

Tasman Resource Management Plan

PROPOSED PLAN CHANGE NO. 72
Moorings and Coastal Structures

Explanatory Statement
and
Schedule of Amendments

The Tasman Resource Management Plan is amended in accordance with the attached annotated portions of the Plan and revised maps

NOTE:

- Red underlined text denotes proposed new text inserted or amended.
- Blue strikethrough text denotes text deleted.

Notified: 20 June 2020

Note: Page numbers in this document are corrupted and can't be fixed

Explanatory Statement

This Change proposes to introduce new and amend existing objectives, policy and rules in the Tasman Resource Management Plan regarding the establishment, use, maintenance and removal of coastal structures in the coastal marine area.

This Change also introduces of a new method of providing for moorings, within Mooring Areas. It is proposed to provide for moorings as a permitted activity subject to conditions and the mooring owner holding a Mooring Licence issued by the Harbourmaster under the separate Mooring Area Bylaw. Mooring Areas are proposed for the following locations: Mapua; Motueka; Tapu Bay; Stephens Bay; Kaiteriteri; Otuwhero Inlet (Marahau); Torrent Bay; Boundary Bay; Milnthorpe; and Mangarakau.

Schedule of Amendments

CHAPTER 2: MEANINGS OF WORDS

[Unchanged or irrelevant text omitted]

2.2 DEFINED WORDS

[Unchanged or irrelevant text omitted]

Commercial activity – means the use of land and buildings for the primary purpose of display, offering, provision or the sale or hire of goods, equipment or services. A commercial activity includes shops, markets, showrooms, restaurants, takeaway food bars, professional, commercial and administrative offices, service stations, motor vehicle sales, tourist accommodation, the sale of liquor and associated parking areas, but excludes community activities and home occupations.

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Commercial operations – in relation to Mooring Areas means the use of a craft for commercial activities, but does not include activities that are auxiliary to commercial activities undertaken inside of the Mooring Area, e.g., cleaning & maintenance.

Commercial Zone – means that area of land displayed on the planning maps of this Plan and identified as Commercial Zone and subject to all applicable rules.

[Unchanged or irrelevant text omitted]

Mooring Area – means that area shown on the planning maps and identified as a Mooring Area and subject to all applicable rules of this Plan.

[Unchanged or irrelevant text omitted]

CHAPTER 20: EFFECTS OF CRAFT USING THE SURFACE OF COASTAL WATERS

[Unchanged or irrelevant text omitted]

20.1 CRAFT ACTIVITY

20.1.1 Issue

The passage of craft across coastal waters may compromise navigational safety with other craft. Craft movements need to be considered in relation to the siting, marking and lighting of any structures in the coastal marine area. Craft activity may have effects on amenity and natural values. The mooring or anchoring of craft within the coastal marine area can affect other activities on the surface of the water, particularly when the space occupied is excessive or inappropriately located.

20.1.2 Objective

Safe navigation, amenity values and natural values that are not compromised by the passage of craft, or by other activities on the surface of the water.

20.1.3 Policies

*Refer to Policy sets 21.1, 21.2, 21.6, 21.7.
Refer to Rule sections 25.3.*

20.1.3.1 Council will ensure that movements of craft or other activities on the surface of coastal waters do not create or aggravate risks to safe navigation, particularly in areas of intensive seasonal use of craft and in relation to the scale, intensity, frequency, duration and mix of activities.

20.1.3.2 To avoid, remedy or mitigate adverse effects on safe navigation from structures, occupation or other uses of the coastal marine area, especially in established fishing areas, Mooring Areas, ports or their approaches, or in other intensively used coastal marine space.

20.1.3.2A To minimise the occupation of the surface of coastal waters by moored and anchored craft by:

- (a) providing Mooring Areas in appropriate locations and encouraging the use of moorings within these areas as permitted activities;
- (b) encouraging the establishment and use of public moorings in appropriate locations;
- (c) requiring the use of space efficient mooring systems where practicable and appropriate.

20.1.3.2B To provide for the management and allocation of space for moorings in specifically identified Mooring Areas and through the Mooring Area Bylaw.

20.1.3.2C To avoid activities within Mooring Areas where the activity will interfere with the use or management of moorings within the Mooring Areas.

20.1.3.2D To avoid the adverse effects on the efficient use of coastal space within a Mooring Area arising from granting new or re-consenting existing coastal permits for moorings.

20.1.3.3 To avoid, remedy or mitigate adverse effects on amenity values and natural values, including:

- (a) disturbance of wildlife or marine mammals;
- (b) disruption to natural quiet;

- (c) degrading the quality of experience of particular activities;
from the scale, intensity, frequency, duration or mix of activities using craft.

