  |  |  |
| 42 – Ngati Rahiri Hapū   | 1202             | <b>Amend</b>   | <b>Accept</b>  |
|  |                  | Submitter seek amendment to the definition of “ <i>hapū</i> ” to specify:<br>[..] <u>families of people of Māori descent</u> . | The definition of hapū was originally taken from the <i>Regional Policy Statement</i> and was adopted in this instance to maintain consistency with this and other regional plans. However, the Council agrees that the relief sought provides important detail that aids in the understanding of the definition. Over time the Council will update and align the definitions that have changed across different planning documents.<br>The Council agrees to amending the definition to read:<br><b>Hapū</b> means sub-tribe, usually a number of whanau (families) <u>of people of Māori descent</u> with a common ancestor. |
| <b>Definition – Hard protection structure</b>  |                  |  |  |
| 43 – Royal Forest and Bird Protection Society  | 1203             | <b>Support</b>   | <b>Accept</b>  |
|  |                  | Retain definition of “ <i>hard protection structure</i> ” as notified.   | Support noted. Definition of “ <i>hard protection structure</i> ” is retained as currently notified.   |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
|--|------------------|--|---|
| <b>Definition – Hazardous substance</b>            |                  |  |   |
| 43 – Royal Forest and Bird Protection Society      | 1204             | <b>Support</b>   | <b>Accept</b>   |
|  |                  | Retain definition of “ <i>hazardous substance</i> ” as notified.   | Support noted. Definition of “ <i>hazardous substance</i> ” is retained as currently notified.  |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd | 1205             | <b>Support</b>   | <b>Accept</b>   |
|  |                  | Retain definition of “ <i>hazardous substances</i> ” as notified.  | Support noted. Definition of “ <i>hazardous substance</i> ” is retained as currently notified.  |
| <b>Definition – Heritage values</b>                |                  |  |   |
| 43 – Royal Forest and Bird Protection Society      | 1206             | <b>Other</b>   | <b>No relief necessary</b>  |
|  |                  | Submitter seeks clarification on whether definition of “ <i>heritage values</i> ” includes natural heritage values.  | The Council notes that, depending upon context, “ <i>heritage values</i> ” does include natural heritage values.  |
| <b>Definition – Historic heritage</b>              |                  |  |   |
| 42 – Ngati Rahiri Hapū                             | 1207             | <b>Amend</b>   | <b>Decline</b>  |
|  |                  | Submitter seeks amendment of the Plan to include the currently accepted definition of waahi taonga (Treasured Place) and requests amendment to (b)(iii) of the definition for “historic heritage” to read :<br>[...]<br><i>(b)(iii) sites of significance to Māori, including waahi tapu, <u>and waahi taonga</u>; and [...]</i> | The submitter comments that while the RMA generally includes sites of significance under the definition of “historic heritage”, the submitter believes this to be a too broad approach to their sites. It is their view that Environment Court case law has eroded the definition of traditional waahi tapu sites, to such an extent that waahi tapu are now no more than isolated and very small areas of land. The submitter further points out, the current definition for historic heritage is given by the RMA and dictates the current definition of historic heritage.<br><br>The Council notes the submitter’s comments but do not believe it appropriate to deviate from the legislative definition. However, the Council notes that, in an effort to recognise wider cultural values associated with sites of significance to Māori, both wāhi tapu and wāhi taonga sites have been identified within the Plan and both of these terms have received their own definitions. |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
|--|------------------|--|---|
| <b>Definition – Incidental water</b>             |                  |  |   |
| 43 – Royal Forest and Bird Protection Society    | 1208             | <b>Support</b>   | <b>Accept</b>   |
|  |                  | Retain definition of “ <i>incidental water</i> ” as notified.  | Support noted. Definition of “ <i>incidental water</i> ” is retained as currently notified.   |
| <b>NEW Definition – Industrial or trade site</b> |                  |  |   |
| 42 – Ngati Rahiri Hapū                           | 1209             | <b>Amend</b>   | <b>Decline</b>  |
|  |                  | This definition is not included in the Plan, however, “ <i>industrial or trade premises</i> ” is. The submitter believes that there is far more chance of problems happening with a “ <i>site</i> ” than with a “ <i>premise</i> ” so would like to see this definition added.<br>Amend Plan to include a definition of “ <i>industrial or trade site</i> ”. | The definition of “ <i>industrial or trade premises</i> ” is taken from the RMA The definition has a wide application that also covers industrial or trade “ <i>sites</i> ” although this is not explicitly recognised. The Council does not consider it necessary to include a new definition when the location in question has already been provided for under the original definition.   |
| <b>Definition – Integrated management</b>        |                  |  |   |
| 43 – Royal Forest and Bird Protection Society    | 1210             | <b>Amend</b>   | <b>Accept</b>   |
|  |                  | Submitter seeks amendment to the Plan by deleting definition of “ <i>integrated management</i> ”.  | The submitter comments that it is not clear whether the Plan definition of “ <i>integrated management</i> ” is consistent with Policy 2. The submitter suggests that it is not necessary to have a definition as this is more appropriately set out in Policy 2 of the Plan to give effect to the <i>New Zealand Coastal Policy Statement</i> .<br>The Council agrees with the submitter and considers that Policy 2 sets out the necessary and appropriate direction for Plan users. The Council agrees to delete the definition for ‘ <i>integrated management</i> ’. |
| <b>Definition – Land</b>                         |                  |  |   |
| 42 – Ngati Rahiri Hapū                           | 1211             | <b>Amend</b>   | <b>Accept in part</b>   |
|  |                  | Submitter seeks amendment to the definition of “ <i>land</i> ” to include everything below the surface as well as above the surface.   | The Council agrees to amending the definition of “ <i>land</i> ” to reflect previous amendments to that definition in the RMA. However, Council notes that the statutory definition must prevail. Within this definition it refers to land covered by water and it is implicit that this covers all area above and below the surface. The amended definition reads:<br><b>Land –</b>  |

| Submitter                                     | Submission point | Submitter's requests  | Council's response and decisions   |
|---|------------------|---|--|
|   |                  |   | <p><u>(a) includes land covered by water and the airspace above the land; and</u></p> <p><u>(b) in a national environmental standard dealing with a regional council function under section 30 or a regional rule, does not include the bed of a lake or river; and</u></p> <p><u>(c) in a national environmental standard dealing with a territorial authority function under section 31 or a district rule, includes the surface of water in a lake or river.</u></p>  |
| <b>NEW Definition – Macrofouling</b>          |                  |   |  |
| 29 – Department of Conservation               | 1212             | <p><b>Amend</b></p> <p>Submitter seeks amendment to the Plan by including a new definition of “macrofouling” that reads:</p> <p><u>Macrofouling - is any organism not included in the definition of microfouling.</u></p>   | <p><b>Accept</b></p> <p>The Council agrees to accepting the requested relief as it provides further clarity for Plan users and is consistent with additional relief requested by other submitters.</p> <p>The new definition of “macrofouling” reads as as follows:</p> <p><u>Macrofouling is any biofouling organism not included in the definition of microfouling.</u></p>  |
| <b>Definition – Maintenance</b>               |                  |   |  |
| 43 – Royal Forest and Bird Protection Society | 1213             | <p><b>Amend</b></p> <p>Submitter seeks amendment to the definition of “maintenance” to read:</p> <p><i>Maintenance in relation to structures, includes activities which restore a structure or asset to its original authorised standard and purpose, and where the character, intensity and scale of the structure, asset or site remains the same or similar. It excludes the extension <del>or repair</del> of structures or assets, or change in location.</i></p> <p><b>AND</b></p> <p>Amend all rules which provide for “maintenance and repair” to only use the term “maintenance”.</p> <p>Amend all rules which provide for “alteration or extension” in the same rule as “maintenance” to “minor alteration or extension”.</p> <p>Amend all rules which provide for new structures to include “major alteration or extension”.</p> | <p><b>Grant in kind</b></p> <p>The submitter comments that the definition is generally helpful, however, believes that the exclusion of repair is confusing. The definition includes restore which is equivalent to repair. Also the Oxford online dictionary defines “maintain” as to “keep (a building, machine, or road) in good condition by checking or repairing it regularly.”</p> <p>The submitter supports the exclusion of “extension”; however they are not clear how this relates to Policy 37 which provides for “major alterations and extensions”. The Oxford dictionary defines “extension” as to enlarge or prolong something. As such it would generally fit with the policy requirements for “major upgrades”.</p> <p>In the submitter’s view, the Plan could provide for minor alterations or extensions in the same rules for “maintenance”, however, major alterations or extensions must be considered under separate rules which enable adequate consideration of effects.</p> <p>The Council agree to largely giving effect to the relief sought by the submitter by an alternative relief involving reframing the maintenance, alteration, extension and removal rules (to more clearly differentiate between the respective activities based upon changes in their external dimensions). Consequential changes are also</p> |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
|--|------------------|--|---|
|  |                  |  | <p>proposed to the Plan definition for "maintenance" and with new definitions for "alteration" and "extension" also proposed.</p> <p>The definition of "maintenance" has been reworded to better reflect the scope of the term and reads as follows:</p> <p><i><b>Maintenance</b> includes the ongoing and regular activities that aid in the preservation of a structure and includes repair works conducted for the purpose of keeping the structure in good condition and/or working efficiently and where the character, intensity and scale of the structure remains the same.</i></p>   |
| 45 – Powerco   | 1214             | <p><b>Amend</b></p> <p>Submitter comments that much of the maintenance work taken by the submitter arises when it has to replace old equipment with the modern equivalent or to replace a piece of equipment that is no longer working or is a safety risk. In requiring maintenance activities to restore an asset to its original authorised standard, the inference is that maintenance which is required to bring a standard up to a new standard is not provided for. This is opposed but could be readily addressed by amending the definition of "maintenance".</p> <p>Submitter seeks amendment to the definition of "maintenance" to read:</p> <p><i>Maintenance in relation to structures, includes replacement, repair, or renewal, activities for the purpose of keeping a structure in good condition and/or working efficiently which restore a structure or asset to its original authorised standard and purpose, and where the character, intensity and scale of the structure, or asset or site remains the same or similar. In relation to network utilities it includes the addition of extra lines. It excludes the extension or repair of structures or assets, or change in location.</i></p> | <p><b>Grant in kind</b></p> <p>The Council notes that the distinction between a maintenance activities and alteration activities may overlap in some instances, however, do not recommend including alteration within the definition of maintenance. The Council considers that definitions differentiate between 'maintenance' and 'alteration'. These definitions align with relevant rules, particularly Rules 35 to 43.</p> <p>The Council agrees to the definition for "maintenance" to read as follows:</p> <p><i><b>Maintenance in relation to a structure, means the ongoing and regular activities that aid in the preservation of a structure and includes repair works conducted for the purpose of keeping the structure in good condition and/or working efficiently and where the character, intensity and scale of the structure remains the same.</b></i></p> <p>The Council further notes that alterations may not be restricted to alterations completed in order to bring a piece of equipment up to a new standard and there may be other reasons for altering a structure and may include other modifications for other purposes. The Council considers that it is appropriate to leave the definition broad so that it can be applied to other scenarios. For the purpose of the Plan, the Council agrees that the definition of alteration read as follows:</p> <p><i><b>Alteration, in relation to a structure, means any modification to a structure that does not increase its external dimensions.</b></i></p> |
| Further submissions – Petroleum Exploration and Production Association of New Zealand (37) |                  | Support in part  |   |
| Further submissions – Royal Forest and Bird Protection Society (43)                        |                  | Oppose   |   |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd   | 1215             | <p><b>Amend</b></p> <p>In requiring maintenance activities to restore an asset to its original authorised standard, the inference is that maintenance which is required to bring a standard</p>  | <p><b>Accept</b></p> <p>Council note that the distinction between a maintenance activities and alteration activities may overlap in some instances, however, do not recommend including</p>   |



| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
|--|------------------|---|--|
|  |                  | <p>up to a new standard is not provided for. This is opposed but could be readily addressed by amending the definition of "maintenance".</p> <p>Submitter seeks amendment to the definition of "maintenance" to read:</p> <p><i>Maintenance in relation to structures, includes <u>replacement, repair, or renewal, activities for the purpose of keeping a structure in good condition and/or working efficiently which restore a structure or asset to its original authorised standard and purpose</u>, and where the character, intensity and scale of the structure, <u>or asset or site</u> remains the same or similar. It excludes the extension <u>or repair</u> of structures or assets, or change in location.</i></p> | <p>alteration within the definition of maintenance. The Council agrees that definitions differentiate between "maintenance" and "alteration". These definitions align with relevant rules, particularly Rules 35 to 43.</p> <p>The following amendments to the definition of "maintenance" are recommended:</p> <p><b><u>Maintenance in relation to a structure, means the ongoing and regular activities that aid in the preservation of a structure and includes repair works conducted for the purpose of keeping the structure in good condition and/or working efficiently and where the character, intensity and scale of the structure remains the same.</u></b></p> <p>The Council further notes that alterations may not be restricted to alterations completed in order to bring a piece of equipment up to a new standard and there may be other reasons for altering a structure and may include other modifications for other purposes. The Council considers that it is appropriate to leave the definition broad so that it can be applied to other scenarios. For the purpose of the Plan, the Council agrees that the definition of alteration read as follows:</p> <p><b><u>Alteration in relation to a structure, means any modification to a structure that does not increase its external dimensions.</u></b></p> |
| Further submissions – Port Taranaki Ltd (32)   |                  | Support   |  |
| Further submissions – Petroleum Exploration and Production Association of New Zealand (37) |                  | Support in part   |  |
| 57 – Heritage New Zealand  | 1216             | <p><b>Amend</b></p> <p>Submitter seeks amendment to the Plan to include definition of "maintenance" to read:</p> <p><b><u>Maintenance means the ongoing protective care of a place.</u></b></p>   | <p><b>Grant in kind</b></p> <p>The Council does not consider that the relief suggested by the submitter provides the necessary direction or clarification as to what activities can be considered "maintenance" due to the use of the term "protective care". This term is broad and has potential to be misinterpreted or distorted to fit a user's requirements irrespective of the intent of the Plan.</p> <p>The Council agrees to amending the definition of 'maintenance' to read as follows:</p> <p><b><u>Maintenance in relation to a structure, means the ongoing and regular activities that aid in the preservation of a structure and includes repair works conducted for the purpose of keeping the structure in good condition and/or working efficiently and where the character, intensity and scale of the structure remains the same.</u></b></p>  |
| Further submissions – Powerco (45), Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd (46)     |                  | Oppose  |  |
| <b>Definition – Maintenance dredging</b>   |                  |   |  |
| 43 – Royal Forest and Bird Protection Society  | 1217             | <p><b>Support</b></p> <p>Retain definition of "maintenance dredging" as notified.</p>   | <p><b>Accept</b></p> <p>Definition of "maintenance dredging" is retained as notified.</p>  |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
|--|------------------|---|--|
| <b>NEW Definition – Major alteration or extension</b>      |                  |   |  |
| 43 – Royal Forest and Bird Protection Society              | 1218             | <b>Amend</b><br>Submitter seeks amendment to the Plan to include a new definition of “ <i>major alteration or extension</i> ” to mean any alteration or extension of a structure which does not meet the definition of a minor alteration or extension. | <b>Accept in part</b><br>The Council agrees to giving partial relief to the request sought by the submitter involving reframing the maintenance, alterations, extensions and removal rules (to more clearly differentiate between the respective activities based upon changes in their external dimensions).<br>Consequential changes are also proposed to the Plan definition for ‘ <i>maintenance</i> ’ and with new definitions for ‘ <i>alteration</i> ’ and ‘ <i>extension</i> ’ also proposed. However, the Council does not consider it is necessary to include a definition for “ <i>major alteration</i> ”. The Council suggests that the distinction between major and minor alterations is determinable through the individual reading of relevant rules.<br>The Council agrees to that the following new definitions of “ <i>alteration</i> ” and “ <i>extension</i> ” to read as follows:<br><u><i>Extension in relation to a structure, means any modification to the external dimensions of a structure, including length, width and height.</i></u><br><u><i>Alteration in relation to a structure, means any modification to a structure that does not increase its external dimensions.</i></u> |
| Further submissions – Port Taranaki Ltd (32), Powerco (45) |                  | <b>Oppose</b>   |  |
| <b>Definition – Marine and coastal area</b>                |                  |   |  |
| 43 – Royal Forest and Bird Protection Society              | 1219             | <b>Support</b><br>Retain definition of “ <i>marine and coastal area</i> ” as notified.  | <b>Accept</b><br>Definition of “ <i>marine and coastal area</i> ” is retained as notified.   |
| <b>Definition – Method</b>                                 |                  |   |  |
| 43 – Royal Forest and Bird Protection Society              | 1220             | <b>Support</b><br>Retain definition of “ <i>method</i> ” as notified.   | <b>Accept</b><br>Definition of “ <i>method</i> ” is retained as notified.  |
| <b>NEW Definition – Microfouling</b>                       |                  |   |  |
| 29 – Department of Conservation                            | 1221             | <b>Amend</b><br>Submitter seeks amendment to the Plan to include a new definition of “ <i>microfouling</i> ” that reads:  | <b>Accept</b><br>The Council agrees to granting the relief sought by the submitter and to include a new definition of ‘ <i>microfouling</i> ’ to read as follows:  |

| Submitter                                    | Submission point | Submitter's requests   | Council's response and decisions  |
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|  |                  | <u>Microfouling – is a layer of microscopic organisms including bacteria and diatoms and the slimy substances they produce. Often referred to as a 'slime layer', microfouling can usually be removed by gently passing a finger over the surface.</u> | <u>Microfoul is a layer of microscopic organisms including bacteria and diatoms and the slimy substances they produce. Often referred to as a 'slime layer'.</u><br>With the following footnote:<br><u>Microfouling can usually be removed by gently passing a finger over the surface.</u>   |
| Further submissions – Port Taranaki Ltd (32) |                  | Oppose   |   |
| <b>Definition – Military training</b>        |                  |  |   |
| 33 – New Zealand Defence Force               | 1222             | <b>Support</b><br>Retain the definition of "military training" as notified.  | <b>Accept in part</b><br>Definition of "military training" is retained subject to amendments to align the Plan with the definition for 'temporary military training activities' within the <i>National Planning Standards 2019</i> to read:<br><u>Temporary military training activity means a temporary activity undertaken for the training of any component of the New Zealand Defence Force (including with allied forces) for any defence purpose. Defence purposes are those purposes for which a defence force may be raised and maintained under section 5 of the Defence Act 1990 which are:</u><br><u>(a) the defence of New Zealand, and of any area for the defence of which New Zealand is responsible under any Act;</u><br><u>(b) the protection of the interests of New Zealand, whether in New Zealand or elsewhere;</u><br><u>(c) the contribution of forces under collective security threats, agreements, or arrangements;</u><br><u>(d) the contribution of forces to, or for any of the purpose of, the United Nations, or in association with other organisations or States and in accordance with the principles of the Charter of the United Nations;</u><br><u>(e) the provision of assistance to the civil power either in New Zealand or elsewhere in time of emergency;</u><br><u>(f) the provision of any public service.</u> |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions  |
|---|------------------|---|---|
| <b>NEW Definition – Minor alteration or extension</b> |                  |   |   |
| 43 – Royal Forest and Bird Protection Society         | 1223             | <p><b>Amend</b></p> <p>Submitter seeks amendment to the Plan to include a new definition of “<i>minor alteration or extension</i>” to read:</p> <p><u><i>Minor alteration or extension means, the alteration of a structure where the alteration or extension is within the same footprint, does not result in an increase in adverse effects over effects generated from the operation and maintenance of the structure.</i></u></p> | <p><b>Accept in part</b></p> <p>The Council agrees to giving partial relief to the request sought by the submitter involving reframing the maintenance, alterations, extensions and removal rules of the Plan (to more clearly differentiate between the respective activities based upon changes in their external dimensions).</p> <p>Consequential changes are also proposed to the Plan definition for “<i>maintenance</i>” and with new definitions for “<i>alteration</i>” and “<i>extension</i>” also proposed. However, the Council does not consider it is necessary to include a definition. Use of the term minor alteration is only used within Rule 35 of the Plan. This rule includes a number of standards, terms and conditions that establish the parameters for what would be considered ‘minor’. The Council notes that activities that do not fit these standards, terms and conditions would not be considered to be ‘minor’ and would be considered under another rule.</p> <p>The Council agrees that the following new definitions of “<i>alteration</i>” and “<i>extension</i>” be included in the Plan to read as follows:</p> <p><u><i>Extension in relation to a structure, means any modification to the external dimensions of a structure, including length, width and height.</i></u></p> <p><u><i>Alteration in relation to a structure, means any modification to a structure that does not increase its external dimensions.</i></u></p> |
| Further submissions – Port Taranaki Ltd (32)          |                  | Oppose  |   |
| Further submissions – Powerco (45)                    |                  | Oppose in part  |   |
| <b>Definition – Natural</b>                           |                  |   |   |
| 43 – Royal Forest and Bird Protection Society         | 1224             | <p><b>Support</b></p> <p>Retain the definition of “<i>natural</i>” as notified.</p>   | <p><b>Accept</b></p> <p>Definition of “<i>natural</i>” is retained as notified.</p>   |
| <b>Definition – Natural Character</b>                 |                  |   |   |
| 29 – Department of Conservation                       | 1225             | <p><b>Amend</b></p> <p>Submitter seeks amendment to the definition of “<i>natural character</i>” to better reflect Policy 13 of the <i>New Zealand Coastal Policy Statement</i>.</p>  | <p><b>Decline</b></p> <p>The Council declines the relief sought by the submitter.</p>   |

| Submitter                                      | Submission point | Submitter's requests  | Council's response and decisions  |
|--|------------------|---|---|
| Further submissions – Meridian Energy Ltd (20) |                  | Support   | <p>The Council notes that the proposed definition of natural character would encompass all of the qualities identified in Policy 13 of the <i>New Zealand Coastal Policy Statement</i> and that Policy 13 is not an exhaustive list but merely identifies some characteristics that <u>may</u> (emphasis added) be recognised as natural character. For this reason, the Council considers that a more generic and broader definition than that sought by the submitter is required in order to avoid a verbose Plan and the inclusion of an unnecessarily lengthy definition that do not capture all of the possible characteristics.</p> <p>The Council notes that all of the characteristics listed in Policy 13 of the <i>New Zealand Coastal Policy Statement</i> are either natural elements, patterns or process or are the experiential perceptions of those processes.</p>   |
| Further submissions – Port Taranaki Ltd (32)   |                  | Support in part   |   |
| Further submissions – Powerco (45)             |                  | Oppose  |   |
| 43 – Royal Forest and Bird Protection Society  | 1226             | <p><b>Amend</b></p> <p>Submitter seeks amendment to the definition of “<i>natural character</i>” to include in the definition that protection of natural character of the coastal environment is set out in Policy 13 of the <i>New Zealand Coastal Policy Statement</i>.</p> | <p><b>Decline</b></p> <p>The Council declines the relief sought by the submitter and notes that protection of natural character introduces elements that are not appropriate to be included within a definition. The Council notes that a definition should be limited to a statement of the exact meaning of a word as it applies to the Plan.</p> <p>In addition, protection of natural character, as required by the <i>New Zealand Coastal Policy Statement</i>, is provided for within this Plan and is not solely confined to the <i>New Zealand Coastal Policy Statement</i>. This Plan recognises and gives effect to Policy 13 of the <i>New Zealand Coastal Policy Statement</i> in a number of ways and areas within the Plan such as the objectives and policies including (but not limited to) Objective 6 [Natural character], Policy 9 [Natural character and natural features and landscapes] and Policy 10 [Restoration of natural character].</p> <p>The Council further declines cross referencing external documents within the definitions as this creates uncertainty if the <i>New Zealand Coastal Policy Statement</i> is revised or amended during the life of the Plan.</p> |
| <b>Definition – Natural feature</b>            |                  |   |   |
| 29 – Department of Conservation                | 1227             | <p><b>Amend</b></p> <p>Submitter seeks amendment to the definition of “<i>natural feature</i>” to better reflect Policy 15(c) of the <i>New Zealand Coastal Policy Statement</i>.</p>   | <p><b>Decline</b></p> <p>The Council declines the relief sought by the submitter and note that the definition of “<i>natural feature</i>” encompasses those elements and characteristic identified in Policy 15 of the <i>New Zealand Coastal Policy Statement</i>.</p>   |
| Further submissions – Meridian Energy Ltd (20) |                  | Support   |   |

