Effectiveness and Efficiency of the Regional Coastal Plan for Taranaki

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Executive summary

The *Regional Coastal Plan for Taranaki* (RCP), made operative in 1997, has one overriding purpose: 'to promote the sustainable management of natural and physical resources in relation to the coastal marine area of Taranaki'. It is appropriate and necessary for people's wellbeing and the economic viability of the region, that a number of activities are undertaken in the coastal marine area, as long as the effects of such activities are well managed. The RCP provides the management framework, objectives, policies and rules to govern a number of activities in the coastal marine area that would otherwise be restricted under the Resource Management Act (RMA).

The Council is required under section 35 (2A) of the RMA report on the effectiveness and efficiency of policies, rules and other methods in its plans. This involves looking back at how the RCP has measured up. Such assessment is not only required by legislation, but is good planning practice as part of the review of the plan. This assessment was based on feedback from stakeholders, data from consents and incidents databases, monitoring reports, state of environment monitoring and annual significant activity reports.

Evaluating the effectiveness of the RCP was undertaken by first examining the outputs of the plan (consents issued, consent monitoring, unauthorised incidents and non-regulatory methods undertaken).

This found that the number of current coastal consents is relatively low (just over 250) and an average of 24 consents per year have been issued, varied or renewed since the RCP was made operative with most of these processed on a non-notified basis. The majority of consents are for the open coast management area (62%) and for coastal protection structures (42%). Eighty percent of consents are processed as either discretionary or restricted discretionary activities. Monitoring of compliance with consent conditions has found good to high levels of environmental performance.

Coastal related unauthorised incidents make up only a small proportion of the total number that the Council responds to. Over the last eight years the Council has responded to 219 coastal incidents, an average of 27 per year. The most frequent unauthorised incidents have an unknown origin and include a number of natural events with the next most frequent incident being from dairy processing.

Evaluating the effectiveness of the RCP in achieving anticipated environmental outcomes has concluded that:

- The different values and processes within the coastal marine area have been recognised through the establishment of different management areas in the plan;
- Monitoring of estuaries and rocky shore sites show biodiversity is being maintained with ecological health returning to normal following floods or sand inundation;
- Amenity values are maintained or improved for public appreciation;
- Areas of outstanding coastal value are generally protected through low levels of use and development;
- Coastal protection structures are one of the major issues dealt with in the plan;
- Coastal water in Taranaki generally meets bathing water standards when sampled according to Council's monitoring protocols;
- Unauthorised incidents (accidental spills) are quickly responded to;
- There have been no navigation and safety incidents in Port Taranaki;
- Occupation of coastal space is not a significant issue; and
- Public access is generally maintained.

The efficiency of the RCP was examined by looking at the administration costs incurred by the Council (largely state of environment monitoring, some incident response work, and policy development), costs incurred by consent applicants and consent holders (costs of applying for and monitoring consents) and broader economic costs. The report concludes that the RCP has had a positive ratio of benefit to cost, and therefore the efficiency of the RCP can be regarded as high.

Management of coastal resources is highly significant to the iwi o Taranaki. A range of Tangata whenua involvement is evident in coastal resource management through consent processing, monitoring, unauthorised incidents response and identification of wāhi tapu sites. The Council will engage in a specific programme of consultation with Māori through the review of the RCP to recognise and provide for the relationship of iwi o Taranaki with the coastal marine area in a manner reflective of their status as Tangata whenua.

Since the RCP became operative, amendments have been made to the Resource Management Act, 1991, regulations governing discharges from ships and offshore installations have been passed, debates have been had about the governing of the foreshore and seabed and the whole management of aquaculture has undergone significant changes. National policy statements of relevance to the coast are either in the process of being developed or being reviewed. The Regional Policy Statement for Taranaki has been reviewed, generating additional policies and methods of relevance to the review of the RCP.

This report concludes with identifying a number of matters that the review of the RCP will need to address that have arisen out of changes to legislation or national policy, the review of the effectiveness and efficiency of the plan and feedback from stakeholders. These include updating information on the values of the coastal marine area and presenting this in schedules and planning maps through use of GIS technology, reorganising the structure of the rules section to make it easier to follow, including policies relating to appropriate use and development in the coast and policies stressing the strategic importance of the Port, considering an amendment to the boundary of the port management area, updating the rules to incorporate changes made in legislation and reviewing rules relating to minor structures and minor disturbances of sand.

The aim of the review will be to retain a *Regional Coastal Plan for Taranaki* that assists the Council to deliver its responsibilities and functions in the coastal marine area, in a manner that provides certainty to users and is easy to understand and use.

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1 Introduction

1.1 Purpose

This report has been prepared by the Taranaki Regional Council ('the Council') as input into the review of the *Regional Coastal Plan* 1997 (RCP). It documents how the Council has fulfilled its responsibilities under section 35(2b) of the Resource Management Act (RMA) by looking at how effective and efficient the RCP has been since it was made operative.

Section 35 (2b) of the RMA requires local authorities to monitor the efficiency and effectiveness of policies, rules or other methods in its plan, and to make the results of its monitoring publically available at intervals of not more than five years (section 35(2A)). This report undertakes a critical assessment of the effectiveness and effectiveness of the RCP policies, methods and rules drawing on a range of information from state of environment monitoring, consent databases, monitoring and compliance information, as well as feedback from stakeholders and internal workshops.

Reviewing the effectiveness and efficiency of the RCP is not merely to fulfil a legislative requirement, but also because evaluating policy is good practice. Evaluation is a critical part of the policy cycle, providing a feedback mechanism to enable policy to be better refined in light of previous experience. It is also a way to demonstrate effectiveness of policy intervention or management approaches, thus maintaining political and public support for the management approach adopted[1].

Evaluating the effectiveness and efficiency of the RCP involves the following components:

- The effectiveness of the RCP in terms of its delivery of the methods of implementation;
- The effectiveness of the RCP in achieving its objectives and environmental results anticipated;
- The effectiveness of the RCP in terms of its usefulness and suitability, taking into account feedback from internal and external users of the plan; and
- The efficiency of the RCP in terms of its benefits and costs. These are examined in terms of administration costs incurred by the Council, compliance costs incurred by resource users and broader economic costs.

Sustainable management of the coast is important for the well being of Taranaki communities.

Since the RCP was made operative there have been a number of changes to legislation and national policy. The implications of these changes for the review of the RCP are discussed. Finally the report summarises key matters that will be looked at through the review of the plan.

1.2 Methods

Monitoring effectiveness involves examining:

- *outcomes* (whether, and to what extent, what is sought through objectives and/or environmental results expected, has been achieved);

[11] *Willis, G. 2008. Evaluating Regional Policy Statements and Plan. A guide for regional councils and unitary authorities.*

- *outputs* (whether, and to what extent, commitments to do things have been delivered); and
- *appropriateness* (whether the plan is useful and suitable, whether the policies are well designed, easily understood and whether policy interventions remain well targeted to contemporary issues and priorities, i.e. whether the policy is still the best way to achieve, or work towards, the objective)[2].

Procedures that will be used to monitor the effectiveness of the RCP are set out in Section 7.3 of the RCP. They include the following:

- State of Environment monitoring – water quality monitoring at bathing beaches, marine ecological monitoring at hard and soft substrate sites;
- Consideration of results of methods used in conjunction with territorial authorities to monitor coastal erosion;
- Compliance monitoring in relation to individual consents;
- Recording and evaluating unauthorised discharges in the coastal marine area;
- Use of monitoring and research programmes carried out by other agencies;
- Information from iwi, territorial authorities, other agencies and the public; and
- Records of numbers of consents – applied for, and processed as notified/non-notified.

In addition, key stakeholders (major resource users and those directly affected by the Plan) were invited to comment on the current RCP and to outline any suggestions for improvement or change as part of the review. Stakeholders included three territorial authorities, government departments, Federated Farmers, major industry and resource users. Letters were also sent to iwi.

In response to this request for feedback on the Plan a total of 17 comments were received from the following individuals and organisations:

- Civil Aviation Authority of NZ
- New Zealand Energy
- TrustPower Limited
- Vector Gas Limited
- Surfbreak Protection Society [Inc.]
- Bell Block and District Residents Society [Inc.]
- Ngāti Ruanui Group Management Ltd
- Nga Motu Marine Reserve Society [Inc.]
- Ministry of Fisheries
- New Plymouth District Council
- Genesis Energy
- Gasbridge
- Historical Places Trust
- Port Taranaki
- Taranaki/Whanganui Conservation Board
- Department of Conservation
- Energy Efficiency and Conservation Authority

This feedback was reported back to the Council, and is incorporated into this report. Resolution of issues raised by stakeholders will be undertaken through the review of the Plan and will be recorded in the S32 report which will accompany the revised Plan when it is publically notified for submissions.

Evaluating the effectiveness of the RCP also involved several internal workshops of Council staff familiar with the plan to examine the clarity of the policies and the frequency that the various policies had been considered in consent officer's reports (as an indication of how frequently those policies were used in decision making).

Efficiency is a measure of the benefit of a policy relative to its cost. The efficiency of the RCP was examined by looking at costs that fall on the regional council (plan administration costs and ongoing policy development or state of environment monitoring), costs that fall on applicants (applying for and monitoring resource consents), and broader economic costs arising from potential restrictions placed on development through regulation in the plan.

[2] *Willis, 2008. Evaluating Regional Policy Statements and Plans. A guide for regional councils and unitary authorities.*

1.3 Structure

The report is divided into five sections as follows:

Section 1 introduces the purpose of the report – its purpose, scope, methods used and structure.

Section 2 provides background information on the Taranaki coastal marine environment, and background to the development of the *Regional Coastal Plan*.

Section 3 evaluates the effectiveness of the RCP in terms of achieving the *outputs*. It reviews how the RCP has been implemented through the resource consent process, compliance monitoring and following up of unauthorised incidents.

Section 4 evaluates the effectiveness the RCP in terms of whether the *outcomes* identified for each of the fourteen issues have been achieved. It draws primarily on results from the state of environment monitoring. It concludes with a case study that examines in more detail the outcomes and outputs in relation to coastal protection structures.

Section 5 considers the effectiveness of the RCP in terms of its *usefulness and suitability*. This draws on feedback provided by stakeholders and the outcomes of internal workshops.

Section 6 assesses the *efficiency* of the RCP in terms of administration costs that fall on the regional council, compliance costs that fall on applicants and broader economic costs that may result from regulation.

Section 7 summarises the legislative and policy changes that have occurred since the RCP became operative and considers the implications for the review of the RCP.

Section 8 draws together the matters that will need to be examined during the review of the RCP arising from this review of the effectiveness and efficiency of the RCP, monitoring information, feedback from stakeholders and changes to legislation and policy.

The appendices include the key coastal objectives and policies from the *Regional Policy Statement* and an assessment of achievement of the methods of implementation in the RCP.

2 Background

2.1 Issues beyond the scope of the Regional Coastal Plan

Management of the coast and the ocean is under the jurisdiction of at least 20 different agencies with policy and operational functions, under a range of legislation. The key agencies are the Ministry of Fisheries, the Department of Conservation, the Ministry for the Environment, the Ministry of Transport, Maritime New Zealand, the Ministry of Economic Development and regional and district councils (Figure 1).

The Ministry for Fisheries manages fish stocks and fishing. The Department of Conservation acts under legislation relating to marine reserves and marine mammals as well as having coastal responsibilities under the Resource Management Act such as preparing the New Zealand Coastal Policy Statement and approving regional coastal plans. The Ministry for the Environment is involved in the development of Oceans Policy and current legislative changes for managing the Exclusive Economic Zone. The Minister for Transport has responsibilities for certain levels of oil spill response – administered by Maritime NZ. Biosecurity provisions are governed under the Biosecurity Act 1993 administered by the Ministry of Agriculture and Forestry, Biosecurity NZ. Management of crown minerals, such as oil and gas, and the granting of permits for prospecting, exploring and mining crown minerals is undertaken by the Ministry of Economic Development.

Regional councils prepare coastal plans containing objectives, policies and rules governing activities from the mean high water spring out to 12 nautical miles while district councils manage land use on the landward side of the mean high water spring mark.

This means that there are a number of environmental management issues that are beyond the scope of the RCP either because they are outside of the Council's jurisdiction (e.g. the

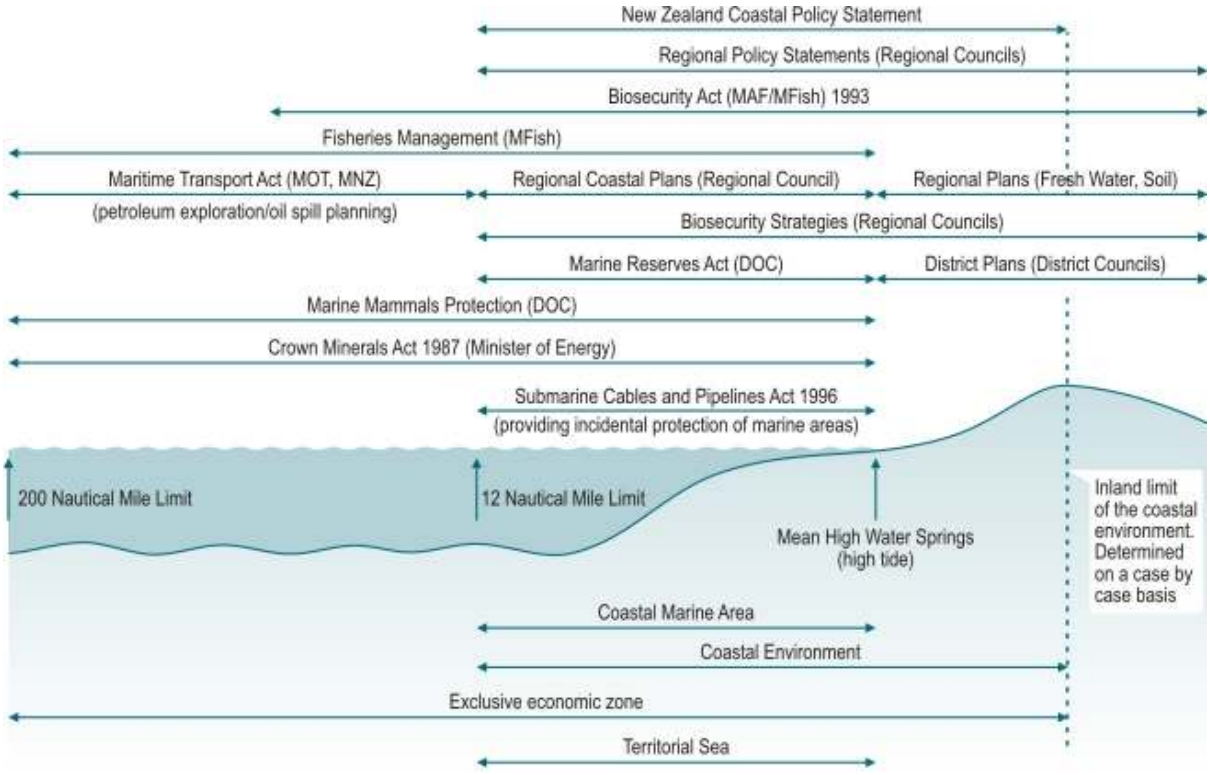


Figure 1: Various agencies are responsible for management of the coastal environment

management of fisheries in the coastal management area, the establishment of marine reserves, some aspects of biosecurity or oil spill management) or they are beyond the boundaries of the plan – beyond 12 nm out to sea, or further inland than the mean high water spring mark.

2.2 Background to the Taranaki coast

The Taranaki region has a long coastline with rocky shores and cliffs, sandy beaches, subtidal reefs, river mouths and estuaries. Taranaki people value the landscape, natural character and amenity recreational values of the coast. Protecting coastal water quality, the natural character of the coast and biodiversity are all considered to be very important[3].

Fitzroy Beach, Ngamotu Beach, Opunake Beach and the New Plymouth coastal walkway are the most frequently visited coastal locations in the region. Also popular for recreation are East End, Urenui and Onaero Beaches. Walking, swimming and relaxing are the most popular activities undertaken at the coast[4]. The South Taranaki-Whanganui coastline is considered by locals there to be a special area for many reasons, valued for its ruggedness, remoteness, beauty, peace, unspoilt nature and the ability to catch a wide range of fish[5].

Taranaki's coast is particularly significant for local iwi and hapu as kaitiaki or guardians of the coast. Tangata whenua are particularly concerned that kaimoana (seafood) is protected and that their cultural and spiritual values associated with the coast are maintained. These feelings are captured in the *Mana Whenua Mana Moana* project[6].

The generally excellent coastal water quality found in Taranaki is the combined result of few point source discharges to the coastal marine area, improvements in waste treatment and disposal options and an exposed coastline with currents and high-energy waves. The number of

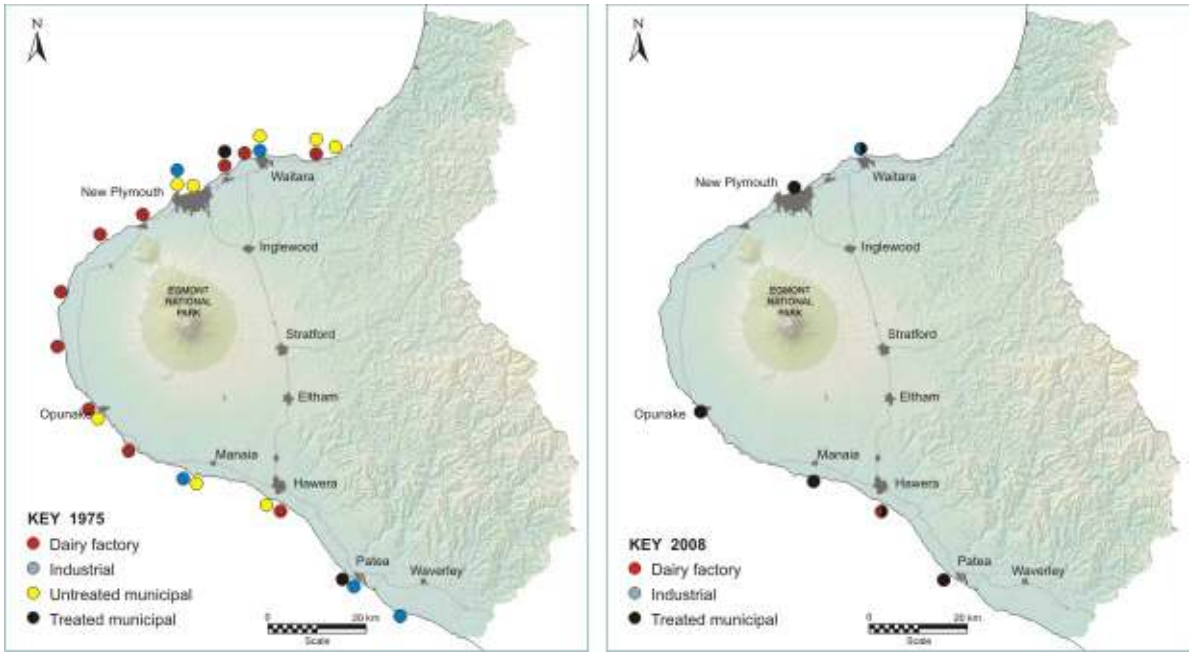


Figure 2: Point source discharges to the coast in 1975 compared to today.

[3] *Future Taranaki: A report on community outcomes. 2004. Prepared by the Community Outcomes project Team.*
[4] Taranaki Regional Council, 2008. *Recreational Use of Coast, Rivers and Lakes in Taranaki 2007-2008.*
[5] Rush, M. 2006. *Netting Coastal Knowledge: A report into what is known about the South Taranaki-Whanganui marine area. Published by the Department of Conservation.*
[6] Mana Whenua Mana Moana. *Position paper prepared by the Mana Whenua Reference Group. Kaitiaki o Ngati Tama, Ngati Mutunga, Te Atiawa, Nga Mahanga-a-Tairi for the New Plymouth Coastal Strategy.*

coastal point source discharges in Taranaki has decreased over the past 30 years from some 25 major dairy factory and industrial and municipal discharges in 1975 to just six major point source discharges today (Figure 2). Furthermore, improved quality of the few remaining direct discharges is resulting in overall less pressure on coastal water quality.

The main influence now on coastal water quality is rivers and streams discharging to the sea, carrying with them the cumulative effects of activities within their catchments, including urban stormwater run-off, suspended sediments and agricultural and industrial wastes. Inland hill country rivers drain sandstone, siltstone and mudstone catchments, and discharge a naturally high load of suspended solids into coastal waters. The effects on coastal water quality are most noticeable after significant rainfall. The short, steep ring plain rivers, particularly those draining eroding headwater catchments, transport considerable amounts of sediment in the form of sand, rocks and boulders to the coast.

Taranaki's coastal natural character is made up of coastal processes, coastal landscapes and seascapes including surfbreaks. Most stretches of the coastline are untouched by significant developments, although there is increasing pressure on coastal areas from urban development and subdivision which also have an expectation for protection from coastal erosion, invariably through protection structures such as sea walls. Industrial development (particularly oil and gas exploration) has also increased in the region over recent years.

Biodiversity of the coastal and marine environment is an integral part of the coast's natural character and is highly dependent on natural processes (e.g. sand movement is critical for sand dune ecosystems and the organisms found in them). Water quality and the nature of substrate play important roles in the maintenance of marine biodiversity. For example seaweeds, which are important nursery areas for fish, grow best where there is clear water.

2.3 Development of the Regional Coastal Plan

Following the enactment of the RMA in 1991, the Council assumed responsibility (in conjunction with the Minister of Conservation) for the management of the coastal marine area. The coastal marine area is the area of foreshore, seabed and water extending from the mean high water springs out to the 12 nautical mile limits of the territorial sea. The RMA restricts certain activities under sections 12 (restrictions on use of coastal marine area), 14 (restrictions relating to water) and 15 (discharges of contaminants into environment). The Minister of Conservation is responsible under the Act for the approval of regional coastal plans and for deciding on applications for 'restricted coastal activities' as defined in the New Zealand Coastal Policy Statement.

Shortly after the enactment of the RMA, the Council commenced the development of its regional plan. In October 1991, the Council adopted a *Transitional Regional Coastal Plan*. This Plan effectively 'saved' existing rules (such as district scheme provisions in the coastal marine area, Shingle Extraction Bylaws and general authorisations) controlling human activities in the coastal marine area while allowing the Council time to prepare its regional coastal plan.

In 1992 the Council released the discussion document *Taranaki Coastal Area: Resource Description and Management Issues*. The document outlined coastal management issues in the Taranaki region and sought input from key interested and affected parties into the future management of the coast. Further policy development occurred with the development of coastal objectives, policies and methods in the *Proposed Regional Policy Statement for Taranaki*, released for public input in 1993 and adopted in 1994. The means to implement these policies, which were consistent with the provisions of the 1994 New Zealand Coastal Policy Statement, was via a regional coastal plan.

In June 1994, the Council released its *Proposed Regional Coastal Plan for Taranaki*. The plan was

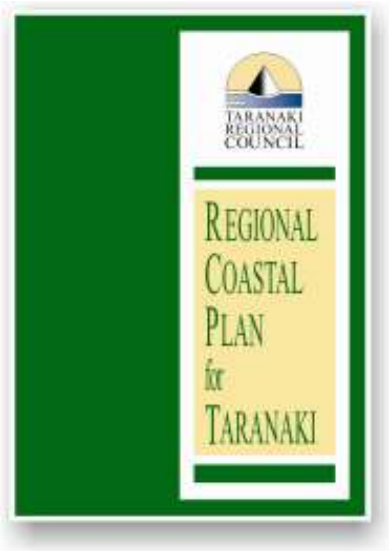
prepared pursuant to section 64 and the First Schedule of the Resource Management Act. The *Regional Coastal Plan* was made operative on 1 October 1997 following an extensive process of public consultation and submissions. It was the second of the suite of four regional plans to be adopted by Council and the first coastal plan in New Zealand to be approved by the Minister of Conservation.

2.4 Overview of the Regional Coastal Plan

The over-riding purpose of the RCP has been to assist the Council to carry out its functions under the Act to promote the sustainable management of the coastal marine area of the Taranaki region.

Fourteen coastal issues were identified in the RCP:

- Recognition of differing coastal processes, natural values and uses of the coastal marine area;
- Protection of ecological values;
- Protection of social and cultural values;
- Effects on areas of outstanding coastal value;
- The relationship of Tangata Whenua with the coastal marine area;
- Adverse effects on the foreshore, seabed and coastal land;
- Natural hazards;
- Adverse effects on existing structures;
- Adverse effects on water quality;
- Use of water;
- Adverse effects of unreasonable noise;
- Degradation of air quality;
- Effects on navigation and safety; and
- Occupation and public access.



For each issue, objectives, policies and methods of implementation were identified and regional rules established. The RCP uses a combination of regulatory and non-regulatory methods (such as the preparation and development of guidelines and other advice and information) to protect and maintain the region's relatively unspoilt coastline and waters.

The regional rules of the plan have the force and effect of a regulation under the Act. The rules permit, control or prohibit activities in the coastal marine area depending upon scale and significance of the adverse effects associated with particular activities and the need to ensure measures are adopted to avoid or minimise those effects of concern. The rules class activities according to the following categories:

Permitted activities: activities that are allowed without a resource consent through a rule in the plan, subject to their compliance with any conditions prescribed in the rule eg, discharge of stormwater from ships and offshore installations to the coastal marine area.

Controlled activities: activities that, through a rule in the plan, are allowed with a resource consent that must be granted by the Council, subject to the activity complying with standards and terms set out in the rule.

Discretionary activities: activities that, through a rule in the plan, are only allowed with a resource consent. The Council has the discretion to grant or decline the consent application and, depending upon the rule, impose conditions on the consent.

Non-complying activities: activities that are not prohibited but which otherwise contravene or fall outside the scope of rules in the plan. The Council has the discretion to grant or decline the

consent application.

Restricted coastal activities: activities that, through a rule in the plan, are only allowed with a resource consent and for which the Minister of Conservation is the consent authority. The Minister has the discretion to grant or decline the consent application and, depending upon the rule, impose conditions on the consent.

Prohibited activities: activities that the plan expressly prohibits eg, the discharge of human sewage in coastal management areas A and D.

The RCP identifies four coastal management areas in the coastal marine area of Taranaki (Figure 3):

- areas of outstanding coastal value such as the Tongaporutu estuary and the Sugar Loaf Islands (Area A);
- estuaries not otherwise identified as areas of outstanding coastal values such as the Waiongana and Kaupokonui river mouths (Area B);
- the open coast (Area C); and
- Port Taranaki in New Plymouth (Area D).

These areas recognise the different natural, ecological and community values in the coastal marine area. Accordingly different levels of control apply through the regional rules. Rules are less restrictive in the highly modified environment of Port Taranaki with increasing restrictions in the other areas that reflect the values associated with those more natural parts of the coastal marine area.

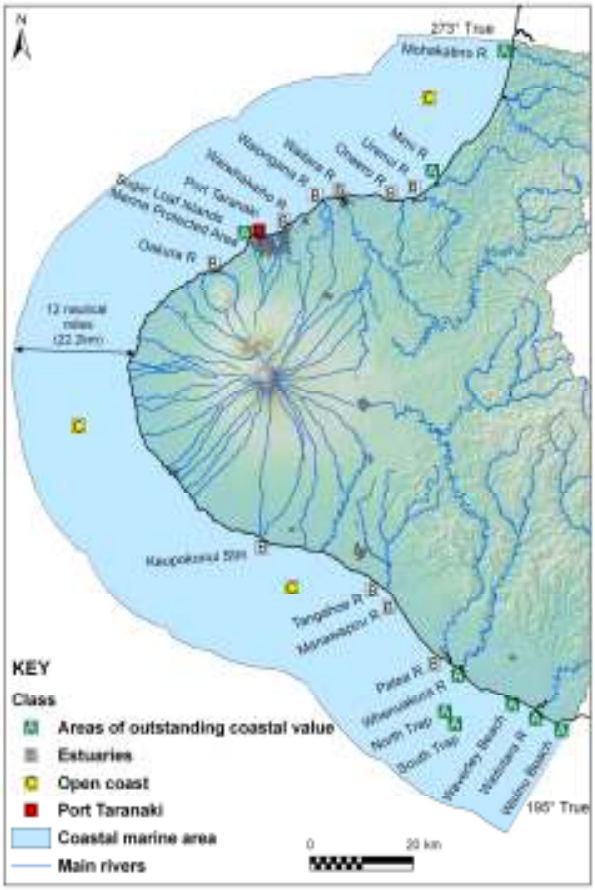


Figure 3: Coastal management areas

2.5 Interim review of the Plan

In 2002, the Council undertook a non-statutory interim review of the RCP to ensure that it was remaining relevant, lawful and appropriate and whether it was achieving its purpose[7]. The review examined whether changes to the plan were required then as a matter of urgency, or could wait until the 10-year review of the plan. An initial assessment was circulated to stakeholders, and their views were incorporated into the final report.