20.1.20 Methods of Implementation

20.1.20.1 Regulatory

- (a) Rules that regulate construction and operation of structures in the coastal marine area.
- (b) Rules that regulate amenity effects of the use of craft.
- (c) Rules that regulate disturbance or damage to animal or plant habitats by the use of craft.
- (d) Rules that regulate the use of coastal marine space for aircraft takeoffs and landings.
- (e) Navigation Safety Bylaw provisions that regulate the speed of craft.
- (f) Navigation Safety Bylaw provisions that reserve space in certain locations for particular uses of craft, or other mobile activities on the surface of coastal waters, including anchorages, access lanes, swimming, water-skiing, windsurfing, or jet-skiing, for commercial, recreational, or any other purpose; or that prohibit activities in certain locations.
- (fa) Bylaw provisions which manage the allocation of space and use of moorings within Mooring Areas.
- (g) Navigation Safety Bylaw provisions that allow occupation and use of areas by craft for special occasions such as regattas or races.
- (h) Navigation Safety Bylaw provisions that require craft or structures to be adequately lit.
- (i) Navigation Safety Bylaw provisions that require commercial uses of craft to be licensed in relation to:
 - (i) the seaworthiness of the craft;
 - (ii) the competence of the operator; and
 - (iii) the safety of the commercial operation.

CHAPTER 21: EFFECTS OF DISTURBANCE, STRUCTURES AND OCCUPATION ON COASTAL MARINE CONSERVATION, HERITAGE, ACCESS AND AMENITY VALUES

21.0 INTRODUCTION

This chapter deals with the effects of use and development on natural resources, conservation of natural resources, features, processes, ecosystems, and heritage, access and amenity values in the coastal marine area. It does not deal with these matters on dry land in the coastal environment, despite the fact that many of these issues cross the boundary between land and sea. Issues relating to the effects of subdivision, use and development of coastal land are addressed in chapters 5, 6, 8, 9 and 10.

[Unchanged or irrelevant text omitted]

The coastal marine area is public domain, and the Act and the New Zealand Coastal Policy Statement require the maintenance and enhancement of public access to and along the coastal marine area. Some structures and works facilitate access, but others impede it. Public access, including the use of craft, may result in an intensity of use of the coastal marine area that has adverse effects on navigational safety or on natural values. For example, congestion of craft occurs along parts of the Abel Tasman National Park coastline, where safety issues are compounded by the mix of craft types – particularly by their different operating speeds and degrees of visibility.

The coast is a finite resource and the New Zealand Coastal Policy Statement 2010 recognises and promotes the efficient use of the coastal environment. Consolidating activities into areas, encouraging multiple and public structures and requiring developments to occur without lengthy delays are some ways in which efficient use can be made of the coast environment. The removal of abandoned or redundant structures also frees up the coast for other users.

The Plan identifies specific locations within the planning maps as Mooring Areas. These areas have been assessed and identified as appropriate locations for the mooring of private and commercial craft. Within the Mooring Areas, mooring is permitted subject to the mooring owner holding a Mooring Licence issued by the Harbourmaster under a separate moorings bylaw. In the first instance, Mooring Licences will be allocated to mooring owners who hold a resource consent for mooring within the Mooring Area, then to applicants for public moorings and then on a first-come, first-served basis. Once Mooring Areas become full, Council will allocate mooring space to those listed on a waiting list for the Mooring Area. In Kaiteriteri, allocation of space within one Mooring Area is restricted for public moorings and the allocation of space within the second Mooring Area is restricted to commercial operators and existing mooring owners.

[Unchanged or irrelevant text omitted]

21.1 PRESERVATION OF NATURAL CHARACTER

[Unchanged or irrelevant text omitted]

21.1.3 Policies

Refer to Policy set 20.1.3.

Refer to Rule sections 25.1 – 25.5, 36.2, 36.6, 36.7.

[Unchanged or irrelevant text omitted]

21.1.3.4 To avoid, remedy, or mitigate damage to foreshore, seabed and coastal marine animals and plants, caused by the passage of people, vehicles, vessels, or passage or grazing by stock.

21.1.3.5 To remove or require the removal of unauthorised, abandoned or redundant structures adversely affecting natural character, except where removal would have an adverse effects on the environment or where the structure has heritage or cultural values.

21.1.3.6 To minimise the adverse effects of moorings on natural character by identifying appropriate areas for mooring and encouraging mooring within those areas.

21.1.20 Methods of Implementation

21.1.20.1 Regulatory

- (a) Rules that control disturbance, including reclamation, deposition, or excavation or removal of material, or structures or other works or activities having adverse effects on:
 - (i) the foreshore or seabed;
 - (ii) the natural movement of water, sediment, biota or air; or
 - (iii) natural ecosystems.
- (b) Rules that control the effect of structures in areas with significant natural ecosystem values, including estuaries, sand beaches, and areas adjacent to coastal land with significant natural ecosystem values, and which include prohibiting some classes of structures if their adverse effects on those values cannot otherwise be avoided, remedied or mitigated.
- (c) Rules that control the effects of coastal discharges on natural habitats, plants and animals.
- (d) Rules that provide for the removal of unauthorised, abandoned or redundant structures.
- (e) Rules that encourage the establishment of moorings within Mooring Areas.

[Unchanged or irrelevant text omitted]

21.2 PROTECTION OF HABITATS AND ECOSYSTEMS

[Unchanged or irrelevant text omitted]

21.2.3 Policies

Refer to Rule sections 25.1 – 25.5.