| Submitter                                     | Submission point | Submitter's requests   | Council's response and decisions  |
|---|------------------|--|---|
| Further submissions – Port Taranaki Ltd (32)  |                  | Support in part  | The Council notes that Policy 15 of the <i>New Zealand Coastal Policy Statement</i> includes a list of features, characteristics and values that are components of a natural landscape which are either part of the physical character of the area (such as natural science factors, presence of water, vegetation and presence of wildlife), the perceptions of that character or associations with that area (such as the legibility or expressiveness of those characters, their aesthetic values, memorability and wild or scenic values), and cultural spiritual, historical and heritage associations (such as values of tangata whenua and historic heritage associations).  |
| Further submissions – Powerco (45)            |                  | Oppose   |   |
| 43 – Royal Forest and Bird Protection Society | 1228             | <p><b>Amend</b></p> <p>Amend definition of “<i>natural feature</i>” to include in the definition that protection of natural character of the coastal environment as set out in Policy 15 of the <i>New Zealand Coastal Policy Statement</i>.</p> | <p><b>Decline</b></p> <p>The Council declines the relief sought by the submitter. The Council does not believe it is necessary to paraphrase the <i>New Zealand Coastal Policy Statement</i> policies in the Plan. The Council suggests the definition as proposed reflects most people's understanding of what is a “<i>natural feature</i>” and to amend the definition to paraphrase those elements set out in Policy 15 of the <i>New Zealand Coastal Policy Statement</i> risks making the Plan overly verbose.</p> <p>Notwithstanding the above, the Council notes that elsewhere in the Plan, provisions apply to give effect to Policy 15 of the <i>New Zealand Coastal Policy Statement</i>, e.g. Objective 7 [Natural features and landscapes] and Policy 9 [Natural character and natural features and landscapes]. The Council further notes that other objectives and policies contribute to giving effect to Policy 15 of the <i>New Zealand Coastal Policy Statement</i> by identifying and protecting independent values identified as natural features (for example, policies protecting indigenous biodiversity, historic heritage, relationships of tangata whenua with the coastal environment and amenity values).</p> <p>The Council further declines cross referencing external documents within the definitions as this creates uncertainty if the <i>New Zealand Coastal Policy Statement</i> is revised or amended during the life of the Plan.</p> |



| Submitter   | Submission point | Submitter's requests  | Council's response and decisions  |
|---|------------------|---|---|
| <b>Definition – Natural landscape</b>                 |                  |   |   |
| 43 – Royal Forest and Bird Protection Society         | 1229             | <b>Amend</b>  | <b>Decline</b>  |
|   |                  | Submitter seeks amendment to the definition of “ <i>natural landscape</i> ” to include in the definition that protection of natural character of the coastal environment is set out in Policy 15 of the <i>New Zealand Coastal Policy Statement</i> . | The Council declines the relief sought. The Council does not consider it necessary for the definition to specifically reference Policy 15 of the <i>New Zealand Coastal Policy Statement</i> and risks making the Plan overly verbose, particularly if this approach is adopted for other terms used in the <i>New Zealand Coastal Policy Statement</i> . |
| Further submissions – Port Taranaki Ltd (32)          |                  | Oppose  |   |
| <b>Definition – Naturally rare or originally rare</b> |                  |   |   |
| 43 – Royal Forest and Bird Protection Society         | 1230             | <b>Support</b>  | <b>Accept</b>   |
|   |                  | Retain definition of “ <i>naturally rare or originally rare</i> ” as notified.  | Definition of “ <i>naturally rare or originally rare</i> ” is retained as notified.   |
| <b>Definition – Network utility</b>                   |                  |   |   |
| 12 – Chorus New Zealand Limited                       | 1231             | <b>Support</b>  | <b>Accept</b>   |
|   |                  | Retain the definition of “ <i>network utility</i> ” as notified.  | Definition of “ <i>network utility</i> ” is retained as notified, however, a minor and inconsequential amendment is recommended to include a footnote that references Section 166 of the RMA to assist Plan users.  |
| 13 – Spark New Zealand Trading Limited                | 1232             | <b>Support</b>  | <b>Accept</b>   |
|   |                  | Retain the definition of “ <i>network utility</i> ” as notified.  | Definition of “ <i>network utility</i> ” is retained as notified, however, a minor and inconsequential amendment is recommended to include a footnote that references Section 166 of the RMA to assist Plan users.  |
| 14 – Vodafone New Zealand Limited                     | 1233             | <b>Support</b>  | <b>Accept</b>   |
|   |                  | Retain the definition of “ <i>network utility</i> ” as notified.  | Definition of “ <i>network utility</i> ” is retained as notified, however, a minor and inconsequential amendment is recommended to include a footnote that references Section 166 of the RMA to assist Plan users.  |
|   | 1234             | <b>Support</b>  | <b>Accept</b>   |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions  |
|---|------------------|---|---|
| 43 – Royal Forest and Bird Protection Society             |                  | Retain the definition of “ <i>network utility</i> ” as notified.  | Definition of “ <i>network utility</i> ” is retained as notified, however, a minor and inconsequential amendment is recommended to include a footnote that references Section 166 of the RMA to assist Plan users.  |
| 45 – Powerco  | 1235             | <b>Support</b><br>Retain the definition of “ <i>network utility</i> ” as notified.  | <b>Accept</b><br>Definition of “ <i>network utility</i> ” is retained as notified, however, a minor and inconsequential amendment is recommended to include a footnote that references Section 166 of the RMA to assist Plan users.   |
| Further submissions – Transpower NZ Ltd (26)              |                  | Support   |   |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd        | 1236             | <b>Support</b><br>Retain the definition of “ <i>network utility</i> ” as notified.  | <b>Accept</b><br>Definition of “ <i>network utility</i> ” is retained as notified, however, a minor and inconsequential amendment is recommended to include a footnote that references Section 166 of the RMA to assist Plan users.   |
| 59 – KiwiRail   | 1237             | <b>Support</b><br>Retain the definition of “ <i>network utility</i> ” as notified.  | <b>Accept</b><br>Definition of “ <i>network utility</i> ” is retained as notified, however, a minor and inconsequential amendment is recommended to include a footnote that references Section 166 of the RMA to assist Plan users.   |
| <b>Definition – Offshore installation or installation</b> |                  |   |   |
| 43 – Royal Forest and Bird Protection Society             | 1238             | <b>Support</b><br>Retain the definition of “ <i>offshore installation or installation</i> ” as notified.  | <b>Accept</b><br>Definition of “ <i>offshore installation or installation</i> ” is retained as notified.  |
| <b>NEW definition – Operational requirement</b>           |                  |   |   |
| 47 – Fonterra   | 1239             | <b>Amend</b><br>Submitter seeks amendment to the Plan to include a new definition for “operational requirement” to read:<br><u><i>Operational requirement means the requirement for a proposal or activity to traverse, locate or operate in a particular environment because of technical or operational characteristics or constraints.</i></u> | <b>Grant in kind</b><br>Submitter requests amendment to the Plan to include a definition for “ <i>operational requirement</i> ” as a consequential amendment as a result of amendments requested for Policy 5 [Appropriate use and development of the coastal environment] of the Plan. |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
|--|------------------|--|--|
| Further submissions – Royal Forest and Bird Protection Society (43)                    |                  | Oppose   | The Council agrees to granting the relief sought by the submitter in kind by including a new definition for “operational need”, which is aligned with the <i>National Planning Standards 2019</i> and reads as follows:<br><br><b><u>Operational need means the need for a proposal or activity to traverse, locate or operate in a particular environment because of technical or operational characteristics or constraints.</u></b> |
| Further submissions – Powerco (45), Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd (46) |                  | Oppose in part   |  |
| <b>Definition – Outstanding Value</b>  |                  |  |  |
| 43 – Royal Forest and Bird Protection Society  | 1240             | <b>Amend</b><br><br>Submitter seeks amendment to the definition of “ <i>Outstanding Value</i> ” to refer to areas identified under Policy 8 of the Plan.   | <b>No relief required</b><br><br>These areas are already identified within the definition of outstanding value with reference to Schedule 1 and 2 of the Plan. Schedules 1 and 2 are the main sources whereby Policy 8 also directs the reader to this location. Therefore, it is not necessary to also refer to Policy 8. The Council agrees to retaining the current wording of “ <i>outstanding value</i> ” as notified.            |
| <b>Definition – Petroleum</b>  |                  |  |  |
| 42 – Ngati Rahiri Hapū   | 1241             | <b>Amend</b><br><br>Submitter considers the definition of “ <i>petroleum</i> ” to be rather long-winded and that (a) and (b) could be combined to simply read:<br><br><i>[...] any naturally occurring hydrocarbon <b><u>or naturally occurring mixture of hydrocarbons</u></b> (other than coal) whether in a gaseous, liquid or solid state.</i> | <b>Accept</b><br><br>The Council agrees with the submitter and recommends granting the relief sought by amending the definition of “ <i>petroleum</i> ” to read:<br><br><i>[...] any naturally occurring hydrocarbon <b><u>or naturally occurring mixture of hydrocarbons</u></b> (other than coal) whether in a gaseous, liquid or solid state.</i>   |
| 43 – Royal Forest and Bird Protection Society  | 1242             | <b>Support</b><br><br>Retain the definition of “ <i>petroleum</i> ” as notified.   | <b>Accept</b><br><br>Definition of “ <i>petroleum</i> ” is retained subject to minor amendment in response to a relief sought by another submitter (refer submission point 1241).  |
| <b>Definition – Pipeline</b>   |                  |  |  |
| 42 – Ngati Rahiri Hapū   | 1243             | <b>Amend</b><br><br>Submitter seeks amendment to definition of “ <i>pipeline</i> ” to delete reference to machinery and tanks and read:  | <b>Decline</b><br><br>The submitter considers the definition of pipeline, as it stands, to be too broad. A pipeline does not mean all machinery, tanks and fittings connected to the pipeline. The submitter will accept that pipelines includes fittings connected to the line,   |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
|--|------------------|--|--|
|  |                  | [...] a pipeline constructed or used to convey any matter or substance, and includes all <i>machinery, tanks and fittings</i> connected to the pipeline.                       | <p>however other machinery and tanks should be removed from this definition and, if required, have their own definition.</p> <p>The Council considers a "pipeline" to encompass any equipment that aids the pipeline in the normal safe transportation of materials through that pipeline. The Council notes that there are no instances within the Plan where a pipeline would be considered separate from all equipment that aids in its operation and therefore consider it unnecessary, and potentially confusing for Plan users, to separate them within the definition. Further, this amendment would require additional consequential amendments throughout the Plan, to align the policies and rules to the new definitions, which the Council does not consider offers additional value in either the clarity or readability of the Plan.</p> <p>The Council declines the relief sought and retains the definition of "pipeline" as currently notified.</p> |
| 43 – Royal Forest and Bird Protection Society                            | 1244             | <p><b>Support</b></p> <p>Retain the definition of "pipeline" as notified.</p>  | <p><b>Accept</b></p> <p>Definition of "pipeline" retained as notified.</p>   |
| 45 – Powerco   | 1245             | <p><b>Support</b></p> <p>Retain the definition of "pipeline" as notified.</p>  | <p><b>Accept</b></p> <p>Definition of "pipeline" retained as notified.</p>   |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd                       | 1246             | <p><b>Support</b></p> <p>Retain the definition of "pipeline" as notified.</p>  | <p><b>Accept</b></p> <p>Definition of "pipeline" retained as notified.</p>   |
| <b>Definition – Port</b>   |                  |  |  |
| 43 – Royal Forest and Bird Protection Society                            | 1247             | <p><b>Amend</b></p> <p>Submitter seeks amendment of the definition of "Port" to state that the port is Port Taranaki</p> <p>OR</p> <p>Alternatively delete the definition.</p> | <p><b>Accept</b></p> <p>The submitter contends that the current definition does not make sense given the common meaning of port. The submitter suggests Policy 1 sets out that the "port" is Port Taranaki and states the definition would be clearer if it said it was the Port of Taranaki.</p> <p>The Council agrees to amending the definition of "Port" to read:</p>  |
| Further submissions – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd (46) |                  | Oppose in part   |  |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
|--|------------------|--|--|
| Further submissions – Port Taranaki Ltd (32)         |                  | Oppose   | <i>Port</i> refers to the coastal management area identified in Schedule 1 of the Plan <u>as Port Taranaki</u> .   |
| <b>Definition – Port Air Zone</b>                    |                  |  |  |
| 43 – Royal Forest and Bird Protection Society        | 1248             | <b>Amend</b><br>Submitter seeks amendment to the definition of “Port Air Zone” to state that it relates to Port Taranaki.  | <b>Accept</b><br>The Council agrees to amending the definition of “port air zone” to read:<br><i>Port air zone</i> <u>relates to Port Taranaki and is identified in</u> <del>refer to</del> Schedule 8 of the Plan.  |
| <b>Definition – Produced water</b>                   |                  |  |  |
| 42 – Ngati Rahiri Hapū                               | 1249             | <b>Amend</b><br>Submitter seeks amendment to the definition of “produced water” to read:<br><i>Produced water means water with <u>or without</u> high mineral or salt content associated with the production of oil and gas from reservoirs. It may include water, water that has been injected into the reservoir, and any chemicals added during the production/treatment/enhancement process.</i> | <b>Decline</b><br>Produced water is a specific by product of the petroleum industry. The characteristics of this by product are well known and anticipated due to the operational methods and associated products used during petroleum production. Produced water is a brine liquid that, due to the operational methods, will contain high mineral and/or salt content. It is therefore not necessary to include the possibility that the water may not contain high mineral or salt content. The Council considers this addition unnecessary and broadens the scope of the definition unreasonably. Therefore, the Council declines the relief sought and retains the definition of “produced water” as currently notified. |
| 43 – Royal Forest and Bird Protection Society        | 1250             | <b>Support</b><br>Retain the definition of “produced water” as notified.   | <b>Accept</b><br>Definition of “produced water” retained as notified.  |
| <b>Definition – Rare and uncommon ecosystem type</b> |                  |  |  |
| 43 – Royal Forest and Bird Protection Society        | 1251             | <b>Support</b><br>Retain the definition of “rare and uncommon ecosystem type” as notified.   | <b>Accept</b><br>Definition of “rare and uncommon ecosystems” retained as notified.  |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions   |
|---|------------------|---|--|
| <b>NEW Definition – Reclamation</b>                     |                  |   |  |
| 43 – Royal Forest and Bird Protection Society           | 1252             | <p><b>Amend</b></p> <p>Submitter seeks amendment to the definition of “reclamation” to read (or similar):</p> <p><i>The formation of permanent land located above mean high water springs that was formerly below the line of mean high water springs. Reclamation does not include:</i></p> <ol style="list-style-type: none"> <li><i>1. land that has arisen above the line of mean high-water springs as a result of natural processes, including accretion, or</i></li> <li><i>2. any infilling where the purpose is to provide beach nourishment, or</i></li> <li><i>3. structures such as breakwaters, moles, groynes or sea walls.</i></li> </ol>  | <p><b>Grant in kind</b></p> <p>The Council agrees to granting the relief sought by the submitter by amending the Plan to include a definition for “reclamation”, however, also consider aligning with the definition in the <i>National Planning Standards</i>, which reads as follows:</p> <p><i><b>Reclamation</b> means the manmade formation of permanent dry land by the positioning of material into or onto any part of a waterbody, bed of a lake or river or the coastal marine area; and</i></p> <p><i>(a) includes the construction of any causeway; but</i></p> <p><i>(b) excludes the construction of natural hazard protection structures such as seawalls, breakwaters or groynes except where the purpose of those structures is to form dry land.</i></p>   |
| Further submissions – Port Taranaki Ltd (32)            |                  | Oppose  |  |
| <b>Definition – Regionally distinctive</b>              |                  |   |  |
| 43 – Royal Forest and Bird Protection Society           | 1253             | <p><b>Support</b></p> <p>Retain the definition of “regionally distinctive” as notified.</p>   | <p><b>Accept</b></p> <p>The definition of “regionally distinctive” is retained as notified.</p>  |
| <b>Definition – Regionally important infrastructure</b> |                  |   |  |
| 12 – Chorus New Zealand Limited                         | 1254             | <p><b>Amend</b></p> <p>Submitter seeks amendment to the definition of “regionally important infrastructure” so that it preferably refers only to “infrastructure” and to read as follows:</p> <p><del>Regionally important infrastructure means infrastructure of regional and/or national importance and is</del> includes:</p> <ol style="list-style-type: none"> <li><i>(a) Port Taranaki and its approaches and on-going development to meet changing operational needs;</i></li> <li><i>(b) facilities and arterial pipelines for the supply or distribution of minerals including oil and gas and their derivatives;</i></li> <li><i>(c) the national electricity grid, as defined by the Electricity Industry Act 2010;</i></li> </ol> | <p><b>Accept in part</b></p> <p>The intent of this definition is to specifically highlight infrastructure that the Council considers to be of added significance to the economic and social wellbeing of Taranaki and New Zealand and which, through policies and rules, should be recognised and provided for. This definition has been intentionally constrained to only include specific infrastructures and exclude others. It is therefore considered inappropriate to broaden the term to encompass all “infrastructure”.</p> <p>Notwithstanding the above, the Council agrees to granting that part of the relief sought by the submitter to amend (h) and (i) by deleting reference to strategic facilities. The Council agrees to making that part of the change to better align with terminology adopted in relevant legislation relating to those facilities.</p> |



| Submitter                              | Submission point | Submitter's requests   | Council's response and decisions  |
|--|------------------|--|---|
|  |                  | <p>(d) facilities for the generation and/or transmission of electricity where it is supplied to the national electricity grid and/or the local electricity distribution network, including supply within the local electricity distribution network;</p> <p>(e) defence facilities;</p> <p>(f) flood protection works;</p> <p>(g) infrastructure associated with the safe and efficient operation of state highways and the rail network;</p> <p>(h) <b>strategic</b> telecommunications <b>facilities</b>, as defined in section 5 of the Telecommunications Act 2001;</p> <p>(i) <b>strategic</b> radiocommunications <b>facilities</b> as defined in section 2(1) of the Radio Communications Act 1989;</p> <p>(j) New Plymouth airport, including flight paths;</p> <p>(k) arterial pipelines and pumping stations for the distribution of potable water and water treatment plants; and</p> <p>(l) arterial pipelines and pumping stations for the collection of wastewater and stormwater, and wastewater treatment plants.</p> <p>OR</p> <p>amend the definition of "regionally important infrastructure" as follows:<br/> Regionally important infrastructure means infrastructure of regional and/or national importance and is:<br/> [...]<br/> (h) <b>strategic</b> telecommunications <b>facilities</b>, as defined in section 5 of the Telecommunications Act 2001;<br/> (i) <b>strategic</b> radiocommunications <b>facilities</b> as defined in section 2(1) of the Radio Communications Act 1989 [...]</p> |   |
| 13 – Spark New Zealand Trading Limited | 1255             | <p><b>Amend</b></p> <p>Submitter seeks amendment to the definition of "regionally important infrastructure" so that it preferably refers only to "infrastructure" and to read as follows:<br/> <del>Regionally important infrastructure means infrastructure of regional and/or national importance and is</del> includes:<br/> (a) Port Taranaki and its approaches and on-going development to meet changing operational needs;</p>  | <p><b>Accept in part</b></p> <p>The intent of this definition is to specifically highlight infrastructure that the Council considers to be of added significance to the economic and social wellbeing of Taranaki and New Zealand and which through policies and rules should be recognised and provided for. This definition has been intentionally constrained to only include specific infrastructures and exclude others. It is therefore considered inappropriate to broaden the term to encompass all "infrastructure".</p> |

| Submitter                     | Submission point | Submitter's requests   | Council's response and decisions   |
|-------------------------------|------------------|--|--|
|                               |                  | <p>(b) facilities and arterial pipelines for the supply or distribution of minerals including oil and gas and their derivatives;</p> <p>(c) the national electricity grid, as defined by the Electricity Industry Act 2010;</p> <p>(d) facilities for the generation and/or transmission of electricity where it is supplied to the national electricity grid and/or the local electricity distribution network, including supply within the local electricity distribution network;</p> <p>(e) defence facilities;</p> <p>(f) flood protection works;</p> <p>(g) infrastructure associated with the safe and efficient operation of state highways and the rail network;</p> <p>(h) <b>strategic</b> telecommunications <b>facilities</b>, as defined in section 5 of the Telecommunications Act 2001;</p> <p>(i) <b>strategic</b> radiocommunications <b>facilities</b> as defined in section 2(1) of the Radio Communications Act 1989;</p> <p>(j) New Plymouth airport, including flight paths;</p> <p>(k) arterial pipelines and pumping stations for the distribution of potable water and water treatment plants; and</p> <p>(l) arterial pipelines and pumping stations for the collection of wastewater and stormwater, and wastewater treatment plants.</p> <p>OR</p> <p>amend the definition of “regionally important infrastructure” as follows:<br/> Regionally important infrastructure means infrastructure of regional and/or national importance and is:<br/> [...]</p> <p>(h) <b>strategic</b> telecommunications <b>facilities</b>, as defined in section 5 of the Telecommunications Act 2001;</p> <p>(i) <b>strategic</b> radiocommunications <b>facilities</b> as defined in section 2(1) of the Radio Communications Act 1989 [...]</p> | <p>However, the Council agrees to granting that part of the relief sought by the submitter to amend (h) and (i) by deleting reference to strategic facilities. The Council agrees to making that part of the change to better align with terminology adopted in relevant legislation relating to those facilities.</p> |
| 14 – Vodafone New Zealand Ltd | 1256             | <p><b>Amend</b></p> <p>Submitter seeks amendment to the definition of “regionally important infrastructure” so that it preferably refers only to “infrastructure” and to read as follows:</p>  | <p><b>Accept in part</b></p> <p>The intent of this definition is to specifically highlight infrastructure that the Council considers to be of added significance to the economic and social wellbeing of Taranaki and New Zealand and which through policies and rules should be</p>                                   |