The interim review identified only relatively minor areas of improvement to the RCP, where, with the benefit of experience, regional rules could be improved, sharpened or made more comprehensive. However, none of the recommended areas of 'improvement' warranted an urgent review of the Plan.

The report went on to identify a number of national policy initiatives being developed at the time

[7] *Taranaki Regional Council, 2002. Effectiveness and Efficiency of the Regional Coastal Plan for Taranaki*

by Central Government that had the potential to impact or impinge on the Plan in the future e.g., the aquaculture reform. On the basis that the outcome of national policy development was still not certain, no urgent changes to the plan were identified.

The interim review concluded that the Council had made very good progress in maintaining and protecting Taranaki's coastal environment while also facilitating the efficient processing of resource consents and reducing unnecessary compliance costs, and did not identify any deficiencies that could not wait until the plan was up for statutory review.

3 Effectiveness of the Plan – what outputs have been achieved?

3.1 Methods of implementation

The RCP contains 49 methods. These include such methods as applying regional rules to manage certain activities, applying policies in the plan to decision making on consent applications, advocacy etc. Progress with these methods was assessed, and is summarised for each method in Appendix II. The analysis of methods showed that the majority of methods have been implemented. The following sections discuss the outcomes of implementing these methods in more detail.

3.2 Application of regional rules

A key method of delivering the environmental outcomes in the RCP has been the application of regional rules listed in the Plan to provide for activities in the coastal marine area. The methods of the RCP note that the Council will apply regional rules to regulate the following activities:

- Reclamation or draining of the foreshore or seabed;
- Construction, alteration, maintenance and removal of all types of structures;
- Disturbance of the foreshore or seabed; and
- Deposits of substances on the foreshore or seabed.

Consideration of policies in the plan when considering applications for coastal permits is repeated as a method throughout the plan.

Thus the extent of outputs (i.e. consents processed) is a measure of the effectiveness of the RCP in terms of delivering on the Council's commitments. The number and type of consents processed indicate the level of use and development occurring within the coastal marine area. The numbers processed as notified or non-notified indicate the level of community participation. Levels of compliance provide an indicator of the effectiveness of regulation as do the number of unauthorised incidents that breech the regional plan.

The approval of (particularly non-complying) consent applications could be seen as an indicator of the effectiveness of regulation. If the objective is to protect a particular resource, yet all applications received for modification are approved, then that might serve as an indicator that regulatory intervention might not be effective[8].

However, in Taranaki, most coastal consents are for renewal of existing activities and consent conditions are used to avoid, remedy or mitigate adverse effects. Activities classified as prohibited never enter the consents system, and so are not recorded as either being applied for, nor of being declined. Equally, the number of times that the permitted activities are triggered is not recorded. Thus there are limitations with using the number and type of consent as an output indicator.

3.2.1 Number of operative coastal permits

Development in the coastal marine area has the potential to adversely impact on the coastline's natural character whilst also potentially providing wider benefits to the community such as protecting key assets or providing public access to the coast. The current number of coastal permits held for various activities and structures are set out in Table 1.

[8] *Willis, 2008. Evaluating Regional Policy Statements and Plans. A guide for regional councils and unitary authorities.*

There are a total of 252 coastal permits currently held, the majority (42%) are for coastal erosion protection structures. While there are 43 current discharge consents, only 6 are significant (Figure 2). This table also shows that the level of activity in the Taranaki coastal marine area is relatively low. By way of comparison, as at 1 July 2007, Northland Regional Council had 3,900 coastal consents (mostly moorings and structures).

Table 1: Total number of current coastal permits (including those current that were issued before the RCP became operative) as at June 2008 (TRC, 2009a)

Type of coastal permit	Total current coastal permits	Percentage of total
Renourishment	0	0
Structure - access	2	<1
Structure - pipeline	7	3
Structure - boat ramp	11	4
Structure - intake	0	0
Structure - protection	105	42
Structure - outfall	10	4
Structure - stormwater outlet	7	3
Structure - wharf/marina/jetty	12	5
Structure - bridge	3	1
Structure - stream outlet	3	1
Structure - other	15	6
Discharge	43	17
Deposit	4	2
Disturb foreshore	10	4
Extraction	3	1
Occupy	6	2
Occupy and structure (boat ramp)	2	<1
Take, use, divert or dam	9	4
TOTAL	252	100

3.2.2 Number and type of coastal permits processed

A total of 263 coastal permits have been issued, varied or renewed since the Plan became operative (238 up to June 2008 and a further 25 since then) (Table 2). This is an average of 24 consents issued, varied or renewed per year, a relatively low number of coastal applications. Figure 4 illustrates the number processed per year. The peak in numbers in 2006-07 was attributed to a large number (56) of consents for coastal protection structures in the Tongaporutu estuary and on the Oākura beach.

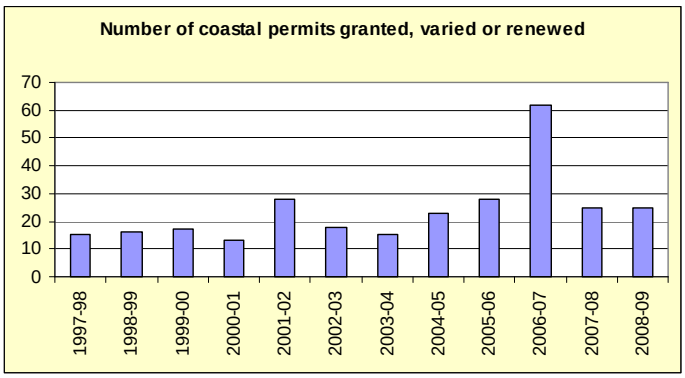


Figure 4. Number of coastal permits granted, varied or renewed annually since the Plan became operative.

Since the Plan became operative only two consents have been declined. These applications both related to the operation of a paua farm. The applicant was unable to supply sufficient information to enable the processing of the applications and so did not persevere with the

applications.

The total number and types of consents that have been granted, varied or reviewed for each of the four coastal management areas between 1997 and 2008 are set out in Table 2. This illustrates that the greatest proportion of consents processed since the plan became operative were in coastal management area C (62%), followed by 15% in coastal management area D (the Port) and 11% and 12% in coastal management areas A and B respectively.

Table 2: Coastal permits granted, varied or reviewed between October 1997 and June 2008 (TRC, 2009a).

Type of coastal permit	Coastal management area in the Regional Coastal Plan				TOTAL issued
	A Outstanding Coastal Value	B Estuaries	C Open Coast	D Port Taranaki	
Renourishment			1		1
Structure – pipeline		3	4		7
Structure - boat ramp		1	4	1	6
Structure – intake	1				1
Structure – protection	22	11	64		97
Structure – outfall		2	4		6
Structure - stormwater outlet		1	4	1	6
Structure - wharf/marina/jetty		1	2	2	5
Structure – bridge		1	1		2
Structure - stream outlet			1	2	3
Structure – other	2	1	10	1	14
Discharge	1	5	16	17	39
Deposit			6		6
Disturb foreshore	1		16	9	25
Extraction		2	1	1	4
Occupy			4		4
Occupy and structure (boat ramp)			2		2
Take, use, divert or dam			8	1	9
TOTAL	**27**	**28**	**148**	**35**	**238**
%	11	12	62	15	100

The high number and type of permits within the Port area reflects the industrialised nature of the Port and the fact that the natural character of this area has already been extensively modified for the economic wellbeing of the community. The most common consents in the Port are for discharges.

Port Taranaki

Table 2 also shows that the type of activity most common in the Taranaki coastal marine area are structures for coastal protection, with 97 (or 40% of all permits) being issued or reviewed since October 1997. The next most common consents are for discharges. Table 2 suggests that discharge consents have been granted, varied or reviewed 39 times since 1997, but these are generally small discharges as there are now only 6 significant discharges to the coast (Figure 2).

The classification of activities in terms of whether they fell under the discretionary, controlled, restricted discretionary or restricted coastal activity (RCAs) provides an indication of the level of regulation exerted over activities in the coast. Given the sensitive nature of the coast, and the need to adequately ensure that potential effects from activities are avoided, remedied or mitigated, it is more effective to achieve a level of protection of the coastal values through having the majority of consents processed as discretionary or restricted discretionary activities rather than controlled[9].

The number of times the different classes of rules have been used since the RCP became operative is set out in is set out in Table 3. This shows that rules that are classed as discretionary, or are in fact, restricted discretionary have been used 80% of the time since the Plan became operative. Rules that are classified as controlled have been used only 7% of the time, similar to the frequency of rules classified as non-complying or restricted coastal activities. Thus the most frequent classes of rule processed are discretionary or restricted discretionary, where the Council has decided to retain an element of discretion in its decision making.

Table 3 further illustrates that there have been relatively few large scale consents (i.e. those processed as restricted coastal activities), relatively few controlled or non-complying activities, and that the majority of coastal permits were processed as either discretionary or restricted discretionary.

Table 3. Number of times rules of each classification type have been used (1.10.97-08.03.09).

Classification	# of times used	% of total
Controlled	19	7
Discretionary	128	45
Discretionary and Restricted Coastal Activity	21	7
Non-complying	18	6
Restricted Discretionary[10]	98	35

The number of times that each of the rules has been used since the Plan became operative is set out in Table 4. The most frequently used rule was C1.11, the default rule for structures that do not fall into any other structure category. Table 4 highlights that the rules that have been most frequently used have been the catch-all default rules – i.e. rule A1.11 for structures in areas of outstanding value, rule B1.14 for structures in estuaries, rule C1.11 for structures in the open coast, rule C2.7 for discharges that do not meet other rules, rule C3.5 for general disturbance and rule D2.5 for discharges to the port that do not meet other rule standards.

Jetties in the Onaero estuary were granted consents under B1.14, the non-complying catch all for the erection of structures in estuaries.

The RCP includes 42 permitted rules which permit minor activities that would otherwise be restricted by the RMA. The frequency that

[9] *Willis, 2008 ibid*

[10] *The RCP classifies these as 'discretionary' activities, but lists matters that the Council will limit its discretion to, thus they are in fact 'restricted discretionary' activities according to 104C of the RMA.*

permitted rules are used is not monitored, although four certificates of compliance have been issued.

Table 4. Number of times the rules have been used since the Plan became operative (01.10.97-08.03.09)

Rule #	Area	Description	Classification[11]	# of times used
A1.3	A	Navigational aid	C	1
A1.11	A	Catch-all rule for erection, placement, reconstruction, alteration, extension, removal or demolition of structures	D	23
B1.4	B	Erection, placement, alteration etc of utility structure	C	6
B1.6	B	Removal of a structure	RD	2
B1.13	B	Erection, placement, alteration, extension etc of structure in Waiwhakaiho, Waitara or Patea estuary	D	9
B1.14	B	Catch-all rule for erection, placement, reconstruction, alteration, extension, removal or demolition of structures	N-C	13
B2.3	B	Discharge of uncontaminated water	N-C	3
B2.4	B	Discharge of human sewage	D and RCA	2
B3.4	B	Catch-all rule for disturbance of Waiwhakaiho, Waitara or Patea estuary	D	3
B3.5	B	Catch-all rule for disturbance in other estuaries.	N-C	2
B3.8	B	Deposit in Waiwhakaiho, Waitara or Patea estuary	D	1
B4.2	B	Reclamation less than 1 ha	D	2
C1.2	C	Catch-all rule for maintenance of structures	RD	3
C1.4	C	Navigational aid	C	2
C1.8	C	Erection or placement of large structure (parallel)	D and RCA	1
C1.9	C	Erection or placement of large structure (perpendicular)	D and RCA	1
C1.10	C	Erection or placement of large structure (for petroleum)	D and RCA	3
C1.11	C	Catch all-rule for erection, placement, reconstruction, alteration or extension of a structure.	RD	90
C2.5	C	Discharge of human sewage	D and RCA	3
C2.6	C	Discharge of contaminants that gives rise to effects	D and RCA	1
C2.7	C	Catch-all rule for discharge of contaminants that don't give rise to effects listed.	D	11
C3.4	C	Disturbance, damage or destruction >50 000m3	D and RCA	4
C3.5	C	Catch-all rule for disturbance, damage or destruction.	D	29
C3.6	C	Deposit for beach replenishment	RD	3
C3.7	C	Deposit for other purposes	D and RCA	3
C3.8	C	Deposit to 'spoil disposal area'	D	2
C3.9	C	Catch-all rule for deposit	D	3
D1.6	D	Erection, placement of listed types of structure	C	3
D1.17	D	Catch-all rule for erection, placement, alteration, extension, reconstruction, removal etc of structures.	D	4
D2.5	D	Catch-all rule for discharges that do fit other categories	D	19
D2.8	D	Discharge to air	D	1
D3.2	D	Disturbance by drilling	C	7
D3.5	D	Large disturbance of seabed	D and RCA	1
D3.6	D	Catch-all rule for disturbance or damage	D	6
D3.9	D	Other deposits	D	2
G1.2	ALL	Occupation of large areas	D and RCA	2
G1.3	ALL	Other occupation	D	2
G2.13	ALL	Catch-all rule for discharges to air or water	D	2
G3.2	ALL	Taking, use, damming or diversion of coastal water	D	9
TOTAL				**284**

[11] *C=controlled, D=discretionary, N-C= non-complying, RCA=Restricted Coastal Activity, RD=Restricted Discretionary (note, although not listed as such in the plan, discretionary activities where the Plan lists matters for control/discretion equate to restricted discretionary activities)*

3.2.3 Notification of coastal permits

The value of the coastal marine area as public space, and the management of the coastal marine area on behalf of all New Zealanders is fundamental to the sustainable management of the coastal marine area[12]. The level of involvement of the community in consents is an indicator of the effectiveness of implementing the RCP in a manner that recognises the public interest in the coastal marine area.

Figure 5 shows the number of coastal permits that were processed as notified or non-notified per annum since the RCP was made operative. Although the provision of limited non-notified came into existence in 2003, no coastal permits have been processed as limited non-notified. Figure 5 illustrates that the majority of coastal permits are processed as non-notified.

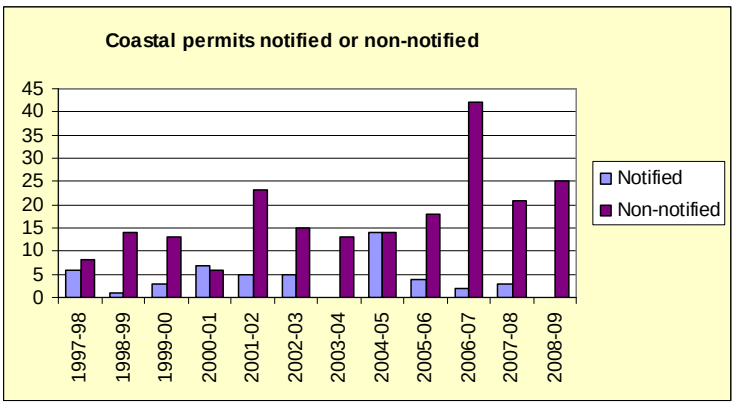


Figure 5: Number of coastal permits processed as notified or non-notified.

Processing an application as non-notified does not mean that the community has not had involvement in the process. Written approval is required from affected parties, and these can include iwi and hapū, and a wide range of businesses, community groups, district councils, government departments and other organisations and individuals (e.g. Table 5). The groups or individuals involved in consultation on non-notified applications varies according to the location and nature of the activity, and who are considered to be affected parties. These decisions are based on the Council's *Resource Consents Procedure Document* (TRC, 2007). The involvement of Tangata Whenua in non-notified applications is discussed in more detail in section 3.5 below.

Non-notified consent applications are for those where the effects are minor such as in the case for renewals of existing structures. Processing the majority of applications on a non-notified basis is an effective means of promoting the sustainable management of natural and physical resources (OBJ1a of the RCP) where effects on the environment are minor. It is consistent with the approach recently adopted in the revised RPS of providing for *'appropriate, subdivision, use, development and occupation of the coastal environment in the Taranaki Region'. (CNC OBJECTIVE 2)*(TRC, 2009)

Table 5: Frequency of non-iwi consultation undertaken for non-notified consents processed in 2007-08 (for a total of 18 non-notified consents)

		Applicant	Council
Government departments	Dept of Conservation	5	12
	Maritime New Zealand	1	
	Ministry of Transport	2	14
Network utilities	Contact	1	
Environ/recreation	Waitara Fishing Club	1	
	Waitara Boating Club	1	
Non-government organisations	Port Taranaki	1	

[12] Department of Conservation. 2008. *NZCPS S32 Report.*

3.3 Monitoring and compliance

3.3.1 Unauthorised incidents in the coastal marine area

The Taranaki Regional Council provides a 24 hour, seven days a week environmental incident response for the Taranaki region. The incidents are recorded in the Unauthorised Incident Register (UIR). Environmental incidents include pollution incidents, spills and incidents of non-compliance. Pollution incidents generally involve unauthorised discharge of contaminants into the environment, which by their nature can have adverse effects. Non-compliance incidents are where the requirements of the Resource Management Act 1991 (RMA), rules in regional plans and conditions on resource consents are not adhered to.

The aim of the Council's unauthorised incidents response is to provide an effective response to environmental incidents. Officers respond to all pollution and other complaints within four hours of receipt, instigating control, clean up and enforcement procedures where appropriate.

Over the last eight years, a total of 219 unauthorised incidents have been responded to in the coast, an average of 27 per year. The number of unauthorised incidents on the coast is low, with coastal-related incidents making up only a very small proportion of the total number of unauthorised incidents that the Council responds to (Figure 6). For example, in 2007-08, 17 incidents, 3.1% of all unauthorised incidents, were in the coastal marine area. Whilst the number of unauthorised incidents on the coast is low, the potential for a significant impact from a single event, such as an oil spill, can be significant.

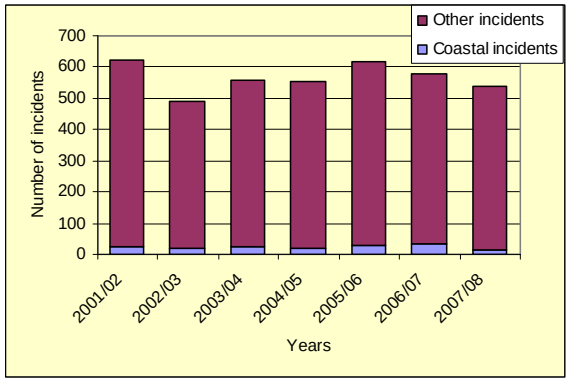


Figure 6: Number of coastal pollution incidents over time compared to the total number of incidents

An example of a major coastal incident was in October 2007 when approximately 23,000 litres of crude oil was discharged from the Umuroa FPSO in the Tui Oil Field. A significant amount of oil washed up along 13 km of the Okato coastline. The coastline area affected was mainly rocky foreshore, with approximately 4.5km of sandy beach area. A major clean up operation was undertaken on the beach areas. This continued for eight months. The rocky foreshore areas were left to bioremediate as this is a high energy coastline. Maritime New Zealand undertook a prosecution as a result of this incident.

Clean up operation at Okato

During the 2006/07 year there were a series of hydrocarbon discharges from capital dredging operation in Port Taranaki. These discharges occurred because of the natural disturbance of pockets of oil on the sea floor within the Port area. The Port Company used containment and dispersant operations to control the discharges.

Another example was in 2005-06 when a pipe burst at the Newton King Wharf at Port Taranaki

spilling tallow into the coastal marine area. Tallow was washed up onto approximately 600 metres of Ngamotu Beach. An infringement notice was issued as a result of the investigation into this incident. During the same year, a discharge of approximately 5,000 litres of cream from the Fonterra Whareroa site in Hawera through the outfall into the Tasman Sea. Cream was washed up along approximately six kilometres of Ohawe beach. A prosecution was pursued as a result of the investigation into this incident.

Incidents reported to the Council are analysed according to whether they comply with consents (consent compliance), have breached consents (consent non-compliance) or whether the incident is allowed for, breaches or is not covered by one of the regional plans (RCP – *Regional Coastal Plan*, RFWP – *Regional Fresh Water Plan* or RSP – *Regional Soil Plan*). The frequency of such incidents is set out in Table 6. This illustrates that the majority of incidents are ones that are breaches of the RCP. This is reassuring in that it means that activities likely to cause environmental adverse effects are covered by provisions in the RCP. There are a much lower number of incidents that were found to be allowed by the RCP and upon inspection were found not to be having significant adverse effects (otherwise they would instead have been classified as breaching the RCP). There is also a much lower number of incidents that simply are not addressed by the RCP. This suggests that the RCP has been pitched about right in that most incidents are covered by provisions in the plan.

Table 6: Response type of coastal incidents for the last 7 years[13]

Response Type	2001/2002	2002/2003	2003/2004	2004/2005	2005/2006	2006/2007	2007/2008	2008/2009	**Total**
Consent Compliance		1	2			2	3	3	**11**
Consent Non-Compliance	6	4	4	3	12	8	1	9	**47**
Not Applicable/Natural Event	4	1	2	3	3	8	3	2	**26**
RCP Allowed	1	2	1	2	4	3	2	7	**22**
RCP Breach	2	4	11	6	5	12	5	18*	**63**
RCP Not Addressed	3	4	1	1	1			5	**15**
RFWP Allowed			1		1				**2**
RFWP Breach	8	3	3	3	3	2	1	3	**26**
RFWP Not Addressed	1	1			2		2		**6**
RSP Allowed	1								**1**
Total	**26**	**20**	**25**	**18**	**31**	**35**	**17**	**47**	**219**

* Higher than usual numbers attributed to increase in the number of incidents relating to air quality.

Incidents are classified according to the origin of the spill or incident (Table 7). The most frequent coastal incidents are ones with an unknown origin. These include some natural events such as foams on beaches. The next most frequent incident type of incident is classified as dairy processing/manufacturing – these include self reported incidents from Fonterra, recreational/tourism/cultural, incidents from the Port, and from private housing (which could include stormwater discharges or illegal seawalls). The next most frequent incidents are from petrochemical processing, transport operators, sewage treatment and hydrocarbon exploration.

Coastal incidents are also allocated a description (Table 8). Coastal incidents can have more than one description (Table 8) but only one classification (Table 7). Table 8 illustrates that a variety of discharges make up the bulk of incidents to the coast. A number of these are unsourced (likely to

[13] *Data from Council's incidents database. In the database, incidents to air have been mis-classified as being a breach of the Regional Air Quality Plan, so for the purposes of this table, have been merged with the Coastal Plan figures, as the RCP covers air quality matters in the CMA.*

be natural events). The most common descriptions for coastal incidents are oil/petroleum spill, unauthorised discharge, sewage discharge and milk spills. Coastal disturbances are amongst the next most frequent and can include illegal seawalls, taking of sand, disturbing sand etc.

Overall, the tables highlight the relatively low number of unauthorised incidents in the coastal marine area.

Table 7: Classification of coastal UIRs for the last eight years showing the types of incidents that occurred.

	08-09	07-08	06-07	05-06	04-05	03-04	02-03	01-02	TOTAL
Airport				1					**1**
Aquaculture	1					1	2		**3**
Asphalt and Bitumen Processing	1					1			**1**
Building Construction/Drainage/Flood Control				1	1	1			**3**
Agricultural Services			1						**1**
Concrete Products						1			**1**
Dairy Processing/Manufacturing	10	4	10	6	1			1	**22**
Dairy Farm	1				1		1	1	**3**
Drystock Farm		1				1			**2**
Distribution or Storage	16		1		1	1			**3**
Fertiliser Storage or Distribution					1			1	**2**
Hydrocarbon Exploration		1	2			1	2	1	**7**
Hydrocarbon Exploration Servicing Facilities			1				1		**2**
Landfill	1					1			**1**
Local Authority	2				1	1		1	**3**
Petrochemical Processing		1	1	1	1	1	1	4	**10**
Port	7	1	4	3	1	3		2	**14**
Poultry farm								1	**1**
Power Generation - thermal						1	1		**2**
Private Housing		1	1	1	1	5	1	2	**12**
Recreational/Tourism/Cultural	3	5	3	4	1	3	3		**19**
Retail Business		1	1		1		1		**4**
Recycling							1		**1**
Road construction/ Maintenance				1					**1**
Sewage Treatment			1	3		2	1		**7**
Swimming Pool			1						**1**
Transport Operator		1	1	1	2		2	1	**8**
Unknown	2	1	6	6	4	1	3	11	**32**
Vacant Building/Section			1						**1**
Water Supply or Treatment				3	1				**4**
Total	**47**	**17**	**35**	**31**	**18**	**25**	**20**	**26**	**219**

Table 8: Description of coastal incidents for the last eight years

	08-09	07-08	06-07	05-06	04-05	03-04	02-03	01-02	TOTAL
Car Dumping				1					**1**
Chemical Spill	1							1	**2**
Coastal Disturbance	1		1	2	1	5	3	1	**14**
Dairy Effluent Discharge	1						1		**2**
Dead Stock on Beach	3	2		2	1	2		2	**12**
Dumping Rubbish	1	2		1		2	1		**7**
Drainage								2	**2**
Effluent Discharge					1		1	3	**5**
Emulsion				1	1	1	1		**4**
Excavation						1	1	3	**5**
General Air Emission	15	1	1	1				1	**19**
Ground Water Contamination								1	**1**
Fish Kill						1			**1**
Fertiliser					1			1	**2**
Hazardous Substance Incident	1		2	1					**4**
Hydrocarbon Odour			1					1	**2**
Milk Spill	10	3	8	5	1				**27**
Natural Event	1	3	8	1	3		1		**17**
Oil/Petroleum Spill	7	4	8	5	5	5	5	7	**46**
Paint			1						**1**
Production Water Discharge	1							1	**2**
Sediment Discharge				1					**1**
Spray Drift				1					**1**
Sewage Discharge	1		1	2	1	13	1		**19**
Soil Contamination							1		**1**
Tree in waterbody					1				**1**
Unauthorised Discharge	5	2	5	2	2	2	4	5	**27**
Unknown	3			2		1	1	2	**9**
Wastewater		1	2	5		2		4	**14**
Watertake						1			**1**
Unsourced	9	4	9	5	5	4	5		**41**

Each year the Council issues abatement notices (a lower level enforcement tool requiring a person to take or cease action to address adverse environmental effects) and infringement notices (an enforcement tool entailing an economic penalty) or initiates a prosecution. The number of abatement notices and infringement notices issued for coastal incidents is low relative to the total number issued each year, reflecting the low number of incidents in the coast (Table 9). Since the RCP became operative, the Council has taken only two coastal related prosecutions – one relating to a discharge of hydrocarbons by Fletcher Challenge in 1999-2000 (where the company was fined $15,000 plus costs) and one relating to an unauthorised discharge of cream by Fonterra in 2005-06 (where the company was fined $25,000 plus costs).

Table 9: Coastal abatement notices and infringement notices compared to the total issued by Council per year.

	2008-09	2007-08	2006-07	2005-06	2004-05	2003-04	2002-03
Total Coastal UIRs	47	17	35	31	18	25	20
Number of coastal abatement notices	5	0	3	1	0	2	2
Total abatement notices issued	120	104	118	143	149	146	160
Number of coastal infringement notices	1	0	0	1	0	0	0
Total number of infringement notices	26	30	40	26	8	9	6

3.3.2 Consent monitoring

The Council undertakes monitoring of resource consents. Each year the Council undertakes about 225 inspections that are coastal related (Figure 7). These include all types of inspections from compliance monitoring, incident follow ups, marine biological monitoring etc. Each inspection is given an 'okay' for those meeting all their consent conditions or 'not-okay' tag if requiring following up. Figure 7 illustrates that the number of follow ups required each year, is very small.