| Submitter | Submission point | Submitter's requests  | Council's response and decisions  |
|-----------|------------------|---|---|
|           |                  | <p><del>Regionally important</del> infrastructure <del>means infrastructure of regional and/or national importance and is</del> includes:</p> <p>(a) Port Taranaki and its approaches and on-going development to meet changing operational needs;</p> <p>(b) facilities and arterial pipelines for the supply or distribution of minerals including oil and gas and their derivatives;</p> <p>(c) the national electricity grid, as defined by the Electricity Industry Act 2010;</p> <p>(d) facilities for the generation and/or transmission of electricity where it is supplied to the national electricity grid and/or the local electricity distribution network, including supply within the local electricity distribution network;</p> <p>(e) defence facilities;</p> <p>(f) flood protection works;</p> <p>(g) infrastructure associated with the safe and efficient operation of state highways and the rail network;</p> <p>(h) <del>strategic</del> telecommunications <del>facilities</del>, as defined in section 5 of the Telecommunications Act 2001;</p> <p>(i) <del>strategic</del> radiocommunications <del>facilities</del> as defined in section 2(1) of the Radio Communications Act 1989;</p> <p>(j) New Plymouth airport, including flight paths;</p> <p>(k) arterial pipelines and pumping stations for the distribution of potable water and water treatment plants; and</p> <p>(l) arterial pipelines and pumping stations for the collection of wastewater and stormwater, and wastewater treatment plants.</p> <p>OR</p> <p>amend the definition of "regionally important infrastructure" as follows:</p> <p>Regionally important infrastructure means infrastructure of regional and/or national importance and is:</p> <p>[...]</p> <p>(h) <del>strategic</del> telecommunications <del>facilities</del>, as defined in section 5 of the Telecommunications Act 2001;</p> <p>(i) <del>strategic</del> radiocommunications <del>facilities</del> as defined in section 2(1) of the Radio Communications Act 1989 [...]</p> | <p>recognised and provided for. This definition has been intentionally constrained to only include specific infrastructures and exclude others. It is therefore considered inappropriate to broaden the term to encompass all "infrastructure".</p> <p>Notwithstanding the above, the Council agrees to granting that part of the relief sought by the submitter to amend (h) and (i) by deleting reference to strategic facilities. The recommended amendments better align with terminology adopted in relevant legislation relating to those facilities.</p> |

| Submitter                          | Submission point | Submitter's requests  | Council's response and decisions   |
|------------------------------------|------------------|---|--|
| 23 – New Plymouth District Council | 1257             | <b>Support</b>  | <b>Accept</b>  |
|                                    |                  | Retain (k) and (l) in the definition of “regionally important infrastructure”.  | Clauses (k) and (l) in the definition of “regionally important infrastructure” are retained as notified.   |
| 26 – Transpower NZ Ltd             | 1258             | <b>Amend</b>  | <b>Decline</b>   |
|                                    |                  | <p>Submitter seeks amendment to the definition of “regionally important infrastructure” throughout the Plan to refer to “regionally significant infrastructure”</p> <p>AND</p> <p>That the reference to the National Grid be amended to read:</p> <p>(c) the <del>National electricity Grid</del>, <u>being the assets used or owned by Transpower New Zealand Limited as defined by the Electricity Industry Act 2010</u>;</p> <p>AND</p> <p>That a new definition of “National Grid” is added to the Definition Chapter as follows:</p> <p><u>National Grid means the assets used or owned by Transpower New Zealand Limited.</u></p> | <p>The Council declines the relief sought to amend the Plan to refer to “regionally significant infrastructure” rather than “regionally important infrastructure” in the interests of aligning terminology with other regions (noting that similar terminology has been adopted in other recent second generation plans).</p> <p>The Council also decline requested amendments to (c) as the definition should be directly aligned to specific legislation rather than any particular company. This allows the definition to be future proofed in the event that Transpower NZ Ltd is no longer the National Grid provider or the company’s name changes.</p> <p>The Council notes that reference to the National Grid has not been used within the Plan outside of the definition of “regionally important infrastructure”, and do not believe a definition is necessary.</p> |
| 33 – New Zealand Defence Force     | 1259             | <b>Support</b>  | <b>Accept</b>  |
|                                    |                  | Retain the definition of “regionally important infrastructure” as notified, particularly (e) which refers to defence facilities.  | Clause (e) of “regionally important infrastructure” is retained as notified.   |
| 35 – Radio New Zealand Ltd         | 1260             | <b>Amend</b>  | <b>Accept</b>  |
|                                    |                  | <p>Submitter seeks amendment to the definition of “regionally important infrastructure” as follows:</p> <p><i>Regionally important infrastructure means infrastructure of regional and/or national importance and is:</i></p> <p>[..]</p> <p>(i) <del>strategic radio communications</del> <u>radiocommunications</u> facilities as defined in section 2(1) of the Radiocommunications Act 1989 [...]</p>   | <p>The reason for including “strategic” radiocommunications facilities within the definition for “regionally important infrastructure” is to highlight those essential radiocommunications facilities that provide an essential national or regional service and to differentiate these from less critical facilities.</p> <p>Notwithstanding the above, the Council agrees to granting the relief sought by the submitter seeking amendments to (i) to delete reference to strategic facilities. The recommended changes better align with terminology adopted in relevant legislation relating to those facilities.</p>  |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
|--|------------------|--|---|
| 37 – Petroleum Exploration and Production Association of NZ              | 1261             | <p><b>Amend</b></p> <p>Submitter seeks amendment to the definition of “regionally important infrastructure” to read:</p> <p><i>Regionally important infrastructure means infrastructure of regional and/or national importance and is:</i></p> <p>[...]</p> <p>(c) facilities and arterial pipelines for the supply, <u>storage</u> or distribution of minerals including oil and gas and their derivatives; [...]</p> | <p><b>Accept</b></p> <p>The Council agrees to amending Clause (c) of the definition of “regionally important infrastructure” to include the storage of minerals including oil and gas and their derivatives as requested by the submitter to read:</p> <p><i>Regionally important infrastructure means infrastructure of regional and/or national importance and is:</i></p> <p>[...]</p> <p>(b) facilities and arterial pipelines for the supply, <u>storage</u> or distribution of minerals including oil and gas and their derivatives; [...]</p>  |
| Further submissions – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd (46) |                  | Neutral  |   |
| 43 – Royal Forest and Bird Protection Society                            | 1262             | <p><b>Support</b></p> <p>Retain the definition of “regionally important infrastructure” as notified.</p>   | <p><b>Accept in part</b></p> <p>The definition of “regionally important infrastructure” is retained subject to minor amendments sought by other submitters.</p> <p>At the hearing, the submitter opposed the inclusion of “storage” in the amended definition of “regionally important infrastructure” and sought that the definition return to its notified version. However, the Council considers that the definition addressing facilities and arterial pipelines for, amongst other things, the storage of minerals is entirely appropriate.</p> |
| Further submissions – Te Atiawa (58)                                     |                  | Support  |   |
| 45 – Powerco   | 1263             | <p><b>Support</b></p> <p>Retain the definition of “regionally important infrastructure” as notified but adopt the term “regionally significant infrastructure” (instead of the term “regionally important infrastructure”) to ensure consistency between the Plan and other planning documents such as the Regional Policy Statement.</p>  | <p><b>Decline</b></p> <p>The Council declines the relief sought to amend the Plan to refer to “regionally significant infrastructure” rather than “regionally important infrastructure” in the interests of aligning terminology with other regions (noting that similar terminology has been adopted in other recent second generation plans).</p>   |
| Further submissions – Port Taranaki Ltd (32)                             |                  | Support in part  |   |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd                       | 1264             | <p><b>Support</b></p> <p>Retain the definition of “regionally important infrastructure” as notified but adopt the term “regionally significant infrastructure” (instead of the term “regionally important infrastructure”) to ensure consistency between the Plan and other planning documents such as the Regional Policy Statement.</p>  | <p><b>Accept</b></p> <p>The Council declines the relief sought to amend the Plan to refer to “regionally significant infrastructure” rather than “regionally important infrastructure” in the interests of aligning terminology with other regions (noting that similar terminology has been adopted in other recent second generation plans).</p>  |



| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
|--|------------------|--|--|
| 59 – KiwiRail                                      | 1265             | <b>Support</b>   | <b>Accept</b>  |
|  |                  | Retain the definition of “regionally important infrastructure” as notified.  | The definition of “regionally important infrastructure” is retained subject to minor amendments sought by other submitters.  |
| <b>Definition – Repair</b>                         |                  |  |  |
| 43 – Royal Forest and Bird Protection Society      | 1266             | <b>Amend</b>   | <b>Accept</b>  |
|  |                  | Submitter seeks amendment to the Plan by deleting the definition of “repair”:<br><del>Repair means reconstruction.</del> | The submitter suggests that repair is a key aspect of maintenance and must be included within that definition.<br><br>The Council agrees to granting the relief sought. Repairs are a type of maintenance activity and the standalone definition should be deleted. Consequential amendments are also necessary to the definition of maintenance and associated rules. |
| 45 – Powerco                                       | 1267             | <b>Amend</b>   | <b>Accept</b>  |
|  |                  | Submitter seeks amendment to the Plan by deleting the definition of “repair”:<br><del>Repair means reconstruction.</del> | The submitter suggests that repair is a type of maintenance activity and that the standalone definition should be deleted.<br><br>The Council agrees to granting the relief sought. Consequential amendments are also necessary to the definition of maintenance and associated rules.   |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd | 1268             | <b>Amend</b>   | <b>Accept</b>  |
|  |                  | Submitter seeks amendment to the Plan by deleting the definition of “repair”:<br><del>Repair means reconstruction.</del> | The submitter suggests that repair is a type of maintenance activity and that the stand-alone definition should be deleted.<br><br>The Council agrees to granting the relief sought. Consequential amendments are also necessary to the definition of maintenance and associated rules.  |
| 47 – Fonterra                                      | 1269             | <b>Support</b>   | <b>Decline</b>   |
|  |                  | Retain the definition of “repair”.   | Several submitters have requested deletion of the definition of “repair”. The Council agrees to the deletion of the term and declines the relief sought by the submitter.  |
| Further submissions – Port Taranaki Ltd (32)       |                  | Support  |  |



| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
|--|------------------|---|--|
| 57 – Heritage New Zealand                          | 1270             | <p><b>Amend</b></p> <p>Submitter seeks amendment to the Plan by changing the definition of “repair” to read:</p> <p><i>Repair means reconstruction. Repair (of historic heritage) means the restoration to good or sound condition of any existing structure (or any part of an existing structure) for the purpose of its maintenance.</i></p>   | <p><b>Accept in part</b></p> <p>Several submitters have requested deletion of the definition of “repair” to which the Council agrees. Repair is proposed to be addressed under an amended definition for “maintenance” which, in part, addresses the suggestion made by the submitter, however, in relation to this Plan, is not limited by its application to historic heritage.</p>  |
| <b>Definition – Reverse sensitivity</b>            |                  |   |  |
| 43 – Royal Forest and Bird Protection Society      | 1271             | <p><b>Support</b></p> <p>Retain the definition of “reverse sensitivity” as notified.</p>  | <p><b>Grant in kind</b></p> <p>Support noted. The definition of reverse sensitivity is recommended to be amended in order to provide more clear direction to Plan users. However, the intent and scope of the definition is retained.</p>  |
| Further submissions – Port Taranaki Ltd (32)       |                  | Support   |  |
| 45 – Powerco                                       | 1272             | <p><b>Amend</b></p> <p>Submitter seeks amendment to the definition of “reverse sensitivity” to read:</p> <p><i>Reverse sensitivity refers to the potential for the operation of an existing effects of sensitive activities on other lawfully established activity yes to be constrained or curtailed by the more recent establishment or intensification of other activities which are sensitive to the proposed activity in their vicinity.</i></p> | <p><b>Accept</b></p> <p>A range of activities may be susceptible to reverse sensitivity effects. As drafted, it could be interpreted that only sensitive activities, for instance residential activities, care facilities, and the like could be affected in this way. This does not recognise that other activities may also be affected. The submitter has suggested amendments to the definition that retain its intent but provides added clarity and minimises potential for misinterpretation.</p> <p>The Council agrees that the definition for “reverse sensitivity” is ambiguous and potentially confusing. The Council agrees to amending the definition to read as follows:</p> <p><i>Reverse sensitivity refers to the potential for the operation of an existing lawfully established activity to be constrained or curtailed by the more recent establishment or intensification of other activities which are sensitive to the existing activity.</i></p> |
| Further submissions – Federated Farmers (2)        |                  | Support in part   |  |
| Further submissions – Transpower NZ Ltd (26)       |                  | Support   |  |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd | 1273             | <p><b>Amend</b></p> <p>Submitter seeks amendment to the definition of “reverse sensitivity” to read:</p> <p><i>Reverse sensitivity refers to the potential for the operation of an existing effects of sensitive activities on other lawfully established activity yes to be constrained or</i></p>   | <p><b>Accept</b></p> <p>A range of activities may be susceptible to reverse sensitivity effects. As drafted, the submitter believes that the definition could be interpreted that only sensitive activities, for instance residential activities, care facilities, and the like could be</p>   |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions  |
|---|------------------|--|---|
|   |                  | <u>curtailed by the more recent establishment or intensification of other activities which are sensitive to the proposed activity in their vicinity.</u>   | affected in this way. This does not recognise that other activities may also be affected. The submitter has suggested amendments to the definition that retain its intent but provides added clarity and minimises potential for misinterpretation.   |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Atiawa (58) |                  | Oppose   | The Council agrees that the definition for “reverse sensitivity” is ambiguous and potentially confusing. The Council agrees to amending the definition to read as follows:<br><br><i>Reverse sensitivity refers to <u>the potential for the operation of an existing lawfully established activity to be constrained or curtailed by the more recent establishment or intensification of other activities which are sensitive to the existing activity.</u></i> |
| <b>Definition – Seascape</b>  |                  |  |   |
| 43 – Royal Forest and Bird Protection Society                         | 1274             | <b>Support</b><br><br>Retain the definition of “seascape” as notified.   | <b>Accept</b><br><br>Definition of “seascape” is retained as notified.  |
| <b>Definition – Sensitive marine benthic habitats</b>                 |                  |  |   |
| 43 – Royal Forest and Bird Protection Society                         | 1275             | <b>Support</b><br><br>Retain the definition of “sensitive marine benthic habitats” as notified.  | <b>Accept</b><br><br>Definition of “sensitive marine benthic habitats” as notified.   |
| <b>Definition – Sewage</b>  |                  |  |   |
| 42 – Ngati Rahiri Hapū  | 1276             | <b>Amend</b><br><br>Submitter seeks amendment to the definition of “sewage” to read:<br><i>Sewage means: drainage and other wastes from any form of toilet, urinal and <del>WC</del> <u>water closet</u> scupper [...]</i> | <b>Grant in kind</b><br><br>The Council agrees to consequential amendments to align with the definition of “sewage” in the <i>National Planning Standards 2019</i> to read as follows:<br><b>Sewage means <u>human excrement and urine.</u></b>   |
| 43 – Royal Forest and Bird Protection Society                         | 1277             | <b>Support</b><br><br>Retain the definition of “sewage” as notified.   | <b>Decline</b><br><br>The Council agrees to retaining the definition of sewage but notes consequential amendments to align with the definition of “sewage” in the <i>National Planning Standards 2019</i> to read:<br><b>Sewage means <u>human excrement and urine.</u></b><br><br>The Council notes that this amendment does not change the intent of the definition or the intent of its application within the Plan.   |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions   |
|---|------------------|--|--|
| <b>Definition – Significant indigenous biodiversity</b> |                  |  |  |
| 43 – Royal Forest and Bird Protection Society           | 1278             | <b>Support</b>   | <b>Accept</b>  |
|   |                  | Retain the definition of “ <i>significant indigenous biodiversity</i> ” as notified.   | Definition of “ <i>significant indigenous biodiversity</i> ” is retained as notified.  |
| <b>Definition – Silent files</b>                        |                  |  |  |
| 42 – Ngati Rahiri Hapū                                  | 1279             | <b>Amend</b>   | <b>Decline</b>   |
|   |                  | Submitter seeks amendment to the Plan to include a new definition for “ <i>silent files</i> ” added to describe those sites that iwi/hapū have identified but do not wish to disclose details or even the location of. | The Council does not believe that the use of the term “silent files” requires reference in the definitions section.<br><br>The term is generally understood by the public and does not take on any additional, or contrary meaning within the Plan. The location of its use within the Plan indicates that these files relate to iwi/hapū sites. The Council does not consider the addition of a definition for “ <i>silent files</i> ” to be necessary.   |
| <b>Definition – Stormwater</b>                          |                  |  |  |
| 43 – Royal Forest and Bird Protection Society           | 1280             | <b>Support</b>   | <b>Grant in kind</b>   |
|   |                  | Retain the definition of “ <i>stormwater</i> ” as notified.  | The Council agrees to retaining the definition of stormwater but note consequential amendments to align with the definition of “ <i>stormwater</i> ” in the <i>National Planning Standards 2019</i> to read:<br><br><i>Stormwater means runoff that has been channelled, diverted, intensified or accelerated by human modification of <u>a</u> land surface or runoff from the surface of any structure, as a result of precipitation and includes <u>any</u> contaminants <u>contained within</u>.</i> |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd      | 1281             | <b>Support</b>   | <b>Grant in kind</b>   |
|   |                  | Retain the definition of “ <i>stormwater</i> ” as notified.  | The Council agrees to retaining the definition of stormwater but note consequential amendments to align with the definition of “ <i>stormwater</i> ” in the <i>National Planning Standards 2019</i> to read:<br><br><i>Stormwater means runoff that has been channelled, diverted, intensified or accelerated by human modification of <u>a</u> land surface or runoff from the surface of any structure, as a result of precipitation and includes <u>any</u> contaminants <u>contained within</u>.</i> |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions   |
|---|------------------|--|--|
| <b>Definition – Structure</b>                     |                  |  |  |
| 45 – Powerco                                      | 1282             | <b>Support</b>   | <b>Accept</b>  |
|   |                  | Retain the definition of “ <i>structure</i> ” as notified.   | Definition of “ <i>structure</i> ” is retained as notified.  |
| <b>Definition – Surf break</b>                    |                  |  |  |
| 43 – Royal Forest and Bird Protection Society     | 1283             | <b>Support</b>   | <b>Accept</b>  |
|   |                  | Retain the definition of “ <i>surf break</i> ” as notified.  | Definition of “ <i>surf break</i> ” is retained as notified.   |
| <b>Definition – Surfable wave</b>                 |                  |  |  |
| 43 – Royal Forest and Bird Protection Society     | 1284             | <b>Support</b>   | <b>Accept</b>  |
|   |                  | Retain the definition of “ <i>surfable wave</i> ” as notified.   | Definition of “ <i>surfable wave</i> ” is retained as notified.  |
| <b>Definition – Synthetic based drilling muds</b> |                  |  |  |
| 43 – Royal Forest and Bird Protection Society     | 1285             | <b>Support</b>   | <b>Accept</b>  |
|   |                  | Retain the definition of “ <i>synthetic based drilling muds</i> ” as notified.   | Definition of “ <i>synthetic based drilling muds</i> ” is retained as notified.  |
| <b>Definition – Tangata whenua</b>                |                  |  |  |
| 42 – Ngati Rahiri Hapū                            | 1286             | <b>Amend</b>   | <b>Decline</b>   |
|   |                  | Submitter seeks amendment to the definition of “ <i>tangata whenua</i> ” to read:<br><i>Tangata whenua* in relation to a particular area, means the iwi, or hapū, <u>or whanau</u> that holds mana whenua over the area.</i> | The RMA sets out the legislative definition of tangata whenua from which the Plan takes the definition from. The Council agrees to retaining the current definition of “ <i>tangata whenua</i> ” as notified to maintain consistency with the RMA as well as other regional and national plans.<br><br>Notwithstanding the above, the Council offer reassurance to the submitter that the definition does not exclude “ <i>whanau</i> ” but is implicit within the inclusion of hapū which is defined within the Plan and includes whanau. Refer to the amended definition of hapū for more information. |

| Submitter                                     | Submission point | Submitter's requests   | Council's response and decisions  |
|---|------------------|--|---|
| <b>Definition – Taonga</b>                    |                  |  |   |
| 42 – Ngati Rahiri Hapū                        | 1287             | <p><b>Amend</b></p> <p>Submitter seeks amendment to the definition of “<i>taonga</i>” to include iwi, hapū and whanau, or perhaps generically, use the word Māori.</p> | <p><b>Grant in kind</b></p> <p>The submitter comments that currently the definition describes prized possessions of the tribe only.</p> <p>The Council has investigated the meaning of the word “<i>taonga</i>” and recommends simplifying the meaning to broaden it and not to refer to iwi, hapū, whanau or Māori as this is implicit. The revised definition reads as follows:</p> <p><i>Taonga means treasured and/or prized possession(s).</i></p> |
| <b>Definition – Threatened</b>                |                  |  |   |
| 43 – Royal Forest and Bird Protection Society | 1288             | <p><b>Support</b></p> <p>Retain the definition of “<i>threatened</i>” as notified.</p>   | <p><b>Accept</b></p> <p>The definition of “<i>threatened</i>” is retained as notified.</p>  |
| <b>Definition – Waihi taonga</b>              |                  |  |   |
| 42 – Ngati Rahiri Hapū                        | 1289             | <p><b>Amend</b></p> <p>Submitter seeks amendment to the Plan to include a new definition for “<i>wahi taonga</i>”.</p>   | <p><b>Accept</b></p> <p>The Council agrees to granting the relief sought by the submitter by including a definition of “<i>wahi taonga</i>” that reads as follows:</p> <p><i>Wahi taonga means a treasured location or place.</i></p>   |
| <b>Definition – Wastewater</b>                |                  |  |   |
| 43 – Royal Forest and Bird Protection Society | 1290             | <p><b>Support</b></p> <p>Retain the definition of “<i>wastewater</i>” as notified.</p>   | <p><b>Accept</b></p> <p>The definition of “<i>wastewater</i>” is retained as notified.</p>  |
| <b>Definition – Water based drilling muds</b> |                  |  |   |
| 43 – Royal Forest and Bird Protection Society | 1291             | <p><b>Support</b></p> <p>Retain the definition of “<i>water based drilling muds</i>” as notified.</p>  | <p><b>Accept</b></p> <p>The definition of “<i>water based drilling muds</i>” is retained as notified.</p>   |

| Submitter                                     | Submission point | Submitter's requests  | Council's response and decisions   |
|---|------------------|---|--|
| <b>Definition – Water quality</b>             |                  |   |  |
| 43 – Royal Forest and Bird Protection Society | 1292             | <b>Support</b>  | <b>Accept</b>  |
|   |                  | Retain the definition of “ <i>water quality</i> ” as notified.  | The definition of “ <i>water quality</i> ” is retained as notified.  |
| <b>Definition – Well</b>                      |                  |   |  |
| 32 – Port Taranaki Ltd                        | 1293             | <b>Amend</b>  | <b>Accept in part</b>  |
|   |                  | <p>Submitter seeks amendment to the definition of “<i>well</i>” to include wells and bores for other purposes, including for the purposes of geotechnical investigations</p> <p>AND</p> <p>provide for such investigations through a rule that permits test bores/wells for geotechnical investigative purposes subject to permitted conditions.</p> <p>The proposed definition of “<i>well</i>” would read as follows:</p> <p><b>Well</b> means a hole drilled for <i>geotechnical investigation or for</i> the purpose of exploring for, appraising or extracting hydrocarbons and includes:</p> <p>(a) any hole for injection purposes;</p> <p>(b) any down-hole pressure containing equipment; and</p> <p>(c) any pressure-containing equipment on top of the well.</p> | <p>The Council declines the relief sought in relation to “<i>well</i>” which is deliberately framed to capture drilling for hydrocarbon exploration and production only. However, the Council does agree to amending the Plan to include a new pathway for drilling for scientific purposes involving a Permitted, Controlled and Restricted Discretionary pathway depending on the activity and the coastal management areas. Rule 52 [Collection of benthic grab samples] (Permitted) has been amended to broaden the gateway and additional Controlled and Restrictive Discretionary rules follow as new Rules 52A and 52B.</p> |
| 43 – Royal Forest and Bird Protection Society | 1294             | <b>Support</b>  | <b>Accept</b>  |
|   |                  | Retain the definition of “ <i>well</i> ” as notified.   | The definition of “ <i>well</i> ” is retained as notified.   |
| <b>Definition – Wetland</b>                   |                  |   |  |
| 43 – Royal Forest and Bird Protection Society | 1295             | <b>Support</b>  | <b>Accept</b>  |
|   |                  | Retain the definition of “ <i>wetland</i> ” as notified.  | The definition of “ <i>wetland</i> ” is retained as notified.  |