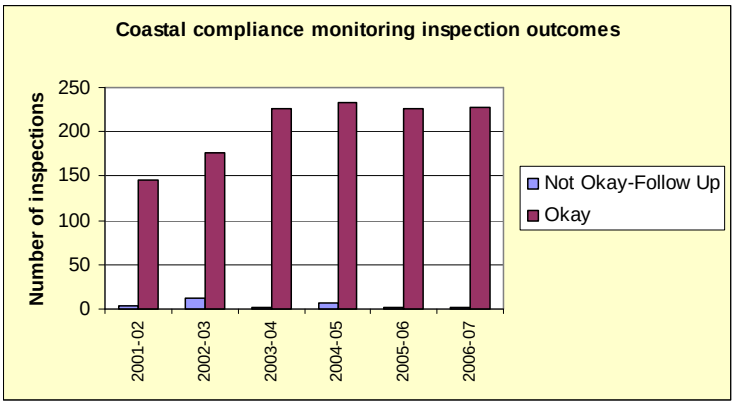


Figure7: Coastal compliance monitoring inspection outcomes

The Council designs and implements tailored compliance monitoring programmes for major consent holders. For example, 20 such programmes were implemented in 2007/2008 with an element of coastal monitoring. This included five municipal sewage consents, four beach motor camps, one petrochemical related consent, one dairy processing consent, two programmes relating to coastal structures, one recreational consent and six general industrial programmes.

In reporting the results of each consent holder's monitoring programme, Council officers have used for the past five years a rating system that indicates the consent holder's overall environmental performance and compliance, as follows:

- **High** where there are essentially no adverse environmental effects to be concerned about, and no, or trivial, non-compliance with conditions (e.g. a deadline for delivery of results or a contingency plan missed by a few days).

- **Good** where the adverse environmental effects of activities during the year were negligible or minor at most. Items of concern were resolved positively, co-operatively, and quickly, no unauthorised incidents were registered nor abatement notices issued. Some items noted on inspection notices for attention were deemed not urgent or critical, and subsequent follow-up by Council officers showed they had been dealt with.

- **Improvement desirable** indicates that unauthorised incidents were registered or an abatement

notice issued. There may have been several instances involving moderate to significant adverse environmental effects, or other matters arising from activities, that required intervention by Council staff. There may have been matters that took some time to resolve or remained unresolved at the end of the period under review.

- **Poor** performance indicates a significant or serious non-compliance issue, to the extent that further enforcement action might be considered.

Overall environmental performance of coastal consents is either good to high with only a couple of consents graded improvement desirable in 2007/08.

Examples of outcomes of monitoring programmes are now discussed:

Municipal sewage monitoring includes direct discharges associated with the New Plymouth and Waitara wastewater treatment plants. Monitoring in the vicinity of these outfalls does not show any significant adverse environmental effects arising from the discharges[14],[15]. Discharges associated with the Hawera (combined with Fonterra), Opunake and Manaia wastewater treatment systems are also monitored, as are discharges from beach camps at Waiiti, Urenui, Onaero and Waiinu. Monitoring of the discharge of wastewater from Fonterra shows a marked improvement in the marine ecology in the vicinity of the previous discharge point on the beach[16]. The development of the Pohokura gas field was covered by a monitoring programme. General industrial programmes with a coastal water quality component include the New Plymouth Power Station, Port Taranaki dredging, the Todd Energy Aquatic Centre, Anzco Foods, and Port Taranaki and Downer EDI stormwater.

The Council monitors bacteria in shellfish collected along the Hawera coast in relation to Fonterra and Hawera waste discharges. There has been no apparent change in bacteria numbers in shellfish tissue at sites adjacent to the Fonterra outfall, and no increases of bacterial levels since the Hawera wastewater discharge was added. Some individual samples have exceeded the guideline limit, probably due to wet weather when bacteria numbers in the coastal sea water increase due to the run-off from many small coastal streams and the nearby Tangahoe River catchment[17]. However, median levels have been well within the acceptable guidelines.

Monitoring consent compliance

Metals and some virus/bacteria parameters are also tested in shellfish at a few reefs around the New Plymouth wastewater treatment discharge every second year. Low levels of metals around the coast have been found and generally levels in sites potentially affected by the discharge are as low as other sites. Slight increases in zinc concentrations have been detected from both south and North Taranaki, but not at levels of concern[14].

Coastal structures owned by New Plymouth District and South Taranaki District are the subject

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[14] Taranaki Regional Council, 2008. *New Plymouth Wastewater Treatment Plant Marine Outfall and Sludge Lagoon Monitoring Programme Annual Report 2007-2008. Technical Report 08-11.*

[15] Taranaki Regional Council, 2008. *Waitara Waste Water Treatment Plant Monitoring Programme Annual Report 2007. Technical Report 2008-03*

[16] Taranaki Regional Council, 2008. *Fonterra Whareroa Compliance Monitoring Programme Annual Report 2007-2008. Technical Report 2008-39.*

[17] Taranaki Regional Council. 2008. *South Taranaki District Council Hawera Municipal Oxidation Ponds System Monitoring Report. Technical Report 2007-93*

of monitoring programmes[18],[19]. The monitoring has shown that there are very few problems in relation to activities licenced by coastal permits held by NPDC and STC, although a more robust monitoring programme is being developed that will involve resurveying fixed beach profiles.

3.4 Non-regulatory methods

The RCP contains a number of methods that have seen the Council undertake non-regulatory actions.

3.4.1 Advocacy

Advocacy to local and central government on policy matters has seen the Council make 41 coastal related submissions since 1999. These have included submissions on legislation, such as the Marine Reserves Bill, Resource Management Act reviews, aquaculture reform, management of the EEZ and marine pollution rules under the Transport Act. Submissions have been lodged on national level policy development such as marine protected area strategies, the review of the New Zealand Coastal Policy Statement, the accord for managing offshore petroleum industry practices, guidelines for water quality, harbour safety guidelines, oil spill response, and proposals to control pests within the coastal marine area.

Advocacy has also been undertaken on behalf of the Taranaki community on local initiatives such as the New Plymouth District coastal strategy, an application for a marine reserve, an application for a customary rights order and an application under the Submarine Cables and Pipeline Protection Act.

While it is difficult to gauge the degree of influence of Council's submissions, anecdotally, senior Council officers receive feedback on submissions that is positive and that changes have been made as a result.

The net effect of the Council's wide ranging advocacy activities has been to make policy proposals more relevant, pragmatic and cost effective for the region.

3.4.2 Provision of information and guidelines

The Council has prepared a number of guidelines for consent applicants to assist with their consent applications. These provide information on all the regional plans, including the RCP. Guidelines that have been particularly useful in implementing the RCP include the following:

- A Guide to Regional Plans in Taranaki for local government and utility operators;
- A Guide to Regional Plans in Taranaki for oil and gas exploration and production activities; and
- A Guide to Regional Plans in Taranaki for small industrial and manufacturing businesses.

The Council was involved in the development for guidelines for the petroleum industry operating beyond the 12 nm[20].

3.4.3 Oil spill response planning

The RCP includes a number of methods relating to oil spill response plan and inspections of site

[18] Taranaki Regional Council. 2008. *NPDC Coastal Structures Monitoring Programme Report 2007-2008. Technical Report 2008-44*

[19] Taranaki Regional Council. 2008. *STDC Coastal Structures Monitoring Programme Monitoring Report 2007-2008. Technical Report 2008-43*

[20] *http://www.mfe.govt.nz/publications/oceans/offshore-petroleum-industry-guidelines-mar06/index.html*

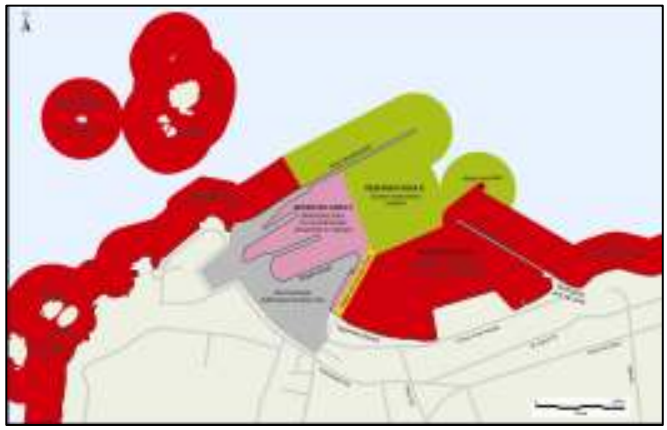
marine oil spill response plans. The Council's reviewed Tier II Regional Marine Oil Spill Response Plan was approved under S289 and 292 of the Transport Act 1994 in June 2008.

The Council maintains a team ready to respond to an oil spill incident through regular training and exercises.

The Council requires and inspects site marine oil spill response plans for activities within the 12nm limit (e.g. the Pohokura site).

3.4.4 Navigation and safety

The RCP includes a method that the Council will set speed and navigation safety controls under the Harbours Act 1950 or subsequent navigation safety legislation to promote the safety of all users within the gazetted harbour limits of Port Taranaki. This gives effect to Policy 13.3 which separates conflicting recreational and commercial surface water activities in the coastal marine area when necessary to protect human health and safety.



Speed restrictions within Port Taranaki

The Council's current bylaws for Port Taranaki were adopted in 2003 for the purpose of regulating navigation and safety in Port Taranaki and its approaches. In all other areas, Maritime New Zealand is responsible for navigation and safety. The bylaws are in the process of being reviewed[21]. The proposed amendments include:

- Clarifying that the purpose of the water ski access lane is for towing water skiers to access the central area of the Port where speed restrictions are uplifted;
- Establishing moving safety zones around large vessels moving or manoeuvring within the harbour limits;
- Restricting people from swimming, diving or playing in a manner that could be dangerous; and
- Making minor amendments to up date certain terms.

3.4.5 Research and investigations

Section 7.3 of the RCP notes that the Council will make use of monitoring and research programmes carried out by other agencies where appropriate to monitor the effectiveness of the Plan. The following sumarises key research and investigations either undertaken or supported by the Council since the RCP became operative.

Inventory of coastal information

In 2004, in a joint project between the Taranaki Regional Council and the Department of Conservation, an inventory was developed of all reports, scientific research and information relating to the Taranaki coastline[22]. All stakeholders and consultants who work or have worked within the coastal area were contacted for a list of all research they had either commissioned or conducted. 275 reports were recorded onto a database which is searchable via the Council's

[21] Taranaki Regional Council. 2009. *Proposed Navigation Bylaws for Port Taranaki and its Approaches, 2009.*
[22] Taranaki Regional Council, 2004. *Coastal Information Inventory for the Taranaki Coast.*

website. This showed that a large amount of information exists on the Taranaki marine environment that was not previously well known, with some research dating back to the early 1900s. Information was greatest about intertidal ecological monitoring, beaches, erosion, sea floor life, sediment, water quality, the petrochemical industry and ocean outfalls. A gap analysis of the information gathered revealed that there was little information on various aspects of biology – fish tagging, seabird nesting, crayfish, shellfish, and little on aspects of marine weather, marine historical areas, and beyond the 12 nautical mile zone.

Aquaculture constraints mapping

In 2006 the Council undertook some preliminary identification of areas that might not be suitable for aquaculture in order to provide useful information for interested parties (TRC, 2006). This followed work undertaken for Venture Taranaki Trust (Roberts et al, 2002).

The Council's report collated information on both absolute and critical constraints within the coastal marine area. These included a 1000m buffer around the CMA for visual amenity, recreational and cultural values, areas of local or regional significance, areas of outstanding coastal value, shipping channels, Port Taranaki, coastal structures, treated sewage discharges and marine mammal migration routes.

Sand drift study on North Taranaki coast

The Council supported a student research project on the movement of sand along the Taranaki coast from the massive erosion event in the headwaters of the Hangatahua (Stony) River catchment. Since the initial collapse in 1998, the adjacent coastal shoreline has experienced a continuous influx of dense 'black' titanomagnetite-rich volcanic sands from the Stony River. These sediments are being rapidly transported to the north-east by the energetic wave climate, creating upper-shore sandy beaches on what is normally a rocky boulder coast devoid of sand.

Hangatahua (Stony) River coastline, November 2008

This study focuses on onshore geomorphology and sediment characteristics of this coast in June, September and November 2008. Between June and September 2008, results indicate that there has been a decrease in the beach sediment volume and mean grain size with distance north-east of the Stony River. This "sand lens" is predominantly transported only when high tides coincide with energetic wave conditions.

Kelp distribution around North Taranaki

The Council supported research undertaken by a student on the ecology of the seafloor around North Taranaki with a specific focus on the distribution of the brown kelp, *Ecklonia radiata*[23]. The physical environmental factors quantified by the study included substrate, habitat complexity, wave energy, water turbidity and depth. These parameters were used to describe geographic trends and to investigate reasons for the distribution of *Ecklonia*.

The research concluded that water turbidity is the primary factor that defines the *Ecklonia* distribution in Taranaki, although the wave energy and habitat complexity (such as the nature of the substrate) of the reef were also influential. *Ecklonia* was more abundant around Cape Egmont, with density and abundance decreasing along the coast towards Motunui in the north-east. The

[23] Crofskey, E. 2007. The distribution of *Ecklonia radiata* around the North Taranaki Headland and its relationship with key physical characteristics. University of Auckland, MSc thesis.

research found that wave action has the potential to limit the size and abundance of *Ecklonia* in shallow waters, but that water turbidity, or clarity, reduces the depth range that the kelp can occupy. The direct effect of fine sediments from rivers was thought to be the main limiting factor for kelp colonisation on the north-eastern reefs, particularly near the Waitara River.

3.5 Tangata whenua involvement

3.5.1 Tangata whenua involvement in consent processing

To assess if the RCP has recognised and provided for the 'relationship and values of iwi o Taranaki with the Taranaki coastal marine area in a manner reflective of their status as tangata whenua and in accordance with tikanga Māori' (OBJ 5), it is necessary to examine the amount of involvement and consultation of Tangata whenua undertaken through the consent process, particularly of non-notified consents, and through the submission process.

Table 10 sets out the total number of coastal decisions made per year since 2003/04, the number non-notified and the number that were notified. It then illustrates the number of non-notified consents where iwi were consulted (either by the applicant or by the Council), and of those, the number that granted written approval. The final column in the table shows the number of submissions that were lodged by iwi on notified applications.

This information shows that over the last five years, there was a high level of iwi involvement in notified consents, with iwi lodging submissions on a total of 16 out of 23 notified coastal consents (or 70%). Almost half of the consents that were processed as non-notified had a degree of iwi involvement through either consultation by the applicant or by the Council. A smaller number of non-notified consents were given iwi written approval, but equally, approval was not specifically withheld (leading to the application needing to be notified).

Table 10: Consultation with Tangata whenua on notified and non-notified consents

Year	Total number of coastal decisions	Number processed as non-notified	Number notified	Number of non-notified consents iwi were consulted on	Number of non-notified consents iwi gave written approval for	Number of notified consents iwi made submissions on
2003-04	13	13	0	6	2	0
2004-05	28	14	14	5	4	12
2005-06	22	18	4	11	6	0
2006-07	44	42	2	24	2	2
2007-08	24	21	3	5	1	2
2008-09	25	25	0	15	4	0
TOTAL	**156**	**133**	**23**	**66**	**19**	**16**

The iwi or hapu group involved in resource consents each year varies according to where the consents were applied for. The level of involvement in the resource consent process also depends on where each iwi is up to in the Treaty Settlement process. The following table illustrates for each year the nature and number of involvement that Tangata whenua have had over the last six years (2003-04 to 2008-09).

Table 11: Tangata whenua involved in coastal consents and nature of involvement over the past six years.

Tangata whenua involved	Nature of involvement			
	Consultation by applicant	Consultation by Council*	Approval - written	Submission
Ngāti Tama	3	24**	2	
Ngāti Mutunga Iwi Authority	3	1	2	
Otaraua Hapu Trust	1		1	
Otaraua Hapu Management Committee	2		2	
Otaraua Hapu (not sure if trust or management committee)	2		1	2
Puketapu Hapu	9		1	2
Muru Rau Patu Pa Trustees	4			
Te Atiawa Tribal Council	4			
Te Atiawa Iwi Authority Inc	6			
Ngāti Rahiri Hapu o Te Atiawa Society	4			
Ngāti Te Whiti hapu Society	10		3	
Ngāti Te Whiti Ahi Kaa	5		2	4
Ngāti Ruahine Iwi Authority	6			1
Ngāti Tu	6			
Waiokura Marae	6			
Titokowaru Marae	6			
Ngāti Manuhiakai	6			
Tangahoe Iwi	1			
Inuawai/Okahu hapu (Aotearoa marae) and Kanihi/Umutahi hapu (Kanihi marae and Kerehoma whanau) (Mere Brooks and Daisy Noble)				7
Whanau/Hapu O Mangapourua, Ngati Hawe, Ngati Tonga, Ngati-whare, Ngati-Tu, Mo Te Iwi-O-Hamate (Maraekura Horsefall)				6
Te Runanga o Ngati Mutunga		8	2	
Ngāti Tauwhirikura hapu				
Oakura Marae Committee	2		2	
Ngā Mahanga a Tairi	1		1	
Ngāti Tairi	5			
Ngāti Hamua/Te Matehau	4			
Te Runanga O Taranaki	3			
Taranaki Iwi	1		1	
Orimupiko Marae committee	3			3
Ngāti Haumea, Tamarongo, Kahumate, Ngati Wetinga a me Orimopko marae				3
Te Parihaka Papakainga Trust	3			
Oeo Marae Committee	3			
Te Potaka Marae Committee	3			
Ngāti Ruanui	6	6	1	2
Pakakohi	4			
Ngā Rauru Kiitahi	6	2	1	

* In addition to these figures, the Council has a standard notification list to which notified consents were sent.

** These were largely consents for applications for existing coastal protection structures in the Tongaporutu by a number of individuals where it made sense for the Council to lead the consultation with Tangata whenua on their behalf.

Table 11 illustrates that considerable consultation is undertaken by applicants. For example, Origin consulted with Ngāti Ruahine Iwi Authority, Ngāti Tu, Waiokura Marae, Titokowaru Marae and Ngāti Manuhiakai for the Kupe project. It also illustrates that the processes and systems in place enable a wide range of Tangata whenua groups to be involved in the coastal resource consent processes – from iwi authorities to individual hapū, and even whānau.

Where Treaty settlements have occurred with the Crown and manuwhenua has been clearly established, consultation occurs with the settled iwi. The determination of iwi as an affected party under the Act is assisted by the determination of statutory acknowledgement areas. These areas have been idenitifed as part of the Treaty settlement process to have special significance to Tangata whenua. The Act sets out a process for such applications whereby the iwi receives a copy of the application and the Council has to determine whether the iwi is an affected party to the application.

3.5.2 Tangata whenua involvement in monitoring

Ongoing involvement in resource consent management is a key means of recognising and providing for the relationship of iwi o Taranaki with the coastal marine area in a manner reflective of their status as tangata whena, and has been a key means to address concerns raised by tangata whenua through submissions. A number of coastal consents have conditions that require consent holders to report regularly to submitters and stakeholders particularly iwi.

For example, the consent for the discharge of wastewater from the Whareroa marine outfall requires the consent holder to meet annually with representatives of Ngāti Ruanui Iwi Authority, Inuawai/Okahu hapu and Kanihi/Umutahi hapu, to discuss any matter relating to the exercise of this resource consent, in order to facilitate ongoing consultation. The consent holder is also required to ensure that a monitoring programme is established and developed with input from submitters (including the above iwi and hapū).

This has seen various members of Te Ruananga O Ngāti Ruanui being trained to assist a Council officer carry out the survey work. Ngāti Ruanui participation in the surveys has been beneficial to all parties involved, although unfortunately has lessened due to other commitments over the last few years. From the Council's perspective, involving tangata whenua in monitoring provides an opportunity to obtain a better understanding of the cultural and historical significance of that part of the coast to iwi. There is also an opportunity for the Council to explain why the monitoring is undertaken and the methods adopted.

There is a regular meeting of those interested in the Whareroa Marine Outfall. The most recent meeting was held on 23 March 2009, Chaired by Taranaki Regional Council, involving representatives from Fonterra, STDC, local iwi, hapū and other concerned local people. Ngapari Nui from Te Runanga O Ngāti Ruanui Trust, and Mere Brooks from Inuawai/Okahu Hapū attended. Updates of monitoring were provided at the meeting, which provided an opportunity to increase understanding and communication between the consent holders (in this case the South Taranaki District Council and Fonterra) and interested locals and tangata whenua.

Ngāti Ruanui involvement in monitoring.

Iwi were also involved in the monitoring of consents relating to dredging of the Port and the Opunake surf reef.

The Otaraua Hapu Trust in partnership with the Ministry for the Environment, Shell Petroleum Mining (taking over from Fletcher Challenge Energy), and others developed guidelines for surveying Kaimoana for hapu and iwi[24]. Ngāti Rahiri Hapu were also involved. This project grew out of an unauthorised incident of hydrocarbons during the establishment of the Pohokura Project and was subsidised through the Sustainable Management Fund administered by the Ministry for the Environment. The Taranaki Regional Council was closely involved in consultation on both the methods used and scientific background behind the surveys and in providing comments on the draft guidelines. The published guidelines include a training video, a guideline manual and a CD that includes templates, an electronic version of the guidelines, an illustrated presentation and additional information.

3.5.3 Tangata whenua involvement in unauthorised incidents in the coastal marine area

Ngāti Ruanui involvement in response to an unauthorised coastal incident.

Tangata whenua have been closely involved in following up on several unauthorised incidents in the coast. For example, Ngāti Ruanui worked closely with the Council in relation to the unauthorised discharge of cream from the Fonterra Whareroa discharge.

Ngā Mahanga a Tairi was closely involved with the clean up operation of the Okato oil spill described above. Meetings were held at the Puniho Marae and a direct relationship was established through the community liaison group.

Hapū of Te Atiawa iwi worked closely with Council marine ecologists when Fletcher Challenge Energy Ltd spilled hydrocarbons during the exploratory drilling of the Pohokura field. This involvement then led to the development of Kaimoana guidelines described above.

3.5.4 Identification of wāhi tapu in the coastal marine area

There are a number of particular sites of cultural and spiritual significance to iwi in the coastal marine environment. These include wāhi tapu, urupa (burial sites) and battlegrounds, tauranga waka (ancestral canoe landing and launching sites), taonga raranga (plants valued for weaving), toko taunga ika (rocks marking fishing grounds) and landscape features signifying iwi and hapū boundaries[25]. The Council supported work to identify wāhi tapu in the rohe of Puketapu hapū (Te Atiawa iwi), Ngāti Ruanui iwi and Ngāti Rahiri hapū (Te Atiawa iwi).

3.5.5 Developing effective working relationships with Tangata whenua

The Council is working towards developing memoranda of understandings with a number of iwi. Discussions have occurred and draft memoranda of understanding provided for discussion with Ngāti Mutunga, Ngaa Rauru Kiitahi and Ngā Ruanui. These memoranda set out how the

[24] Otaraua Hapu and Shell Petroleum Mining Ltd. 2003. *Kaimoana Survey Guidelines for Hapū and Iwi.* Published by the Ministry for the Environment.
[25] Taranaki Regional Council. 2008. *Proposed Regional Policy Statement for Taranaki as amended following pre-hearing consultation on submissions.*

relationship between the Council and iwi will work in practice, including how the Council will encourage and facilitate input in policies, plans and strategies, and into the resource consent process. The memoranda set out how the wahi tapu database will be used and upgraded and how the Council's iwi contact database will be maintained. Procedures for dealing with the discovery of iwi artifacts are also outlined. The draft memoranda also set out Council's approach for involving iwi in responding to unauthorised incidents and how sensitive information will be dealt with. Finally, the memoranda set out matters of governance in terms of developing the relationship between Council and iwi and how this will be resourced.

The RPS (TRC, 2009) includes a method that states that the Council will take into account any relevant planning document recognised by an iwi authority and lodged with the Council. The Ngaa Rauru Kiitahi Te Puutaiao Management Plan (Te Kaahui o Rauru, 2008) is one such plan.

3.6 Education Programmes

As part of its environmental education programme, the Council works with teachers and school children to raise awareness of rocky shore issues and encourage wise and sustainable use of the coast. The Council provides a unit of work and a teaching resource kit to teachers that links studies of the coast to the New Zealand curriculum. The Council also offers support and equipment for rocky shore field trips where children participate in monitoring or beach clean-up activities.

Rocky Shore Study at Kawaroa Reef

4 Effectiveness of the Plan – have outcomes been achieved?

This section identifies the outcomes anticipated by the RCP for each of the fourteen issues, and whether they have been achieved. The RCP identifies 25 anticipated environmental results. These were the environmental outcomes anticipated through achievement of the objectives and policies.

In examining the anticipated environmental results, it became apparent that there are only a few matters which the Council undertakes specific outcome monitoring for. Many anticipated environmental results are best measured through 'output measures' which have been discussed in the previous section. In examining the anticipated environmental results, it also became apparent that some are more easily measured and reported on than others, highlighting the need to develop specific, targeted and measurable objectives through the review of the RCP.

4.1 Issue 1: Recognition of differing coastal processes, natural values and uses of the CMA

4.1.1 What the objectives and policies say[26]

Objective 1(a) aims to manage the coastal marine area (CMA) in a sustainable manner that recognises different coastal processes, natural values and uses of the coastal marine area. Policy 1.1 sets out the specific values that will be recognised for areas of outstanding coastal value, estuaries, Port Taranaki and the open coastline.

Objective 1(b) aims to recognise and provide for the preservation of the natural character of the CMA, to protect the natural character and to restore or rehabilitate it.

The Sugar Loaf Islands (Ngā Motu) Marine Protected Area is recognised in the RCP as an area of outstanding value, while Port Taranaki is recognised in the RCP as an area that enables people and communities to provide for their economic wellbeing.

Policy 1.2 reiterates that when managing Area A, recognition will be given to the restoration or rehabilitation of the natural character of the CMA. Policy 1.3 notes that the policies of the Plan will be used to determine if activities are appropriate, or how the environmental effects might be mitigated. Policy 1.4 notes that policies on natural character in the *Regional Policy Statement for Taranaki* will be used to assist in making decisions on activities that may affect the natural character of the CMA.

4.1.2 What the monitoring shows

There is no specific monitoring programme on the natural character of the coast, nor on the overall impact on activities within the different management areas. However the rocky shore and estuary state of environment monitoring programmes recognise the two different major types of ecosystem around the coast. These programmes are discussed more fully below. The Council, along with other councils, is part of an environlink research project examining natural character,

[26] *The objectives and policies are paraphrased or summarised. The reader is referred to the Regional Coastal Plan 1997 for the complete wording.*

definition and monitoring.

However, one useful indicator of the level of use and development in each management area is the number of consents that have been issued in the different management areas. This is illustrated in Table 2 which shows that the majority of consents issued or renewed have been in the open coast. From the date the Plan became operative to June 2008, 27 consents have been granted, varied or reviewed in Area A, 28 in Area B, 148 in Area C and 35 in Area D (the port).

Table 12: Summary of anticipated environmental results for the recognition of different coastal processes.

Environmental Result Anticipated	Achieved ?
Recognition of, and provision made for: • estuarine and open coastal natural processes; • differing natural values; and • different levels and types of use across the coastal marine area; in a manner that promotes sustainable management of natural and physical resources.	The different values and processes within the CMA have been recognised through the establishment of different management areas in the RCP.

4.2 Issue 2: Protection of ecological values

4.2.1 What the objectives and policies say

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

The policies for this issue list performance measures that the Council will use when considering applications that have been made for coastal permits. For example, policy 2.1 sets out specific matters that applications for activities in estuaries need to avoid, remedy or mitigate adverse effects on.

4.2.2 What the monitoring shows

The Council's rocky shore and estuary state of environment programme, whilst specifically designed to monitor water quality, does so through examining the diversity of the biological communities found in these habitats. This monitoring is summarised in section 4.9.

The Council does not undertake specific monitoring of the maintenance of a representation of each of the existing types of marine habitat found in the coastal marine area. However, the Department of Conservation monitors the extent of marine protection afforded through marine reserves, and monitors ecological condition of protected areas. The Marine Protected Area Strategy (discussed in section 7.5.1) identifies that the Department of Conservation and Ministry of Fisheries will evaluate the extent of existing marine protection afforded the various marine habitats for New Zealand as a whole.

Equally, aside from the rocky shore and estuary monitoring, the Council does not undertake specific monitoring of the maintenance of biodiversity and viable populations of marine life. However, DOC monitors fish and invertebrate communities in marine protected areas and undertakes research into marine mammal populations (e.g. southern right whale and maui dolphin research). Furthermore, groups such as the Ornithnological Society undertake some monitoring of birdlife along the coast and the Ngā Motu Marine Reserve Society gathered information on the biodiversity values of the Tapuae Marine Reserve as part of their marine reserve application.

Table 13: Summary of anticipated environmental results for the protection of ecological values.

Environmental Result Anticipated	Achieved ?
Maintenance of biodiversity and viable populations of existing species of marine and diadronomous aquatic life and birdlife.	Monitoring of ecological health (using diversity of invertebrates and algae as indicators) of estuaries and rocky shore sites shows that biodiversity is being maintained. Some monitoring of biodiversity generally and populations of marine and diadromous species is undertaken by DOC and community groups. .
Maintenance of a representation of each of the existing types of marine habitat found in the Taranaki coastal marine area.	No specific monitoring is undertaken by the Council on the protection status of representations of the different marine habitat types.

4.3 Issue 3: Protection of social and cultural values

4.3.1 What the objectives and policies say

Objectives 3(a) and 3(b) aim to '*maintain and enhance the natural character and amenity values of the coastal environment*', and to provide protection for the heritage values of sites, buildings, places or areas.

Policy 3.1 sets out those matters that the Council considers when making decisions on applications that may affect amenity, natural character or historic heritage values. For example, Policy 3.1 (c) notes that activities should integrate, as appropriate, with the form and colour of the coastal environment as a means of ensuring protection to the natural character or amenity value of the coastal marine area. Policy 3.2 lists specific areas that have regionally important amenity values. Policy 3.3 notes that regard will be had to places, sites etc protected by the Historic Places Act 1993, and other historic values of regional or national importance.

4.3.2 What the monitoring shows

An inventory has been prepared of sites of regional or local significance[27]. The inventory was collated by a working party consisting of representatives from the Regional Council, district councils and the Department of Conservation. This identified 69 coastal areas, representing approximately 33% of the Taranaki coastline, as having features or qualities of local or regional significance.

To be identified as a coastal area of local or regional significance, an area had to be ranked as 'high' in relation to one or more of the following:

- **Amenity values.** Unique areas with significant natural, scenic, aesthetic, visual or rural amenity values (landscapes, seascapes, landforms and associated processes) were included.
- **Recreational values.** Areas included had high passive and/or active recreational use (eg, swimming, walking, fishing and boating) or areas unique and highly-valued for a particular recreational experience (eg, scuba diving or surfing).
- **Cultural/historical values.** This included places, sites and areas of special cultural or historical significance (eg, archaeological sites and/or areas or features of special significance to tangata whenua).
- **Ecological and scientific values.** This then included places, areas or features of scientific interest, important or unique coastal environment ecosystems and/or spawning, nursery or

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

feeding areas for marine mammals or birds. Estuaries particularly rated highly for ecological values.

Of the 69 coastal areas or sites identified as having local or regionally significant values, 48 sites (or 70%) were identified as being of local or regional significance based upon high amenity values. Forty-eight sites (or 70%) were also identified as being of local or regional significance for their high cultural or historical values and 41 sites (or 59%) were identified as being of significance based upon high ecological or scientific values. High recreational values were identified at 27 sites (or 39%).

Many sites ranked highly in two or more attributes. For example, the Waitotara estuary and dunes was recognised as having high amenity values, moderate recreational values (for whitebaiting), high cultural /historic values (with a ferry punt landing from early European settlement) and high ecological values (an unmodified estuary with sand dunes and a wetland, providing important habitat for threatened and migratory birds and sub-fossil totara stumps) [28].

In the initial feedback on the RCP the New Zealand Historic Places Trust highlighted that Taranaki's coastline has a significant concentration of archaeological sites of both European and Māori origin. There is a range of regionally significant historic heritage located in the Taranaki coastal environment such as:

- Historic buildings/structures, e.g. wharves, sheds;
- Historic sites (including archaeological sites) e.g. midden, whaling sites and coastal defence sites;
- Historic areas and heritage landscapes/seascapes (e.g. ship wrecks) ; and
- Places/areas of significance to Māori (wāhi tapu).

The Trust provided a database of sites of historic significance in the coastal marine area.

Table 14: Summary of anticipated environmental results for the protection of social and cultural values.

Environmental Result Anticipated	Achieved ?
Amenity values maintained at their existing level or better, for public appreciation.	The Inventory of Coastal Areas of Local or Regional Significance in the Taranaki Region highlighted the number of sites with regionally significant amenity values. The New Plymouth Surf Riders Club provided information for a schedule of sites of importance for surfing to be included in the revised RCP.
Enhanced awareness of historic areas.	No specific monitoring of awareness of historic areas is undertaken by the Council. Information from the Historic Places Trust has been provided for incorporation into the revised RCP.

4.4 Issue 4: Effects on areas of outstanding conservation value

4.4.1 What the objectives and policies say

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

Policy 4.1 sets out the outstanding coastal values for each identified area. Policy 4.2 notes that buffer areas shall be established around areas of outstanding coastal value by avoiding activities that are likely, either on their own or cumulatively, to have a significant adverse effect on outstanding coastal values.

[28] *Taranaki Regional Council. 2004. Inventory of Coastal Areas of Local or Regional Significance in the Taranaki Region.*

4.4.2 What the monitoring shows

The estuarine monitoring component of the Council's State of the Environment Coastal Marine Ecological Monitoring Programme includes two sites – Tongaporutu in the north and Waitotara in the south, both sites are included in coastal management area A for their outstanding conservation values. Long-term trend analysis was undertaken on data collected at both Tongaporutu and Waitotara estuaries. The analyses did not indicate significant positive or negative trends - indicating ecological conditions in both estuaries are generally stable[29].

The number of consents issued, reviewed or renewed for coastal management area A also provides an indication for achievement of this objective. Table 2 in section 4 identifies that only 27 consents have been granted, varied or reviewed in the 12 years since the plan became operative, and that the majority of these were for protection structures – most located in the Tongaporutu estuary.

Since the RCP became operative additional formal protection by way of marine reserves have been established over two areas identified as areas of outstanding values. Monitoring is undertaken by the Department of Conservation on the features of these areas: the area of coast off Parininihi and the Sugar Loaf Islands (Ngā Motu) Marine Protected Area. The Department has also gathered information (through a drop camera video survey) of the North and South Traps.

Table 15: Summary of anticipated environmental results for the protection of areas of outstanding value.

Environmental Result Anticipated	Achieved ?
Protection of the features that contribute to the value of areas of outstanding coastal value.	A relatively low number of consents have been granted for activities within areas of outstanding coastal value. Monitoring of outstanding estuaries show stable ecological health. Department of Conservation monitoring of two areas of outstanding value suggest the features contributing to the values of those areas are protected.

4.5 Issue 5: The relationship of Tangata whenua with the CMA

4.5.1 What the objectives and policies say

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

Policy 5.1 notes that procedures will be adopted with recognise and accommodate mana moana rights of iwi and hapū. Policy 5.2 recognises the aspirations of iwi to develop, use or protect the coastal marine area within their rohe. Policy 5.3 notes that procedures and approaches shall be adopted to enable iwi o Taranaki to participate as a partner in coastal management decisions. Policy 5.4 states that the adverse effects of activities on mahinga mataitai and kaimoana shall be avoided or mitigated. Policy 5.5 notes that the Council shall promote land-based sewage treatment systems as an alternative to assimilation in coastal waters. Policy 5.6 seeks to protect wāhi tapu and other sites or features of cultural or historical significance. Policy 5.7 notes that access to mahinga mataitai and areas of cultural importance shall be maintained or enhanced.

[29] *Taranaki Regional Council, 2008. State of the Environment Monitoring Hard-shore and Soft-shore Marine ecological programmes 2007-2008. Technical Report 08-07.*

Policy 5.8 notes that iwi customary knowledge will be considered and utilised where appropriate.

4.5.2 What the monitoring shows

Management of the coast is of particular significance to Tangata whenua. In recognition of this, a comprehensive programme of consultation will be undertaken with each Taranaki iwi to fully engage them as partners in the review of the RCP. Therefore it is important to note that at this stage it is difficult to assess if the environmental results anticipated have been achieved without undertaking this more comprehensive consultation with Tangata whenua.

The Council's programme of proactive consultation with Tangata whenua commenced with a presentation on the key findings from this report to a meeting of the iwi-chairs forum, and to senior officals of Ngaa Rauru Kiitahi and Ngāti Ruanui iwi. Meetings with other iwi, or hapū as appropriate are proposed.

Notwithstanding the programme of consultation yet to be undertaken, section 3.5 illustrates the involvement of Tangata Whenua in the resource consenting process, monitoring, responding to unauthorised incidents. For example, in the 2007/2008 and 2008/09 years the Council[30]:

- Had significant involvement with Ngā Mahunga hapū over the Okato oil spill resulting in modifications to the Council's oil spill response plan and ongoing involvement in monitoring;
- Met with iwi and hapū to discuss the South Taranaki District Council Hawera wastewater discharge;
- Met with Ngāti Ruanui iwi who expressed an interest in opportunities to train in oil spill reponse;
- Undertook follow-up on a draft Memorandum or Understanding with Ngāti Ruanui iwi and Ngaa Rauru Kiitahi;
- Funded a consultant to develop a wāhi tapu database potentially utilising the Council's GIS capability;
- Undertook discussions with Ngāti Mutanga iwi and PKW regarding a Memorandum of Understanding;
- Contracted with iwi and hapū to provide advice, expertise and information and in particular with Ngāti Ruanui regarding involvement in monitoring the Fonterra marine discharge; and
- Appointed and trained whaka club member to be a Harbour Warden at the port educating the public regarding the Navigation bylaw; and
- In 2008/09, supported the development of an Iwi Management Plan for Ngāti Mutunga on a trial basis with NPDC and MfE.

Table 16: Summary of anticipated environmental results for the relationship of Tangata whenua with the coastal marine area.

Environmental Result Anticipated	Achieved ?
The use, development and protection of resources in the coastal marine area in accordance with the cultural and spiritual values of iwi o Taranaki, where practicable.	Tangata whenua have been involved in the resource management of the coast through involvement in the consent processing, monitoring, identifying of wahi tapu and through consultation on several unauthorised incidents. However, full determination of the achievement of this ERA can only be made following further consultation with iwi as part of the review of the RCP.
Protection of areas and features in the Taranaki coastal marine area of significant cultural value to iwi o Taranaki.	

[30] *Taranaki Regional Council, 2007/2008 Annual Report and draft 2008/09 Annual Report*

4.6 Issue 6: Adverse effects on the foreshore, seabed and coastal land

4.6.1 What the objectives and policies say

Objective 6(a) aims to '*reduce the risk of accelerated coastal erosion or accretion along the region's coastline as a result of human activities in the coastal marine area*'. This objective was adopted because accelerated coastal erosion is the most significant effect on land that has occurred from coastal marine area use in Taranaki. Objective 6(b) aims to '*avoid contamination of sediment that could adversely affect human health or marine biological communities*.'

Policy 6.1 sets out those matters that will be considered when assessing a new structure or extension of an existing structure to ensure that it will not affect natural sediment or wave energy processes. Policy 6.2 sets out Council policy in relation to when structures should be removed from the coastal marine area. Policy 6.3 identifies that remedial or mitigation action will be required for existing structures that have a significant adverse effect on the environment, and list the matters of consideration before requiring such remedial action.

Policy 6.4 sets out those matters to consider when assessing applications for reclamation of the foreshore and seabed. These include such matters as the impact on sediment and wave energy processes. Policy 6.5 sets out matters for consideration when disturbing the foreshore and seabed. These include safeguarding natural drift systems, amenity values and natural coastal processes. Policy 6.6 sets out the performance standards for deposition of substances to the foreshore and seabed. These include such matters as ensuring that deposits do not cover rock habitat, or occur in estuaries other than in minor quantities.

4.6.2 What the monitoring shows

While not all structures have an ongoing monitoring programme, the Council has commenced a programme of monitoring the structures owned by New Plymouth and South Taranaki district councils. This monitoring will incorporate beach profile monitoring to monitor the effects of the structures on sediment movement.

Other activities, such as deposition of material, or disturbances, are subject to monitoring programmes to ensure compliance with consent conditions.

Table 17: Summary of anticipated environmental results for the adverse effects on the foreshore.

Environmental Result Anticipated	Achieved ?
Avoidance of increased risk of accelerated coastal erosion.	Updated monitoring of the coastal erosion rates from work undertaken in the 1980s will be done as part of the RCP review (see discussion below).
Avoidance of adverse effects on people or ecosystems from sediment contamination.	Little reclamation has been undertaken, so this measure has not been specifically monitored.

4.7 Issue 7: Natural hazards

4.7.1 What the objectives and policies say

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

Policy 7.1 allows for coastal protection works, but only in relation to existing use where the positive effects outweigh the adverse effects. It lists a number of matters that will be considered in making decisions on protection structures. These include the probability of the works succeeding, the public benefit in enabling the regional community to provide for its economic wellbeing, health and safety, the significance of the asset to be protected, the effects on the environment, measures previously undertaken to avoid the need for such works and alternatives.

Coastal erosion near Tongaporutu.

Policy 7.4 requires consideration of the ability of natural features and systems to provide a natural defence to erosion.

4.7.2 What the monitoring shows

Coastal protection works have been the most significant resource use governed by the Plan. Monitoring the environmental effects of coastal protection structures has only relatively recently been established, and then only for structures owned by the district councils. Monitoring of impacts, of specific structures or cumulative effects, has not yet been undertaken.

A more detailed assessment of the effectiveness of the RCP policies in relation to coastal protection structures is discussed in more detail in the case study in section 4.16.

Section 7.3 of the RCP notes that one of the methods for monitoring the effectiveness of this plan will be considering the results of methods used in conjunction with territorial authorities to monitor coastal erosion. The last fully comprehensive assessment of coastal erosion around Taranaki was undertaken by the Taranaki Catchment Commission in 1987.

There is a variety of data existing that could be used in updating erosion rates, and range of methods available for determining coastal erosion rates, with varying degrees of accuracy. For example, the following data sets have the potential to be useful in undertaking this work:

- Aerial photos flown in the 50s/70s/80s/90s and the most recent flown in 2007;
- Monitoring undertaken for specific sites, e.g. for the New Plymouth airport, the gas pipeline; and
- Investigations undertaken for specific land use consents, e.g. for subdivision consents, for applications for erosion protection works etc.

Recently a joint project with the district councils has commenced to review what coastal erosion data exists, and to make recommendations on future information gathering.

Table 18: Summary of anticipated environmental results for natural hazards.

Anticipated Environmental Result	Achieved ?
No increase in the risk of coastal erosion.	No specific monitoring undertaken.
Adverse effects of flooding and natural hazard protection works are avoided, remedied or mitigated.	Case study illustrates management of natural hazard protection works.

4.8 Issue 8: Adverse effects on existing structures.

4.8.1 What the objectives and policies say

Objective 8 aims *'To maintain people's ability to efficiently use any lawfully-established structure for that structure's intended purpose, subject to achievement of objectives relating to adverse effects on land, natural hazards, access and navigation and safety'*. This objective recognised that existing structures were a physical resource that needed to be sustainably managed.

Policy 8.1 requires that new use, development and protection of the coastal marine area should take into consideration likely effects on existing structures. Policy 8.2 notes that the Council will promote redevelopment and use of existing structures ahead of the construction of new structures.

4.8.2 What the monitoring shows

There is no specific monitoring of the effects on existing structures of activities.

Table 19: Summary of anticipated environmental results for adverse effects on existing structures.

Anticipated Environmental Result	Achieved ?
Continued reasonable use of existing structures in the coastal marine area.	No concerns have been raised about the ability to continue reasonable use of existing structures.

4.9 Issue 9: Adverse effects on water quality

4.9.1 What the objectives and policies say

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

Policy 9.1 sets out the matters that the Council considers when assessing proposals to discharge contaminants directly to water. These include matters such as the need to safeguard the life supporting capacity of water and aquatic ecosystems, mixing zones, cumulative effects, impacts on shellfish gathering, risks to animal or human health, effects on amenity and heritage values, cultural and spiritual values of tangata whenua, the use of the best practicable option etc.

Policy 9.2 notes that improvements in the biological health and quality of coastal ecosystems will be promoted where the life-supporting capacity is under pressure, whilst taking account of a number of matters.

Policy 9.3 sets out performance standards for discharges of contaminants to water, such as avoiding or mitigating significant adverse effects on marine biological community composition, water standard for recreation, fishing or kaimoana gathering. Policy 9.4 sets out that a discharge of human sewage to water may only occur where it better meets the purpose of the Act than discharge to land and there has been sufficient consultation with Tangata whenua and with the community generally.

Policy 9.5 reiterates aspects of policy 9.3 by stating that after reasonable mixing, no discharge (either by itself or in combination with other discharges) may give rise to any significant adverse effects on habitat, feeding grounds or ecosystems. Policy 9.6 sets out how contaminated stormwater will be managed.

Policy 9.7 notes the potential for unauthorised discharges of contaminants to occur, and the

requirement of spill contingency plans where there is the potential for significant adverse effects on water quality in the event of an unauthorised discharge. Policy 9.8 notes that the adverse effects on water quality from ship or offshore installation discharges shall be avoided or mitigated.

Policy 9.9 notes that the introduction of exotic organisms to New Zealand coastal waters shall be avoided, and discusses when risk minimisation methods will be used. Policy 9.10 notes that then considering coastal permit applications for other types of activities, the Council will also consider the adverse effects on water quality, and the need to safeguard the life-supporting capacity of water and aquatic ecosystems.

Policy 9.11 sets out the Council's policy in regard to bulk storage of hazardous substances in the coastal marine area.

4.9.2 What the monitoring shows

a. Bathing Water State of Environment Monitoring Programme

The annual Bathing Water State of Environment Monitoring Programme (established in 1995) sets out to monitor attainment of these objectives through regular monitoring of water quality for swimming at bathing beaches.

Water quality of bathing beaches is assessed against the national marine bathing guidelines[31]. The guidelines use the bacterial concentration of enterococci as a measure of the risk of water users contracting gastrointestinal and respiratory illness. Following the monitoring, beaches are categorised into one of three categories: safe (acceptable), potentially unsafe (alert) or likely to be unsafe (action). Results are posted for the public on the Taranaki Regional Council website (www.trc.govt.nz) as soon as they become available. Immediate action is taken when water quality guidelines are exceeded to ascertain the cause and to notify the appropriate health authority fulfilling method 7 of issue nine in the RCP.

Seven popular beaches are monitored every year. An additional 10 beaches are monitored every third year on a rotational basis[32].

Swimming at Opunake beach

The high quality of Taranaki's coastal water quality can be seen by the majority of samples for most of the sites tend to fall within the safe swimming guideline[33]. For example, over the past six years, 100% of the samples collected from Opunake beach met the safe bathing water guidelines. The only beach to have ever had samples in the 'action' category was Ohawe. Sites that have on occasions exceeded the safe swimming guideline tend to be close to rivers (which carry faecal matter from the land down to the coast). For example, the site at Oakura beach at the surf club exceeds the safe swimming guidelines more often than the site a few hundred meters south at the campground. This is because the Waimoku Stream (a stream which

[31] Ministry for the Environment and Ministry of Health, 2003. *Microbiological Water Quality Guidelines for Marine and Freshwater Recreational Areas.*
[32] Taranaki Regional Council, *1998, 2000, 2007, 2008. Bathing Beach Water Quality State of the Environment Monitoring Report. Technical Reports 90-09, 00-03, 07-13. 07-17, 07-18, 07-19, 07-20, 08-01*
[33] *Refer to graphs in* Taranaki Regional Council 2009. *Taranaki. Where we Stand. State of the Environment Report.*

frequently exceeds the freshwater safe swimming guidelines) discharges to the south of the surf club and the prevailing south-west flow brings bacteria to this monitoring site.

Several factors may cause variations in coastal water quality from year to year. During wet summers, more faecal matter is carried from the land into rivers and streams and out to the coast. Therefore, bacteria levels in coastal water during wet summers can often be high compared with levels in dry summers.

The Council's monitoring programme has been designed to avoid these effects by not sampling within three days of high river flows and so the results are more conservative than if sampling was random. This aspect of the programme has been criticized by NPDC in their feedback on the RCP who submitted that rather than waiting for at least 3 days after significant rainfall events to monitor sea water quality, that monitoring should take place within 24 hours of significant rainfall (at least at key bathing beaches) and then be monitored on a daily basis until levels return to acceptable limits. They considered that this would provide a more informed understanding of the effects of land surface runoff on inshore coastal waters, including peak levels of contamination and duration until return to acceptable levels.

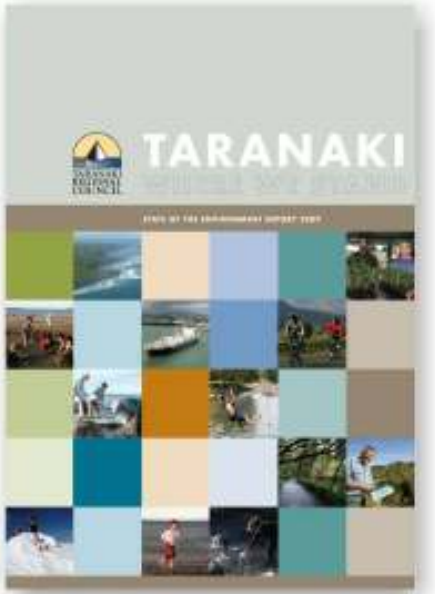
Looking at the data over time, no sites show a measurable deterioration in water quality. In terms of the objective, water quality has therefore been 'maintained'. Fitzroy Beach, one of the region's most popular, showed a statistically significant improvement, although this trend is not that meaningful as water quality is already high.

b. Public perceptions of water quality

In 2008 a postal survey asked people how they rated the overall water quality of Taranaki's beaches[34]. Out of 350 respondents, 31% perceived the water quality of Taranaki's beaches to be excellent, 59% perceived the water quality to be good, 10% perceived it to be fair, and no respondents perceived it to be poor.

c. Rocky Sore and Estuary state of environment monitoring

The Council's Rocky Shore State of Environment Monitoring and Soft Sediment Environment Monitoring programmes examine the biodiversity of rocky shore and estuary communities as an indicator of water quality and ecological health.



Taranaki. Where We Stand. State of the Environment Report. 2009.

What the monitoring shows for the rocky shore sites…

Rocky shore sites around the Taranaki coastline are monitored twice a year (see map in TRC 2009). Four of these sites (Turangi Road, Manihi Road, Greenwood Road and Waihi reef) are control sites unaffected by point source discharges, while two (Mangati reef and Orapa reef) are potentially affected by the Waitara and New Plymouth treated municipal wastewater discharges.

The ecological health indices used are species richness (the number of species recorded) and the Shannon-Weiner index (a measure of diversity that incorporates both the number of species and their

[34] *Taranaki Regional Council. 2008. Recreational Use of Coast, Rivers and Lakes in Taranaki, 2007-2008.*

relative densities). Results from monitoring of these sites over a number of years show only minor variations in ecological health over time. Large and sudden dips in species diversity, such as occurred at Waihi in March 2004 and at the Mangati site in 2007 and at Orapa B in 2002 were all attributed to natural sand inundation. Interestingly, species diversity at each of these sites was quickly restored when the sand moved on.

The Waihi Reef site in South Taranaki has generally had a lower level of diversity compared with the other control sites along the North Taranaki coastline. The South Taranaki coastline may have a relatively lower level of diversity than further north because of higher levels of wave exposure and possibly higher levels of cliff erosion depositing fine sediments on the reefs. In general, both the Greenwood and Manihi Road sites have the highest numbers of species and levels of diversity.

Long-term trend analysis was undertaken on data collected at each site (between 13 and 30 surveys). The results mostly indicated no significant long term-trends for either species richness or diversity. However, summer diversity at Turangi Road, and summer and spring diversity at Orapa B showed significant negative trends, even when the years affected by sand inundation were removed from the analysis[35]. Reasons for these trends are unknown, and may have been largely due to some higher species numbers recorded in the late 1990s, which may in turn have been the result of settled weather patterns.

What the monitoring shows for the estuary sites…

Estuaries and river mouths make up approximately 16% of Taranaki's 295 km coastline. These are shallow, sheltered areas of productive 'nursery' habitats for a variety of marine life. Taranaki estuaries do not have a wide range of intertidal and subtidal habitats, and are well flushed with fresh water. This results in a high freshwater input/area ratio, creating a harsh environment for estuarine aquatic life that prefers things to be more salty. The low numbers and diversity of fish and shellfish found in Taranaki estuaries has been attributed to this more freshwater type estuary environment[36]. The Waitotara and Whenuakura rivers drain mudstone catchments and are highly modified, with large areas of land cleared for farming, and they frequently flood. Both factors contribute to the high silt load in the rivers, a factor which reduces the number and diversity of species in the lower estuary. In comparison, the Tongaporutu and Mimi catchments are not as extensively modified.

Tongaporutu estuary

In February 2004, extensive flooding occurred in the Waitotara River which led to massive silt movements in the catchment which were either largely deposited on flooded land, in the estuary or taken out to the ocean. As a result, very few animals were present in the April 2004 survey – with only 16 individuals found in 12 core samples. The estuary has slowly recovered over the past few years and results from the most recent samples collected in April 2008 contained the highest species richness to date, and included relatively high numbers of two common snails that had been present infrequently, or absent, for the previous several years.

[35] *Taranaki Regional Council, 2008. State of the Environment Monitoring Hard-shore and Soft-shore Marine ecological programmes 2007-2008. Technical Report 08-07.*

[36] *Taranaki Regional Council, 2008. State of the Environment Monitoring Hard-shore and Soft-shore Marine Ecological Programmes 2007-2008. Technical Report 2008-07*

Table 20: Summary of anticipated environmental results for coastal water quality.

Anticipated Environmental Result	Achieved ?
Adverse effects of point-source discharges on water quality avoided, remedied or mitigated to: (a) allow widespread contact recreation, shellfish gathering for human consumption and fishing; (b) ensure the maintenance of viable marine ecosystems particularly in estuarine and intertidal areas.	Monitoring shows that coastal water in Taranaki is generally of sufficiently high standard to meet bathing standards (on the basis of current sampling protocols). State of environment monitoring at rocky shore and estuary sites show the maintenance of viable marine ecosystems and recovery from natural events such as sand inundation or the effects of flooding. Compliance monitoring of point source discharges (section 3.3.2) does not show significant adverse effects in water quality.
Minimal occurrence of accidental spills of contaminants, and effective clean-up if spills occur.	Section 3.3.1 discusses the number of unauthorised incidents (accidental spills) that have occurred in the coastal marine area over the last 7 years.
Minimisation of the risk of introduction of exotic organisms.	No specific monitoring of new exotic organisms is undertaken by the Council. The management of unwanted organisms, such as *Undaria*, is managed through the *Council's Pest Management Strategy: Plants, 2007.*

4.10 Issue 10: Use of water

4.10.1 What the objectives and policies say

Objective 10 allows the abstraction of coastal water as long as the reasonably foreseeable needs of future generations are met, the life-supporting capacity of coastal waters and ecosystems are safeguarded and the adverse effects are avoided, remedied or mitigated.

Policy 10.1 notes that the taking and use of open coastal water shall not be restricted, and that the taking and use of water in embayments, harbours and inlets shall be allowed where there are no adverse effects. Policy 10.2 sets out the performance standards for abstractions of estuary water including such matters as reporting on the environmental effects and installing systems to measure volumes.