## 4.9 Schedules and appendices

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
|--|------------------|--|---|
| <b>Schedule 1 – Coastal management areas</b>             |                  |  |   |
| 28 – Grant Knuckey                                       | 1296             | <b>Amend</b><br>Submitter seeks amendment to Schedule 1 of the Plan to identify two new marine spatial management areas – Wahi Tapu Areas and Wahi Taonga Areas.   | <b>Grant in kind</b><br>The Council does not consider it appropriate to include wāhi tapu and wāhi taonga as independent coastal management areas within Schedule 1.  |
| Further submissions – Te Korowai o Ngāruahine Trust (41) |                  | <b>Support</b>   | The Council has noted requests for amendments to the Plan to include reference to both wāhi tapu and wāhi taonga sites and have agreed to many of these requests provided it is within the correct context. Of note, Schedule 5B identifies sites of significance to Māori (and associated values) and should include wāhi tapu and wāhi taonga areas as identified by iwi or hapū. The Council are aware that this is not explicitly stated in Schedule 5B so agree to amending the introduction of Schedule 5B to read:<br><i>Schedule 5B - Sites of significance to Māori and associated values</i><br><i>This schedule identifies known sites with special cultural, spiritual, historical and traditional associations located within the coastal marine area. The Taranaki Regional Council is committed to working with iwi o Taranaki to identify all culturally significant sites that are located within the coastal marine area. Site locations area approximate only and are not intended to provide a definitive location or extent of a site. <u>These include those sites that are identified as wāhi tapu and wāhi taonga by the iwi and hapū.</u> [...]</i><br>In addition, the Council agrees to amending Schedule 5B to identify additional wāhi tapu and wāhi taonga sites identified through pre-hearing engagement by iwi and hapū. |
| 43 – Royal Forest and Bird Protection Society            | 1297             | <b>Amend</b><br>Submitter seeks amendment to Schedule 1 of the Plan by identifying significant indigenous biodiversity areas and add them as individual map links for each site, under the corresponding management area. Include information that sets out the values and characteristics that contribute to the significance of each area. | <b>Grant in kind</b><br>The Council notes that, although the Council does maintain information relating to significant indigenous biodiversity areas, there is a lack of comprehensive information relating to <u>all</u> significant indigenous biodiversity within the coastal marine area and that some information that exists may be better suited to sit outside of the Plan.   |
| Further submissions – Department of Conservation (29)    |                  | <b>Support</b>   | In relation to identifying 'significant indigenous biodiversity', the Council considers that the planning maps already largely identifies known sites of interest in the  |

| Submitter                                     | Submission point | Submitter's requests  | Council's response and decisions   |
|---|------------------|---|--|
|   |                  |   | <p>coastal marine area (noting that the identification of terrestrial sites in the coastal environment are considered the responsibility of the district councils). In particular, the Plan and associated planning maps identify for the coastal marine area the following areas with known significant indigenous biodiversity values:</p> <ul style="list-style-type: none"> <li>• Outstanding Value coastal management areas – Whitecliffs, Mimi Estuary, Paritutu, Ngā Motu (Sugar Loaf Islands), Tapuae, Hangatahua River, Oaonui (Sandy Bay), Kaupokonui, Kapuni, Whenuakura, Waipipi Dunes, Project Reef, North and South Traps, Waverley Beach, and Waitotara</li> <li>• Estuaries Unmodified coastal management areas – Urenui, Onaero, Waiongana, Oākura, Waingongoro, Tangahoe, and Manawapou estuaries</li> <li>• Estuaries Modified coastal management areas – Patea, Waiwhakaiho, and Waitara estuaries</li> <li>• Parininihi Marine Reserve</li> <li>• Ngā Motu/Sugar Loaf Islands Marine Protected Area</li> <li>• Tapuae Marine Reserve</li> <li>• All inshore reefs.</li> </ul> <p>Notwithstanding the above, the Council further agrees to amending the planning maps to better identify the aforementioned areas as significant indigenous biodiversity areas. The Council further agrees to amending the Plan and associated planning maps to identify additional spatial information relating to significant indigenous biodiversity in the coastal marine area, these being the marine mammal sanctuary and also the significant sea bird areas.</p> |
| 43 – Royal Forest and Bird Protection Society | 1298             | <p><b>Amend</b></p> <p>Submitter seeks amendment to Schedule 1 of the Plan by replacing the numbering (e.g. 1 to 5) so that each coastal management area is identified as (a) to (e) in a manner consistent with Policy 1 (a) to (e).</p> | <p><b>Accept</b></p> <p>The Council agrees to amending the numbering system of coastal management areas in Schedule 1 to reflect the same style used in Policy 1.</p>  |
| 47 – Fonterra                                 | 1299             | <p><b>Support</b></p> <p>Retain the classification of the coastal management area in the vicinity of Whareroa as Open Coast.</p>  | <p><b>Accept</b></p> <p>The classification of the coastal management area in the vicinity of Whareroa is retained as an Open Coast coastal management area as currently notified.</p>  |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
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| <b>Schedules 1 and 2 – Coastal management areas and areas of outstanding value</b> |                  |   |  |
| 21 – Climate Justice Taranaki  | 1300             | <p><b>Amend</b></p> <p>Submitter seeks amendment to Schedules 1 and 2 of the Plan to include and identify as coastal management areas of Outstanding Value based on the recommendation of Cawthron from the report <i>Sensitive habitats and threatened species in the Taranaki Coastal Marine Area (TCMA)</i>:</p> <ul style="list-style-type: none"> <li>• Patea Shoals</li> <li>• Rolling Ground.</li> </ul> <p>The submitter requests that the Council investigate the value of Graham Bank as this has potential to be an outstanding area.</p>  | <p><b>Decline</b></p> <p>The Council recognises the recommendation of the report to <u>consider</u> Patea Shoals and that the Council report by Cawthron (2016) described the Patea Shoals and Rolling Ground as “worth considering”. However, it is the opinion of Council that, at this point in time, there is insufficient information to confirm that ‘outstanding’ criteria have been met.</p> <p>With regards to the Graham Bank, as the submitter has recognised, there is insufficient information to determine whether this is an area of Outstanding Value. At present it is not within the scope of the Council to conduct an investigation into this location in time to determine its value prior to this Plan becoming fully operative.</p>   |
| Further submissions – Trans-Tasman Resources Ltd (6)                               |                  | Oppose in part  |  |
| 45 – Powerco   | 1301             | <p><b>Amend</b></p> <p>Submitter seeks amendment to Schedules 1 and 2 of the Plan by:</p> <ul style="list-style-type: none"> <li>• mapping the coastal environment line</li> <li>• ensuring that the extent of sensitive coastal management areas (outstanding areas, modified and unmodified estuaries) are appropriate having particular regard to existing infrastructure, including roads and overhead electricity lines</li> <li>• amending the corresponding descriptions of the coastal management areas throughout the Plan to recognise existing infrastructure in these sensitive areas to ensure it can be operated, maintained, and upgraded as appropriate.</li> </ul> | <p><b>Accept in part</b></p> <p>A number of submitters have requested to have the coastal environment defined by a line that recognises its extent.</p> <p>The Council agrees to granting the relief sought by referencing an ‘indicative coastal environment line in the planning maps and identifying the coastal environment on associated planning maps that are aligned with the coastal environment line identified in a district plan or proposed district plan (or their equivalent).</p> <p>The indicative nature of this line is to recognise that the coastal environment is a dynamic environment where process of can occur rapidly and induce change to the nature and character of the area and as such the coastal environment line may become redundant or inaccurate in the future due to these changes. The indicative line is useful for identifying whether a particular activity is likely to fall within the coastal environment, however, proper assessment of the location with regards to coastal features and processes may still be necessary from time to time to consider the nature of that location, including the relative significance of any coastal features and characteristics (such matters to be considered on a case-by-case basis through the consenting process).</p> <p>With regards to existing infrastructure, the location of infrastructure has been considered, however, the values associated with these locations are considered to</p> |
| Further submissions – Transpower NZ Ltd (26)                                       |                  | Support in part   |  |
| Further submissions – Fonterra (47)  |                  | Support   |  |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions  |
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|   |                  |  | <p>be high enough to afford the protections provided for within the Plan despite any infrastructure that may exist in their vicinity. Further, the Council considers it unnecessary and inappropriate to retrospectively amend the extent of any sensitive management areas or their descriptions to simply provide for existing infrastructure.</p> <p>The Council further note that areas of Outstanding Value are consistent with the extents of outstanding natural feature and landscapes identified by the New Plymouth District Council in the Draft District Plan and South Taranaki District Council. The Council seeks, as far as is practicable, alignment and consistency with other plans within the region.</p>   |
| 46 – Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd                  | 1302             | <p><b>Amend</b></p> <p>Submitter seeks amendment to Schedules 1 and 2 of the Plan by:</p> <ul style="list-style-type: none"> <li>• mapping the coastal environment line</li> <li>• ensuring that the extent of sensitive coastal management areas are appropriate having particular regard to existing infrastructure, particularly the landward edge of Nga Motu and Tapuae areas of outstanding value</li> <li>• amending the corresponding descriptions of the coastal management areas throughout the Plan to recognise existing infrastructure in these sensitive areas to ensure it can be operated, maintained, and upgraded as appropriate.</li> </ul> | <p><b>Accept in part</b></p> <p>A number of submitters have requested that the coastal environment be defined by a line that recognises its extent.</p> <p>The Council agrees to granting this relief subject to it being identified as the “indicative coastal environment line”. The indicative nature of this line is to recognise that the coastal environment is a dynamic environment where process of can occur rapidly and induce change to the nature and character of the area and as such the coastal environment line may become redundant or inaccurate in the future due to these changes. The line that is also aligned with the coastal environment line identified in a district plan or proposed district plan (or their equivalent) would be useful for identifying whether a particular activity is likely to fall within the coastal environment. However, proper assessment of the location with regards to coastal features and processes may be necessary from time to time to determine with complete assurance the coastal nature and characteristics of that location.</p> |
| Further submissions – Royal Forest and Bird Protection Society (43) |                  | Oppose   | <p>The Council further note that areas of Outstanding Value are consistent with the extents of outstanding natural feature and landscapes identified by the New</p>   |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
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|  |                  |  | <p>Plymouth District Council in the Draft District Plan and South Taranaki District Council. The Council seeks, as far as is practicable, alignment and consistency with other Plans within the region.</p> <p>The Council maintains that the descriptions of coastal management areas are appropriate and that the recognition of existing infrastructure is not necessary.</p>  |
| 61 – Te Rūnanga o Ngāti Ruanui Trust   | 1303             | <p><b>Amend</b></p> <p>Submitter seeks amendment to Schedules 1 and 2 of the Plan (and associated planning maps) to include and identify as coastal management areas Estuaries Unmodified:</p> <ul style="list-style-type: none"> <li>• Hauroto Stream</li> <li>• Waihi Stream</li> <li>• Katewheta Stream</li> <li>• Waikaikai Stream</li> <li>• Mangaroa Stream</li> <li>• Kaikura Stream</li> <li>• Whenuakura River</li> <li>• Manawapou River.</li> </ul> | <p><b>Accept in part</b></p> <p>The Council has assessed the requested locations and have determined that the majority of these streams (Huroto Stream, Waihi Stream, Katewheta Stream, Waikaikai Stream, Mangaroa Stream and Kaikura Stream), although they exist in generally unmodified environments, do not meet the requirement of scale (need to be large) and being permanently open to tidal movements.</p> <p>The Council notes that the flow of coastal water upstream of the river mouth depends upon tidal movements and there will be a salinity gradient decreasing upstream from the mouth of the river. The predominance of coastal processes is essential for river mouths to be recognised as estuaries (and thereby covered in the Coastal Plan rather than Freshwater Plan). Without these characteristics these locations cannot be considered estuaries irrespective of the low amounts of development.</p> <p>Notwithstanding the above, the Council notes that the Whenuakura River has been identified as an area of outstanding value and as a site of significance to Māori providing significant protections for this location. Further, the Manawapou River has also been identified as an unmodified estuary as requested by the submitter.</p> |
| <b>Schedule 2 – Coastal areas of outstanding value</b>   |                  |  |   |
| 6 – Trans-Tasman Resources Ltd   | 1304             | <p><b>Amend</b></p> <p>Submitter seeks amendment to Schedule 2 of the Plan to delete inclusion of the Project Reef (ONC6) as an area of outstanding value, including:</p> <ul style="list-style-type: none"> <li>• the reference to ONC6 and Map-link Map 42 on page 121;</li> <li>• the entire ONC6 Project Reef material on page 129; and</li> <li>• Map Link Map 42.</li> </ul>   | <p><b>Decline</b></p> <p>The Council declines the relief sought.</p> <p>The ONC 6 area was assessed under the outstanding natural character criteria and found to exhibit a very high degree of natural character in all assessment areas which include abiotic attributes (two large adjoining pinnacle reefs which are unusual features on a shelf region dominated by sand), biotic attributes (important kelp beds, a diverse range of fish and encrusting sponge species, and provides a valuable habitat for crayfish) and perceptual and experiential attributes (minimum human activity and the location experience maintains a high sense of wilderness and remoteness). “Very high” is the highest rating on a 7 point grading system and</p>   |
| Further submissions – Karen Pratt (9), South Taranaki Underwater Club (10), Department of Conservation |                  | Oppose   |   |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
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| (29), Te Rūnanga o Ngāti Mutunga (40), Royal Forest and Bird Protection Society (43), Nga Motu Marine Reserve Society Inc (44), Te Atiawa (58), Te Rūnanga o Ngāti Ruanui Trust (61) |                  |  | illustrates unequivocally that this as an area of outstanding natural character as currently determined. These individual assessment criteria contribute to the overall rating for the area as being "outstanding".<br><br>Further, the Council notes strong support for this inclusion from other submitters confirming these values. The Council agrees to maintaining ONC 6 as an area of outstanding natural character. |
| 9 – Karen Pratt  | 1305             | <b>Support</b>   | <b>Accept</b>   |
|  |                  | Support inclusion of the Project Reef (ONC6) as an area of outstanding value.  | Support noted.  |
| Further submissions – Nga Motu Marine Reserve Society Inc (44), Te Rūnanga o Ngāti Ruanui Trust (61)   |                  | Support  |   |
| 10 – South Taranaki Underwater Club  | 1306             | <b>Support</b>   | <b>Accept</b>   |
|  |                  | Support inclusion of the Project Reef (ONC6) as an area of outstanding value.  | Support noted.  |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Nga Motu Marine Reserve Society Inc (44), Te Atiawa (58), Te Rūnanga o Ngāti Ruanui Trust (61)                                |                  | Support  |   |
| 11 – Bruce Boyd  | 1307             | <b>Support</b>   | <b>Accept</b>   |
|  |                  | Support inclusion of the Project Reef (ONC6) as an area of outstanding value.  | Support noted.  |
| Further submissions – Nga Motu Marine Reserve Society Inc (44), Te Rūnanga o Ngāti Ruanui Trust (61)   |                  | Support  |   |
| 17 – David Pearce  | 1308             | <b>Amend</b>   | <b>Accept</b>   |
|  |                  | Submitter seeks amendment to boundaries of ONC 8 and ONFL 9 [Waitotara] as an area of outstanding value to exclude modified landscape and to align with South Taranaki's Proposed District Plan. | The Council agrees to aligning the extent of ONC 8 and ONFL 9 with South Taranaki District Council's Proposed District Plan recognising that the area to be excluded consists of highly modified scrub and farmland.  |
| Further submissions – Royal Forest and Bird Protection Society (43)  |                  | Oppose   |   |



| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
|--|------------------|---|--|
| 19 – South Taranaki District Council                 | 1309             | <b>Support</b>  | <b>Accept</b>  |
|  |                  | Notes support for aligning areas of outstanding value with South Taranaki's Proposed District Plan.   | Support noted.   |
| 21 – Climate Justice Taranaki                        | 1310             | <b>Amend</b>  | <b>Accept</b>  |
|  |                  | Submitter seeks amendment to boundaries of ONC 8 and ONFL9 [Waitotara] as an area of outstanding value to align with South Taranaki's Proposed District Plan.   | The Council agrees to granting the relief sought by the submitter by aligning the extent of ONC 8 and ONFL 9 with South Taranaki District Council's Proposed District Plan – recognising that the area to be excluded consists of highly modified scrub and farmland.  |
| Further submissions – Trans-Tasman Resources Ltd (6) |                  | Neutral in part   |  |
| 23 – New Plymouth District Council                   | 1311             | <b>Support</b>  | <b>Accept</b>  |
|  |                  | Submitter supports Schedule 2 as notified.  | Support noted.   |
| Further submissions – Port Taranaki Ltd (32)         |                  | Support   |  |
| 26 – Transpower NZ Ltd                               | 1312             | <b>Amend</b>  | <b>Decline</b>   |
|  |                  | Submitter seeks amendment to Schedule 2 of the Plan and associated planning maps so that the Indicative coastal marine area boundary line on Map 44 is retained, but the Outstanding Value area landward of the Indicative coastal marine area boundary line is moved to align with the Indicative coastal marine area boundary line. | <p>The Council declines the relief sought.</p> <p>The coastal marine area line does not delineate the maximum extent of the Coastal Plan. The Coastal Plan covers both the coastal marine area and the coastal environment, landward of the indicative coastal marine area boundary line. As such, through analysis of the values and characteristics associated with the outstanding value area (ONC3 and ONFL2), The Council agrees that the Plan retains the extent of the outstanding value areas to show the landward component recognising that these values are not only associated with features within the coastal marine area.</p> <p>The Council further notes that both the Council and the New Plymouth District Council have identified the landward extent of the ONC3 location to extend onto the coastal environment and that councils that operate across the same regional area should maintain consistency between planning maps where possible and practical.</p> |

| Submitter  | Submission point | Submitter's requests   | Council's response and decisions   |
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| 30 – First Gas Ltd   | 1313             | <p><b>Other</b></p> <p>Submitter seeks confirmation that the First Gas Pipeline at the Waitotara River is outside the area of outstanding value as identified on planning maps 38-39. If the existing pipeline corridor is in the area of outstanding value amend Schedule 2 and associated maps to exclude the corridor.</p>  | <p><b>No relief necessary</b></p> <p>The Council confirms that the First Gas Pipeline at the Waitotara River is outside the area of outstanding value as identified on planning maps 38-39 (based upon the datasets provided).</p>   |
| Further submissions – Royal Forest and Bird Protection Society (43)                                    |                  | Oppose in part   |  |
| 44 – Nga Motu Marine Reserve Society Inc   | 1314             | <p><b>Support</b></p> <p>Submitter supports the inclusion of eight coastal areas of outstanding value and the nine outstanding natural features or landscapes and, in particular, the inclusion of ONC 6 [Project Reef] and ONC 7 [North and South Traps].</p>   | <p><b>Accept</b></p> <p>Support noted.</p>   |
| 52 – Emily Bailey  | 1315             | <p><b>Amend</b></p> <p>Submitter believes that the following locations possess great cultural, ecological, economic and recreational importance and require special protection from development, dredging and uncontrolled recreational disturbance.</p> <p>Submitter seeks amendment to Schedule 2 of the Plan to include the following as areas of outstanding value:</p> <ul style="list-style-type: none"> <li>• Waipapa, Otarāua Road, Waitara</li> <li>• the Waitara Reefs, and</li> <li>• the reefs, tauranga kia/waka and urupā in the following 8 fishing reserves along the coast of Taranaki: Tui Raho (Tuhiraroa), Te Whanganui, Ihurangi, Okawa, Te Ikaroa, Tipoka 55a and 55b, Mataurukuhia, and Te Wairua (Wairoa) (on Waitaha River).</li> </ul> | <p><b>Decline</b></p> <p>For a location/site to be classified under the Outstanding Value Coastal Management Area it must be exceptional and meet a strict set of criteria. For this category, locations are required to exhibit very high natural character attributes with regards to abiotic features (natural features), biotic features (distribution, expression/appearance and diversity of species, natural processes and habitats) and perceptual and experiential values. In addition to these qualifiers, locations that have experienced human modification generally cannot be considered to be outstanding due to the modification elements which detract from the natural features, even if such modifications are not obvious to the viewer.</p> <p>The Council does not consider the identified sites meet the outstanding (exceptional) thresholds adopted for the other areas identified as being outstanding natural character and/or outstanding natural features and landscapes. Notwithstanding the above, the Council notes that these sites have been included within other Schedules of the Plan because of their 'significant' values, which, in turn means protections through relevant policies and rules will apply. The Plan already recognises the cultural and historic heritage values of these sites (and as identified in the submitter's commentary) as follows:</p> <ul style="list-style-type: none"> <li>• Waipapa, Otarāua Road, Waitara is identified as a site of significance to Māori due to its Māori heritage values. The Schedule numbers are C68 and C67 under Schedule 5B</li> </ul> |
| Further submissions – Climate Justice Taranaki Inc (21), Royal Forest and Bird Protection Society (43) |                  | Support  |  |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions   |
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|  |                  |   | <ul style="list-style-type: none"> <li>the Waitara kaawa/reefs have been identified as near shore reefs but do not possess sufficient qualities to be considered under the outstanding value management criteria.</li> <li>with the eight fishing reserves identified, all of these are recorded as being sites of significance to Māori due to their cultural and historic heritage values but do not possess sufficient qualities to be considered under the outstanding value management criteria.</li> </ul> <p>The Council agrees with the submitter that the locations identified by the submitter contain specific values and require special protection, however, consider that the appropriate protections have already been provided within the Plan as notified and therefore decline the relief requested.</p>   |
| 53 – Taranaki Regional Council   | 1316             | <p><b>Amend</b></p> <p>Submitter seeks amendment to Schedule 2 of the Plan to align the mapping of Outstanding Natural Character Areas with those mapped by the South Taranaki District Council through their district plan review.</p>   | <p><b>Accept</b></p> <p>Mapping of Outstanding Natural Character Areas have been done to align the mapped extents to those mapped by the South Taranaki District Council with the exception of Waitotara (ONC8). The Council agree to aligning the extent of this site to match the extents of Outstanding Natural Character sites identified by the South Taranaki District Council.</p>  |
| Further submissions – Royal Forest and Bird Protection Society (43)                                    |                  | Oppose  |  |
| Further submissions – Powerco (45)   |                  | Support in part   |  |
| 61 – Te Rūnanga o Ngāti Ruanui Trust   | 1317             | <p><b>Amend</b></p> <p>Submitter seeks amendment to Schedule 2 of the Plan (and associated planning maps) to include and identify as coastal management areas Outstanding Value:</p> <ul style="list-style-type: none"> <li>Tangahoe - Hawera – Manutahi Reef system</li> <li>Patea Beach</li> <li>Patea River Estuary</li> <li>Ohawe Beach</li> <li>Manawapou Beach</li> <li>Waihi Beach.</li> </ul> | <p><b>Grant in kind</b></p> <p>For a location/site to be classified under the Outstanding Value coastal management area it must be exceptional and meet a strict set of criteria. For this category, locations are required to exhibit very high natural character attributes with regards to abiotic features (natural features), biotic features (distribution, expression/appearance and diversity of species, natural processes and habitats) and perceptual and experiential values. In addition to these qualifiers, locations that have experienced human modification generally cannot be considered to be outstanding due to the modification elements which detract from the natural features, even if such modifications are not obvious to the viewer.</p> <p>The Council does not believe the identified sites meet the outstanding (exceptional) thresholds adopted for the other areas identified as being outstanding natural character and/or outstanding natural features and landscapes. However, the Council considers that these sites could be included within other Schedules because of their 'significant' values. Schedule 5B of the Plan already recognises</p> |
| Further submissions – Climate Justice Taranaki Inc (21), Royal Forest and Bird Protection Society (43) |                  | Support   |  |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions   |
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|   |                  |  | <p>sites of significance to Māori and Council consider that some of these sites maybe better identified in that Schedule. Also of note, the Patea beach lies within the Estuary Modified coastal management area and, as such, has a higher level of regulatory protection.</p> <p>In pre-hearing engagement, the submitter met with Council officers to confirm and identify sites of significance in their rohe and in or adjacent to the coastal marine area to be included in Schedule 5B. The Council refers the submitter to submission point 1345 for further information.</p>  |
| 61 – Te Rūnanga o Ngāti Ruanui Trust  | 1318             | <p><b>Support</b></p> <p>Submitter supports the identification and inclusion of the Whenuakura River Estuary in Schedules 1 and 2 of the Plan as an area of outstanding value.</p>   | <p><b>Accept</b></p> <p>Support for inclusion of Whenuakura River Estuary is noted.</p>  |
| <b>Schedule 2 – Coastal areas of outstanding value / Schedule 9 – Documents incorporated by reference</b> |                  |  |  |
| 43 – Royal Forest and Bird Protection Society   | 1319             | <p><b>Amend</b></p> <p>Submitter seeks amendment to Schedule 2 of the Plan to incorporate by reference (Schedule 9) the report <i>Regional landscape study of the Taranaki coastal environment</i> (2015).</p>                                       | <p><b>Decline</b></p> <p>Part 3 [Incorporation of documents by reference in plans and proposed plans] of Schedule 1 of the RMA states that documents that are standards, requirements or recommended practices of international or national organisations; standards, requirements or recommended practices prescribed in any country or jurisdiction; and any other written material that deals with technical matters and is too large or impractical to include in, or print as part of the plan or proposed plan can be incorporated by reference. These documents will have legal effect as part of the plan or proposed plan.</p> <p>The Council does not believe the document requested fits any of the required criteria to be considered an appropriate document to incorporate by reference and has only been referenced in Schedule 2 in order to provide additional background information for the reader's information.</p> |
| <b>Schedule 2 – Coastal areas of outstanding value</b>  |                  |  |  |
| 43 – Royal Forest and Bird Protection Society   | 1320             | <p><b>Amend</b></p> <p>Submitter seeks amendment to Schedule 2 of the Plan (or include a new Schedule) and associated planning maps to identify areas of high natural character” and include the values and characteristics of identified areas.</p> | <p><b>Grant in kind</b></p> <p>The Council notes that, although the Council does maintain information relating to natural character, other parties such as territorial authorities are better placed to address (and map) the terrestrial parts of the coastal environment.</p>  |

| Submitter | Submission point | Submitter's requests | Council's response and decisions   |
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|           |                  |                      | <p>In relation to identifying and mapping 'high natural character', the Council considers that a number of planning instruments currently do this.</p> <p>In relation to the landward parts of the coastal environment, it is not considered appropriate or necessary to pre-empt and/or duplicate district planning processes identifying high natural character and features (noting that the identification of terrestrial sites in the coastal environment are considered the responsibility of the district councils).</p> <p>In relation to the seaward parts of the coastal environment, the Council notes that the <i>Regional Policy Statement for Taranaki</i> plus the Proposed Coastal Plan and associated planning maps already largely identify 'high natural character' areas. For example, Appendix II of the <i>Regional Policy Statement for Taranaki</i> already identifies high quality or high value areas of the Taranaki coastal environment. The Coastal Plan review process further investigated this issue. In relation to the coastal marine area, the Council has undertaken a precautionary approach in its assessment of natural character 'by generally identifying areas with 'high natural character' as 'outstanding'. Coastal areas of outstanding value cover a combined area of approximately 67.2 km (or 22.5%) of the Taranaki coastline.</p> <p>The Council agrees to granting the submitter relief in kind by amending the relevant planning maps to identify those areas already identified in the Plan as having high (or higher) natural character in the coastal marine area - these being outstanding areas and estuaries unmodified, i.e:</p> <ul style="list-style-type: none"> <li>• Whitecliffs</li> <li>• Mimi Estuary</li> <li>• Paritutu</li> <li>• Ngā Motu (Sugar Loaf Islands)</li> <li>• Tapuae</li> <li>• Hangatahua River</li> <li>• Oaonui (Sandy Bay)</li> <li>• Kaupokonui</li> <li>• Kapuni</li> <li>• Whenuakura</li> <li>• Waipipi Dunes</li> <li>• Project Reef</li> </ul> |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions  |
|---|------------------|---|---|
|   |                  |   | <ul style="list-style-type: none"> <li>• North and South Traps</li> <li>• Waverley Beach</li> <li>• Waitotara</li> <li>• Urenui estuary</li> <li>• Onaero estuary</li> <li>• Waiongana estuary</li> <li>• Oākura estuary</li> <li>• Waingongoro estuary</li> <li>• Tangahoe estuary</li> <li>• Manawapou estuary.</li> </ul> <p>In addition to the above, the Council further agrees to amending the planning maps to identify any additional areas identified in Appendix II of the <i>Regional Policy Statement for Taranaki</i> as having high natural character.</p>  |
| <b>Schedule 4 – Significant indigenous biodiversity</b>   |                  |   |   |
| 43 – Royal Forest and Bird Protection Society             | 1321             | <p><b>Amend</b></p> <p>Submitter seeks amendment to Schedule 4 [Significant indigenous biodiversity] of the Plan to identify areas of significant indigenous biodiversity in the coastal marine area, including the values and characteristics that contribute to the significance of each area. Areas identified are to include the 'significant coastal areas' identified in the New Plymouth District Plan and the relevant Important Bird Areas for New Zealand Seabirds as show in Appendix 3 to this submission).</p> | <p><b>Accept in part</b></p> <p>As noted in the Section 32 Evaluation Report, the Council does not believe any organisation has the required datasets to accurately map all aspects of significant indigenous biodiversity with any certainty.</p> <p>Agencies with monitoring roles for biodiversity include the Department of Conservation, regional councils, district councils, Ministry for Primary Industries, Environmental Protection Authority, and Maritime New Zealand. However, data and knowledge gaps make biodiversity mapping especially challenging. There is no accurate national or regional dataset. One of the challenges for accurately mapping biodiversity is accessing data of sufficient quality and breadth to be confident that all aspects of biodiversity can be adequately mapped. The Council is concerned that Taranaki, as with the rest of New Zealand, has incomplete information and that mapping sites based upon information we currently have (such as SNAs, KNEs) would have a perverse outcome in that it provides less protection for those aspects of biodiversity that were not mapped. The situation is even worst when it comes to species information and/or the marine environment.</p> <p>The Council's preferred approach is to clearly identify those aspects of biodiversity in the coastal marine area (through Policy 14) that require a higher level of</p> |
| Further submissions – Federated Farmers (2)               |                  | Support in part   |   |
| Further submissions – Federated Farmers (2), Powerco (45) |                  | Oppose in part  |   |
| Further submissions – Climate Justice Taranaki Inc (21)   |                  | Support   |   |



| Submitter | Submission point | Submitter's requests | Council's response and decisions  |
|-----------|------------------|----------------------|---|
|           |                  |                      | <p>protection by avoiding the adverse effects of activities. Those areas of significant indigenous biodiversity on the landward parts of the coastal environment line are being identified separately by South Taranaki and New Plymouth district councils. The Council considers the current protections give effect to Policy 11 [Indigenous biological diversity (biodiversity)] of the <i>New Zealand Coastal Policy Statement</i>.</p> <p>The Council notes that the planning maps already include considerable information of interest. In particular, the Plan and associated planning maps identify for the coastal marine area the following areas with known significant indigenous biodiversity values</p> <ul style="list-style-type: none"> <li>• Outstanding Value coastal management areas – Whitecliffs, Mimi Estuary, Paritutu, Ngā Motu (Sugar Loaf Islands) Tapuae, Hangatahua River, Oaonui (Sandy Bay), Kaupokonui/Kapuni, Whenuakura, Waipipi Dunes, Project Reef, North and South Traps, Waverley Beach, and Waitotara</li> <li>• Estuaries Unmodified coastal management areas – Urenui, Onaero, Waiongana, Oākura, Waingongoro, Tangahoe and Manawapou estuaries</li> <li>• Estuaries Modified coastal management areas – Patea, Waiwhakaiho and Waitara estuaries</li> <li>• Parinihihi Marine Reserve</li> <li>• Ngā Motu/Sugar Loaf Islands Marine Protected Area</li> <li>• Tapuae Marine Reserve</li> <li>• All inshore reefs.</li> </ul> <p>Notwithstanding the above, the Council has reviewed spatial information to ascertain whether any additional biodiversity mapping overlays can be provided. As a result it is agreed that the Important Bird Areas for New Zealand that occur within the Taranaki region be included as a planning layer alongside the marine mammal sanctuary and that appropriate policy linkages be made as a consequential amendment. At the hearing, the submitter requested a definition for “significant marine animal and seabird areas”. The Council notes that the term covers two distinct spatial areas in the Taranaki coastal marine area, the North Island West Coast Marine Mammal Sanctuary and the Important Bird Areas for New Zealand which will be identified and labelled on the planning maps. The Council does not consider that a definition is necessary or useful.</p> |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions  |
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| <b>Schedule 4A – Significant species and ecosystems</b>   |                  |   |   |
| 6 – Trans-Tasman Resources Ltd  | 1322             | <p><b>Amend</b></p> <p>Submitter seeks that Schedule 4A is deleted in its entirety or amended to remove any non-threatened species and any at risk species other than those which are listed as at risk (declining) under the New Zealand Threat Classification System.</p> | <p><b>Decline</b></p> <p>The submitter considers it inappropriate to include a list of significant species and ecosystems based on the threat classification status given the classification status are reviewed every three years whereas the Coastal Plan is expected to have a ten year life. If the schedule is to remain, the submitter considers that it should be amended to remove reference to non-threatened flora and fauna, and at risk species unless they are declining.</p> <p>Policy 11 [indigenous biological diversity] of the <i>New Zealand Coastal Policy Statement</i> sets out the requirements for protection of indigenous species. These protections are not limited to species that are considered threatened and the Council notes that there is much more scope within the Policy to identify other species of importance.</p> <p>The Council notes that the Policy provision for threatened species (Policy 14 [Indigenous biodiversity] (a)(i) and (ii)) have been framed to “include” those species listed in Schedule 4A, therefore, the policy references the schedule but does not depend upon the schedule, allowing flexibility with any changes that may occur during the life of the Plan.</p> <p>The Council considers that the inclusion of Schedule 4A will further ensure that the appropriate measures are taken with regards to threatened species and removal of the schedule will reduce the effectiveness of the protections provided through the policies.</p> <p>Further, the inclusion of regionally significant species is consistent with the <i>Regional Policy Statement</i> that significant indigenous biodiversity includes the distinctive criterion whereby added protection is provided to species that are important in the local context. Therefore, the Council agrees to retaining Schedule 4A [Significant species and ecosystems] noting that minor amendments are also agreed to grant relief to other submitters requests.</p> |
| Further submissions – South Taranaki Underwater Club (10), Climate Justice Taranaki Inc (21), Department of Conservation (29), Te Rūnanga o Ngāti Mutunga (40), Te Korowai o Ngāruahine Trust (41), Royal Forest and Bird Protection Society (43), Te Atiawa (58), Te Rūnanga o Ngāti Ruanui Trust (61) |                  | <p><b>Oppose</b></p>  |   |
| 29 – Department of Conservation   | 1323             | <p><b>Amend</b></p> <p>Submitter seeks amendment to Schedule 4A of the Plan to include maps of areas, ecosystems, and habitats that have significant indigenous biodiversity values.</p>  | <p><b>Decline</b></p> <p>Agencies with monitoring roles for biodiversity may include the Department of Conservation, regional councils, district councils, Ministry for Primary Industries, Environmental Protection Authority, and Maritime New Zealand. The Council does</p>  |
| Further submissions – Federated Farmers (2), Trans-Tasman   |                  | <p><b>Support</b></p>   |   |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions   |
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| Resources (6), Te Rūnanga o Ngāti Ruanui Trust (61)   |                  |  | not consider any of these agencies are in a position to supply a complete and accurate record of significant indigenous biodiversity in Taranaki.  |
| Further submissions – Powerco (45)  |                  | Support in part  | It is Council's view that data and knowledge gaps make biodiversity mapping especially challenging. There is no accurate national or regional dataset. One of the challenges for accurately mapping biodiversity is accessing data of sufficient quality and breadth to be confident that all aspects of biodiversity can be adequately mapped. The Council is concerned that Taranaki, as with the rest of New Zealand, has incomplete information and that mapping sites based upon information we currently have (such as SNAs, KNEs) would have a perverse outcome in that it provides less protection for those aspects of biodiversity that were not mapped. The situation is even worse when it comes to species information.   |
| 43 – Royal Forest and Bird Protection Society   | 1324             | <b>Amend</b>   | <b>Decline</b>   |
|   |                  | Submitter seeks amendment to Schedule 4A of the Plan by identifying and mapping the locations where rare and uncommon ecosystem types identified in the schedule occur.  | The Council declines the relief sought.<br>Mapping of rare and uncommon ecosystems has not been undertaken due to insufficient information regarding the locations and extents of where these occur. The Council notes that many of these locations occur landward of the coastal marine area making the majority of these locations redundant to the purposes of this Plan. Further many of these locations will be very small scale and may be difficult to include within the planning maps.  |
| Further submissions – Trans-Tasman Resources Ltd (6)  |                  | Support in part  | Agencies with monitoring responsibilities for biodiversity may include the Department of Conservation, regional councils, district councils, Ministry for Primary Industries, Environmental Protection Authority, and Maritime New Zealand and the Council considers it unreasonable to expect this agency to conduct such a detailed, fine scale and sensitive analysis out of all other relevant agencies.<br>The Council is concerned that the inclusion of incomplete mapping is likely to produce a perverse outcome in that it provides less protection for those rare and uncommon ecosystem types that were not mapped.<br>It may be possible to include this information in future plans (or spatial mapping) once the necessary monitoring, data collection and analysis has been conducted. |
| Further submissions – Climate Justice Taranaki Inc (21), Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Support  |  |
| 43 – Royal Forest and Bird Protection Society   | 1325             | <b>Amend</b>   | <b>Accept in part</b>  |
|   |                  | Submitter seeks amendment to Schedule 4A of the Plan by adding to the schedule: non-vascular plant species, including coastal lichens; data deficient marine species; and missing regionally distinctive species including the common dolphin. | Non vascular plants are not consistently recorded during site surveys in Taranaki therefore there is insufficient information to adequately identify which threatened, at risk or data deficient species may be present in the region. The Department of   |

| Submitter  | Submission point | Submitter's requests  | Council's response and decisions  |
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| Further submissions – Trans-Tasman Resources Ltd (6)       |                  | Oppose in part  | <p>Conservation also do not hold this type of distributional data and the Council is concerned that the identification and incorporation of incomplete information at this scale would be detrimental to the integrity of the Plan.</p> <p>Notwithstanding the above, the Council has reviewed the Schedule to ensure it provides the most up-to-date information. In response to the submitter's request, the Council sought advice from the Department of Conservation in relation to candidate marine species that warrant being identified as 'regionally distinctive'. Subsequently amendments have been made to Schedule 4A, including reviewing those species identified as data deficient under the NZ Threat Classification and the Council agrees to amending Schedule 4A to identify additional marine algae, sharks and mammal species as regionally distinctive as well as amending the threat classifications, where necessary, to contain the most up to date information.</p> |
| Further submissions Te Rūnanga o Ngāti Ruanui Trust (61)   |                  | Support   |   |
| 55 – Kiwis Against Seabed Mining                           | 1326             | <p><b>Amend</b></p> <p>Submitter seeks amendment to Schedule 4A of the Plan by mapping to identify all significant areas, including the spatial extent of intrinsic relationship and biodiversity, to provide for the maintenance and enhancement of biodiversity in the wider coastal marine area.</p> | <p><b>Accept in part</b></p> <p>Mapping biodiversity values within the coastal marine area is a particularly difficult tasks primarily due to insufficient data sets. Further, there is a risk in providing incomplete information in plans such as this as it may produce a perverse outcome for those areas that have not been mapped or do not possess sufficient information to accurately determine the spatial values.</p> <p>Notwithstanding the above, the Council has reviewed spatial information to ascertain whether any additional biodiversity mapping overlays can be provided. As a result the Council agrees that the Important Bird Areas for New Zealand that occur within the Taranaki region be included as a planning layer alongside the Maui dolphin sanctuary and that appropriate policy linkages be made as a consequential amendment.</p>   |
| 55 – Kiwis Against Seabed Mining                           | 1327             | <p><b>Amend</b></p> <p>Submitter seeks amendment to Schedule 4 of the Plan so that rules that prohibit or restrict activities in fishing, seabed mining and oil and gas, in relation to the values of the area, are identified through marine spatial planning.</p>                                     | <p><b>Decline</b></p> <p>The Council declines the relief sought by the submitter in that rules in the Plan are confined to giving effect to the RMA and the Council's jurisdictional responsibilities pertaining to the coastal marine area. It is not for the Plan to get into areas covered by other authorities, statutes or jurisdictions.</p>  |
| Further submissions – Ministry for Primary Industries (16) |                  | Oppose  | <p>The Council also notes that the Plan already utilizes a coastal area management approach which sets out, through the relevant rules, what areas may not be appropriate given the rule activity description. These areas have already been mapped and are shown in the Plan Schedules and online maps.</p>  |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions   |
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| 56 – Greenpeace   | 1328             | <b>Amend</b>   | <b>Accept in part</b>  |
|   |                  | Submitter seeks amendment to Schedule 4A of the Plan by mapping to identify all significant areas, including the spatial extent of intrinsic relationship and biodiversity, to provide for the maintenance and enhancement of biodiversity in the wider coastal marine area. | Mapping biodiversity values within the coastal marine area is a particularly difficult task primarily due to insufficient data sets. Further, there is a risk in providing incomplete information in regional plans such as this as it may produce a perverse outcome for those areas that have not been mapped or do not possess sufficient information to accurately determine the spatial values.<br><br>Notwithstanding the above, the Council has reviewed spatial information to ascertain whether any additional biodiversity mapping overlays can be provided. As a result, the Council agrees that the Important Bird Areas for New Zealand that occur within the Taranaki region be included as a planning layer alongside the Maui dolphin sanctuary and that appropriate policy linkages be made as a consequential amendment. |
| 56 – Greenpeace   | 1329             | <b>Amend</b>   | <b>Decline</b>   |
|   |                  | Submitter seeks amendment to Schedule 4 of the Plan so that rules that prohibit or restrict activities in fishing, seabed mining and oil and gas, in relation to the values of the area, are identified through marine spatial planning.                                     | The Council declines the relief sought by the submitter in that rules in the Plan are confined to giving effect to the RMA and the Council's jurisdictional responsibilities pertaining to the coastal marine area. The Council suggest it is not appropriate or necessary for the Plan to get into areas covered by other authorities, statutes or jurisdictions.   |
| Further submissions – Ministry for Primary Industries (16)  |                  | Oppose   |  |
| <b>Schedule 4B – Sensitive marine benthic habitats</b>  |                  |  |  |
| 6 – Trans-Tasman Resources Ltd  | 1330             | <b>Amend</b>   | <b>Decline</b>   |
|   |                  | Submitter seeks amendment to the Plan by deleting Schedule 4B in its entirety.   | Sensitive benthic habitats refer to marine habitats identified in the report <i>Sensitive habitats and threatened species in the Taranaki coastal marine area (TCMA) – database investigation</i> . These areas of marine habitat have been identified to have a low tolerance to habitat damage and for which the time for the habitat to recover from any damage would be significant.<br><br>As part of a precautionary approach and given the sensitivity and vulnerability of such marine habitats, the Council considers it appropriate that they be recognised and provided for within the Plan which requires reference to Schedules. Therefore, the Council agree to retaining Schedule 4B [Sensitive marine benthic habitats] as currently notified.   |
| Further submissions – South Taranaki Underwater Club (10), Climate Justice Taranaki Inc (21), Department of Conservation (29), Te Rūnanga o Ngāti Mutunga (40), Royal Forest and Bird Protection Society (43), Te Atiawa (58), Te Rūnanga o Ngāti Ruanui Trust (61) |                  | Oppose   |  |