4.10.2 What the monitoring shows

All consents granted for water abstraction in the coastal marine area have been for either produced water and associated heat through gas extraction, or where hydrocarbon exploration and production activities are likely to intercept groundwater aquifers. Such water abstractions do not have any impact on the life supporting capacity of coastal waters and ecosystems.

Table 21: Summary of anticipated environmental results for the use of coastal water.

Anticipated Environmental Result	Achieved ?
Significant adverse effects on estuarine ecosystems will be avoided, remedied or mitigated.	No consents for surface water abstraction have been granted, so no specific monitoring has been undertaken.
Coastal water available for use in circumstances where the abstracted water is immediately compensated for by an influx of either saline or freshwater, without significantly altering the water balance.	

4.11 Issue 11: Adverse effects of unreasonable noise

4.11.1 What the objectives and policies say

Objective 11 seeks to ensure that noise levels in the CMA are appropriate in terms of effects on communities, individuals and wildlife.

Policy 11.1 states that noise levels in the CMA will be managed to prevent significant adverse effects on people, amenity values, lifestock, threatened birds or marine mammals. Policy 11.2 recognises the need for noise levels to be no greater than those allowed in the adjacent land area. Policy 11.3 notes that excessive noise will be determined by standards set out in the RCP, relevant district plan and the New Zealand Standards.

4.11.2 What the monitoring shows

Consent conditions are included on consents to ensure that noise levels are managed appropriately including avoiding noisy activities during weekends and public holidays. In implementing the RCP, there has been a transfer of functions in relation to noise from the Council to the district councils. This is to ensure consistency in approach in managing noise between land and sea. No noise incidents have been recorded on the Council's unauthorised incidents database (Table 7).

Table 22: Summary of anticipated environmental results for noise

Anticipated Environmental Result	Achieved ?
Noise levels that do not adversely affect people, communities, wildlife or livestock.	The noise functions in the RCP were delegated to the district councils. They have not reported any issues with adverse effects of unreasonable noise.

4.12 Issue 12: Degradation of air quality arising from the discharge of contaminants

4.12.1 What the objectives and policies say

Objective 12 aims *'To maintain the existing high quality of the air resource of the Taranaki coastal marine area.'*

Policy 12.1 sets out the performance standards for discharges to air. Policy 12.2 notes that discharges to air from the incineration of hazardous waste or domestic or industrial waste shall not be allowed in the CMA. Policy 12.3 notes the requirement for the use of the best practicable option for minimising adverse effects to the environment from discharges to air.

4.12.2 What the monitoring shows

The relatively windy and exposed nature of Taranaki, together with the dispersed population, absence of heavy industry and low motor vehicle densities means the region has high standards of air quality. The main influence on regional air quality is natural – sea spray drift from the energetic coastline[37].

[37] *Taranaki Regional Council. 2009. Taranaki. Where We Stand. State of the Environment Report.*

Table 23: Summary of anticipated environmental results for air quality.

Anticipated Environmental Result	Achieved ?
Maintenance of the existing level of air quality in the Taranaki coastal marine area	State of Environment monitoring of air quality in Taranaki highlights general high levels of air quality. Recent increases in unauthorised air discharges at the Port have been followed up (section 3.3.1).
Avoidance of toxic effects on people and marine ecosystems from the discharge to air of hazardous substances.	Consented discharges to air are monitored.

4.13 Issue 13: Effects on navigation and safety

4.13.1 What the objectives and policies say

Objective 13 aims *'To provide for the safety of users of the coastal marine area, to the extent that this is consistent with the purpose of the Act'*.

Policy 13.1 sets out the performance standards relating to navigation and safety potentially arising from use or development of the CMA. These include such measures as requiring the free and safe passage of ships, allowing people to have safe access to and along the coastal marine, allowing people to make safe use of the coast for contact recreation, and not interfering with navigational aids. Policy 13.2 notes that use and development of the CMA shall not interfere with the safe operation of the New Plymouth air port.

Policy 13.3 notes that conflicting recreational and commercial water activities will be separated to protect human health and safety. Policy 13.4 notes that Maritime New Zealand and the Hydrographic Office of the Royal New Zealand navy will be notified of new structures.

4.13.2 What the monitoring shows

Each year the significant activity report for Navigation and Safety and Marine Oil Spill Response reports on the number of vessel movements in Port Taranaki and whether there were any navigation and safety incidents. No navigation and safety incidents have been reported in the last eight significant activity reports.

Consultation is undertaken with Maritime New Zealand on consent applications that may have impacts on navigation and safety.

Table 24: Summary of anticipated environmental results for navigation and safety

Anticipated Environmental Result	Achieved ?
Maintenance of people's health and safety within the coastal marine area.	The Navigation and Safety Bylaws for Port Taranaki were reviewed in 2003 and again in 2009.
A marine environment conducive to the maintenance of safe navigation of shipping.	No navigation and safety incidents at Port Taranaki.

4.14 Issue 14: Occupation and public access

4.14.1 What the objectives and policies say

Objective 14 (a) seeks to maintain and enhance public access within the CMA. Objective 14(b)

aims to prevent conflict arising from multiple occupation rights over any single area of the CMA.

Policy 14.1 notes that public access along public land in the CMA will be maintained. Policy 14.2 notes that where public access is denied by use or development, that alternative public access may be required. Policy 14.3 sets out those occasions when public access is to be restricted. These include protecting significant biodiversity, protecting Māori cultural values, or protecting the health and safety of the public.

4.14.2 What the monitoring shows

Level of public access was assessed in the inventory of coastal areas of local or regional significance in the Taranaki region[38]. This assessment found that 58% of the coastal areas identified in the Inventory had good or excellent public access while 42% of the sites were rated as having poor public access. Poorly defined legal access was the single most significant limiting factor (represents almost 45% of the identified coastal areas having poor public access), followed by a lack of legal access (represents almost 35% of the identified coastal areas having poor public access).

A recent survey into recreational use of coast, rivers and lakes in Taranaki[39] asked people if they had been able to gain access to rivers lakes or parts of the coast in Taranaki that they wanted to in the last year. Seventy eight percent indicated that they had been able to and 10% had not. The main reasons people could not gain access was because the access or entrance was closed, too difficult or too dangerous. Only 1% of respondents had been denied access by the land owner or occupier. Of all respondents 90% thought that the level of public access to Taranaki rivers, lakes and coast was about right.

A selection of quotes representing comments made on the level of accessibility are included below:

> *"Debatable… 'A privilege abused is a privilege denied'. Control of access seems to be increasingly necessary."*
>
> *"Taranaki beaches and lakes are very easy to access and convenient"*
>
> *"Sometimes I'm not aware of how to get there – seems to be word of mouth. Hard if you're not local."*
>
> *"As a land owner I feel the laws are more in favour of the general public than the land owner."*

There are currently eight occupation consents that have been granted by the Council. These are set out in Table 25.

Table 25: Currently held occupation coastal permits

Permit #	Consent holder	Activity	Comment on conditions
4432-2	Port Taranaki	to occupy the CMA beneath the port area.	Public access can only be prohibited where reasonably necessary to allow operation and management of the Port.
4506-1	Contact Energy	New Plymouth Thermal Power Station	Public access can be excluded to an extent and for a time which is reasonably necessary for operational or safety purposes.
5666-4	Telstra Saturn Ltd	Cable	Public access can only be restricted for safety purposes, during construction, inspection or maintenance of the

[38] *Taranaki Regional Council, 2004. Inventory of Coastal Areas of Local or Regional Significance in the Taranaki region.*
[39] *Taranaki Regional Council, 2008. Recreational use of coast, rivers and lakes in Taranaki. 2007-08.*

Permit #	Consent holder	Activity	Comment on conditions
			structure.
5991-1	Shell Exploration NZ Ltd	Pipelines and structures for Pohokura exploration.	Public access not permitted within 50m of platform. Apart from that area, free passage has to be provided except for safety purposes during construction, inspection, maintenance or removal. Restriction of public access at foreshore only for safety requirements related to construction, inspection, maintenance or removal. BPO required to minimise potential effects on the environment. Notification of hapu required of any maintenance that would restrict access.
6376-1	Opunake Artificial Reef Trust	artificial reef at Opunake	Public access can only be restricted for safety purposes during construction, inspection or maintenance. There shall be no restriction of public access to Opunake beach.
6533-1	Origin Energy Resources	Pipelines and structures for Kupe exploration.	Public access can only be restricted for safety purposes during construction, inspection, maintenance or removal of the structure. Consent subject to restrictions imposed under the Submarine Cables and Pipelines Protection Act 1996 in relation to fishing operations.
3990-3	Opunake Boating & Underwater Club Inc	Opunake boat ramp	Public can at all times have free ingress, passage and egress into, through, over and out of the consent area and to have reasonable access to and use of the facilities, except for the purposes of launching, berthing and/or maintaining boats.
4298-2	Cape Egmont Boat Club	Cape Egmont boat ramp	Public access and use of boat ramp required except for: commercial fishing vessels and heavy machinery, casual launching of any craft that cannot meet the appropriate safety standards, and access to the boat ramp and jetty during adverse sea conditions.

This shows that public access is generally only restricted for safety purposes.

Table 26: Summary of anticipated environmental results for public access and occupation

Environmental Result Anticipated	Achieved ?
Maintenance and enhancement of public access along the coastal marine area, where this is practicable.	The Inventory of Coastal Areas of Local or Regional Significance in the Taranaki Region evaluated the degree of public access to a number of sites along the coast.
The achievement of single sets of occupation rights to any part of the coastal marine area, or compatible or priority-listed rights if more than one set of rights is allowed.	Consents granted for occupation include consent conditions that relate to the provision of public access.

4.15 Community views on achievement of outcomes

Community attitudes are a significant influence on what and how much progress is made in achieving the outcomes sought in the RPS and subsequently in the RCP. In September 2008 Nielsen Company was commissioned by the Taranaki Regional Council on behalf of the Future Taranaki Facilitation Group to undertake the Taranaki Community Survey[40]. The survey formed part of the Group's reporting on progress in achieving the community outcomes.

The survey consisted of telephone interviews with residents aged 15 years and over in New Plymouth, Stratford and South Taranaki districts. 1056 interviews were completed between, 21 July 2008 – 7 August 2008. Amongst other things, the survey sought an indication of the public's level of satisfaction with the management of the natural environment. The survey found that almost nine in ten residents surveyed (87%) are satisfied with the management of Taranaki's natural environment. Satisfaction levels are similar among residents across all three districts.

[40] *The Nielsen Company. 2008. Taranaki Community Survey 2008.*

4.16 Case study of policy effectiveness: Coastal Protection Structures

While the above sections have provided an overall evaluation of the effectiveness of the RCP, this has not been to a high level of detail because of the complexity of the RCP, and the length of time that an extensive evaluation would take. Targeting the evaluation of effectiveness to selective provisions has been recommended as a means of making evaluation feasible[41]. By looking at the number of consents processed under the RCP over the last 10 years, it is clear that one of the major issues dealt with through the Plan is that of coastal protection. This is also an issue that attracts high levels of community interest, and potential cost – not only of establishing the coastal protection, but also ongoing maintenance of it, and the threat to infrastructure assets that the coastal protection is designed to protect. It is worth then taking a closer examination of the effectiveness of the plan in terms of delivering the outcomes for this issue.

Implications of the objectives and policies

The environmental outcomes that would be expected from the above objectives (OBJ 7(a) and (b)) and policies (particularly 7.1) are as follows:

- Coastal protection works will be allowed only in relation to *existing* use or development where positive effects are greater than the adverse effects;
- Protection works focused only where they are likely to succeed;
- Protection works focused only where there is public benefit;
- Protection works only where there are regionally or nationally significant existing use or development to be protected;
- Environmental effects avoided, remedied or mitigated; and
- Examples of alternatives to protection structures.

Indicators of the effectiveness of these policies

The number of coastal protection structures

Protection works in the open coast area are a response to the erosive nature of the coastline and are undertaken to protect developments that have historically occurred in the coastal environment.

A total of 104 coastal protection structures have been issued. Sixty four consents have been issued for protection structures along the open coast at Urenui, Middleton Bay, Oākura, New Plymouth near Kawaroa Park, Bayley Road, Bell Block and Waihi Beach. Some consents issued have been for existing structures and others for renewals. In the estuary zones, consents for coastal protection structures have been issued for the Waitara, Urenui, Oakura and Patea Rivers and the Te Henui Stream. In areas of outstanding value, 22 consents have been issued for coastal erosion protection purposes in the Mohakatino and Tongaporutu estuaries and on Waiiti Beach (protecting a private

Rock rip rap protection in front of the Oakura Surf Life Saving Clubrooms.

[41] *Willis, G. 2008. Evaluating Regional Policy Statements and Plan. A guide for regional councils and unitary authorities.*

campground).

The linear extent of coastal protection structures
There is an estimated 11.6 km of seawall protection structures which equates to 4% of the 295 km Taranaki coastline. About 2 km of these have been consented over the last five years. A number of coastal protection structures are subject to consent monitoring programmes. Historically, erosion protection structures have been established in areas where development has occurred close to the eroding coast. Any additional coastal protection structures will only be allowed in relation to protecting existing use and development where the positive effects are greater than the adverse effects.

The number of publicly owned protection structures compared to privately owned structures
There are 104 current protection works structures on the Council's database. Twenty eight of these are owned by district councils or the regional council. These are protecting public assets. Eight protection works are owned by companies e.g. Fonterra, Vector, Transrail to protect infrastructure assets. Sixty eight protection structures are owned by private individuals for the purpose of protecting private property.

Although many protection structures are privately owned, they relate to 'existing use or development', existing at the time the RCP was prepared, and must have demonstrated that the positive effects were significantly greater than the adverse effects. The Council manages these individual structures through having common review and expiry dates for structures in the same vicinity, allowing for coordination of consent renewals.

Effects on the environment
It is widely accepted that seawalls 'hold the line' of the land, but have the potential to create adverse effects on the adjacent foreshore in front of a seawall. On an eroding coast a seawall prevents any erosion of the land behind the wall, but does not stop the erosion processes that occur in front of it. A potential effect is a loss of the sandy nature of the adjacent foreshore, for all or part of the time. Construction of hard protection structures may also affect the natural character of the coastal environment.

The lowering of the seafloor adjacent to the large seawalls immediately in front of New Plymouth City may in part be due to the effect of ongoing erosion processes in this area, however, it may also be a result of the lack of sand by-passing Port Taranaki and the original hard reflective nature of the seawalls. The effect may also be evident at Bell Block and Onaero but to a lesser extent. At these locations the effect may be reflected in a loss for all, or part of the time, of the sandy nature of the foreshore and a consequential reduction in the width of sandy foreshore available for public use.

Concerns about the potential loss or reduction in width of sandy foreshore were also raised during the 2007 hearing of an application for an extension to the seawall at Urenui Beach. However, the Council's decision noted that 'on balance, the proposal is considered not inconsistent with the purpose of the Act in that the first part of the definition of sustainable management means allowing people and communities to provide for their social, economic, and cultural wellbeing. Effects on the regionally important Urenui Domain have been mitigated through design of

Rock wall protection at Urenui Beach.

the seawall. Effects during construction, including effects on historic heritage, and ecology, can be avoided using appropriate measures during construction. The losses of natural character and potential effects on amenity values of Urenui Beach have been recognised and accepted by the applicant and the local community, and mitigated, as required by section 5(2)(c) of the Act, by way of proposed consent condition 13' (the requirement for a landscaping and planting plan for the Domain behind the seawall to enhance the amenity values of the beach and estuary).

In all these cases, the Council has applied the policies in the RCP and has found that the benefits to the public and the Taranaki community of grating consent (subject to conditions) has outweighed any adverse environmental effects.

Mitigating environmental effects
The Council has encouraged the mitigation of environmental effects of boulder rip rap rock protection through the attachment of special conditions for the planting of spinifex to encourage sand entrapment and therefore foredune growth over and in front of proposed structures (e.g. on Oākura protection structures). Furthermore, the use of boulders (rather than artificial structures) is considered to be in keeping with the natural Taranaki boulder and sand coast. Other mitigation has included the requirement of landscaping (e.g. for the Urenui protection structure) and public access.

Transfer of functions for hard protection works that cross the landward boundary of the CMA
Generally coastal hard protection works cross over the landward boundary of the CMA so that they fall within the jurisdiction of the district council on the landward side and the regional council on the seaward side. This has the potential to lead to a situation where a person seeking to build protection works is obliged to seek resource consent from both the regional council (a coastal permit to occupy the CMA) and the district council (a land use consent to erect the structure). To address this, the New Plymouth District Council transferred its resource management functions in relation to coastal hard protection works to the Regional Council in 2005. This was desirable in the interests of efficiency so that the duplication of functions could be avoided and to ensure that such works are treated as a whole regardless of on which side of mean high water springs they are located. The transfer resulted in a "one-stop shop" within the New Plymouth district for coastal hard protection structures and has been a positive resource management outcome for applicants.

Alternatives to hard rock protection structures:
Hard engineered structures are not the only answer to coastal erosion, and there has been considerable success in re-establishing dunes along sections of the Taranaki coast such as at Fitzroy beach.

There are relatively few areas of natural dunes around the Taranaki coast. Some, such as at Oākura and Sandy Bay, are subject to community-driven restoration projects.

The New Plymouth District Council has established coast care groups over the past 12 years to undertake large scale dune restoration projects at New Plymouth (Fitzroy), Waitara and Oākura. Such projects restore natural character to a section of beach providing habitat for coastal biodiversity. Now that these projects have been completed, the emphasis is on small scale community and school dune plantings.

Dune planting at Fitzroy, 2005

Valuable lessons have been learned on restoring dunes and the role of restored dunes in managing coastal erosion. One such dune restoration project has been located at the Oākura campground which has seen planting trials undertaken by the local coast care group and Oākura School in an attempt to reinstate a resilient natural dune system better able to withstand the forces of erosion. However, recent storm events have had a significant impact on this restoration project.

Guidelines for integrated management
In 1998 the Council prepared a report entitled '*Integrated management of the coastal erosion hazard on the Oākura coastline between the Oākura River and the Wairau Stream*'. This draft document was prepared to assist the Council with the integrated management of the coastline between the Oākura River and the Wairau Stream. The report highlights preferred options for the mitigation of the coastal erosion hazard in a way that retained the recreational and amenity values of the beach. The report provided design considerations for minor toe protection along with a consent processing framework. The report concluded that it was important that coastal protection structures needed to work alongside development controls administered by the New Plymouth District Council through their district plan.

Monitoring of structures
In 2001 a compliance monitoring programme was designed by Tonkin and Taylor for the Council[42]. This recommended that compliance monitoring should consider any adverse effects of the structure on the adjacent shoreline position, beach volumes and shore platform at the toe of the structure, as well as the importance of collecting 'control' data from relevant unaffected sections of coast on which to assess the above effects. A monitoring programme has been designed and implemented for structures owned by NPDC and STDC. Although the beach profile monitoring component has not yet gathered sufficient information to detect trends in the sediment movement along the beach, the integrity of these structures and compliance with consent conditions has been reported on[43].

Conclusion

In relation to the environmental outcomes listed above, the Council's approach to coastal protection works has ensured that existing infrastructure has been protected from coastal erosion. Detailed assessment of effects has ensured that protection works are focused only where they are likely to succeed. In the main, protection works are generally focused primarily where there is public benefit or where there are regionally or nationally significant assets or use or development to be protected. Protection works have been permitted where there are significant benefits or public safety issues and where the positive effects of allowing the works have been greater than the adverse effects. Mitigation of adverse effects has been required where appropriate. Natural character losses have been recognised and accepted by the community. There are practical examples of alternatives to protection structures being practiced around the region.

Tongaporutu groynes

[42] Tonkin and Taylor, 2001. *Compliance Monitoring Programme for Coastal Structures. Prepared for the Taranaki Regional Council.*
[43] Taranaki Regional Council. *2008. NPDC Coastal Structures Monitoring Programme Report 2007-2008. Technical Report 2008-44 and STDC Coastal Structures Monitoring Programme Report 2007-2008. Technical Report 2008-43.*

5 Effectiveness of the Plan – has it been useful and suitable?

5.1 Structure and content of the RCP

Overall, the general feedback from stakeholders was that the Plan has stood the test of time and does not require major reorganisation or amendment. It was noted that the Plan was a *'well-structured plan covering many of the key areas for regional coastal management*' (Taranaki-Whanganui Conservation Board submission). Comments from Port Taranaki Limited, for example, noted that the Plan's objectives and policies generally recognise the important role of the port in providing for the economic wellbeing of the region. NPDC commented that the plan was *'an effective statutory document in part no doubt due to the ongoing pragmatic approach adopted by TRC in dealing with resource management matters within the CMA'*.

At the internal workshop, Council consent officers felt that the Plan could be improved by re-structuring the rules section so that all the rules relating to the various activities covered by the Plan were put together, rather than being grouped according to coastal management area. There will still be the requirement to identify which management area applies to which rule.

5.2 Appropriateness and design of the policies

One component of how effective the objectives and policies have been is to examine how *appropriate* they are, in other words, whether they were clear, useful and necessary.

Through the workshop of Council staff it was noted that the clarity of the Plan's policies was generally good, although some merging of policies could occur to reduce the level of repetition within the Plan and to make the policies more concise. It was also felt that some policies could be better streamlined through the relocation of some of the information detail to an appendix (for example, the criteria used for the different management zones (policy 1.1), the list of sites in Policy 3.2 and the values of areas of outstanding value in Policy 4.1). Policy 1.4 (which merely referred the reader to policies in the RPS) was felt to be redundant, as RPS policies are also considered in decision making on consent applications.

Policies to specifically assist in the processing of consents were considered generally useful and clear in both making recommendations for decision makers, and in drafting consent conditions for consents. However, it was noted that there was not a high level of consistency in the policies considered in officers' reports for similar activities, suggesting that there was too broad a range of policies that had to be considered. For example, of 25 decisions on disturbance consents, not all the relevant policies were referred to in each of those decisions. This could be better addressed through having clear 'check-list' type policies for each type of consent activity, with clear inclusion or cross reference to the 'general standards' type policies, to act as a 'one-stop' policy for consenting activities.

The policies most frequently referred to (and this reflects not only those that are the most general or the most useful, but also the number of types of different consents applied for) included the following:

- Policy 1.1.d – the values of the open coastline
- Policy 2.3 – use and development of all parts of the coastal marine area
- Policy 3.1 and 3.2 – relating to protection of social and cultural values, particularly amenity values of certain sites
- Policy 6.2 – the removal of structures
- Policy 7.4 – the role of natural features as a natural defence to erosion

- Policy 8.1 – effects on existing structures
- Policy 9.10 – consideration of water quality for all types of consent
- Policy 13.1 – effects on navigation and safety
- Policy 14.1 and 14.2 – occupation and public access

Overall the workshop concluded that although there were opportunities for streamlining the policies and improving consenting procedures in terms of what policies are used for decision making, that overall, the policies had generally been clear and therefore effective.

The workshop considered new issues that are arising in the coastal marine area – such as aquaculture, renewable energy, protecting surf areas, sand mining and new activities at the Port. While the plan review will provide the opportunity to update the Plan in light of these new issues, it was considered that the existing policies have sufficient scope to be able to adequately deal with such arising issues. In other words the Plan's broad coverage and flexibility has enabled it to effectively address types of development unanticipated at the time the plan was prepared.

Whilst areas for simplifying and streamlining the policies have been identified through the workshop process, they must give effect to the policies in the New Zealand Coastal Policy Statement (NZCPS). Therefore, amending the policies will need to await the outcome of the NZCPS review.

5.3 Environmental Results Anticipated

It was noted by one stakeholder (DOC) when providing feedback on the RCP that the anticipated environmental results needed to be reworded to give greater clarity on what the Council is seeking to achieve, and the methods for assessing whether the result has been achieved. This is certainly borne out by difficulty encountered in section 4 of this report in assessing if the Environmental Results Anticipated had been achieved.

Targets have been established in the Council's 2009-2019 LTTCP that provide a model for more specific and measurable targets. For example:

- maintenance or increase in number of sites from 2003 compliant with 2003 Ministry of Health contact recreational guidelines;
- 100% of significant point sources monitored;
- 85% of all sources to attain a 'good' or 'high' level of compliance and performance; and
- Council response to every unauthorised incident to be reported publically.

The inclusion of anticipated environmental results in the RCP is no longer mandatory under section 67 of the Act. Anticipated Environmental Results, once included in a statutory plan, are difficult to change. They have not been included in the recently notified revised *Air Quality Plan for Taranaki.* However, there is an opportunity to develop more measurable outcome targets through the objectives in the Plan. The development of specific and measurable environmental objectives in the RCP and the identification of specific indicators in the Council's State of Environment Monitoring Programme will enable the Council to gauge the effectiveness of the RCP in future reviews.

5.4 Methods

An examination of the methods of implementation in the plan highlighted a number of methods that are repeated throughout the plan – condensing these methods in the review of the RCP will make for a clearer plan. Such an approach will also be consistent with the approach adopted in the review of the *Regional Air Quality Plan*.

6 Efficiency of the Plan

6.1 Costs of the Plan

Efficiency is a measure of the benefit of a policy relative to its cost. The most efficient policy is the policy that achieves a given level of benefit for the least cost, or conversely, the most benefit for a given amount of cost[44]. The efficiency of a policy can be interpreted as the value for money that it represents in terms of costs (for the Council and the community), the ease of administration (which links to cost) and the speed or ability to achieve an environmental outcome.

Costs generally fall into three categories[42]:

- administration costs that fall on the regional council (considering and issuing consents, monitoring and enforcement);
- compliance costs that fall on applicants (costs associated with applying for and complying with consents, physical works and equipment required to comply with consent conditions); and
- 'Broader economic costs' which may result from regulation. These involve costs associated with constrained production through limits on scale, discharge or similar, and other constraints on development imposed by either plan provisions or consent conditions. The level at which industries or activities have been able to establish or expand is one measure of whether the economic costs or economic constraints imposed by the plan have been onerous.

Each of these components of efficiency are evaluated in the following section using data from the Council's databases and drawing on feedback provided from stakeholders.

6.1.1 Administration costs (by the council)

The Council normally recovers 100% of resource consent processing costs from applicants for resource consents. The only residual cost carried by the council for processing applicants is when consent officers are learning the job. All consent monitoring costs are recovered from the consent holder.

Oil spill planning and response tasks are carried out on behalf of Maritime New Zealand and so 100% of the Council's costs are recovered from MNZ, who also cover the Council's costs for planning and maintaining an oil response team. The costs of clean up operations after oil spills are recovered directly from the party responsible for the spill.

Other costs incurred by the Council in administrating the RCP include the following:

- Following up unauthorised incidents in the coast – on average 27 relatively minor incidents per year, each taking about eight hours. This would add up to about 200 hours per year, or about 11% of a full time equivalent (FTE);
- Monitoring of the state of the environment (marine bathing, soft shore, rocky shore, coastal erosion programmes). In 2007/08, 509 hours were used for this work, or about 27% of a FTE; and
- Providing information and advice on consents from consents officers is relatively minor compared to similar work undertaken for the *Regional Freshwater Plan*. It is estimated that about 40 hours per year, or 2% of a FTE would be spent on this.

Examples of two unauthorised incidents that took longer than the minor incidents to respond to included dealing with complaints about the Tongaporutu septic tanks, and about whitebait stands in estuaries.

[44] *Willis, 2008. Evaluating Regional policy Statements and Plans. A guide for regional councils and unitary authorities.*

Incidents where costs are unable to be recovered include those where the source of the incident could not be tracked down such as when chemical containers were washed down the Waiwhakaiho river to the beach during a flood. Another incident was the discharge of tallow on the beach. Because this was not an oil spill, costs for the clean up operation (about $10K) could not be recovered.

Policy development in relation to the RCP is perhaps the area where the greatest amount of time is spent that is not able to be cost recovered. This is important work in terms of advocacy to other agencies, as well as undertaking research or policy papers to support the implementation of the RCP.

For example, the amount of time has been estimated for the following policy tasks:

- Aquaculture Constraints Mapping Exercise – about 2 months.
- Coastal Inventory of Sites of Local or Regional Significance – about 6 months (but used student labour).
- Coastal Information Inventory – about 6 months (again used student labour). Joint project with Department of Conservation.
- South Taranaki Information gathering – contributing to joint project – about 2 weeks.
- Interim review of the RCP in 2002 – about 2 months.
- Contribution to the development of the New Plymouth Coastal Strategy – about 5 days.

These would tally up to about 1.25 FTE across the life of the Plan. The Council ensures that these are undertaken efficiently through methods such as undertaking policy development work in-house rather than contracting it out to consultants and where possible, undertaking students to carry out the work where appropriate.

Overall then, the Council's costs in administrating the RCP are relatively minor, indicating that the Council's administration of the RCP is highly efficient.

6.1.2 Costs incurred by consent applicants and consent holders

a. Costs of obtaining a consent

The RMA restricts many activities from occurring in the CMA unless authorised by a resource consent or a regional coastal plan. The RCP permits a number of minor activities that would otherwise be restricted by the RMA thus removing the requirement for a consent, and so reducing the cost of undertaking minor activities. The RCP streamlines the processing of consents for other activities thereby reducing the costs for applicants.

Nation-wide data collected by Ministry for the Environment surveys show that the Taranaki Regional Council's costs of processing resource consent applications are some of the lowest in New Zealand (Table 27). This reflects the Council's focus on efficiency in the resource consent process, the use of technology and prudent financial management. The implications of whether a resource consent is notified or non-notified are significant to applicants, particularly in relation to the time and cost of processing the application.

Table 27: National average costs for processing consents in 05/06 compared with TRC costs[45]

Type of coastal consent	Minimum charge (National average)	Minimum charge (TRC)	Maximum charge (National average)	Maximum charge (TRC)	Median charge (National average)	Median charge (TRC)	Number of councils
notified	$6,818	$632	$23,111	$8,470	$10,801	$2,369	11
non-notified	$425	$350	$2,042	$2,487	$425	$515	15

The Council's minimum, median and maximum costs for the 07/08 years were higher than for the 05/06 years due to some complex high profile consent applications. The minimum cost for a notified consent in 2007/08 was $6,665, with one notified consent costing the applicant $40,965 (the maximum). This was greater than the average national minimum[46] ($3,905) and average national maximum charge ($12,974) because of these highly complex consent applications. For non-notified consents, the Council's minimum remained $350 (compared to the national average minimum of $404). The Council's maximum charge for a non-notified coastal consent for the 07/08 year was $9,800, more than the national average maximum of $3,947, but still considerably less than if the same consent application had been notified.

The total amount recovered from consent applicants for the processing of non-notified consents in 2007/08 (21 consents in total) was $26,606. The total recovered for the processing of notified consents (4 in total) was $94,534.

This analysis has not estimated other costs incurred by applicants such as providing off-set mitigation.

b. Length of time to get a consent granted

Delays in consent processing can impose unnecessary costs for consent applicants. The Council aims to process consent applications within the timeframes stipulated in the Act - 50 working days for notified and limited-notified applications without a hearing, and 70 days for notified applications with a hearing. The time for processing a non-notified application is 20 working days. However, these times can be extended for further information requests (section 92(1) and 92 (2)); waiting for affected party approvals (section 94); and/or other reasons, with or without the approval of the applicant (sections 37A(2)(b) and 37A(2)(a)).

Since 1999 the Council has processed 100% of all coastal permit applications within statutory timeframes. In the two yearly survey of local authorities conducted by the Ministry for the Environment the national average for the percentage of consent applications processed within statutory timeframes is 73% (MfE, 2007). The Council's high level of performance is attributable, amongst other things, to increased certainty and clarity with respect to what policies, conditions and other matters are considered by Council for particular consent applications. The RCP has therefore been a significant factor in increasing the efficiency of processing resource consents.

The MfE suvey also indicated that the Council was less likely to use section 92 of the Act to request further information (and hence possibly delay the processing of a resource consent application) than other territorial and regional authorities. In 2005/06 the Council utilised the section 92 provisions for 11.4% of all resource consent applications, compared with the national average of 32%. In 2006/07 the percentage of resource consent applications the Council utilised section 92 declined further to 9%. It is likely that outlining the information required for consent applications in the Plan (section 5), may help applicants produce sufficient information in their applications so that a section 92 request for further information is not needed.

[45] Ministry for the Environment, 2007. *Resource Management Act Two-yearly Survey of Local Authorities 2005/2006.*
[46] Ministry for the Environment, 2009. *Resource Management Act Two-yearly Survey of Local Authorities 2007/2008.*

Processing the majority of consents as non-notified (section 3.2.3) is another means of increasing the efficiency of consent processing, and keeping costs for applicants low.

c. Costs of monitoring consents

Monitoring of coastal activities is undertaken on behalf of consent holders, and is 100% cost recovered by the Council. This information is made publically available in the Council's long term council community plans. In 2008/09 the Council recovered $144,393 from consent holders for monitoring the coastal component of consents (Table 29). These may not reflect all the costs consent holders incur through holding the consents – for example, the surveying of coastal structures is recovered separately by the consent holders. Fixed minimum charges for staff time and for laboratory analyses are set pursuant to section 36 of the Resource Management Act through the Council's Long-Term Council Community Plan.

These monitoring costs are more efficient for the consent holder than if they had to undertake the monitoring themselves as the Council has been undertaking the monitoring for a long time, and has efficient systems and processes in place to streamline the production of the annual reports.

Table 28: Annual costs of monitoring programmes for compliance monitoring undertaken by the Council and charged back to consent holders[47].

Consent	Nature of work	Cost
Kupe	coastal inspections, subtidal survey	$1,350
STDC Hawera outfall	inspections, bacto monitoring/shellfish tissue	$19,688
STDC Discharge to Patea estuary	inspections, bacto, contact recreation sampling	$9,174
STDC Opunake treatment	inspections, bacto,	$7,366
STDC structures	inspections (surveying costs recovered separately by consent holder)	$3,400
NPDC structures	inspections (surveying costs recovered separately by consent holder)	$3,600
Opunake artificial reef	Kaimoana inspections, intertidal sampling (not yet undertaken)	$10,100
Port Taranaki	Dredging consents, intertidal sampling	$11,350
Anzco Foods, Waitara	Chemical analysis of cooling water	$2,146
Todd Energy Aquatic Centre	Physical chemical /ecological sampling	$1,564
NPDC wastewater treatment	Physical chemical /ecological sampling	$17,532
Waitara marine outfall	microbiological monitoring	$8,120
	marine ecology	$7,025
NPDC Waitara municipal	Physical chemical /ecological sampling	$7,014
NPDC Urenui and Onaero camps	Bacto sampling	$2,182
STDC Wainui beach settlement	Bacto sampling	$1,202
Waiiti motorcamp	Bacto sampling, seawall inspection	$910
Port Taranaki/Downer EDI stormwater discharges	Inspections	$3,187
Pacific Natural Gut	Inspections, bacto	$999
Fonterra Whareroa	Chemical analysis of discharge	$7,134
	Marine biology	$11,850
	Report preparation (including air/f.w components)	$7,500
TOTAL		**$144,393.00**

[47] *Figures may differ slightly from those listed in Schedule 5 of Appendix 1 of the 2009/2019 Long –Term Council Community Plan because only the coastal or marine related costs have been included in this table.*

6.1.3 Broader economic costs

Determining how efficient the Plan has been in terms of potential impacts on 'broader economic costs' was determined by seeking feedback comment on the Plan as the first step in the Plan review process.

Port Taranaki for example commended the Plan on being very useful with clear and easily applied rules, allowing the Port '*to meet its obligations under the RMA without undue complexity or burdensome process*'. Over the term of the Plan, the Port has been able to undertake a number of expansion activities without encountering major problems. However, they have sought an enlargement of Coastal Management Area D to facilitate future development.

Over the duration of the RCP only two consents have ever been declined. These related to a paua farm, and the applicant appeared to be unable to provide sufficient information to enable the processing of the application to proceed, and so on this basis, the application was declined.

The Council has not received submissions or correspondence to the effect that the RCP is imposing unacceptable costs on businesses or the community, or has unnecessarily and unreasonably constrained development. This indicates that the Plan has not constrained anyone wishing to undertake development or activities within the coastal marine area, thus the impacts on 'broader economic costs' in terms of opportunity costs, has been negligible.

6.1.4 Summary of the economic costs of implementing the Plan

Table 30 below summarises the economic costs of implementing the RCP described above. The Table is based upon a matrix set out in Willis, 2008, *'Evaluating Regional Policy Statements and Plans'*.

Table 29: Assessment of costs of implementing Plan

Type of costs	Measures	Evaluation			Comments
		Low	Mod	High	
Administrative cost (costs incurred by Council to administer the Plan & implement non-regulatory methods)	Number of resource consents issued	√			Over the course of the life of the RCP less than 250 coastal consents have been issued, renewed or varied.
	Proportion of consent costs not recovered by Council	√			100% of processing & administering costs of consent applications are recovered from the applicants
	FTEs* monitoring Plan provisions	√			Monitoring largely incorporated in the Council's annual reporting and state of the environment monitoring programmes
	Enforcement actions taken under the Plan	√			On average 27 coastal incidents per annum, most minor.
	Costs incurred by Council to deliver non-regulatory methods	√			Includes non-chargeable Council activities such as provision of advice and information and advocacy.
	Costs incurred by Council to undertake policy development to support implementation of the Plan	√			An estimated 1.25 FTE over the life of the Plan.
Compliance costs (costs incurred by resource users to comply with regional rules)	Resource consent costs charged to resource users		√		Council costs compatible with national figures from MfE survey
	Monitoring costs	√			Council maintains low monitoring costs for consent holders.
Other economic costs (broader costs associated with Plan constraining production & innovation, or resulting in the sub – optimal allocation of resources)	Constraints imposed by Plan limiting resource users' flexibility to achieve environmental results anticipated	√			No indication from stakeholders that the RCP has put undue constrains on resource users.
	Production constraints placed upon targeted sectors	√			No indication of undue constraints on resource users.
	Constraints imposed by Plan that limit new entrants to a sector or industry, or limit resource use flexibility	√			No indication from stakeholders that the plan has limited new entrants to an industry.
	Constraints impose by Plan by the lack of certainty given to existing or potential new resource users about what they can do & how they manage resources	√			No issues so far identified
Overall economic cost of Plan provisions		√			

* Full time equivalents

6.2 Benefits of the Plan

The benefits of the *Regional Coastal Plan* are the environmental outcomes outlined in section 4 of this report. The environmental health of the Taranaki coastal marine environment, from the perspective of bathing water, rocky shore communities and estuary health appears to be good to excellent. The degree to which this can be attributed to the RCP is debatable, although it is clear that in the matter of point source discharges to the coast, there has been a measurable improvement in the reduction of the number of such discharges as illustrated in Figure 2.

Coastal protection works have been the most significant resource use governed by the RCP. Monitoring the environmental effects of coastal protection structures has only relatively recently been established, and then only for structures owned by the district councils. Monitoring of impacts, of specific structures or cumulative effects, has not yet been undertaken.

Table 30 summarises the benefits and costs of the RCP. Monetising all benefits and costs is impracticable. While Council costs with implementing the Plan can be identified, it is less easy to quantify community costs or environmental benefits.

Table 30: Summary of the benefits and costs of the Plan

<table>
<tr><th>Benefits
(Summary from cost effectiveness assessment)</th><th>Costs
(Summary from cost estimation)</th></tr>
<tr><td rowspan="2">Environment (outcome) benefit
Fewer point source discharges
Coastal water quality meeting bathing water standards
Rocky shore and estuary state of monitoring shows environmental conditions generally stable, or recover from events such as floods (for estuaries) or sand movement (for the rocky shore)
Maintenance of incident response team for effective response to oil spills and other unauthorised incidents.
No navigation or safety incidents in Port Taranaki</td><td>Administrative costs
Minimum
Minimum costs in terms of undertaking state of environment monitoring and policy development.</td></tr>
<tr><td>Compliance costs
Costs to consent applicants kept within national range of costs
Consents processed according to RMA timeframes
Council delivered monitoring ensures consistency and keeps costs down for consent holders</td></tr>
<tr><td>Other benefits
Protection of public access through consent conditions.
Protection of regionally significant assets through coastal protection works.</td><td>Economic costs
Few constraints on resource users in terms of Plan constraining production and innovation.</td></tr>
<tr><td>Summary
Benefits of Plan assessed as high.</td><td>Summary
Costs and constraints associated with Plan administration and implementation have been assessed as low.</td></tr>
<tr><td colspan="2">Conclusion</td></tr>
<tr><td colspan="2">The Plan has a positive ratio of benefit to cost and therefore the efficiency of the Plan is regarded as high (the benefit is substantially greater than the cost).</td></tr>
</table>

7 Change Factors

7.1 Resource Management Act

The RMA (1991) is the principal statute for the management of natural and physical resources. Section 5 (the purpose) and sections 6, 7 and 8 (the 'principles') establish the overall framework and direction for resource management in Taranaki.

Since the last RCP became operative, there have been a number of amendments to the RMA that have implications for the review of this plan. These are summarised in Table 1. Regional plans are now required to 'give effect' to regional policy statements rather than not be inconsistent with them. This is a stronger statutory requirement. Regional plans are now also required to give effect to national policy statements, including the New Zealand Coastal Policy Statement (section 67(3)).

Regional plans are required to have objectives, policies and rules (section 67). They are no longer required to include issues, methods other than rules, the principal reasons for adopting the policies and methods, or other information such as anticipated environmental results (section 67(2)).

Regional councils have a new function to control the use of land for the maintenance and enhancement of ecosystems in water bodies (S30 (1)(c)(iii a) in addition to the use of land for the purpose of the maintenance and enhancement of the quality of water in water bodies and coastal water. Regional Councils are now required to establish, implement and review objectives, policies and methods for maintaining indigenous biological diversity.

Amendments to section 32 of the RMA require the Council to consider the alternatives, benefits and costs of provisions differently than previously.

Table 31: Summary of RMA Amendments[48]

Section of Act amended	Summary of change	Implication for the Proposed RCP
S.7	Energy and Climate Change – requires Council to plan for the effects of climate change, and the benefits of renewable energy. (Added to s7 of the RMA, and mainly relating to discharges to air).	A review of the plan will need to consider the related issues of sea level rise and impact on the land water interface. The RMA may also impact on discharges from offshore installations or on offshore energy sources.
S12	Protection of historic heritage – now a matter of national importance and included as a restriction on activities in the CMA (s12(1)(g)).	The revised RCP will need to identify any historic heritage sites etc (including Māori heritage). As it has been specifically added to the restrictions on activities that may occur in the CMA – there may need to be additional policies/ rules on this matter. Work undertaken in the inventory of Coastal Areas of local or regional significance in the Taranaki region may suffice, particularly as these sites are now recognised in the RPS.
S.30	Two new functions for Councils – for indigenous biological diversity and maintain and enhance ecosystems in coastal waters (s30).	The revised RCP will need to address these new functions.

[48] *Incorporating RMA amendments No 2 (2004); No 23 (2003); No 104 (1997); No 160 (1996).*

S.66	Iwi planning documents - when changing a plan – "take into account" – stronger wording than previously ("have regard to").	The revised RCP will need to take into account any draft iwi management plan or other planning documents.
S.67	New section replacing previous section detailing the contents of regional plans. Mandatory contents have been reduced. A regional plan may now incorporate material by reference.	The revised RCP must state objectives, policies and rules, must give effect to any NPS, NZCPS and RPS and must record how a regional council has allocated a resource (if it has done so). It no longer has to include explanations to policies. These will be provided in the S32 report to accompany the Proposed RCP. Anticipated Environmental Results are no longer mandatory.
S.77c	Provides for any activity which is not covered by the Plan (or where a prohibited rule is not yet operative) to be treated as a Discretionary activity.	Although the discretionary category would then become the default, there is still a need to specify which rules are discretionary in the RCP for clarity and completeness.
S.79A.	Where management plans have been prepared for foreshore and seabed reserves, the RPS and coastal plan must be reviewed to the extent necessary to ensure they recognise and provide for those plans.	No implications of this at this stage, as no foreshore and seabed reserves established.
S94D	Plans can state whether notification is required or not; other changes are also made to the notification Notification is not currently addressed in the RCP.	The review of the RCP could clarify rules around notification.
S108(9)	s108(9) redefines financial contributions.	Relevance of retaining financial contributions in the revised RCP will need to be assessed.
S64	S64A of the Act sets out a two step process for Councils to establish coastal occupation charges. First the Council must decide if it is going to have a charging regime, then if so, the Act sets out the criteria to be met	The review of the RCP will need to set out the Council's decision relating to establishing a charging regime.
S158	Coastal tendering s158 – this clarifies the link between rentals and occupation charges, s401A & B and provides for some transitional provisions/ deemed conditions on consents.	This will need to be considered along with the issue of coastal occupation.

The RMA (Streamlining and Simplifying) Amendment Act was passed in September 2009. The Act removes frivolous, vexatious and anti-competitive objections, streamlines processes for projects of national significance, creates an Environmental Protection Authority, makes changes to plan development and plan change processes, improves resource consent processes, streamlines decision making, improves workability and compliance, and improves national instruments.

The specific implications for the review of the RCP are that changes have been made to the further submission process (limiting further submitters to those with an interest greater than the public generally), simplifies reports on submissions on the plan review and changes when provisions in a notified plan come into effect. The Act provides the Minister for the Environment or Minister for Conservation powers to suspend or withdraw all, or part of, a national policy statement (such as the NZCPS) at any time before it comes into force. National policy statements are now able to direct that a local authority include specific objectives and policies into plans without the need for further local planning processes. Finally, the Act removes the Minister of Conservation's powers in respect to decision making on restricted coastal activities, although still retaining the Ministers powers in relation to approving coastal plans, and nominating a representative onto hearing panels for restricted coastal activities.

7.1.1 Resource Management (Marine Pollution) Regulations 1998.

These regulations cover dumping and incineration in the CMA, and discharges from ships/ off-shore installations. They create deemed dumping rules in the RCP. No rule in the RCP or a resource consent can cover matters in some of these regulations (relating to discharges – regulations 9, 10, 12, 13, 14, 15). A rule may be included covering sewage from ships (reg 11) if it has stricter provisions for distance seaward or depth and may cover part or all the CMA for all or part of the year. These regulations replace some existing rules in the RCP.

7.1.2 Foreshore and Seabed Act 2004

The Foreshore and Seabed Act 2004 resulted in amendments to the RMA. The main changes to the RMA related to plan-making and resource consents processes. The changes introduced new obligations for the Council in relation to customary rights orders granted by the High Court or Māori Land Court, and the establishment of foreshore and seabed reserves after a finding of territorial customary rights by the High Court. A customary rights order is an order made by either the Māori Land Court or the High Court over an area of the public foreshore and seabed. A customary rights order will recognise a particular activity, use or practice that has been carried out on an area of the public foreshore and seabed since 1840. Territorial customary rights can be recognised by the High Court for any group of New Zealanders who have, since 1840, had exclusive use and occupation of a part of the foreshore and seabed. Such a group can establish a foreshore and seabed reserve over the area or can enter into discussions with Ministers to negotiate some other form of redress.

Activities carried out in accordance with customary rights orders are known as recognised customary activities under the RMA. They have been recognised in Section 6 as matters of national importance. Resource consents are not required for recognised customary activities. A Plan cannot describe an activity as permitted if that activity will, or is likely to have a significant adverse effect on a recognised customary activity. Regional Councils will need to supply information on the exercise of any recognised customary activities, monitor the exercise of recognised customary activities, keep records of customary rights orders and monitor compliance with recognised customary activities.

There are currently no customary rights orders in Taranaki (although there has been one application) or established foreshore and seabed reserves.

7.1.3 Aquaculture

The Aquaculture Reform Act 2004 amended five existing statutes and introduced two new ones. The legislation signified the beginning of a new regime for managing aquaculture which created a single process for aquaculture planning and consents through the RMA and allocated roles and responsibilities for regional councils for managing all the environmental effects of marine farming, including any effects on fisheries and other marine resources. New marine farms can only occur in areas specifically zoned for that use, known as Aquaculture Management Areas (AMAs) which are initiated either by the regional council or privately.

The Council decided in 2005 that it would not proceed to identify AMAs in Taranaki because there was no need or demand for such space at the time. The Council undertook instead to carry out a mapping exercise to identify potential constraints if aquaculture was ever to become established in Taranaki[49]. This was done to assist the industry in its future planning. Establishment of AMAs in Taranaki will be in response to industry initiatives. The review of the RCP will provide an opportunity to clearly articulate Council's policy in relation to matters that would need to be considered when establishing AMAs. These may include such matters as

[49] *Taranaki Regional Council, 2006. Aquaculture Management: Constraints Mapping Report.*

ensuring that AMAs are not located within areas that have already had significant biodiversity, amenity, recreation, cultural or historic values identified.

Recent further amendments to the aquaculture regime are proposed to set out the process for invited private plan changes for AMAs and to allow experimental aquaculture to take place outside of AMAs in operative regional coastal plans.

7.2 Regional Policy Statement for Taranaki

The Council has recently reviewed the Regional Policy Statement for Taranaki (Taranaki Regional Council, 2009). The Act requires that regional plans give effect to the objectives, policies and methods in the RPS. The RPS identifies three key issues relating to the coastal environment, which includes the coastal marine area (Appendix 1):

7.1 Protecting the natural character of our coast
7.2 Maintaining and enhancing coastal water quality.
7.3 Maintaining and enhancing public access to and along the coastal environment.
8.1 Maintaining and enhancing indigenous biodiversity

The RPS also includes policies relating to renewable energy, natural hazards and use and development. These policies are of relevance to the review of the RCP.

The RPS objectives and policies relating to the coastal marine area will be implemented by the following methods:

- Maintaining the *Regional Coastal Plan for Taranaki* with objective, policies and methods to address: the adverse effects of use and development on the natural character of the coastal marine area; the discharge of contaminants; public access to the coastal marine area; the biodiversity of the coastal marine area including estuaries and other areas of outstanding coastal value; the protection of outstanding natural features and landscapes in the coastal marine area; the protection of historic heritage in the coastal marine area; maintenance and enhancement of amenity values; addressing natural hazards in the coastal marine area; the protection of wāhi tapu and means to avoid, remedy or mitigate adverse effects of use and development on natural and physical resources of significance to Māori.
- Apply regional rules that recognise different coastal processes, values and uses, and which allow, regulate or prohibit activities in (a) areas of outstanding coastal value; (b) estuaries; (c) the open coast; and (d) Port Taranaki.
- Apply regional rules to regulate, mitigate or prohibit point source discharges to the coastal marine area; to regulate mitigate or prohibit use and development that have potential or adverse environmental effects on outstanding natural features and landscapes, or on historic heritage, or on amenity values, or on wāhi tapu.
- Apply regional rules to regulate, mitigate or prohibit coastal hazard protections works to avoid or minimise natural hazards.
- Require new or renewed resource consents for the coastal marine area to address public access.
- Apply methods to encourage sustainable land management practices (in order to manage coastal water quality).
- Provide advice and information on coastal water quality issues.
- Notify Medical Officer of Health and the relevant territorial authority of coastal water quality.
- Maintain the *Regional Marine Oil Spill Response Plan*.
- Consider the need to make provision for the allocation of coastal space, the need for aquaculture management areas and whether or not coastal occupation charges should be included in the *Regional Coastal Plan*.

- Gather or collate information on the resources and values of the coastal environment of Taranaki including flora and fauna in the coastal environment and where possible make this available in easily accessible forms including electronic forms.
- Include provisions in regional plans to make appropriate provision for the exploration, development, production, transmission and distribution of energy, and provide appropriate encouragement for the use and development of renewable energy.
- Participate as appropriate in central government planning for a network of marine protected areas around New Zealand.
- Advocacy to relevant agencies, the sustainable use of the marine environment and the establishment of marine protected areas, including marine reserves, to protect areas with regionally significant indigenous biodiversity values.
- Develop and maintain hazard information including coastal hazards in partnership with territorial authorities.
- Have regard to statutory acknowledgements, any relevant planning document recognised by an iwi authority and lodged with the Council, and recognise and provide for foreshore and seabed reserve management plans in preparing regional policies and plans.

7.3 National Policy Statements

7.3.1 National Coastal Policy Statement

The first *New Zealand Coastal Policy Statement* (NZCPS) was approved by the Minister of Conservation in 1994. The NZCPS is in the process of being reviewed. The Minister of Conservation prepared the *Proposed New Zealand Coastal Policy Statement* in 2008 and appointed a Board of Inquiry to inquire into, and report on, the proposal. Submissions were called and closed on 7 May 2008. Over 500 submissions were accepted by the Board. Hearings finished in December 2008. The Board reported back to the Minister by the end of May 2009. At the time of completing this report, a summary of the Board's recommendations and the Minister's decisions was not available.

The Proposed NZCPS contained a number of policies that, if unchanged through the Board of Inquiry process, will have significant implications for the review of the RCP. For example, policies in the Proposed NZCPS would see:

- Local authorities working with Tangata whenua to identify characteristics of the coastal environment that are of special value to Tangata whenua;
- Increased use of the transfer, delegation or sharing of functions with Tangata whenua;
- The control of activities in the coastal marine area that could, because of associated biosecurity risks, have adverse effects on the coastal environment;
- Identification of areas where specified forms of use or development will and will not be appropriate;
- Protection from inappropriate use and development of specific surf breaks of national significance;
- Increased protection of indigenous biological diversity in the coastal environment; and
- Local authorities assessing and recording historic heritage.

This is not a complete list, as it is uncertain at this stage which of these policies will appear in the final NZCPS, however, it indicates that the final NZCPS is likely to have some quite significant implications for the review of the *Regional Coastal Plan*. While background material for the RCP can be developed and preliminary consultation and information gathering undertaken, the Council will not proceed to notifying a revised RCP until the outcomes of the review of the NZCPS are known.

7.3.2 Proposed National Policy Statement for Renewable Energy

A national policy statement for renewable electricity generation has been proposed and is in the process of being heard by the Board of Inquiry. The objective of the NPS is to recognise the national significance of renewable electricity generation by promoting the development, upgrading, maintenance and operation of new and existing renewable electricity generation activities. This has potential implications for the RCP.

It is likely that the RCP will need to contain as a minimum, policies and methods to recognise, provide for, and promote renewable electricity generation in the CMA of Taranaki. EECA identified marine wave energy as a potentially significant source of energy in Taranaki, although noted the current limits of technology.

7.4 Oceans Policy

Since 2006, oceans policy work has focused on fixing the most pressing marine problems in the short term while taking a more coordinated and integrated approach to marine management over time. The first priority for action is improving the regulatory regime for environmental impacts in New Zealand's Exclusive Economic Zone (EEZ), which extends from 12 to 200 nautical miles offshore and is one of the largest in the world. At the moment the EEZ is lacking a comprehensive regulatory system.

In June 2008 the government agreed to the drafting of an Exclusive Economic Zone Environmental Effects Bill which sets out a new rules and consents regime for the EEZ and proposes new controls to manage currently unregulated environmental effects of existing activities (such as disturbance of the seafloor through mining and petroleum activities) and the effects of new activities in the EEZ in future (such as marine farming, energy generation, carbon capture and storage). The Minister for the Environment will be responsible for the legislation and regulations, and make decisions on EEZ consent applications. There are therefore no direct implications for the review of the RCP.

7.5 Biodiversity related policy changes

7.5.1 Marine Protected Areas Policy

The *Marine Protected Areas Policy and Implementation Plan* (DOC, MFish, 2005) sets out a process for the development of a comprehensive and representative network of Marine Protected Areas (MPAs) using a number of marine management tools. It recognises that MPAs are just one of a wide range of management initiatives designed to protect marine biodiversity which also include effects-based management of the coastal and marine area under the RMA.

Biodiversity protection is a function of regional councils. The MPA policy notes that in preparing second generation coastal plans, regional councils, through the use of a zoning tool, couldidentify areas of high marine biodiversity, and develop methods, including rules, to ensure that these areas are protected from adverse environmental effects. Plans can specify prohibit activities for activities with significant adverse effects on marine biodiversity values. Furthermore, regional coastal plans can contain objectives, policies and rules to ensure that the effects of activities are avoided in areas already protected.