| Submitter                                       | Submission point | Submitter's requests  | Council's response and decisions   |
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| <b>Schedule 4C – Significant taonga species</b> |                  |   |  |
| 61 – Te Rūnanga o Ngāti Ruanui Trust            | 1331             | <p><b>Amend</b></p> <p>Submitter seeks amendment to the Plan by including a new Schedule 4C that identifies taonga species under the <i>Ngāti Ruanui Claims Settlement Act 2003</i>:</p> <ul style="list-style-type: none"> <li>• Hapuka / Groper (<i>Polypio oxygenios</i>)</li> <li>• Kaeo / Sea tulip (<i>Pyrua pachydermatum</i>)</li> <li>• Kahawai / Sea trout (<i>Arripus trutta</i>)</li> <li>• Kanae / Mullet (<i>Mugil cephalus</i>)</li> <li>• Koeke / Common Shrimp (<i>Palaemon affinis</i>)</li> <li>• Marari / Butterfish (<i>Odax pullus</i>)</li> <li>• Moki / Blue moki (<i>Latridopsis ciliaris</i>)</li> <li>• Paraki/Ngaiore / Common Smelt (<i>Retropinna retropinna</i>)</li> <li>• Para / Frostfish (<i>Lepidopus caudatus</i>)</li> <li>• Patiki mahoao / Black Flounder (<i>Rhombosolea retiaria</i>)</li> <li>• Patiki rore / New Zealand sole (<i>Peltorhamphus novaezeelandise</i>)</li> <li>• Pakiti tore / Lemon sole (<i>Pelotretis flavilatus</i>)</li> <li>• Patiki totara / Yellow belly flounder( <i>Rhombosolea leporina</i>)</li> <li>• Patiki / Sand flounder (<i>Rhombosolea plebeia</i>)</li> <li>• Patukituki / Rock cod (<i>Parapecis colias</i>)</li> <li>• Pioke / Rig shark (<i>Galeorhinus galeus</i>)</li> <li>• Reperepe / Elephant fish (<i>Callorhynchus milli</i>)</li> <li>• Tuna heke / Eel – long finned (<i>Anguilla dieffenbachii</i>)</li> <li>• Tuna roa / Eel –short finned (<i>Anguilla australis</i>)</li> <li>• Wheke / Octopus (<i>Octopus maorum</i>)</li> <li>• Koiro, ngoiro, totoke, hao, ngoio, ngoingoi, putu / Conger Eel (<i>Conger verreauxi</i>)</li> <li>• Koura / Crayfish (<i>Jasus edwardsii</i>)</li> <li>• Kaunga / Hermit Crab (<i>Pagurus novaeseelandiae</i>)</li> <li>• Papaka parupatu / Mud Crab (<i>Helice sp.</i>)</li> </ul> | <p><b>Accept</b></p> <p>The Council recognises that taonga species have important cultural value to Māori and agrees to including a new Schedule (Schedule 4C [Taonga Species]) to identify those marine species that hold significant value to local iwi. These species were identified through the iwi deeds of settlement and confirmed through pre-hearing engagement.</p> |



| Submitter  | Submission point | Submitter's requests   | Council's response and decisions  |
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|  |                  | <ul style="list-style-type: none"> <li>• Papaka / Paddlecrab (<i>Ovalipes catharus</i>)</li> <li>• Kotere, humenga / Sea anemoe (<i>Cnidaria</i> group)</li> <li>• Rore, rori / Sea cucumber / sea snail <i>Stichopus mollis</i>)</li> <li>• Patangatanga, patangaroa, pekapeka Starfish (<i>Echinoderms</i>)</li> <li>• Kina / Sea urchin (<i>Evechinus chloroticus</i>)</li> <li>• Kuku / Kutae Green lipped mussel (<i>Perna canaliculus/mytilus edulis</i>)</li> <li>• Kuku / Kutae Blue lipped mussel (<i>Perna canaliculus/mytilus edulis</i>)</li> <li>• Paua / Paua – black foot (Abalone) (<i>Haliotis iris</i>)</li> <li>• Paua / Paua – yellow foot (<i>Haliotis australis</i>)</li> <li>• Pipi/kakahi / Pipi (<i>Paphies austral</i>)</li> <li>• Pupu / Pupu (Turbo smaragdus/zediloma spp)</li> <li>• Purimu / Surf clam (<i>Dosinia anus et al.</i>)</li> <li>• Rori / Sea snail (<i>Scutus breviculus</i>)</li> <li>• Tuangi / Cockle (<i>Austrovenus stutchburgi</i>)</li> <li>• Tuatua / Tuatua (<i>Paphies subtriangulata, paphies donacina</i>)</li> <li>• Waharoa / Horse mussel (<i>Atrina zelandica</i>)</li> <li>• Waikaka / Mud snail (<i>Amphibola crenata, Turbo smaragus, Zedilom spp.</i>)</li> <li>• Tio, Karauria, ngahiki, repe / Rock Oyster (<i>Crassostrea glomerata</i>)</li> <li>• Tupa, kuakua, pure, tipa, tipai, kopa / Scallop (<i>Pecten novazelandiae</i>).</li> </ul> |   |
| Further submissions – Trans-Tasman Resources Ltd (6)                         |                  | Oppose   |   |
| Further submissions – Te Korowai o Ngāruahine Trust (41)                     |                  | Support  |   |
| <b>Schedule 5A – Archaeological sites of significance and historic areas</b> |                  |  |   |
| 50 – Te Kāhui o Taranaki Trust   | 1332             | <b>Amend</b><br><br>Submitter seeks amendment to Schedule 5A of the Plan (and associated planning maps) by deleting the archaeological site names and instead give the sites a   | <b>Decline</b><br><br>With regards to the names of archaeological sites of significance, the Council considers the names to be important identifiers that will aid Plan users. Many of these sites are already identified in other Council reports that do not follow a |

| Submitter                 | Submission point | Submitter's requests   | Council's response and decisions   |
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|                           |                  | number and scheduling system identical to the mapped Taranaki Iwi sites of significance in the Plan.   | numbering system and removing names would make it difficult to cross reference to these documents resulting in a potentially limited understanding of the scope and values associated with the location.   |
| 57 – Heritage New Zealand | 1333             | <b>Amend</b>   | <b>Accept</b>  |
|                           |                  | Submitter seeks amendment to the title of Schedule 5A of the Plan to read: <i>Archaeological sites of significance, <u>built heritage</u> and historic areas.</i>  | The Council recognises that Schedule 5A [Archaeological sites of significance and historic areas] contains areas of built heritage, and although the definition for historic heritage includes built heritage, the Council considers the inclusion of 'built heritage' better clarifies what is included within the Schedule and agrees to it being amended as requested by the submitter.   |
| 57 – Heritage New Zealand | 1334             | <b>Amend</b>   | <b>Accept in part</b>  |
|                           |                  | Submitter seeks amendment to the maps within Schedule 5A to reduce ambiguity of mapped sites by: <ul style="list-style-type: none"> <li>mapping the extent of scheduled sites (if site extents are unknown use buffer zones)</li> <li>connecting sites on the maps with specific scheduled sites</li> <li>specifying dates for all sites.</li> </ul> | The Council agrees to granting the relief sought in part as follows: <ul style="list-style-type: none"> <li>The archaeological sites of significance listed in Schedule 5A do not contain polygons. The Council does not consider it appropriate to include buffer zones and would prefer to manage these sites on a case-by-case basis through the consenting process having regard for the particular activity and likely effects occurring within their vicinity. The Council agrees to retaining the point locations of archaeological sites of significance as currently notified.</li> <li>With regards to connecting sites identified on maps with the schedules, the Council agrees to adding the listing number that appears in the far left column of the schedule, to the pop up information on the planning maps to aid users in identifying specific locations within the map and correlating them to the relevant information within the schedules. Additional information is also agreed for Plan users ease of use of the planning maps and includes any archaeological/historic reference included in the Schedule.</li> <li>Dates have been included in the Schedules for as many sites as are known with the exception of the Harriet and Lord Worsley shipwrecks which were built in 1819 and 1858, respectively. The Council agree to amending the Schedule to include this additional data.</li> </ul> |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions   |
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| 57 – Heritage New Zealand   | 1335             | <p><b>Amend</b></p> <p>Submitter questions the rationale for why two sites in the Scoping Study were not included in the Schedule and when the Scoping Study will be updated.</p>                             | <p><b>No relief required</b></p> <p>Review of the Scoping Study has revealed only one site that has not been included within the Plan: the Railway Wharf, Waitara. The location of this wharf (as determined within the Scoping study) at its most northerly extent, began at High Street in the Waitara township and extended southwards, meaning that this site is outside the coastal marine area. The Scoping Study will most likely be reviewed in preparation for the next Coastal Plan review in 10 years. As an interim measure, the Council contacted archaeologist Andy Dodd to review the Schedule who confirmed that it was up-to-date.</p>  |
| <b>Schedule 5B – Sites of significance to Māori and associated values</b> |                  |   |  |
| 15 – Surfbreak Protection Society   | 1336             | <p><b>Support</b></p> <p>Submitter support the inclusion of sites of significance to Māori and associated values in the list of Schedules.</p>  | <p><b>No relief necessary</b></p> <p>Support noted.</p>  |
| 21 – Climate Justice Taranaki   | 1337             | <p><b>Amend</b></p> <p>Submitter seeks amendment to Schedule 5B of the Plan to include sites of significance to Ngāti Maru.</p>   | <p><b>Decline</b></p> <p>The Ngāti Maru rohe does not extend to the coastal environment or the coastal marine area, nevertheless, the Council recognises that there still may be sites of significance to Ngāti Maru despite their geographic location.</p> <p>The Council notes that Ngāti Maru have not provided comment on the Coastal Plan and have not requested correspondence with the Council to discuss any sites of significance that may be affected by the Coastal Plan. Ngāti Maru have received correspondence from the Council informing them of the Proposed Coastal Plan and have had the opportunity to respond. It is not the Council's intent to include this information without the request and/or approval of the relevant iwi authority.</p> |
| 40 – Te Rūnanga o Ngāti Mutunga   | 1338             | <p><b>Amend</b></p> <p>Submitter supports the inclusion of sites of significance to Te Rūnanga o Ngāti Mutunga and associated values in the list of Schedules but seek the inclusion of additional sites.</p> | <p><b>Accept</b></p> <p>Comments noted. Council has worked with Ngati Mutunga during pre-hearing engagement to identify additional sites of significance. This has resulted in additional sites being identified and included in the Schedules and associated planning map layers.</p>   |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions   |
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| 41 – Te Korowai o Ngāruahine Trust                                    | 1339             | <b>Neutral</b><br>Submitter would like the opportunity to amend and refine Schedule 5B as required as Ngāruahine hapū progress the claims under the <i>Takutai Moana Act 2011</i> .  | <b>No relief necessary</b><br>Comments noted. The Council recognises that successful claims under the <i>Takutai Moana Act 2011</i> would result in legislative recognition of sites that would come under Schedule 5B [Sites of Significance to Māori]. The Council will allow review of the Schedule at a designated time, within the life of the Plan, in order to incorporate additional sites that have been recognised through the <i>Takutai Moana Act 2011</i> .<br>Notwithstanding the above, the Council notes that they will have legal status in any case. |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Atiawa (58) |                  | Support  |  |
| 42 – Ngati Rahiri Hapū  | 1340             | <b>Amend</b><br>Submitter seeks amendment to the Plan to include sites of significance to Ngati Rahiri Hapū (and not information contained in the New Plymouth Draft District Plan). | <b>Accept</b><br>The Council agrees to granting the relief sought.<br>The Council notes that Te Atiawa Iwi has directed the Council to liaise with their hapū as part of Coastal Plan engagement, including the identification of sites of significance.<br>The Council has consulted further with the submitter as part of pre-hearing consultation to investigate the inclusion of additional sites of significance and agree to the inclusion of additional sites as identified in Schedule 5B.   |
| 57 – Heritage New Zealand   | 1341             | <b>Amend</b><br>Submitter seeks amendment to the maps within Schedule 5B of the Plan using polygons to more accurately define the extent of the sites of significance to Māori.      | <b>No relief necessary</b><br>Sites of significance to Māori have been identified by the local iwi and hapū through Council interaction and communication. The sites listed in Schedule 5B are delineated using polygons as identified in these meetings. The Council does not consider it necessary to review these sites without the expressed request from iwi/hapū themselves.   |
| 57 – Heritage New Zealand   | 1342             | <b>Amend</b><br>Submitter seeks amendment to the Ohunuku map (Ngāruahine) with appendix information supplied by the Heritage New Zealand submission.                                 | <b>Accept</b><br>The Council notes that the submitter's request was proposed to Ngāruahine who have indicated their support for the amendment as sought by the submitter but also wish the site spelling to be corrected to Ōhounuku. The Council agrees to amend the site extent and spelling as requested.   |
| 60 – Te Kaahui o Rauru  | 1343             | <b>Amend</b><br>Submitter seeks amendment to Schedule 5B of the Plan - Ngaa Rauru Kiihahi by:  | <b>Accept in part</b>  |

| Submitter   | Submission point | Submitter's requests   | Council's response and decisions   |
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| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Atiawa (58) |                  | <ul style="list-style-type: none"> <li>including schedule from <i>Nгаа Rauru Kītahi Claims Settlement Act 2005</i></li> <li>amending site extents</li> <li>including Tapuarau Conservation Area.</li> </ul> <p>Support</p>   | <p>The Tapuarau Conservation area is currently identified as an area of outstanding value under Schedule 1 and the Waitotara estuary has been identified as a site of significance to Māori.</p> <p>Sites of significance refer to specific areas or places that have special significance to tangata whenua for their cultural, historical, traditional and spiritual associations within the coastal marine area. The Council notes that the extent of sites of significance identified in the Proposed Plan so far is based on the outcomes of discussions and the provision of information by Te Kaahui o Rauru.</p> <p>Notwithstanding the above, in relation to the Tapuarau Conservation Area, the Council agrees to granting this part of the relief sought. The Council note that the Conservation area extent is identified in the <i>Nгаа Rauru Kītahi Claims Settlement Act 2005</i> and that the values associated with the site are significant to Ngaa Rauru. The Council agrees to the Tapuarau Conservation Area be included in Schedule 5B and the extent identified in the planning maps.</p> |
| 61 – Te Rūnanga o Ngāti Ruanui Trust                                  | 1344             | <p><b>Amend</b></p> <p>Submitter seeks amendment to Schedule 5B of the Plan by amending the heading to read:<br/> <i>Schedule 5 – <u>Cultural and</u> historic heritage</i></p>  | <p><b>Decline</b></p> <p>The Council note that “<i>historic heritage</i>” has a broad definition under Section 2 of the RMA and includes sites of significance to Māori. Section 2 definition of “historic heritage” reads as follows:<br/> “...<i>historic heritage means:</i><br/> (a) those natural and physical resources that contribute to an understanding and appreciation of New Zealand’s history and cultures, deriving from any of the following qualities:<br/> (i) archaeological,<br/> (ii) architectural,<br/> (iii) cultural,<br/> (iv) historic, [...]”</p> <p>The term cultural heritage potentially has a much broader meaning. Therefore, the Council agrees to retaining the title for Schedule 5 as currently notified.</p>   |
| 61 – Te Rūnanga o Ngāti Ruanui Trust                                  | 1345             | <p><b>Amend</b></p> <p>In relation to sites of significance to Ngāti Ruanui, submitter seeks amendment to Schedule 5B of the Plan (noting information is to follow) to include information on:</p> <ul style="list-style-type: none"> <li>Te Moananui A O Ngati Ruanui (Coastal Area)</li> </ul> | <p><b>Accept in part</b></p> <p>In pre-hearing consultation with the submitter, Council has discussed the inclusion of additional sites of significance to Ngati Ruanui and the Council agrees to amending Schedule 5B to include some of these as well as other additional sites.</p>   |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions   |
|---|------------------|---|--|
|   |                  | <ul style="list-style-type: none"> <li>• Waingongoro River</li> <li>• Manawapou River</li> <li>• Waihi Stream</li> <li>• Katewheta Stream</li> <li>• Waikaikai Stream</li> <li>• Mangaroa Stream</li> <li>• Kaikura Stream</li> <li>• Whitikau</li> <li>• Tangahoe-Hawera-Manutahi Reef.</li> </ul> | <p>This includes the addition of new pa and kianga sites as well as the identification of important mahinga kai sites along the coastal reef systems.</p> <p>The Council notes that the additional sites are not limited to the list of waterbodies provided by the submitter, however, are generally identified next to or near an important waterbody as indicated in the submission.</p> <p>Amendments are identified in Schedule 5B as well as in the planning maps.</p>   |
| Further submissions – Trans-Tasman Resources Ltd (6)                  | Oppose           |   |  |
| Further submissions – Te Rūnanga o Ngāti Mutunga (40), Te Atiawa (58) | Support          |   |  |
| <b>Schedule 7A – Surf breaks</b>                                      |                  |   |  |
| 5 – Point Board Riders  | 1346             | <p><b>Amend</b></p> <p>Submitter supports the inclusion of the designated Significant Surfing Area as an overlay in Schedule 7B for protection but submit that the area from Pungarehu to Okato is only a small area and seek to have more of the coastline added to the overlay.</p>               | <p><b>Decline</b></p> <p>Support for the Significant Surfing Area noted.</p> <p>In relation to extending the Significant Surfing Area, no change is agreed. The area identified was a result of MetOcean Solutions Ltd advice arising from the report <i>Taranaki Surfbreaks of National Significance</i>, highlighting the abundance, uniqueness and large number of high quality surf breaks in that locality. The number and significance of surf breaks in this locality was subsequently confirmed through the <i>Online Wave Survey</i>.</p> <p>Notwithstanding the above, the Council notes that regionally significant surf breaks outside the area still have a high level of protection in accordance with Policy 19 [Surf breaks and significant surfing area].</p> |
| 5 – Point Board Riders  | 1347             | <p><b>Amend</b></p> <p>Submitter supports the inclusion of Nationally Significant surf breaks and Locally Significant surf breaks but raise the issue of a lack of protection for the remaining surf breaks on the coast.</p>   | <p><b>Decline</b></p> <p>The Council is not currently aware of any additional surf break locations that are not already included within Schedule 7 and have worked closely with the local surfing community in addition to commissioning a report on regionally significant surfbreaks and undertook a surfing community survey to establish the current list.</p>   |



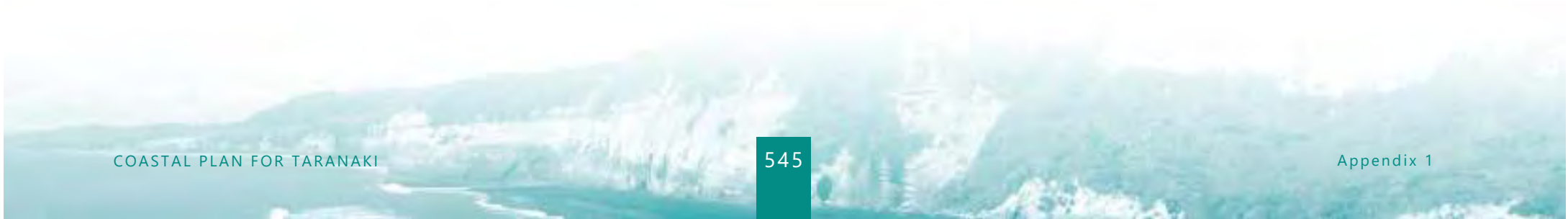
| Submitter                            | Submission point | Submitter's requests   | Council's response and decisions   |
|--------------------------------------|------------------|--|--|
|                                      |                  |  | The intention of Schedule 7 is to provide a high level of protection to those surfbreaks that display significant surfing qualities through Policy 19 [Surf breaks and Significant Surfing Area].  |
| 15 – Surfbreak Protection Society    | 1348             | <b>Amend</b>   | <b>Decline</b>   |
|                                      |                  | Submitter supports the inclusion of the designated Significant Surfing Area but seeks that it be extended to include a larger area and that more surf breaks be added to the locally significant list. | <p>The Council considers the extents of the Significant Surfing Areas to be sufficient and recognise that, due to tidal changes and changing weather conditions, a surfable area may be larger or smaller than the area identified in the maps. The polygons depicted are intended to capture the commonly utilised areas on any given day.</p> <p>The Council is not currently aware of any additional surf break locations that are not already included within Schedule 7 and notes that the Council has worked closely with the local surfing community in addition to commissioning a report and undertaking a surfing community survey on regionally significant surfbreaks to establish the current list.</p> <p>The intention of Schedule 7 is to provide a high level of protection to those surfbreaks that display significant surfing qualities through Policy 19 [Surf breaks and Significant Surfing Area]. The Council will welcome any additional information for the inclusion of other surfbreaks if they can be valued for their surfing qualities.</p> |
| 18 – Surfing Taranaki                | 1349             | <b>Support</b>   | <b>No relief required</b>  |
|                                      |                  | Support the designated Significant Surfing Area as proposed in the Plan.   | Support noted.   |
| 19 – South Taranaki District Council | 1350             | <b>Amend</b>   | <b>Accept</b>  |
|                                      |                  | Support the inclusion of the designated Significant Surfing Area but seeks that it be confined to the coastal marine area.   | The Council notes the submitter's concern and agree to amending the landward extent of the significant surf break area to align with the indicative coastal marine area line so as to not capture private land. The Council also agrees to amending the extent of the Significant Surfing area and confining it to the coastal marine area.  |
| Further submissions – Powerco (45)   |                  | Support in part  |  |
| 20 – Meridian Energy Limited         | 1351             | <b>Amend</b>   | <b>Accept</b>  |
|                                      |                  | Submitter seeks amendment to the Plan and associated Planning Maps to show the locations of locally significant surf breaks.   | The Council agrees to amending the planning maps to identify the locations of locally significant surf breaks.   |

| Submitter   | Submission point | Submitter's requests  | Council's response and decisions   |
|---|------------------|---|--|
| 24 – Paora Aneti 17 & 18 Māori Reservation Trustees | 1352             | <b>Amend</b>  | <b>Accept</b>  |
|   |                  | Submitter opposes the inclusion of sections of Paora Aneti 18 amongst surf breaks identified as nationally or regionally significant.   | The Council notes the submitter's concern and agree to amending the landward extent of the significant surf break area to align with the indicative coastal marine area line so as to not capture private land.  |
| 24 – Paora Aneti 17 & 18 Māori Reservation Trustees | 1353             | <b>Other</b>  | <b>Accept</b>  |
|   |                  | Submitter suggests the Plan shows a lack of regard to the Māori language by having an area for surfing identified as "Punihos".   | The submitter has not specifically sought any amendments to the Plan. However, the Council agree to amending the name of the surf break to Puniho in response to their concerns. Additional amendments to Schedule 7 are also agreed to include the incorporation of traditional Māori names (where they are known) for the surf breaks identified.  |
| 31 – Komene 13B Māori Reservation Trustees          | 1354             | <b>Amend</b>  | <b>Accept</b>  |
|   |                  | Submitter opposes the inclusion of sections of Komene 13 Māori Reservation via Waikirikiri Lagoon in the Plan, including the surf break area<br>AND<br>Note that "Waikirikiri" is not the name of the area. | The Council notes the submitter's comments and agree to amending the landward extent of the significant surf break area to align with the indicative coastal marine area line so as not to capture private land.   |
| 32 – Port Taranaki Ltd                              | 1355             | <b>Amend</b>  | <b>Grant in kind</b>   |
|   |                  | Submitter seeks amendment to Schedule 7A of the Plan to delete the "Breakwater" surf break from the list of regionally significant surf breaks, and delete references to it on associated maps.             | At the hearing, the submitter tabled further evidence from Oceanum consultants on the values and relative significance of the breakwater surf break. In summary, it was argued that the break did not merit being identified as 'regionally significant' as it was entirely anthropogenic and that with the exception of uniqueness (ability to surf under certain conditions) ranked low for other surfing attributes.<br><br>The Council agrees with the aforementioned assessment that Schedule 7A of the Plan and associated planning maps be amended to delete the 'Breakwater' surf break from the list of regionally significant surf breaks (although it is to still be identified in the schedule as being 'locally significant').<br><br>As a consequential amendment, the Council agrees to deleting the exclusion for regionally significant infrastructure in Policy 19 (b) [Surf breaks and Significant surfing Area] as the matter has now been addressed through other means and note that the exception is now redundant. |

| Submitter                         | Submission point | Submitter's requests   | Council's response and decisions   |
|-----------------------------------|------------------|--|--|
| 49 – Cam Twigley                  | 1356             | <b>Amend</b>   | <b>No relief necessary</b>   |
|                                   |                  | Submitter supports the inclusion (and the extent) of the designated Significant Surfing Area.  | Support noted.   |
| 50 – Te Kāhui o Taranaki Trust    | 1357             | <b>Amend</b>   | <b>Grant in kind</b>   |
|                                   |                  | Submitter seeks amendment to Schedule 7A of the Plan (and associated planning maps) by deleting the surf break names instead give the sites a number and scheduling system identical to the mapped Taranaki lwi sites of significance in the Plan. | <p>Through pre-hearing engagement the submitter (and others) identified that some of the surf break names were incorrect or offensive, which was the basis for the relief requested.</p> <p>The Council considers the surfbreak names to be important and useful identifiers of surfbreaks that will aid Plan users in this area.</p> <p>The Council agrees to an alternative relief that, where possible, alternative and/or more culturally appropriate surfbreak names are incorporated alongside the currently identified surf break names commonly in use amongst the surfing community.</p>                  |
| 50 – Te Kāhui o Taranaki Trust    | 1358             | <b>Amend</b>   | <b>Decline</b>   |
|                                   |                  | Submitter seeks amendment to Schedule 7A of the Plan (and associated planning maps) by delineating the surf breaks in terms of location like the Taranaki lwi sites of significance.   | <p>Surf break locations have not been delineated by the Council. Delineating surf breaks would be an imprecise and expensive exercise and was not considered necessary for the purposes of this review. However, point locations will be added to the planning maps to identify where the surfbreaks occur within the coastal marine area.</p> <p>Notwithstanding the above, the Council agrees to including additional information relating to the surf breaks within Schedule 7 and the planning layer to use traditional naming of surf break locations alongside the commonly recognised surf break names.</p> |
| <b>Schedule 8 – Port air zone</b> |                  |  |  |
| 32 – Port Taranaki Ltd            | 1359             | <b>Amend</b>   | <b>Accept</b>  |
|                                   |                  | Submitter seeks amendment to Schedule 8 of the Plan (and associated maps) to include the wharves in the Port Air Zone and correspond to the online maps for the Port Air Zone.   | The Council agrees to amending Schedule 8 to include wharves within the Port Air Zone to be consistent with the areal extent of maps online.   |

| Submitter                           | Submission point | Submitter's requests  | Council's response and decisions   |
|-------------------------------------|------------------|---|--|
| <b>Schedule 9 – References</b>      |                  |   |  |
| 48 – Taranaki District Health Board | 1360             | <p><b>Amend</b></p> <p>Submitter seeks amendment to Schedule 9 of the Plan to read:</p> <p><i>The documents referenced throughout the Plan are listed below, along with the website addresses that provide access to the documents. <u>Note that New Zealand Standards listed below are subject to copyright and are not available to be viewed on-line and may be inspected by appointment at our customer service centre.</u></i></p> <p>[...]</p> <p><u>Noise standards (Rules 6.10, 8.6.3)</u></p> <p><u>NZS 6801:2008 Acoustics – Measurement of Environmental Sound</u></p> <p><u>NZS 6802:2008 Acoustics – Environmental Noise</u></p> <p><u>NZS 6803:1999 Acoustics – Construction noise</u></p> <p><u>NZS 6809:1999 Acoustics – Port Noise and Land Use Planning</u></p> | <p><b>Accept</b></p> <p>The Council agrees to amending the Plan to include reference to the requested standards in Schedule 9, however note that some changes to those requested by the submitter are also agreed to account for other relief offered within the Plan, to read as follows:</p> <p><b><u>New Zealand standards (General standards)</u></b></p> <p><u>NZS 6809:1999 Acoustics – Port Noise and Land Use Planning</u></p> <p><u>NZS 6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas</u></p> <p><u>NZS6803:1999 Acoustics – Construction Noise</u></p> <p><u>NZS 6801:2008 Acoustics – Measurement of Environmental Sound</u></p> <p><u>NZS 6802:2008 Acoustics – Environmental Noise</u></p> <p><u>Note: the New Zealand Standards are subject to copyright and are not available to be viewed on-line and may be inspected, by appointment, at the Council premises.</u></p> |

# Appendix 1 – Section 32AA evaluation report



# Section 32AA evaluation report

## Proposed Coastal Plan for Taranaki

3 September 2019

Document number: 2287678



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# 1 Introduction

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

## 1.1 Purpose

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

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

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

## 1.2 Scope and background

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

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

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

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

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

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

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

## 1.3 Section 32AA requirements

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

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

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

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

## 1.4 Key changes

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

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

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

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

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

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

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

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

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

## 2 Section 32AA evaluation

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

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



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



| Issue/theme   | Options  | Section 32AA evaluation   | Conclusion   |
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|   |  | <ul style="list-style-type: none"> <li>• More effective as Plan users will have greater certainty around whether their activity falls inside/outside the coastal environment and the appropriate Policies to consider.</li> <li>• More effective as each consent application will be addressed consistently and reduces variation between consents.</li> <li>• There are no additional costs associated with this change.</li> <li>• Efficient as the coastal environment extent is consistent with other similar extents identified in proposed district plans and will be amended for consistency if any changes occur through the plan review process.</li> </ul>  |  |
| <p><b>Explicitly provide for the needs of the National Grid</b></p> | <p><b>Option 1:</b> <i>Status quo</i> – no change.</p> <p>No provision currently made for the National Grid outside of provisions made generally for all regionally important infrastructure within Policy 6 [Benefits of regionally important infrastructure]. Policy 6 is limited to considering benefits of regionally important infrastructure and does not provide any additional weight for the National Grid when considering the environmental effects of an activity.</p> | <ul style="list-style-type: none"> <li>• Less efficient and effective as the Proposed Plan does not explicitly address the requirements of the <i>National Policy Statement for Electrical Transmission</i> (NPSET).</li> <li>• Less efficient as this may lead to lengthy debates with resource users over whether an activity is appropriate after having regard to the ‘protective’ policies (relating to outstanding value, significant indigenous biodiversity, outstanding value and nationally or regionally important surf breaks etc) within the Plan.</li> <li>• Less effective due to uncertainty over the outcome of consenting processes. Has implications for the community (and wider New Zealand) due to the importance of the national grid as nationally important infrastructure that provides electricity throughout the country.</li> <li>• Less certainty during the consenting process likely to result in additional costs for consent applicants during this process.</li> </ul> | <p><b>Option 2</b> is the preferred option. This option better provides for the requirements of the NPSET.</p> |
|   | <p><b>Option 2:</b> To include:</p> <ul style="list-style-type: none"> <li>• A new Policy 6A to address the requirements of the <i>National Policy Statement on Electricity Transmission</i> (NPSET) and to better address/balance the needs of the National Grid when considering those values identified for protection under Policies 8, 14 and 19.</li> </ul>  | <ul style="list-style-type: none"> <li>• Efficient and effective as the change explicitly gives effect to the NPSET.</li> <li>• Changes expand upon amendments to the notified Proposed Plan to increase the efficiency and effectiveness of the Plan by increasing certainty for resource users.</li> </ul>  |  |

| Issue/theme  | Options   | Section 32AA evaluation   | Conclusion  |
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|  | <ul style="list-style-type: none"> <li>A new Rule 37A which provides for the maintenance, alteration or extension of network utilities in Outstanding Value, Estuaries Unmodified, Estuaries Modified and the Open Coast coastal management areas as a restricted discretionary.</li> </ul>   | <ul style="list-style-type: none"> <li>More efficient as the change will reduce unnecessary disputes during the consenting process when weighing the economic and social values of the national grid against environmental and cultural values.</li> <li>More effective as the change will better recognise and provide for social and economic benefits by providing an appropriate pathway for the national grid beyond what is already provided for in Policy 6.</li> <li>The change addresses requirements for the National Grid under the NPSET as well as the requirements of the NZCPS.</li> <li>There are no additional costs associated with this change.</li> </ul>   |   |
| <p><b>All indigenous biodiversity to be covered by Plan provisions</b></p> | <p><b>Option 1:</b> <i>Status quo</i> – no change.</p> <p>The Proposed Plan is silent on maintaining and enhancing indigenous biodiversity generally (i.e. outside of that provided under Policy 14 which pertains to ‘significant indigenous biodiversity’ and is listed specifically in Schedule 4A and B).</p>   | <ul style="list-style-type: none"> <li>Current policy meets requirements of Policy 11 of the NZCPS.</li> <li>Less effective as the Plan contains no specific policy direction for implementing the first part of Objective 8 [Indigenous biodiversity] in which indigenous biodiversity in the coastal environment is maintained and enhanced.</li> <li>Less effective as the Plan only addresses effects on ‘significant indigenous biodiversity’ and provides no guidance or direction on managing other, unspecified indigenous biodiversity.</li> <li>Less efficient due to no consideration for managing indigenous biodiversity generally during the consenting process.</li> <li>Option produces no additional costs initially.</li> </ul> | <p><b>Option 2</b> is the preferred option. The change provides for greater clarity and a wider consideration of indigenous biodiversity values which will lessen the likelihood of inadvertent damage occurring.</p> |
|  | <p><b>Option 2:</b> Include a new Policy 14A to provide policy direction for all indigenous biodiversity not already addressed under Policy 14 plus amend standards, terms and conditions of permitted activity and controlled activity rules to refer to all significant indigenous biodiversity identified in Schedule 4 (and not limit it to that identified in Schedule 4A and B only).</p> | <ul style="list-style-type: none"> <li>Option supports Objective 4 [Life-supporting capacity and mauri] and Objective 8 [Indigenous biodiversity].</li> <li>Is consistent with sections 6 (a) and (c) of the RMA which requires councils, as a matter of national importance, to recognise and provide for the natural character of the coast and for significant indigenous biodiversity plus section 30(1) (ga) RMA functions relating to maintaining indigenous biodiversity generally.</li> <li>More effective as the Plan contains policy direction for implementing the first part of Objective 8 in which indigenous biodiversity in the coastal environment is maintained and enhanced.</li> </ul>  |   |

| Issue/theme  | Options  | Section 32AA evaluation   | Conclusion  |
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|  |  | <ul style="list-style-type: none"> <li>• More effective as it ensures other biodiversity considerations in addition to those set out in Policy 14 as required under Objective 8.</li> <li>• More efficient as it reduces the likelihood that remedial steps may be required at a later stage to offset negative environmental outcomes to indigenous biodiversity not addressed under Policy 14.</li> <li>• Costs accrue to resource consent applicants on a case-by-case basis for assessments of indigenous biodiversity affected by activity and consideration of appropriate protective measures to be taken.</li> <li>• Benefits include greater consideration of indigenous biodiversity values generally through the consenting process resulting in better environmental outcomes.</li> </ul>   |   |
| <p><b>Strengthened provisions addressing cultural and historic heritage protection</b></p> | <p><b>Option 1:</b> <i>Status quo</i> – no change.</p> <p>The Proposed Plan only identifies those scheduled sites of historic significance identified at the time of publicly notifying the Plan and does not include any specific policy direction for taonga species outside of that provided under Policy 14 which focuses on significant indigenous biodiversity that is listed specifically in Schedule 4A.</p> <p><b>Option 2:</b> To include:</p> <ul style="list-style-type: none"> <li>• A new Policy 14B to provide policy direction to protect taonga species identified through iwi deeds of settlement and scheduled in the Plan (Schedule 4C).</li> <li>• New permitted and controlled activity standards, terms and conditions in Rules 1, 18, 19, 51, 52 and 65 to avoid adverse effects on scheduled taonga species.</li> </ul> | <ul style="list-style-type: none"> <li>• Less effective in that any new discharges unlikely to achieve Objective 4 [Life-supporting capacity and mauri] and Objective 5 [Indigenous biodiversity].</li> <li>• Currently no recognition of taonga species as identified in Treaty of Waitangi settlements.</li> <li>• No additional costs. Reduced costs on consent applicants as there are less sites of significance identified and there is no policy requirement to protect species specifically of value to Māori.</li> <li>• Option better supports the integration of Māori values in the Plan, including Objective 4 [Life-supporting capacity and mauri], Objective 8 [Indigenous biodiversity], Objective 9 [Relationship of tangata whenua with the coastal environment], Objective 10 [Treaty of Waitangi] and Objective 11 [Cultural and historic heritage].</li> <li>• Broad tangata whenua support for stronger provisions addressing cultural and historic heritage protection.</li> <li>• Increased costs may accrue to resource consent applicants on a case-by-case basis to undertake assessments of impacts on taonga species affected by the activity and consideration of appropriate protective measures to be taken.</li> </ul> | <p><b>Option 2</b> is the preferred option. The change gives better effect to Plan objectives relating to the Treaty of Waitangi and cultural and historic heritage while also enhancing cultural considerations during the consenting process.</p> |

| Issue/theme   | Options  | Section 32AA evaluation   | Conclusion   |
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|   | <ul style="list-style-type: none"> <li>A new Schedule 4C identifying coastal taonga species as identified through iwi deeds of settlement.</li> <li>Amend Schedule 5B to identify additional sites of significance based upon new information supplied by iwi and hapū and schedule any additional sites of significant with special cultural, spiritual, historical and traditional associations to tangata whenua.</li> <li>New methods in section 6 [Methods of Implementation] and 10 [Monitoring and review] addressing non regulatory methods for protecting cultural and historic heritage values.</li> </ul> | <ul style="list-style-type: none"> <li>More effective as change promotes greater consideration (and the protection) of taonga species of value to tangata whenua.</li> <li>More effective as change provides greater consideration and protection to sites of significance to Māori.</li> <li>More efficient as Plan users can easily see areas that hold significance to Māori, rather than waiting for the consenting process.</li> </ul>   |  |
| <b>Prohibition on new discharges of wastewater containing human sewage to the CMA</b> | <p><b>Option 1:</b> <i>Status quo</i> – no change.<br/>The Proposed Plan provides for the discharge of new wastewater discharges in the Open Coast under Policy 25 and Rule 7.</p> <p><b>Option 2:</b> To include the following changes:</p> <ul style="list-style-type: none"> <li>Amend Policy 25 to prohibit any new discharges of wastewater containing human sewage to all coastal management areas in the CMA.</li> <li>Amend Rule 7 and delete Rule 8 so that no new wastewater treatment plant discharges are allowed to the CMA.</li> </ul>   | <ul style="list-style-type: none"> <li>Less effective in that any new discharges are unlikely to achieve Objective 5 [Coastal water quality] or Policy 11 [Coastal water quality] to maintain Taranaki's, generally high, coastal water quality.</li> <li>Less recognition of tangata whenua principles and values and, in particular, their abhorrence of wastewater discharges to water.</li> <li>Potentially lengthy consenting processes and uncertain outcomes.</li> <li>Provides for the discharge of treated community wastewater into the Open Coast coastal management area.</li> <li>This option gives better effect to Māori principles and values in the Plan, including Objective 9 [Relationship of tangata whenua with the coastal environment], Objective 10 [Treaty of Waitangi] and Objective 11 [Cultural and historic heritage].</li> <li>The prohibition on new treated wastewater discharges better contributes to Objective 4 [Life-supporting capacity and mauri] and Objective 5 [Coastal water quality] and, in particular, will avoid any degradation in Taranaki's coastal water quality.</li> <li>More effective in that the change recognises Council's experience with existing municipal wastewater discharges where localised degradation</li> </ul> | <p><b>Option 2</b> is the preferred option. The environmental benefits outweigh the costs and the change gives better effect to Plan objectives relating to coastal water quality.</p> |

| Issue/theme   | Options  | Section 32AA evaluation   | Conclusion   |
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|   |  | <p>in coastal water quality has occurred resulting in restrictions to shellfish gathering and recreational bathing.</p> <ul style="list-style-type: none"> <li>• It effectively recognises existing best practice which is to avoid direct discharges to water.</li> <li>• Broad tangata whenua support for stronger provisions prohibiting direct wastewater discharges to the CMA.</li> <li>• Potentially significant constraints and costs on district councils addressing future population growth requirements (of note, this option would continue to provide for existing wastewater discharges subject to a consenting process).</li> </ul>   |  |
| <p><b>Amend regulatory framework to allow for the temporary discharge of water containing minor contaminants into the CMA</b></p> | <p><b>Option 1:</b> <i>Status quo</i> – no change.<br/>No provision currently for the temporary discharges of water to the CMA). This activity would be addressed under catch all Rules 13 or 14 as Discretionary or Non-complying activities.</p> <p><b>Option 2:</b> To include a new Rule 1A that addresses temporary water and minor contaminant discharges to the Coastal Marine Area. Also the addition of a new definition for 'temporary'.</p> | <ul style="list-style-type: none"> <li>• The temporary discharge of water is not currently provided for in the current or Proposed Coastal Plan.</li> <li>• Unnecessarily restricts discharges of water into the CMA that are having less than minor adverse effects, e.g. desalination discharges associated with temporary military training exercises and discharge from water blasting.</li> <li>• Unnecessary costs and constraints on resource users whereby discharges of water into the CMA that are having less than minor adverse effects (e.g. desalination discharges associated with temporary military training exercises and discharge from water blasting) are required to get a resource consent.</li> <li>• Option permits small incidental discharges of water to the CMA (e.g. desalination discharges associated with temporary military training exercises and discharge from water blasting) without a resource consent subject to standards, terms and conditions.</li> <li>• Option is appropriate in that Rule 1A is consistent with similar provisions in the Freshwater Plan.</li> <li>• More effective in that any adverse environmental effects allowed by the rule will be less than minor.</li> </ul> | <p><b>Option 2</b> is the preferred option. The change allows for temporary and minor incidental discharges of water in the CMA as a permitted activity. This is an efficient and appropriate status for these activities.</p> |



| Issue/theme  | Options  | Section 32AA evaluation   | Conclusion  |
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|  |  | <ul style="list-style-type: none"> <li>• More efficient in that it allows activities such as the use of desalination equipment as part of any military training require a consent.</li> <li>• Provision of new definition provides greater clarity and therefore efficiency to resource users as to what is meant by term 'temporary' in relation to this activity.</li> <li>• No additional costs. Reduced costs on resource users by avoiding requirements to obtain consent for water discharges having no or less than minor adverse effects.</li> </ul>  |   |
| <b>Amend regulatory framework for stormwater discharges to include a schedule setting out hazardous substances threshold values of concern</b> | <p><b>Option 1:</b> <i>Status quo</i> – no change.<br/>The Proposed Plan does not currently differentiate or specify hazardous substances of a type, toxicity or amount that are of interest.</p>  | <ul style="list-style-type: none"> <li>• Large number of industrial and trade premises inadvertently being captured by the term “<i>hazardous substances</i>” and their stormwater discharge to the CMA would require a resource consent.</li> <li>• Unnecessary costs and constraints on resource users industrial and trade premises inadvertently being captured by storing “<i>hazardous substances</i>”.</li> </ul>  | <p><b>Option 2</b> is the preferred option. The benefits outweigh the costs and suggested improvements provide more certainty for plan users.</p> |
|  | <p><b>Option 2:</b> To include the following:</p> <ul style="list-style-type: none"> <li>• Amend Rule 1 to better recognise hazardous substances threshold values of concern.</li> <li>• A new Schedule 8AA identifying hazardous substances and threshold values for stormwater discharges from industrial and trade premises.</li> </ul> | <ul style="list-style-type: none"> <li>• Option permits stormwater discharges from industrial and trade premises subject to those premises not using or storing hazardous substances in quantities or of a type that exceeds the threshold values identified in Schedule 8AA.</li> <li>• Aligns with hazardous substances threshold criteria under the <i>Hazardous Substances and New Organisms Act 1996</i>.</li> <li>• More effective in that any adverse environmental effects allowed by Rule 1 will be less than minor.</li> <li>• More efficient in that it permits industrial and trade premises that use or store day-to-day items and products not of concern such as detergents and household cleaners (but which are still classified as “hazardous substances”) to discharge stormwater without the requirement to obtain a consent.</li> <li>• Reduced compliance costs by excluding premises (and the requirement to obtain a consent) that may have hazardous substances but not of a type or quantity to exceed hazardous substances threshold values of concern.</li> </ul> |   |



| Issue/theme  | Options   | Section 32AA evaluation   | Conclusion  |
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| <p>Remove Rule 4 addressing petroleum dispersant use in the Port coastal management area</p> | <p><b>Option 1:</b> <i>Status quo</i> – no change.</p> <p>Discharges of a petroleum dispersant in the Port coastal management area are a permitted activity under Rule 4 of the Plan.</p> | <ul style="list-style-type: none"> <li>• Inappropriate as Rule 4 duplicates the requirements of the <i>Marine Protection Rules, Part 132: New Zealand Oil Spill Control Agents</i>.</li> <li>• Less appropriate as Rule 4 duplicates powers available under the emergency provisions of the RMA.</li> <li>• Less efficient as avoidance, mitigation and remediation measures addressing the event of a natural marine oil seep resulting from capital dredging in the Port can be adequately addressed under the consent for the dredging activity and the Ports Oil Spill Management Plan.</li> <li>• Inappropriate as it indicates to Plan users that use of petroleum dispersants may be appropriate when other means of capture and recovery may be more appropriate.</li> <li>• Inappropriate as the rule is not consistent with the <i>Marine Protection Rules, Part 132: New Zealand Oil Spill Control Agents</i> which allows only certain persons the authority to discharge oil spill control agents.</li> <li>• There are no benefits or additional costs of retaining this rule.</li> </ul> | <p><b>Option 2</b> is the preferred option as it ensures that the Plan is not inconsistent with the requirements of the <i>Marine Protection Rules</i> which ensures appropriate application of a petroleum dispersant.</p> |
|  | <p><b>Option 2:</b> Delete Rule 4 of the Plan permitting the discharge of petroleum dispersants in the Port coastal management area.</p>  | <ul style="list-style-type: none"> <li>• More effective as, in the event of a spill, discharges of petroleum dispersants are regulated under the <i>Marine Protection Rules, Part 132: New Zealand Oil Spill Control Agents</i>.</li> <li>• More effective as, in the event of a spill, discharges of petroleum dispersants could be authorised using the emergency provisions of the RMA.</li> <li>• More efficient as the adoption of appropriate avoidance, mitigation and remediation measures addressing the event of a natural marine oil seep resulting from capital dredging in the Port (including the use of petroleum dispersants) can be addressed as part of a resource consent application for any dredging activity.</li> <li>• More effective as it does not encourage (through a dedicated rule) the use of petroleum dispersant discharge, which may have high and unintended adverse environmental effects.</li> </ul>   |   |