The MPA policy implementation plan and classification document (DOC & MFish 2008) set out a number of principles to guide the establishment of MPAs through a process of classifying the coast, defining a protection standard, mapping existing management tools, developing an inventory of MPA areas, identifying network gaps and prioritising new MPAs.

7.5.2 New marine reserves and marine mammal sanctuary

Since 1997 two marine reserves have been gazetted in the Taranaki Region – Parininihi Marine Reserve and Tapuae Marine Reserve. The latter overlaps the Sugar Loaf Islands (Ngā Motu) Marine Protected Area (Figure 8).

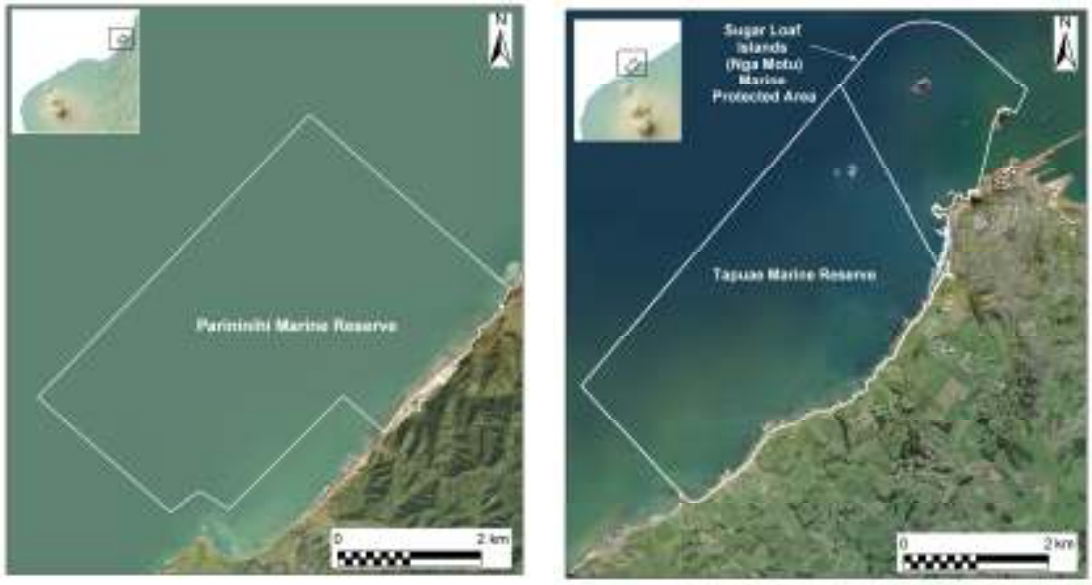


Figure 8: Parininihi Marine Reserve, Tapuae Marine Reserve and Sugar Loaf Island Marine Protected

These areas will meet the criteria for inclusion in coastal management area A: areas of outstanding coastal value (POL 1.1 (iv) – it includes, or borders on, a protected area). Therefore, coastal management area A will need to be amended to include these marine reserves.

A marine mammal sanctuary for the West Coast of the North Island has been gazetted[50] (Figure 9). This extends from the north of the region to Oākura Beach. Within this area, seismic surveying can only be carried out after notifying DOC and agreeing to follow the procedures outlined in the notice. Mineral mining within 2 nautical miles is prohibited unless mining for petroleum or a minimum impact activity. It will be necessary to recognise these restrictions through the RCP.

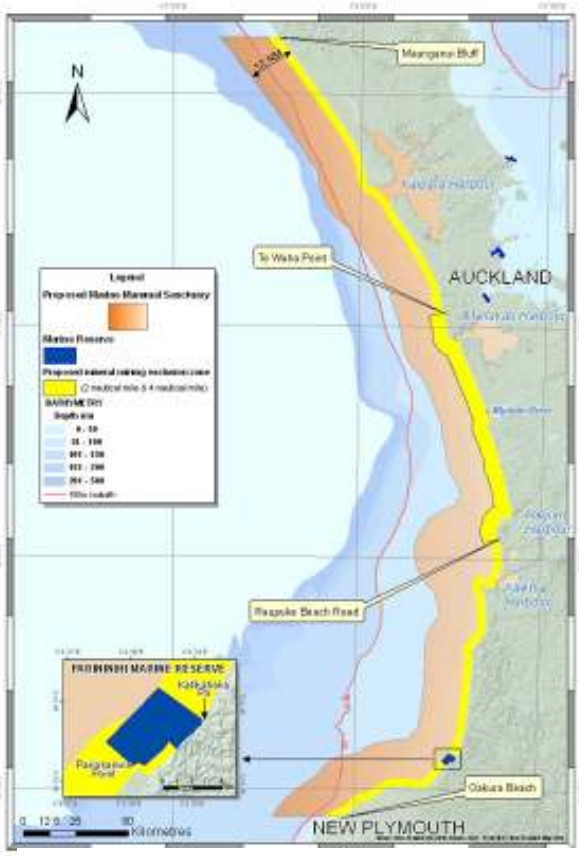


Figure 9: North Island marine mammal sanctuary

[50] *Marine Mammals Protection (West Coast North Island Sanctuary) Notice 2008*

7.6 Treaty settlements and statutory acknowledgements

Statutory acknowledgements are the means by which the Crown has formally acknowledged the statements made by iwi through their Treaty Settlement process, of the particular cultural, spiritual, historical and traditional association with statutory areas. They are described in the schedules of treaty claims settlement acts. Consent authorities are required to have regard to the statutory acknowledgements and to forward summaries of resource consent applications to the governance entity. The current RCP recognises the following statutory areas that fall wholly or partly within the CMA:

Ngāti Tama:

- part of the Mimi-Pukearuhe coast marginal strip;
- Tongaporutu conservation area;
- Mohakatino swamp conservation area;
- Pou Tehia historic reserve;
- Mohakatino River;
- Tongaporutu River;
- Mohakatino coastal marginal strip; and
- coastal marine area between the south bank of the Mokau River and the north bank of the Papatiki Stream.)

Ngāti Ruanui:

- Tangahoe River;
- Whenuakura River;
- Patea River; and
- Coastal area between Waingongoro River and Whenuakura River;

Ngaa Rauru Kiitahi:

- Nukumaru Recreation Reserve;
- Hawkens Lagoon;
- Patea River;
- Whenuakura River;
- Waitotara River; and
- Coastal marine area between the south bank of the Patea River and the north bank of the Whanganui River;

Ngāti Mutunga:

- Part of Mimi-Pukearuhe Coast Marginal Strip
- Waitoetoe Beach Recreation Reserve
- Onaero Coast Marginal Strip
- Coastal marine Area adjoining the area of interest
- Mouth of Urenui, Onaero, Mimi rivers

7.7 Other legislation changes

7.7.1 Enactment of the Local Government Act 2002

In 2002, the Government passed the Local Government Act 2002 (LGA). Under this act, local authorities have acquired new broad powers and assumed new obligations to their communities. The LGA signals a strong commitment to the principles of sustainable development with regional and district councils now having a leading role in promoting the social, economic, environmental and cultural well-being of their communities.

As part of an adjusted accountability, local authorities must identify community outcomes and must monitor and report back to the community on progress in achieving these outcomes. From May 2003 to February 2004, the Council and the three district councils worked together to consult

with the people of Taranaki to identify the things that the community thinks are important for its well-being. As a result the Taranaki community identified the following seven broad community outcomes for the region, which were included in the Council's *2004/2014 Long Term Council Community Plan* and *2009/2019 Long Term Council Community Plan*:

- **Connected Taranaki** – a region that delivers accessible and integrated infrastructure, transport and communications systems, which meet the needs of residents, business and visitors.
- **Prosperous Taranaki** – a region that boasts a sustainable, resilient and innovative economy that prospers within the natural and social environment.
- **Secure and healthy Taranaki** – a region that provides a safe, healthy and friendly place to live, work or visit.
- **Skilled Taranaki** – a region that values and supports learning so that all people can play a full and active role in its social, cultural and economic life.
- **Sustainable Taranaki** – a region that appreciates its natural environment and its physical and human resources in planning, delivery and protection.
- **Together Taranaki** – a region that is caring and inclusive, works together, and enables people to have a strong and distinctive sense of identity.
- **Vibrant Taranaki** – a region that provides high quality and diverse cultural and recreational experiences, and encourages independence and creativity.

The Council's *2009/2019 Long Term Council Community Plan* identifies activities and programmes for achieving these community outcomes that can also be incorporated into the Plan where these are relevant to the purpose of the Plan.

7.7.2 Maritime Transport Act 1994

The Maritime Transport Act 1994 replaced the Shipping and Seamen Act 1952 and the Marine Pollution Act 1974. While the Maritime Transport Act sets out the broad principles of maritime law, it also sets out that environmental controls inside the 12 nautical mile limit are to be managed under the RMA. Thus, in the CMA, the Maritime Transport Act has a management component which overlaps with the RMA.

Parts of the Act of relevance to the RCP include marine environmental protection and the amendments to the RMA which strengthen pollution controls and oil spill response provisions. Discharge, dumping and incineration controls for waters outside the 12 mile limit are provided for by the Maritime Transport Act through 'marine protection Rules', while waters inside the 12 mile limit are controlled by the RMA (Marine Pollution Regulations) 1998. Oil spill management and response and technical pollution prevention standards for ships are covered by the Maritime Transport Act only, and apply both within and beyond the 12 mile limit.

The Council maintains an oil spill response plan under the Maritime Transport Act.

7.7.3 Submarine Cables and Pipelines Protection Act 1996

This act provides protection for submarine cables and pipelines. It enables the establishment of protected areas for the purpose of protecting submarine cables and pipelines, excluding certain sized ships, anchoring or certain types of activity from specific areas. This Act can have implications for matters dealt with under the RCP such as the consenting of coastal occupation of space.

8 Looking forward – matters to address through the review process

The previous sections of this report have examined the effectiveness of the RCP through the state of environment monitoring, consents processing and monitoring, unauthorised incidents, advocacy undertaken by the Council and feedback from stakeholders and council officers, and the efficiency of the RCP. Legislative and policy changes and the review of the *Regional Policy Statement* have been considered.

This section summarises matters that have been identified as requiring consideration through the review of the RCP.

8.1 Tangata whenua

The RPS recognises the specific importance of the coastal environment to Tangata whenua, noting that the coastal environment and its resources are of great cultural, spiritual and economic benefit to Iwi o Taranaki. As kaitiaki of their traditional fishing grounds and reefs, iwi and hapū have a responsibility to nurture and safeguard these resources for future benefit.

Amendments to the RMA require the Council to take into account any draft iwi management plans or other planning documents, such as fisheries plans. The RPS notes that regional plans must have regard to statutory acknowledgements, any relevant planning document recognised by an iwi authority and lodged with the Council, and recognise and provide for foreshore and seabed reserve management plans. The environmental plan recently prepared by Te Kaahui o Rauru (2008) is one such plan.

Recognising the critical importance of the coast to Tangata whena, the Council will engage in early discussions with iwi on the review of the RCP, and will seek to proactively involve Tangata whenua in all the stages of the Plan review.

8.2 Integrated management

8.2.1 Coastal environment

In providing feedback on the RCP, several stakeholders raised concerns with the increasing pressure on the natural character of the coastal environment from subdivisions – and also the likely implications this will have on risks from coastal hazards, and impacts on biodiversity and water quality. It was suggested that widening the scope of the *Regional Coastal Plan* to cover the coastal environment would mean that this issue could be better addressed.

However, subdivision in the coastal environment is a district council function, and the RPS includes objectives, policies and methods relating to addressing the natural character of the coastal environment that district councils are required to give effect to through their Plans and decision making. There is little to be gained by including those same objectives, policies and methods in the RCP, given that the methods to achieve them would largely fall under the jurisdiction of district councils.

Senior Council staff were involved in the preparation of the NPDC Coastal Strategy[51] which included a number of actions that the Council are to work in partnership with NPDC to achieve.

[51] New Plymouth District Council. 2006. *Coastal Strategy*.

Some of those actions will be achieved through the review and ongoing implementation of the RCP.

However, that said, it is the Council's view that the current approach, of having high level objectives and policies in the RPS is more appropriate than duplicating them in a coastal environment plan.

The issue of water quality in rivers affecting water quality in the coastal marine area is a similar matter. Addressing the issue of freshwater quality in the *Regional Fresh Water Plan* is a more efficient approach, than duplicating objectives and policies in two plans. However, there are opportunities for increased integrated management between sustainable land management programmes, and coastal water quality.

Furthermore, there are occasions when greater integration of consent processing between the Council and local authorities would be beneficial. For example, the NPDC consenting of new structures at the campground at Waiiti required the buildings to be transportable, recognising that they were within the coastal erosion hazard area. Later on, the applicant was granted consent for a coastal protection structure under the RCP.

8.2.2 Landward boundary of the RCP

One stakeholder (NPDC) has identified that there is lack of a clear definition of the boundary of the landward limit of the coastal marine area and this lack of clarity affects the usability of the Plan. Mean high water spring or MHWS is not defined in the RMA or the NZCPS. MHWS is traditionally calculated for nautical purposes as the long-term average of the highest high tide that occurs just after every new and full moon (ie, spring tides). Normally, only about 10–20% of all high tides would exceed such a MHWS mark. The nautical almanac derived definition of MHWS is primarily related to water levels within ports, and is not so relevant or easily interpreted on a dynamically changing landform such as the open coast.

While there generally have been no problems identified with the CMA boundary in the last 15 years, there have been some cases where uncertainty has arisen. The revised RCP could look to address this uncertainty by including a definition of the MHWS to use as a 'rule-of-thumb' based on actual coastal geomorphology such as the toe of the actively eroding cliffs or the seaward limit of vegetation on coasts with foredunes or cobble/boulder foreshores (NPDC submission).

Although no issues have been raised to date, another boundary that will need looking at through the review is that of the landward extent of the coastal marine area up river mouths. These boundaries were established through a memorandum between the Council, district councils and the Department of Conservation in 1994, and included in the proposed RCP.

Clarifying boundaries in the RCP will be a means of improving the clarity and usefulness of the RCP.

Reflections of North Taranaki cliffs

8.2.3 Integrated management between agencies

Two stakeholders raised the issue of the relationships between all the various stakeholders and management agencies involved in the coast highlighting that the management of Taranaki's coast needs a well co-ordinated, multi-agency, collaborative approach. One stakeholder suggested that the Council should take a stronger and more proactive leadership and coordination role both in relation to the coastal marine area, but also along the coast (through for example, coast care groups).

Coastal management is complicated because of the number of agencies and interest groups involved, as illustrated by Figure 1. *The Regional Policy Statement* recognises the Council's role as an advocate in a number of methods. Thus there is much to be gained by closer working relationships with all involved in the coast.

However, the purpose of the RCP is to assist the Council to carry out its specific coastal functions, to promote the sustainable management of natural and physical resources in relation to the coastal marine area. The Plan is very specific to the actions of the Council, it can not direct work of other agencies. Having said that, the process of undertaking a review of the RCP will engage with other agencies, tangata whenua and interest groups to ensure the promotion of integrated management.

It is noted that the New Plymouth District Councils' functions in the coastal environment for protection structures, that may straddle the boundary between the coastal environment and the coastal marine area, has been transferred to the Taranaki Regional Council. This has streamlined the consents required, and made for a better integrated approach to the management of the boundary. Similarly, the transfer of functions in relation to noise is a pragmatic approach to integrated management. Thus, transfer of functions has been one method of achieving integrated management, and could possibly be considered in the review of the RCP for other functions.

8.3 Protection for biodiversity, recreational, amenity and historic values

8.3.1 Collating and making available information on coastal values

The RPS includes a method that the Council will gather or collate information on the resources and values of the coastal environment of Taranaki including flora and fauna in the coastal environment and where possible make this available in easily accessible forms including electronic forms.

The Council has recently completed an inventory of sites of local and regional significance around the Taranaki coast. This will be a useful starting point for an inventory on biodiversity, recreational, amenity and historic values.

The review of the RCP will need to establish a system for making available all known information about values of sites around the coast. This could involve making the information available publically through maps in the Plan, or on the Regional Xplorer website, and through the Council's internal GIS system, Taradise for the use by Consent Officers. Furthermore, the review of the RCP will need to consider what information to include in schedules in the Plan to assist plan users appreciate the known values in the coastal marine area. Increasing the use of technology could improve the clarity and usefulness of the RCP.

8.3.2 Protection of Biodiversity

The 2002 RMA amendment strengthened the role of the Council in terms of biodiversity. Both the RPS and the Council's Biodiversity Strategy indicate that the Council will advocate to relevant agencies, the sustainable use of the marine environment and the establishment of marine protected areas, including marine reserves, to protect areas with regionally significant indigenous biodiversity values. The RPS also notes that the Council will participate as appropriate in central government planning for a network of marine protected areas around New Zealand.

Regional councils have a new function to control the use of land for the maintenance and enhancement of ecosystems in water bodies (S30(1)(c)(iiia) in addition to the use of land for the purpose of the maintenance and enhancement of the quality of water in water bodies and coastal water. This may have implications for the control of vegetation clearance and earthworks in estuaries.

The RCP will need to be updated through the review to recognise new marine reserves and marine mammal sanctuary. Submitters (DOC) have suggested that other estuarine habitats may be worthy of inclusion, and suggest that a programme of habitat assessment be carried out. They have also suggested that the Plan recognises and provides for the protection of marine mammals (i.e. southern right whale and Maui Dolphin) and habitat for all marine fauna (especially threatened species) which may be above or below the MHWS mark.

It is not anticipated that the Council will undertake a comprehensive survey of coastal and marine habitats in the preparation of this review, but rather will build on information contained in the inventory of sites of local and regional significance and other sources with information from stakeholders such as the Department of Conservation.

While the current RCP pre-dated the widespread use of the term 'biodiversity', it recognises the importance of protecting ecological values (issue 2), and protecting areas of outstanding coastal value (issue 3). Several policies make mention of the need to recognise significant habitats of indigenous marine flora, fauna etc. (e.g Policy 1.1, Policies 2.1-2.3, and Policies 4.1-4.2). The review will want to retain many of these policies in order to implement the Council's biodiversity functions.

8.3.3 Protection of recreation and amenity values

The Regional Policy Statement now includes an appendix of high quality or high value surfbreaks in Taranaki.

The Surfbreak Protection Society in association with the New Plymouth Surf Riders Club have advocated that there is sufficient national policy to provide protection to surfbreaks and surfing corridors as natural features. They suggested that regionally significant surf breaks be recognised and provided protection through being designated as surfing reserves. They expressed concern about potential impacts of renewable electricity generation projects within such areas.

Surfing is an important recreational activity on the Taranaki coast.

The New Plymouth Surf Riders Club has provided information for a schedule of sites of importance for surfing to be included in the revised RCP. The Council's inventory of sites of local and regional importance provides valuable information on the values of different sites for amenity and recreation. This information could be included in a schedule in the revised Plan as well as being identified on planning maps. The review will need to consider the inclusion of specific policies to ensure the values identified in such a schedule are taken into consideration in consent decision making.

Policies relating to providing for coastal access are clearly important to safeguard the amenity and recreation value of specific sites, and will need to be retained through the Plan review process.

8.3.4 Protection of historic heritage

Amendments to the RMA require that the protection of historic heritage is now recognised as a matter of national importance, and included as a restriction on activities in the CMA (s12(1)(g)). This means that the review of the RCP will provide an opportunity to clarify methods for protecting historic heritage including clarifying what permissions are required from the Historic Places Trust (HPT) or what archaeology investigations would be required as part of consent applications.

The HPT highlighted that best practice for provisions for plans have been developed. They recommended that the RCP needed to identify historic features, manage the conservation, repair, maintenance or removal of historic heritage and regulate activities that may have adverse effects on historic heritage – including disturbance of the foreshore or seabed. It was noted that an integrated approach would be required to manage some historic sites situated right on the boundary of the coastal marine area and the coastal environment – e.g. pa site (Puke Tapu) or middens (e.g. at Kaupokonui) that are now eroding onto the CMA.

The HPT suggested that the Council should undertake information gathering around river ports (Patea, Opunake, Waitara), the Tongaporutu caves (particularly the significant rock art), the Port (particularly in the coastal marine area of the Port), and at Bayly Road (in relation to the petroglyphs which are only found on our coast).

The Council is unlikely to undertake additional historic heritage information gathering as part of the review of the RCP, but will rely on information provided by the HPT who have provided information on heritage features in the coastal marine area for inclusion as a schedule in the revised Plan. However, it may be appropriate for additional information to be gathered on historic features of the port area, particularly given a request for the Port Area D in the Plan to be enlarged, and to include provisions to protect appropriate protection of historic heritage.

It may also be appropriate for nationally significant sites such as the moa middens at Ohawe and Kaupokonui, also possibly Waingongoro and Kaupokonui river mouths, and Opua light house to be better recognised through being identified in Coastal Management Area A. It would need to be shown that these historic features are of national significance.

8.4 Use and development

The RPS includes a specific policy relating to appropriate use and development - '*Provision will be made for the efficient and effective establishment, operation, maintenance and upgrading of network utilities and other physical infrastructure of regional significance (including where this is of national importance) and provision for any adverse effects of their establishment to be avoided, remedied or*

mitigated as far as is practicable.' The RPS recognises that Port Taranaki is the only major deep-water port on the west coast of New Zealand and is a facility of regional significance.

The RPS includes an objective to provide for appropriate subdivision, use, development and occupation of the coastal environment in the Taranaki Region. It will be necessary to reflect this objective in the RCP.

8.4.1 Development at the port

The RPS includes a policy whereby '*appropriate recognition should be given to Port Taranaki to ensure its efficient operation and to enable appropriate development and diversification to occur to meet changing needs*.' It will therefore be appropriate to consider the inclusion of additional specific policies in the RCP relating to the port.

Genesis Energy notes that the current RCP understates the strategic significance of the port operation, and the necessity of its future development and expansion and seeks that the RCP provides a more certain policy framework, recognising and providing for the present and future operation and development of the Port Taranaki facilities around existing port facilities.

Gasbridge suggests that a site specific Concept Plan outlining the future development of the Port area may be an idea to effectively manage and provide for activities within Port Taranaki. The Bay of Plenty Regional Coastal Environment Plan includes an 'outline development plan for the Port of Tauranga' in a schedule to the plan. This plan covers matters such as wharf structures and associated reclamations, dredging by capital works and maintanence, spoil disposal, berth deepening and sand extraction. So whilst inclusion of such a plan in the RCP may appear initially to be beyond the scope of the RCP, it could be worth considering during the plan review.

Port Taranaki has submitted that the existing boundaries of coastal management area D have placed limitations on the ability to expand to meet potential projects (e.g. Pike coal, Tahaora iron sand and the Gasbridge LNG). Under the existing plan, the useable land from the berth to the seaward boundary of the reclamation will have a distance of approximately 150m, compared with much larger distances in other Ports. In order to provide adequately for the growth of the port, Port Taranaki submits that the coastal management area D should be increased in size by extending the line seaward of the main breakwater 333m from the line of MHWS on the current breakwater. This would provide approximately 280m of useable width of land along the Main breakwater.

The Port's submission also notes that the dredged entrance channel now extends beyond the breakwaters approximately 500m, and that regular dredging maintenance is required of this channel. To enable this, the area of coastal management area D would need to be extended to cover this activity.

The amended coastal management area D boundaries proposed by Port Taranaki could be included in the review of the RCP. The consultation process of reviewing the Plan would provide opportunities for the community to provide input, as for any of the ideas discussed in this report. Alternatively, the plan could identify possible port expansion area to be subject to future plan change.

Port Taranaki

The Port's disposal grounds (for which the Port

holds coastal permits for the disposal of maintenance and capital dredging products) need to be illustrated in the revised RCP's planning maps.

8.4.2 Energy

Trust Power submitted that the generation of power, and associated facilities are not unduly restricted in the coastal marine environment. Genesis Energy suggests that the RCP be given more specific recognition to the present and future oil and gas deposits in the coastal marine area, and make specific provision within the policy framework for the development and utilisation of these resources.

The RPS has a policy relating to the promotion of renewable energy: '*The use and development of renewable energy resources will be promoted whilst avoiding, remedying or mitigating adverse effects on the environment as far as practicable*'. Several submitters (Genesis Energy and EECA) suggest that the RCP include a suite of objectives, polices and rules to guide the establishment of new CMA based electricity generation alternatives, and that research activities be permitted or controlled.

Section 14 (2)(b) restricts the taking or using of any heat of energy from any open coastal water, unless expressly allowed by a resource consent. Therefore, the revised RCP will need to include a policy relating to the value that will be taken into consideration when assessing an application for structures and energy abstraction for the purpose of renewable electricity generation projects. It may be possible to include permitted rules relating to projects of a 'trial' scale. This is envisioned by the proposed NPS on renewable energy. The revised RCP will also need to include a policy and rule relating to the taking or using of any heat or energy from open coastal water.

8.4.3 Sand mining

Since the Plan became operative, there have been proposals to undertake sand mining off the Taranaki coast. No applications for this activity have been received by the Council, however, it is an issue that has caused some interest and concern in the community.

Any proposal to disturb large amounts of sand is likely to fall under Rule C3.4 of the RCP and be classified as a "Restricted Coastal Activity" (RCA). Such an application would need to be accompanied by a comprehensive assessment of effects on the environment. Policies in the RCP would be used in the decision making on such an application.

While the current RCP sets out sufficient policy guidance for the processing of such an application, it may be worth including specific policy in the revised RCP. Greater information on values of the offshore coastal marine area, as proposed for inclusion in the RCP would assist in the processing of any such applications.

8.5 Natural hazards

The RPS notes that the Council will maintain a regional plan with objectives, policies and methods addressing natural hazards in the coastal marine area. It notes that the Council will develop and maintain hazard information including coastal hazards in partnership with territorial authorities. However, the control of the use of land by way of controls over special hazard zones and rules, identification of natural hazards on maps and registers, general building and development controls, subdivision controls and designations or other provision for public works will remain the responsibility of territorial authorities.

The review of the RCP will need to include latest estimates of likely sea level rise. This will ensure consistency with the NZCPS and any likely NES on sea level rise.

8.6 Structures and occupation

8.6.1 Erection or placement of a whitebait stand

Structures occupying the CMA are governed by several sections of the Act.

The appropriateness of prohibiting whitebait stands has been raised as an issue by Council Inspectorate staff. The current RCP makes the erection or placement of a whitebait stand in Area B (estuaries) and in Area A a prohibited activity (rules B1.5 and A1.10 respectively). When the plan was first proposed, the erection and placement of a whitebait stand and related occupation of the coastal marine area was a controlled activity subject to a number of standards, terms and conditions. Following submissions, the erection and placement of a whitebait stand in estuaries and Area A was reclassified as a prohibited activity. This was on the basis that such structures were not required for whitebait fishing in Taranaki, and would be an unnecessary restriction on public space. This also meant that the Council did not become involved in the issue of licensing occupation of the coastal marine area.

The Waikato Regional Coastal Plan and Hawkes Bay Coastal Environment Plan make the erection, placement, maintenance, alteration, use of or occupation of space by a structure in the CMA which is to be used solely as a whitebait stand, a permitted activity provided it meets a number of conditions. However, whitebait structures are prohibited in high value estuaries.

The Council has recently (late 2008) granted consents (6) in the Onaero estuary (Area B) for applicants to 'erect, place and maintain a jetty in the Onaero River, including the related occupation of the coastal marine area, for recreational purposes.' These were granted under Rule B1.14 of the RCP (a non-complying activity). They were processed as non-notified applications on the basis that the structures will have no more than minor adverse effects on the environment. The Department of Conservation gave non-notified approval. The consents were granted subject to a number of special conditions including no whitebaiting to be undertaken from the jetty, notification of maintenance works, requirement to maintain the structure in a safe and sound state and a requirement to remove when no longer required.

While these coastal permits have been granted with a condition restricting whitebaiting, the effects of these small jetties and of whitebait stands on matters such as natural character or the occupation of public space are no different, therefore the current RCP rules of prohibiting whitebait stands will need looking at in this review of the RCP.