| Issue/theme   | Options   | Section 32AA evaluation   | Conclusion  |
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|   |   | <ul style="list-style-type: none"> <li>• More effective as it promotes the use of alternative methods for controlling and recovering oil when the oil spill event is of a small scale (i.e. Tier I).</li> <li>• There are no additional costs associated with this option.</li> </ul>   |   |
| <b>Rule 9: Cleaning of biofouling in the Port coastal management area</b> | <p><b>Option 1:</b> <i>Status quo</i> – no change.</p> <p>The current rule is limited to only “in-water cleaning” and would preclude cleaning of objects on wharves (within the Port coastal management area). The rule has standards, terms and conditions that address anti-foul coatings, the capture and disposal of biological material where a vessel has travelled outside of the Taranaki coastal marine area, and the notification of MPI following a suspected encounter with any suspected invasive or non-indigenous aquatic species.</p> | <ul style="list-style-type: none"> <li>• Less efficient as there are inconsistencies with similar provisions in other coastal plans around New Zealand.</li> <li>• Less effective as cleaning of biofouling above-water is not covered by the Plan yet may also negatively effect on marine values in and near Port Taranaki.</li> <li>• Less certainty during the consenting process likely to result in additional costs for consent applicants during this process.</li> </ul>   | <p><b>Option 2</b> is the preferred option as it promotes better inter-regional alignment between Coastal Plan rules addressing biofouling activities and should minimise biosecurity risks associated with the activity.</p> |
|   | <p><b>Option 2:</b> To include the following:</p> <ul style="list-style-type: none"> <li>• Activity description broadened to refer to cleaning in general and is not limited to “in-water cleaning”.</li> <li>• New and amended standards, terms and conditions Activity description is broadened to refer to cleaning in general plus alignment with similar rules adopted elsewhere across New Zealand.</li> </ul>  | <ul style="list-style-type: none"> <li>• Option better supports Objective 5 [Coastal water quality] and Objective 8 [indigenous biodiversity].</li> <li>• More efficient in that revised rule and standards aligned with similar rules elsewhere across the country – greater transparency for Plan users.</li> <li>• More effective as the proposed amendments better align industry best practice relating to biofouling.</li> <li>• More effective as the broadening of the scope of the rule to include all cleaning of biofoul, as well as more comprehensive standards, terms and conditions, better addresses biosecurity risks associated with the activity.</li> <li>• There are no additional costs associated with this option.</li> </ul> |   |
| <b>Rule 12A: Seismic surveying</b>  | <p><b>Option 1:</b> <i>Status quo</i> – no change.</p> <p>Seismic surveying is a Permitted Activity under Rule 12. The only requirement being compliance with the 2013 <i>Code of Conduct for Minimising Acoustic Disturbance to Marine Mammals from Seismic Survey Operations</i> (Code</p>  | <ul style="list-style-type: none"> <li>• Less effective as the Code of Conduct does not address effects on non-marine mammals. Of particular concern are possible significant effects to the little blue penguin (amongst others).</li> <li>• Less effective as this option may result in environmental costs arising from no or little consideration of biodiversity impacts currently not</li> </ul>  | <p><b>Option 2</b> is the preferred option as it has improved environmental considerations through the consenting process that addresses all biodiversity impacts (and not just those covered</p>                             |

| Issue/theme | Options  | Section 32AA evaluation  | Conclusion   |
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|             | <p>of Conduct).</p> <p><b>Option 2:</b> Seismic activity is addressed through the consenting process as a Controlled Activity, with standards, terms and conditions established which address effects on indigenous biodiversity in addition to required compliance with the Code of Conduct.</p> <p><b>Option 3:</b> Seismic activity is addressed through the consenting process as a discretionary activity and consent conditions are determined on a case-by-case</p> | <p>addressed under the Code of Conduct and which relate to marine mammals.</p> <ul style="list-style-type: none"> <li>• Minimised costs to resource users, with no requirement to obtain a resource consent.</li> <li>• No additional costs or benefits associated with this option.</li> </ul> <ul style="list-style-type: none"> <li>• More effective as this option better supports Objective 4 [Life-supporting capacity and mauri] and Objective 8 [Indigenous biodiversity].</li> <li>• More effective as this option provides increased environmental benefits from the consideration of impacts on non-marine mammal species and currently not addressed by the Code of Conduct.</li> <li>• More effective as this option adopts a precautionary approach whereby through the consenting process appropriate ecological assessments can be required to ensure the adoption of appropriate avoidance, remediation and/or mitigation measures (including those not covered by the Code of Conduct).</li> <li>• More effective in that through the consenting process there is increased flexibility to identify and tailor appropriate avoidance, remediation and/or mitigation measures to address environmental impacts on non-marine mammal species.</li> <li>• Increased costs accrue to consent applicants with the need to obtain a resource consent and/or undertake any necessary ecological assessments to ensure appropriate measures are taken to protect indigenous biodiversity affected by activity.</li> <li>• Increased certainty for Plan users and consent applicants that the activity will be allowed subject to compliance with appropriate standards, terms and conditions.</li> <li>• This option will not affect employment or the economy within Taranaki.</li> </ul> <ul style="list-style-type: none"> <li>• Effective as this option better supports Objectives 4 [Life-supporting capacity and mauri] and Objective 8 [Indigenous biodiversity].</li> </ul> | <p>by the Code of Conduct and marine mammals) and provides more certainty in the assessment and adoption of appropriate avoidance, remediation and/or mitigation measures.</p> |

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

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

| Issue/theme  | Options   | Section 32AA evaluation  | Conclusion  |
|--|---|--|---|
|  | <ul style="list-style-type: none"> <li>Amending the definition for 'maintenance'.</li> </ul>  |  |   |
| <p><b>Rule 52, 52A and 52B: rules cascade for disturbance for the purpose of scientific sampling and monitoring (excluding hydrocarbon explorations)</b></p> | <p><b>Option 1:</b> <i>Status quo</i> – no change.<br/>The Plan does not address disturbances for the purpose of scientific sampling or monitoring beyond minor disturbances from grab samples. Core samples and geotechnical analyses activities are addressed as discretionary or non-complying depending on the coastal management area involved.</p> <p><b>Option 2:</b> Amend the Plan to include additional rules to address disturbances for the purpose of scientific sampling and monitoring as permitted, controlled and discretionary pathways depending on the activity and the coastal management area involved.</p> | <ul style="list-style-type: none"> <li>Inappropriate as drilling for geotechnical bore holes will have less than minor adverse effects subject to compliance with standards, terms and conditions.</li> <li>Ineffective as no specific rule means that the activity is addressed as Discretionary or Non-complying Activity, depending on the coastal management area (through catch-all rules).</li> <li>Inefficient as this option will result in a potentially lengthy consenting process for plan users.</li> <li>Costs accrue to resource consent applicants on a case-by-case basis for assessments of environmental affected by activity and consideration of appropriate protective measures to be taken.</li> <li>Effective as the Plan provides a suite of rules with appropriate activity classifications depending on the activity and environmental effects associated.</li> <li>Effective as the consenting process will ensure that the Council can impose the necessary restrictions to ensure negative environmental and community effects are adequately addressed for activities that are not expected to have less than minor effects.</li> <li>Efficient as permitted and controlled activity classifications identifies what conditions will be imposed and the matters over which control is determined.</li> <li>Efficient as permitted and controlled activity classifications provide user certainty.</li> <li>No additional costs associated with this option.</li> </ul> | <p><b>Option 2</b> is the preferred option as it provides a regulatory pathway appropriate for the scale and effect of the activity that can consider any environmental or community costs.</p> |



| Issue/theme   | Options  | Section 32AA evaluation   | Conclusion   |
|---|--|---|--|
| <b>General standards - noise provisions: Temporary military training activities</b> | <b>Option 1:</b> <i>Status quo</i> – no change to noise levels.  | <ul style="list-style-type: none"> <li>• Current noise provisions specified for temporary military training activities do not adequately provide for the requirements of the New Zealand Defence Force and are different to those limits set by other regional plans across New Zealand.</li> <li>• Current noise provisions for helicopters landing in the coastal marine area (as a temporary military training exercise) need to comply with the <i>NZS6807: 1994 Noise Management and Land Use Planning for Helicopter Landing Areas</i>.</li> <li>• Increased compliance costs for activities that would not currently meet the activity thresholds.</li> </ul>  | <b>Option 2</b> is the preferred option. The proposed changes provide greater consistency with other regional councils and their regional plan noise provisions. |
|   | <b>Option 2:</b> Amend noise limits to better reflect requirements set by the New Zealand Defence Force for temporary military training activities throughout the country. | <ul style="list-style-type: none"> <li>• Revised noise limits allow for better alignment and clarity across New Zealand further to the requirements of the New Zealand Defence Force.</li> <li>• Better provision and clarity for New Zealand Defence Force temporary training exercises.</li> <li>• Options addresses the environmental effects of noise on adjacent residential properties in the coastal environment.</li> <li>• Updated reference provided to New Zealand noise standards.</li> <li>• Improved alignment across regional council plans with regard to noise levels to permit temporary military training activities.</li> <li>• More effective in reducing consenting requirements and therefore unnecessary costs for the New Zealand Defence Force.</li> <li>• There are no additional costs associated with this proposed change.</li> </ul> |  |
| <b>Schedule 7: Māori surf break names</b>   | <b>Option 1:</b> <i>Status quo</i> – no change.<br>Surf breaks identified in Schedule 7 do not currently identify with their traditional Māori names.                      | <ul style="list-style-type: none"> <li>• Current Proposed Plan identifies some surf breaks with culturally offensive names.</li> <li>• No additional costs.</li> </ul>  | <b>Option 2</b> is the preferred option as it better recognises and provides for cultural considerations in the naming   |

| Issue/theme  | Options   | Section 32AA evaluation  | Conclusion   |
|--|---|--|--|
|  | <p><b>Option 2:</b> Identify traditional Māori names for significant surf breaks and surf areas.</p>  | <ul style="list-style-type: none"> <li>Improved cultural considerations.</li> <li>Proposed change promotes greater consideration (and the protection of) Māori terms and references (i.e. names) and cultural and historic heritage.</li> <li>There are no additional costs associated with this change.</li> </ul>  | <p>conventions for surf breaks.</p>  |
| <p><b>Schedule 7A:<br/>Breakwater surf break</b></p> | <p><b>Option 1:</b> <i>Status quo</i> – no change.<br/>Breakwater Surf Break remains a regionally significant surf break under Schedule 7A [Nationally, regionally and locally significant surf breaks], with the effects on the surf break addressed through Policy 19 (b) i.e. with a direction to avoid significant adverse effects.</p> | <ul style="list-style-type: none"> <li>Less appropriate as the values associated with the Breakwater surf break are assessed as relatively low and the area is not utilized regularly for surfing.</li> <li>Less appropriate as this surf break is man-made through the placement of the breakwaters and sediment build up requiring regular removal through dredging.</li> <li>Less effective and inefficient as protection of this surf break compromises the provision of the Port Taranaki and could potentially undermine the regular maintenance activity of capital dredging at the Port.</li> <li>Less efficient and effective as it could potentially cause significant delays (or prevent entirely) the Port Taranaki from acquiring a consent to dredge and therefore causing risks to vessels and personnel leaving and entering the Port.</li> <li>Less effective as the prevention of dredging could affect the Port Taranaki being able to operate safely, as well as cause social and economic harm through partial or full closure of the Port due to being unable to provide vessels with safe passage into/out of the Port.</li> <li>May cause unnecessary costs for the applicant and unnecessary disputes between the Council and applicant where Port activities may have an impact on the man-made surf break.</li> </ul> | <p><b>Option 2</b> is the preferred option as it better recognises and provides for Port operations.</p> |
|  | <p><b>Option 2:</b> The Breakwater Surf Break is re-classified as 'locally significant', with effects on the surf break addressed through Policy 19 (c) i.e. with a direction to avoid, remedy or mitigate adverse effects.</p>   | <ul style="list-style-type: none"> <li>Appropriate as 'locally significant' surf break status better aligns with the anthropogenic nature of the break, i.e. it has not formed naturally and its formation is a result of the Port's presence.</li> <li>Appropriate as the change better recognises and provides for regular Port maintenance operations and is consistent with other Plan</li> </ul>  |  |

| Issue/theme  | Options   | Section 32AA evaluation  | Conclusion  |
|--|---|--|---|
|  | <p><b>Option 3:</b> The Breakwater Surf Break is deleted from Schedule 7 and not identified in any of the planning maps.</p>  | <p>provisions seeking to recognise and provide for regionally important infrastructure.</p> <ul style="list-style-type: none"> <li>• More effective as the Plan still includes the Breakwater Surf Break as locally significant, therefore recognising and providing appropriate protection for its amenity values.</li> <li>• Efficient as this would allow less restrictions in place for the processing of consents for dredging in the Port, while still taking into account surf break values.</li> <li>• There are no additional costs.</li> </ul> <p>• Efficient as no requirement to avoid, remedy or mitigate adverse effects on the surf break values during consent applications.</p> <p>• There are no additional costs associated with this change.</p>   |   |
| <p><b>Planning maps: identify 'high natural character' and 'significant indigenous biodiversity'</b></p> | <p><b>Option 1:</b> <i>Status quo</i> – no change.<br/>Planning maps currently do not identify areas of 'high natural character' and/or 'significant indigenous biodiversity'.</p> <p><b>Option 2:</b> Amend planning maps (and schedules) to better identify areas of 'high natural character' and 'significant indigenous biodiversity' in the CMA.</p> | <ul style="list-style-type: none"> <li>• Less certainty and clarity during the consenting process and possibility of disputes over whether an activity falls within an area of 'high natural character' and/or 'significant indigenous biodiversity' or not, resulting in increased costs to Council, resource users and affected parties.</li> <li>• Less transparency identifying areas of 'high natural character' and/or 'significant indigenous biodiversity' extent, which may be subject to differing interpretations by resource users and Council staff.</li> </ul> <ul style="list-style-type: none"> <li>• More efficient in that there is increased certainty on the extent of areas of 'high natural character' and 'significant indigenous biodiversity' (and therefore the application of relevant Plan provisions) during the consenting process.</li> <li>• More efficient and effective in that mapping provides increased certainty during the consenting process and will minimise disputes and reduce costs for the applicant and the Council.</li> <li>• There are no additional costs associated with this change.</li> </ul> | <p><b>Option 2</b> is the preferred option as it provides greater clarity as to where areas of 'high natural character' and 'significant indigenous biodiversity' are located in the CMA.</p> |

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

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

### 3.1 Impacts on economic growth and employment

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

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

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

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

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

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

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

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

### 3.2 Risk of acting or not acting

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

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

For some matters relating to coastal indigenous biodiversity, taonga species and sites of significance, there is sufficient information for identifying those elements of indigenous biodiversity that are regionally significant. However, there remains considerable variability and gaps in marine information.

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

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

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

## 4 Summary of changes

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

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



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



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



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

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| 5.                | Point Board Riders Inc                             | Maioha Kelly        | maiohakelly@gmail.com                     | 7 Wainui Road, Raglan                            |
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| 7.                | Waikato Regional Council                           | Alejandro Cifuentes | Alejandro.Cifuentes@waikatoregion.govt.nz | 401 Grey Street, Hamilton East, Hamilton 3216    |
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| 11.               | Project Reef Life & South Taranaki Underwater Club | Bruce Boyd          | boydsnest2@gmail.com                      | 202A Turuturu Road, RD 14, Hawera 4674           |
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| 13.               | Spark New Zealand Trading Ltd                      | Tom Anderson        | graeme.mccarrison@spark.co.nz             | c/- Incite, PO Box 2058, Wellington 6140         |
| 14.               | Vodafone New Zealand Ltd                           | Tom Anderson        | tom@incite.co.nz                          | c/- Incite, PO Box 2058, Wellington 6140         |
| 15.               | Surfbreak Protection Society                       | Paul Shanks         | info@surfbreak.org.nz                     | Na   |
| 16.               | Ministry for Primary Industries                    | Andrea Kapoutsos    | rma@mpi.govt.nz                           | PO Box 2526, Wellington 6140                     |
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| 18.               | Surfing Taranaki                                   | Craig Williamson    | mail@surfingtaranaki.org                  | PO Box 3364                                      |
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| 20.               | Meridian Energy Ltd                                | Andrew Feierabend   | andrew.feierabend@meridianenergy.co.nz    | PO Box 2146, Christchurch 8140                   |
| 21.               | Climate Justice Taranaki Inc                       | Catherine Cheung    | climatejusticetaranaki@riseup.net         | 60 Browne Street, Waitara 4320, Taranaki         |
| 22.               | Lyndon De Vantier                                  |                     | Ldevantier@aol.com                        | 62 Kaihihi Road Upper, Okato, 4335               |

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| 26.               | Transpower NZ Ltd  | Pauline Whitney               | pauline.whitney@boffamiskell.co.nz | c/- Boffa Miskell, Attn: Pauline Whitney, PO Box 11340, Wellington 6142         |
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| 28.               | Grant Knuckey  |                               | Grant@teatiawabusiness.co.nz       | Tiromoana Crescent, Bell Block, New Plymouth 4312                               |
| 29.               | Department of Conservation                                   | David Spiers<br>c/ Angus Gray | agray@doc.govt.nz                  | MA Shared Services, Department of Conservation, Private Bag 3072, Hamilton 3240 |
| 30.               | First Gas Ltd  | Zen Gerente                   | zen@landpro.co.nz                  | 46 Vivian St, New Plymouth 4310   |
| 31.               | Komene 13B <b>Māori</b> Reservation<br>Trustees              | David Jones                   | david.fay@xtra.co.nz               | Puniho Pa, 7178A South Road, RD 37, Warea                                       |
| 32.               | Port Taranaki Ltd  | Guy Roper                     | Guyr@porttaranaki.co.nz            | PO Box 348, 2-8 Bayly Road, New Plymouth  |
| 33.               | New Zealand Defence Force                                    | Rebecca Davies                | rebecca.davies@nzdf.mil.nz         | Tonkin + Taylor, PO Box 2083, Wellington, 6140                                  |
| 34.               | Fay Mulligan and Carol Koha                                  |                               | david.fay@xtra.co.nz               | Puniho Pa, 7178A South Road, RD 37, Warea                                       |
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| 39.               | Maniapoto <b>Māori</b> Trust Board                           | Sonya Hetet                   | sonya@maniapoto.co.nz              | 49 Taupiri Street, Te Kuiti 3910  |
| 40.               | <b>Te Rūnanga o Ngāti Mutunga</b>                            | Paul Cummings                 | Paul@ngatimutunga.iwi.nz           | 6 Ngakoti Street, Urenui 4349   |
| 41.               | <b>Te Korowai o Ngāruahine Trust</b>                         | Louise Tester                 | louise@ngaruahine.iwi.nz           | 147 High Street, Hawera, 4610   |
| 42.               | Ngati Rahiri   | Keith Holswich                | keith.holswich@xtra.co.nz          | 4 Tamati Place, Merrilands, New Plymouth 4312                                   |



| Submission Number | Submitter Name                                | Care of                            | Email                          | Postal address  |
|-------------------|---|------------------------------------|--------------------------------|---|
| 43.               | Royal Forest and Bird Protection Society      | Tom Kay                            | t.kay@forestandbird.org.nz     | PO Box 631, Wellington  |
| 44.               | Nga Motu Marine Reserve Society Inc           | Elise Smith                        | seasense@seasense.org.nz       | 320 B Frankley Road, Ferndale, New Plymouth 4310  |
| 45.               | Powerco                                       | Mark Laurenson                     | markl@4sight.co.nz             | c/- 4sight Consulting, PO Box 911 310, Victoria St West, Auckland 1142                  |
| 46.               | Z Energy Ltd, BP Oil Ltd and Mobil Oil NZ Ltd | Mark Laurenson                     | markl@4sight.co.nz             | c/- 4sight Consulting, PO Box 911 310, Victoria St West, Auckland 1142                  |
| 47.               | Fonterra                                      | Brigid Buckley                     | brigid.buckley@fonterra.com    | Fonterra Limited, C/- Russel McVeagh, PO Box 8, Auckland 1140                           |
| 48.               | Taranaki District Health Board                | Dr Jonathan Jarman                 | health.protection@tdhb.org.nz  | Public Health Unit, Taranaki District Health Board, Private Bag 2016, New Plymouth 4342 |
| 49.               | Cam Twigley                                   |                                    | cam.twigley@btw.nz             | 128 Alfred Road, RD 1, New Plymouth   |
| 50.               | <b>Te Kāhui</b> o Taranaki Trust              | Wharehoka Wano                     | whare@taranaki.iwi.nz          | PO Box 929, Taranaki Mail Centre, New Plymouth 4310                                     |
| 51.               | Taranaki Energy Watch Incorporated            | Sarah Roberts                      | taranakienergywatch@gmail.com  | Na  |
| 52.               | Emily Bailey                                  |                                    | emilybailey297@gmail.com       | 6484a South Road, RD25, Pungarehu   |
| 53.               | Taranaki Regional Council                     | Basil Chamberlain<br>c/ Fred McLay | fred.mclay@trc.govt.nz         | Taranaki Regional Council, Private Bag 713, Stratford                                   |
| 54.               | Maritime New Zealand                          | Mike Hudson                        | Mike.Hudson@maritimenz.govt.nz | PO Box 25620, Wellington 6146   |
| 55.               | Kiwis Against Seabed Mining                   | Cindy Baxter                       | cindybax@gmail.com             | PO Box 193, Raglan  |
| 56.               | Greenpeace                                    | Ruby Haazen                        | rghaazen@gmail.com             | 11 Akiraho Street, Mount Eden, Auckland 1024  |
| 57.               | Heritage New Zealand                          | Caroline Rachlin                   | crachlin@heritage.org.nz       | PO Box 2629   |
| 58.               | Te Atiawa                                     | Sarah Mako                         | sarah@teatiawa.iwi.nz          | 35 Leach Street, New Plymouth   |
| 59.               | KiwiRail                                      | Rebecca Beals                      | rebecca.beals@kiwirail.co.nz   | Level 1, Wellington Railway Station, Bunny Street, Wellington 6011                      |
| 60.               | Te Kaahui o Rauru                             | Te Kaahui o Rauru                  | Fiona@rauru.iwi.nz             | 14 Fookes St, Waverley 4510   |
| 61.               | Ngāti Ruanui                                  | Graham Young                       | Graham.Young@ruanui.co.nz      | 74 Princes Street, Hawera 4610  |