8.6.2 Occupation of the coastal marine area

The definition in the RMA of occupy means the activity of occupying any part of the CMA where the occupation is reasonably necessary for another activity, and where it excludes other people from occupying that part of the CMA through a plan, proposed plan or resource consent etc.

Section 12 of the RMA requires people to have consents under section 12(1)(a) (for the actual structure) and if they wish to occupy it exclusively, a further consent to occupy under 12(2)(a).

S122 (5) of the Act states that no coastal permit shall be regarded as an authority for the holder to occupy a coastal marine land to the exclusion of other people *unless a coastal permit expressly provides otherwise*.

The current RCP has general rules relating to the occupation of space (G1.1-G1.3) – specifically, the rule relating to occupation of land excludes occupation relating to structures when there is a rule relating to structures placement that specifically provides for occupation.

Rule B1.14 (under which the above jetty applications were processed under) is for the 'erection, placement, alteration, extension or reconstruction of any structure and related occupation of the coastal marine area…'

There are no conditions relating to public access, so therefore on the basis of S122(5) of the Act, this occupation is not 'exclusive', and therefore does not restrict public use of it. This needs to be clarified in the review of the RCP.

8.6.3 Occupational charging

Section 64A of the Act requires that in preparing or changing the RCP, regional councils must consider whether or not a coastal occupation charging regime will apply to persons who occupy any part of the CMA after having had regard to the extent to which public benefits from the CMA are lost or gained and the extent to which private benefit is obtained from the occupation of the Coastal Marine Area.

If a regional council considers that a coastal occupation charging regime should not be included, a statement to that effect must be included in the coastal plan. However, if a regional council considers that a coastal occupation charging regime should be included, the council must specify in the plan:
(a) The circumstances when a coastal occupation charge will be imposed; and
(b) The circumstances when the regional council will consider waiving (in whole or in part) a coastal occupation charge; and
(c) The level of charges to be paid or the manner in which the charge will be determined; and
(d) In accordance with subsection (5), the way the money received will be used.

The *Proposed New Zealand Coastal Policy Statement* includes further guidance for councils contemplating developing a coastal charging regime.

In Taranaki, there is a low number of occupation consents in the coastal marine area, the extent to impact on public access is only minor, and consent conditions have generally been applied allowing free public access except where it is a matter of public safety. Thus on the basis that there are relatively few occupation consents and matters relating to public access can be addressed through consent conditions, it is not proposed to introduce an occupational charging regime in the review of the RCP. This will need to be specifically stated in the RCP.

8.7 Water Quality

8.7.1 Discharge of ballast water

Discharge of clean ballast water is now a regulation under the Marine Pollution Regs (reg 14) as long as it is a) clean or segregated and b) complies with the Biosecurity Act 1993.

The Marine Protection Rules (Part 120, Discharge of Oil) provide standards interpreting the International Convention for the Prevention of Pollution from Ships (MARPOL), and permit certain discharge of ballast water. Ballast water controls standard under MAF Biosecurity are

spelt out in the Import Health Standard for Ballast Water. Under that standard no sediment from the clearing of holds, ballast tanks or anchor chain lockers can be discharged into NZ's territorial waters. Ballast water from outside of NZ cannot be discharged into NZ without the permission of a MAF inspector.

Council Inspectorate officers consider that the discharge of ballast water is an issue that should be better addressed under the RCP. The discharge of ballast water in the port is a potential problem, primarily because of sediment and oil being discharged into the relatively calm areas of the Port. It is thought that a number of oil spills that have happened over the years have originated from ballast water.

8.7.2 Water quality from rivers

Coastal water quality is highly influenced by the nature of water entering the coastal area through rivers. Rivers towards the north and south of the region are more sediment laden as a consequence of draining more erodible catchments. A recent research project[52] was undertaken on the ecology of the seafloor around North Taranaki with a specific focus on the distribution of the brown kelp, *Ecklonia radiata*. The research concluded that water turbidity is the primary factor that defines the *Ecklonia* distribution in Taranaki, although the wave energy and habitat complexity (such as the nature of the substrate) of the reef were also influential. The direct effect of fine sediments from rivers was thought to be the main limiting factor for kelp colonization on the north-eastern reefs, particularly near the Waitara River.

Monitoring for bathing water quality is not undertaken within 3 days of significant rainfall, so the monitoring does not capture the likely impact of landuse discharges via rivers on coastal water quality.

Further to the discussion above on integrated management, the RCP could include an additional issue/objective/policies relating to the management of land to avoid, remedy or mitigate the effects of sediment being discharged to the coastal marine area via rivers. Methods would be mainly linked back to Council's sustainable management programme (particularly for hill country catchments) with cross references to rules in the *Regional Freshwater Plan* relating to earthworks.

8.7.3 Discharges from offshore installations and ships.

The Resource Management (Marine Pollution) Regulations (1998) are now in place, and include rules relating to the discharge of substances for purpose of avoiding, remedying or mitigating oil spill (S8), discharge of oil (S9), the discharge of noxious liquid substances (S10), the discharge of sewage into the coastal marine area (S11), the discharge of Grade A treated sewage in the coastal marine area (S12), the discharge of Grade B treated sewage in the coastal marine area (S12A), the discharge of garbage (S13).

Section 16 of the regulations states that no rule may be included in any regional coastal plan, or proposed regional coastal plan, nor any resource consent granted relating to a discharge to which regulations 9, 10, 12, 13, 14 and 15 apply. This means that the current rules in the RCP will need to be removed. Including the Marine Pollution Regulations as an appendix in the RCP will assist plan users.

In terms of discharge of sewage in coastal marine area, rules may only be included in a regional coastal plan if the rule increases the distances seaward or increases the depth. The review of the

[52] *Crofskey, E. 2007. The distribution of Ecklonia radiata around the North Taranaki Headland and its relationship with key physical characteristics. University of Auckland, MSc thesis.*

RCP may want to consider if there is a need to include rules in the RCP specifying greater distances to areas of significance such as the port, marine reserves, marine protected area etc. This is an approach that the Hawke's Bay Coastal Environment Plan has taken.

8.7.4 Discharge of scraping or cleaning of hulls of ships or offshore installations

The RMA Marine Pollution regulations do not address this activity and only refer to normal maintenance above the water mark of off shore installations. Thus 15B(1) of the RMA applies which places restrictions on discharge of harmful substance of contaminant from a ship or offshore installation into water. Maintenance work on the 'Ensco' (February 2008) raised concerns about this rule – because it was an offshore installation and not a ship, it was not covered by the existing rule, nor caught by the Marine Pollution Regulations, so instead the standards set out in the RMA were relied on.

The review of the RCP could include a rule relating to scraping or cleaning of hulls, and offshore installations for the sake of clarity. Further discussion would need to be required on where such discharges are appropriate, and how to manage risks in terms of water quality and biosecurity. However, there are now new mechanisms available for cleaning under water which ensures no discharges, therefore, prohibiting such discharges to the CMA should be logistically feasible.

8.8 Disturbances

8.8.1 Small-scale removal of sand or gravel

Consent officers are frequently asked if it is permissible to take sand from beaches for the purpose of sand-pits, gardens etc. Section 12(2)(b) of the RMA restricts the removal of sand, shingle, sand or other natural material from the coastal marine area unless expressly allowed by a rule in a regional coastal plan. Removal of sand, shingle, shell or other natural materials is defined in the RMA to mean to take any material in such quantities or in such circumstances that, but for a rule in the regionally coastal plan, a license of profit a prendre would be necessary.

The review of the RCP could clarify the quantities of sand, gravel, drift wood etc that it is permissible to take, and where it is appropriate to take such materials through a rule in the plan. This would enhance the clarity of the Plan.

8.9 Discharge of contaminants to air

The Council has recently notified the revised *Regional Air Quality Plan for Taranaki (RAQP)*. The review of the RCP will need to ensure that there is integrated management between the two plans. One issue addressed in the RAQP is the flaring of hydrocarbons. The current RCP makes this activity in the coastal marine area a permitted activity. In the RAQP it is a controlled activity with a buffer of 300m to the nearest dwelling place. To be consistent with the RAQP the revised RCP will need to consider the need for a similar condition, as it is feasible for off-shore flaring to take place within 300m of the shore, or within 300m of a dwelling.

In relation to flaring, the Department of Conservation has noted that flaring can attract and injure or kill sea birds, lighting of oil rigs etc can lure migrating birds off course and cause them to waste valuable reserves of energy needed to complete their migration. This will also need to be taken into consideration in reviewing the flaring rule.

8.10 Noise

Several submitters commented on the need to ensure consistency across the boundary between the RCP and district plans in relation to the standards adopted for noise. The Port notes that the

review provides the opportunity to use consistent parameters and standards for noise management in the port, irrespective of where the noise is generated (i.e. on the land or coastal marine area). The Port advocates the use of the Port Noise Standard NZ 6809. This would be consistent with the approach adopted for the Ports of Otago and Nelson.

8.11 Summary of issues to address through the review of the RCP

Although the RCP has generally been found to be effective and efficient, the review carried out through this report has identified a number of relatively minor matters that could be looked at through the review of the plan. These are summarised below:

8.11.1 Structure and content of the RCP

The following matters have been identified as having the potential to improve the usefulness of the Plan:

- Reorganise the structure of the rules section to make it easier to navigate
- Include more specific and measurable objectives with indicators for monitoring (or in the state of environment monitoring strategy).
- Review Council's bathing water quality monitoring programme in light of feedback received on the effects of flood events on coastal water quality.
- Explore opportunities for objectives, policies and methods linking sustainable land management programmes to coastal water quality.
- Review boundaries up river mouths and consider the practicalities of including a pragmatic definition for mean high water spring.
- Integrated management between agencies through consultation proposed.
- Exploring opportunities for transferring of functions.

8.11.2 Biodiversity, recreation, amenity, cultural and historic information

The following matters have been identified as having the potential to improve the usefulness of the Plan:

- Determine the best way of representing information on biodiversity, recreation (e.g. surfbreaks), amenity values, cultural sites and historic features around the coast in terms of schedules and planning maps, and updating this information with input from stakeholders.
- Increasing the use of GIS technology to gather, store, display and update such information.
- Address vegetation clearance and earthworks in estuaries.
- Amend coastal management area A to recognise new marine reserves and possibly sites of international historic heritage.
- Retain policies relating to public access, including ones to safeguard surfing sites of regional importance.
- Review objectives, policies and methods relating to the protection of biodiversity, recreation, amenity, cultural and historic values.

8.11.3 Use and development

The following matters have been identified as having the potential to improve the usefulness of the Plan:

- Review the objectives and policies to provide for appropriate subdivision, use, development and occupation of the coastal environment, including the development and utilisation of oil and gas deposits.
- Include policies to recognise and provide for the present and future operation and development of the Port.

- Consider the boundaries of coastal management area D.
- Include policies, objectives, methods and rules relating to renewable energy projects.
- State Council's approach to the establishment of aquaculture management areas (AMAs), and include policy to guide applications for plan changes to establish AMAs.
- Review whitebait structure rules.
- State Council's approach to occupational charging.
- Review discharge of ballast water rules.
- Remove rules now covered by the Marine Pollution Regulations.
- Consider if more stringent rules are required to govern the discharge of sewage from ships and offshore installations.
- Determine if greater clarification is required regarding managing deposits from ship hull scraping.
- Clarify the permitted amounts of small scale removal of sand, drift wood etc.
- Review rules for discharges to air to ensure consistency with the *Regional Air Quality Plan*.
- Review noise standards for consistency with district plan standards.

9 Appendix 1: Coastal Policies from the Regional Policy Statement

NATURAL CHARACTER IN THE COAST

CNC OBJECTIVE 1
To protect the natural character of the coastal environment in the Taranaki region from inappropriate subdivision, use, development and occupation by avoiding, remedying or mitigating the adverse effects of subdivision, use and development in the coastal environment.

CNC OBJECTIVE 2
To provide for appropriate, subdivision, use, development and occupation of the coastal environment in the Taranaki Region.

POLICIES

Natural character of the coast

CNC POLICY 1
Management of the coastal environment will be carried out in a manner that protects the natural character of the coastal environment from inappropriate subdivision, use, development and occupation and enhances natural character where appropriate.
In determining the natural character of the coastal environment, matters to be considered will include:

- the degree of modification from a natural state;
- the amenity values of the environment, which collectively give the coastal environment its natural character including rural amenity value;
- the importance of landscapes, seascapes and landforms, including visually or scientifically significant geological features and wild and scenic areas;
- the contribution of Taranaki's historic heritage to the natural character of the coastal environment;
- the degree to which the coastal environment provides for the continued functioning of ecological and physical processes including consideration of the diversity, productivity, variability and importance of marine ecosystems and marine ecosystems typical or representative of the region, and links between marine and terrestrial ecosystems;
- the natural quality of water and air;
- indigenous biodiversity values; the characteristics of special spiritual, historical or cultural significance to tangata whenua; and
- the degree of integration of human use, development and subdivision with the above components.

Appropriate subdivision, use, development and occupation

CNC POLICY 2
The protection of the natural character of the coastal environment shall be achieved by having regard to the following criteria in determining appropriate subdivision, use, development or occupation of the coastal environment:

- the degree and significance of actual or potential adverse effects on the natural character of the coastal environment, including cumulative effects, and the efficacy of measures to avoid, remedy or mitigate such effects;
- the extent to which the subdivision, use, development or occupation recognise and provide for the relationship of tangata whenua and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga;
- the degree to which adverse effects on those historic heritage values that can contribute to natural character can be avoided, remedied or mitigated.

- the need for development or occupation to occur in the coastal environment
- where it is likely that an activity will result in significant adverse effects on the environment, any possible alternative locations or methods for undertaking the activity, and where the activity involves the discharge of any contaminant, any possible alternative methods of discharge;
- the degree to which the subdivision, use, development or occupation will avoid adverse effects at alternative non-coastal locations;
- the degree of existing modification of the coastal environment from its natural character;
- the degree to which the subdivision, use, development or occupation will disrupt natural processes or will be threatened by, or will contribute to, the occurrence of natural hazards, particularly coastal erosion;
- the degree to which the subdivision, use, development or occupation can be accommodated near existing developments and in spatially compact forms and the extent of further modification of the natural character of the coastal environment through sprawling and sporadic development;
- the provision of adequate services, particularly the disposal of wastes;
- the need to protect habitat (in the coastal marine area) of species including mobile species and those that are important for commercial, recreational, traditional or cultural purposes; and
- the benefits to the community of the use, development or occupation of the coastal marine area; and
- the degree to which financial contributions associated with any subdivision, use and development can be used to off set potential or actual unavoidable adverse effects arising from those activities.
- the benefits to be derived from the use and development of renewable energy sources, including national, regional and local benefits.

Port Taranaki

CNC POLICY 3

Appropriate recognition should be given to Port Taranaki to ensure its efficient operation and to enable appropriate development and diversification to occur to meet changing needs.

Protection of areas in the coastal environment of importance to the region.

CNC POLICY 4

Areas in the coastal environment of importance to the regionwill be identified and priority given to protection of the natural character ecological and amenity values of such areas from any adverse effects arising from inappropriate subdivision, use and development.

In the assessment of areas of importance, matters to be considered will include:

- wetlands, estuaries or coastal lagoons and coastal turf, forest and shrublands of regional, national or international importance;
- their importance for marine mammals or birds, invertebrates and lizards for breeding, roosting or feeding, or habitats of threatened indigenous bird species;
- the existence of regionally or nationally outstanding ecosystems or communities or nationally threatened plant or animal species;
- scenic sites and recreational sites of outstanding or regional or national significance;
- historic heritage values, including archaeological sites of national or outstanding significance;
- the existence of nationally significant or outstanding coastal and marine landforms, landscapes, scientific features and associated processes;
- the cultural and spiritual values of tangata whenua;
- wāhi tapu and sites of importance to tangata whenua; and
- the existence of marine protected areas.

Protection of other coastal areas of value

CNC POLICY 5

Recognition will be given to the protection where appropriate of other areas, features or landscapes in the coastal environment not covered by Policy 3 above, but still important to the region for one or more of the following reasons:

- recognition of the special value of estuaries, including the unique physical processes that occur as a result of the interaction of coastal and river dynamics; and the importance of estuaries in providing spawning areas and nursery areas for juveniles of aquatic species;
- amenity and scenic values;
- recreational and historic areas;
- biodiversity and the functioning of ecosystems;
- scientific and landscape features; and
- cultural features of significance to tangata whenua.

COASTAL WATER QUALITY

CWQ OBJECTIVE 1

To maintain and enhance coastal water quality in the Taranaki region by avoiding, remedying or mitigating the adverse effects of discharges of contaminants to the coastal marine area.

POLICIES

Point source discharges to the coastal marine area

CWQ POLICY 1

Waste reduction and waste treatment and disposal practices, which avoid, remedy or mitigate the adverse environmental effects of the point source discharge of contaminants to the coastal marine area will be required.

In considering policies for plans or proposals in relation to the discharge of contaminants to the coastal marine area, matters to be considered will include:

- the relationship of tangata whenua with the coastal environment;
- the natural character, ecological and amenity values of the coastal environment, including indigenous biodiversity values and fishery values;
- the effect on areas where shellfish and other kaimoana are gathered for human consumption;
- the actual or potential risks to human and aquatic health and amenity values arising from the discharge;
- the significance of any historic heritage values associated with the coastal environment;
- the degree to which the needs of other resource users might be compromised;
- the allowance for reasonable mixing zones (determined in accordance with (a) to (l) of this Policy);
- the potential for cumulative effects;
- measures to reduce the volume and toxicity of the contaminants;
- measures to reduce the risk of unintended discharges of contaminants;
- the use of the best practicable option for the treatment and disposal of contaminants; and
- the availability and effectiveness of alternative means of disposing of the contaminant.

Discharges from ships and offshore installations

CWQ POLICY 2

Avoid, remedy or mitigate, to the fullest practicable extent, adverse effects on coastal water quality arising from ship or offshore installation discharges and maintenance.

Discharges from rivers and streams

CWQ POLICY 3

Encourage sustainable land management practices that avoid, remedy or mitigate adverse

effects on the water quality of rivers and streams discharging and impacting on coastal water quality

PUBLIC ACCESS

CPA OBJECTIVE 1

To maintain and enhance public access to and along the coastal environment in the Taranaki region, while avoiding remedying or mitigating adverse effects that may arise from that access.

POLICY

Maintenance and enhancement of public access to the coast

CPA POLICY 1

Encourage, as far as is practicable, public access to and along the coastal environment, except where circumstances make restrictions necessary to:

- preserve the natural character of the coastal environment and ecological values associated with coastal areas of outstanding coastal values and areas with significant indigenous biodiversity values;
- protect private property rights;
- avoid conflicts between competing uses;
- protect cultural and spiritual values of tangata whenua;
- protect archaeological and historic heritage values;
- protect the health and safety of the public where these may be adversely affected by an activity in the coastal environment; and
- provide for other circumstances that are sufficient to justify the restriction, notwithstanding the national importance of maintaining access.

10 Appendix II: Assessment of methods

Issue	Method (paraphrased – see Plan for full wording)	Performance
Recognition of differing coastal processes, natural values and uses of the CMA	Adoption of a coastal management system that divides the coastal marine area into four coastal management areas	The RCP which sets out specific policies and rules relating to the four coastal management areas.
	Application of regional rules listed in Section 4.0 of this plan	Section 3 of this report discusses how the rules have been applied to the four coastal management areas.
	Application of the policies in this plan as the primary assessment criteria (subject to the provisions of the Act) when considering whether to grant consents or conditions to apply.	Section 5.2 of this report discusses how appropriate the policies have been in terms of being the primary assessment criteria when making decisions on consent applications.
	Application of Policies One and Two, and Section 3.5.1 of the Regional Policy Statement for Taranaki, to guide decisions on effects on natural character.	The RPS policies have been used in the processing of resource consents.
Protection of ecological values	Application of the regional rules in section 4.0 of this plan.	Section 3.2.2 of this report discusses how the rules have been applied to the four coastal management areas.
	Application of Policies 2.1 to 2.3 when considering decisions or consent conditions.	Section 5.2 of this report discusses how appropriate the policies have been in terms of being the primary assessment criteria when making decisions on consent applications.
	Application of the regional rules in section 4.0 of this plan.	Section 3 of this report discusses how the rules have been applied to the four coastal management areas.
	Application of Policies 3.1 to 3.3 when considering decisions or consent conditions.	Section 5.2 of this report discusses how appropriate the policies have been in terms of being the primary assessment criteria when making decisions on consent applications.
	Having regard to effects of use and development on lands administered by the Department of Conservation adjacent to the CMA.	The RCP has contained a list of lands administered by the Department of Conservation adjacent to the CMA.
Protection of ecological values	Establishment of coastal management area A for areas of outstanding coastal value with specific set of rules.	Established in the RCP
	Identification of areas of outstanding coastal value on the planning maps	Identified in the RCP.
	Signposting of areas of outstanding coastal value over the lifetime of this plan	Sign posting of areas of outstanding coastal value has not been undertaken.
	Application of policies 4.1 and 4.2 when considering a resource consent application	Section 5.2 of this report discusses how appropriate the policies have been in terms of being the primary assessment criteria when making decisions on consent applications.
	Advocacy to district councils regarding the establishment in district plans of buffer areas to protect areas of outstanding coastal value	The Council has advocated through submissions on the New Plymouth District Plan supporting the identification of regionally significant landscapes, and suggested the investigation of buffer areas.
The relationship of	Consideration of policies 5.1 to 5.8 and section 6.0	Policies used in assessing consents.

Issue	Method (paraphrased – see Plan for full wording)	Performance
Tangata whenua with the CMA	(financial contributions) when assessing applications.	Section 3.5 discuses Tangata whenua involvement in resource management. No financial contributions have been taken for resource consents.
	Consultation with iwi and hapu with regard to the identification of places of special cultural value in the coastal marine area	Section 3.5 of this report discusses involvement of tangata whenua in the consent process, from consultation through to engagement of iwi in monitoring.
	Provision of full opportunity for tangata whenua to participate in the resource consents process	
	Provision for tikanga Māori in the hearings process	The Council's hearings and procedures document does specify that tikanga Māori can be used in the hearings process if appropriate.
	Support (planning assistance and investigating funding options) for iwi initiatives to identify wāhi tapu and other sites or features of cultural or historical significance in the coastal marine area.	Council has supported a number of iwi to record wahi tapu in their rohe.
	Encouragement of iwi participation in environmental monitoring.	Section 3.5.2 of this report discusses iwi participation in environmental monitoring.
	Discussion and consideration of options with iwi o Taranaki for the transfer of resource management powers or functions with respect to particular coastal areas	No transfer of resource management powers or functions have been made to iwi o Taranaki with respect to particular coastal areas.
Adverse effects on the foreshore, seabed and coastal land	Application of regional rules in Section 4.0 of this plan to regulate: (a) reclamation or draining of the foreshore or seabed; (b) construction, alteration, maintenance and removal of all types of structures; (c) disturbance of the foreshore or seabed; and (d) deposits of substances on the foreshore or seabed.	Section 3 of this report discusses how the rules have been applied to the four coastal management areas.
Natural hazards	Application of Policies 7.1 to 7.4 when considering an application for a coastal permit	Section 4.16 of this report discusses coastal protection structures as a specific case study looking at how effective the policies and rules have been.
	Application of regional rules which make the construction of natural hazard protection structures a discretionary activity	
	Provision of information to coastal permit applicants of the possibility of sea level rise	Policy 7.5 of the RCP requires applicants to recognise the possibility of sea level rise in response to global warming, and specifies the best estimate from the International Panel on Climate Change.
	Advocacy to district councils regarding the types and levels of land use that should be allowed, regulated or prohibited in areas of the coastal environment that are prone to natural hazard occurrence	Council has advocated through submissions on district plans. Council has also sought to be considered an interested party for coastal subdivision consents.
Adverse effects on existing structures	Application of Policies 8.1 and 8.2 when considering a coastal permit application	Section 5.2 of this report discusses how appropriate the policies have been in terms of being the primary assessment criteria when making decisions on consent applications.
	Attachment of conditions to rules providing for permitted activities and to coastal permits for where the activity might adversely effect an existing structure.	Permitted rules do not specifically mention a requirement to avoid having effects on existing structures, but are only for activities with minor effects.

Issue	Method (paraphrased – see Plan for full wording)	Performance
Adverse effects on water quality	Application of the regional rules listed in Section 4.0 of this plan to provide for the control of discharges	Section 3 of this report discusses how the rules have been applied to the four coastal management areas.
	Advocacy for operators of mooring facilities to provide for collection of on-board wastes and for maintenance and cleaning of ships.	Only general advocacy carried out.
	Preparation of the Regional Marine Oil Spill Response Plan	Section 3.4.3 of this report discusses the preparation and review of the *Regional Marine Oil Spill Response Plan*.
	Approval, and subsequent inspection as appropriate, of site marine oil spill response plans	The Council does require and inspects site marine oil spill response plans for activities within the 12nm limit (e.g. the Pohokura site).
	Inspection, as appropriate, of shipboard marine oil spill response plans.	Shipboard response is covered by the Port Taranaki Tier 1 response plan rather than individual ships.
	Application of conditions on coastal permits to require the preparation of contaminant spill contingency plans.	Discharge consents are required to prepare spill contingency plans.
	Provision of regional water quality information to territorial authorities and the Medical Officer of Health	Bathing water quality monitoring information is provided to territorial authorities and the Medical Officer of Health, as well as being put on the Council's website for the public.
Use of water	Application of the regional rules in Section 4.0 of this plan which permit the use of coastal water	Section 3.2.2 of this report discusses how the rules have been applied to the four coastal management areas.
	Application of regional rules in Section 4.0 of this plan which make the use of coastal water in estuaries or aquifers a discretionary activity	The use of coastal water from estuaries or aquifers is classified as a discretionary activity (rule G3.2).
Unreasonable noise	Application of regional rules that require general standards (set out in Section 4.4 of this plan) to be met	General standards set out noise standards which are included as standard consent conditions for activities within the CMA likely to cause noise. These place limitations on undertaking noisy activities over weekends and public holidays.
	Using New Zealand Standards for measurement of noise when considering applications for coastal permits; or taking enforcement action.	New Zealand Standards for noise used as outlined in the general standards of the RCP, but will need reviewing to ensure consistency with the standards used on adjacent land by the district councils.
Degradation of air quality from the discharge of contaminants.	Permit the flaring of hydrocarbons from petroleum exploration or mining in the coastal marine area.	Done through the permitted status of this rule.
	Application of regional rule G2.11, which permits discharges to air and water from ships and offshore installations from normal operational procedures.	Done through the rules of the RCP.
Effects on navigation and safety	Setting of speed and navigation safety controls within the gazetted harbour limits of Port Taranaki.	Speed and navigation safety controls established through the Port Taranaki bylaws.
	Application of Policies 13.1 and 13.2 when considering a coastal permit application.	Section 5.2 of this report discusses how appropriate the policies have been in terms of being the primary assessment criteria when making decisions on consent applications.
	Application of height restrictions to give effect to New Plymouth Airport flight path protection surfaces.	Height restrictions for the New Plymouth Airport flight path are clearly set out in the RCP.

Issue	Method (paraphrased – see Plan for full wording)	Performance
	Advice to the Maritime Safety Authority and the Hydrographic Office of the Royal New Zealand Navy when a coastal permit is granted for a new structure.	Applications for new structures are sent to Maritime New Zealand and consents granted are set to the Hydrographic Office of the Royal NZ navy.
Occupation and public access	Decisions on coastal permits to provide for the maintenance of existing access.	Conditions on coastal permits require the provision of public access, except where restricting access is necessary for public safety.
	Application of conditions on coastal permits to provide for alternative access where appropriate.	Conditions on coastal permits require the provision of alternative access.
	Advocacy to improve public access to the CMA.	The Council's inventory of local and regional significant sites provides information on public access within the coastal marine area.
	Advocacy to district councils for improvements in public access to and along the coastal marine area through esplanade reserves and esplanade strips.	Information from district councils on esplanade reserves and esplanade strips is reported on in each of the 5 yearly State of Environment Reports.
	Provision of information, on request, on public access within the coastal marine area	The Council's inventory of local and regional significant sites provides information on public access within the coastal marine area.

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