[Unchanged or irrelevant text omitted]

21.2.3.6 To ~~remove or~~ require the removal of ~~unauthorised, abandoned or redundant disused or obsolete~~ structures affecting marine habitat or ecosystems except where removal would have adverse effects on the environment or where the structure has heritage or cultural values ~~is registered under the Historic Places Act 1993.~~

[Unchanged or irrelevant text omitted]

21.2.3.15 To retain the open space of Kaiteriteri Bay without further structures other than the existing boat ramp, swimming platform and moorings within the Mooring Areas~~of the Kaiteriteri Recreation Reserve Board.~~

[Unchanged or irrelevant text omitted]

21.2.3.18 To limit the number, location, and scale of structures in the coastal marine area adjoining the Abel Tasman National Park in accordance with the following:

- (a) one public mooring at each of Tata Islands, Mutton Cove, and Taupo Point;
- (b) two boat ramps at Totaranui;
- ~~(c) a water pipe at Bark Bay;~~
- (d) ~~a jetty for public use at Torrent Bay/Rākauroa~~ structures listed in Schedule 25A;
- (e) ~~swing moorings will be allowed only~~ in association with an interest in a land title at Boundary Bay, Torrent Bay/Rākauroa, or Astrolabe Roadstead, and only to the extent that the cumulative effect of moorings at each location is not adverse;
- (f) swing moorings at The Anchorage are limited to one for each private property at The Anchorage (as at 25 May 1996), plus one other existing mooring.
- (g) structures or moorings will not be allowed adjacent to Adele/Motuareronui or Fisherman's island.

[Unchanged or irrelevant text omitted]

21.2.20 Methods of Implementation

21.2.20.1 Regulatory

- (a) Rules that control disturbances, structures or other works that interfere with or limit the movement of coastal water or that involve the excavation or removal of material.
- (b) Rules that limit the number, location, and scale of structures in the coastal marine area adjoining the Abel Tasman National Park in accordance with the following:
 - (i) one public mooring at each of the Tata Islands, Mutton Cove, and Taupo Point;
 - (ii) two boat ramps at Totaranui;

- ~~(iii) a water pipe at Bark Bay;~~
- (iv) ~~a jetty for public use at Torrent Bay/Rākauroa~~ structures listed in Schedule 25A;
- (v) ~~swing~~ moorings will be allowed only in association with an interest in a land title at Boundary Bay, Torrent Bay/Rākauroa, The Anchorage or Astrolabe Roadstead, and only to the extent that the cumulative effect of moorings at each location is not adverse;
- (vi) structures or moorings will not be allowed adjacent to Adele/Motuareronui or Fisherman's island.

[Unchanged or irrelevant text omitted]

21.3 PROTECTION OF LANDSCAPES, SEASCAPES AND NATURAL FEATURES

21.3.1 Issue

The appropriate form, scale or location of use or development in the coastal marine area that protects landscapes, including surface and underwater seascapes and natural features.

21.3.2 Objective

Maintenance of the natural character and landscape of the coastal marine area.

21.3.3 Policies

Refer to Rule sections 25.1 – 25.5.

21.3.3.1 To allow Moorings Areas and structures or physical modifications in the coastal marine area only where the effect on the natural components of landscape and seascape values of the area, including any contribution to any likely cumulative effect, is limited in extent and is consistent with the existing degree of landscape and seascape modification.

21.3.3.2 To remove or require the removal of unauthorised, abandoned or redundant structures adversely affecting natural features or landscape, except where removal would have adverse effects on the environment or where the structure has heritage or cultural values.

21.3.20 Methods of Implementation

21.3.20.1 Regulatory

- (a) Rules that avoid, remedy or mitigate adverse effects of disturbance, structures or works on landscape values in the coastal marine area.
- (b) Rules that enable the removal of unauthorised, abandoned or redundant structures adversely affecting natural feature or landscape

21.3.20.2 Investigations and Monitoring

- (a) Identification of areas where open space values are to be protected.

[Unchanged or irrelevant text omitted]

21.6 EFFECTS OF PUBLIC ACCESS

21.6.1 Issue

Public access to the coastal marine area may be restricted by private occupation, and public or private access may adversely affect natural character, ecosystems, heritage and amenity values.

21.6.2 Objective

Maintenance and enhancement of public access in the coastal marine area, including public passage or navigation:

- (a) while preserving natural character, and maintaining ecosystems, heritage, and amenity values; and
- (b) without undue hazard or loss of enjoyment as a result of private occupation or use of coastal marine space.

21.6.3 Policies

Refer to Rule sections 25.1 – 25.5.

21.6.3.1 To avoid, remedy or mitigate adverse effects of facilities for access to and from the coastal marine area and the functional need for activities to occupy the coastal marine area.

21.6.3.2 To avoid, remedy or mitigate adverse effects of private occupation of space in the coastal marine area, having regard to the common right of public access to or in that area.

21.6.3.3 Public access in the coastal marine area will be restricted only where necessary to:

- (a) protect areas of significant indigenous vegetation and significant habitats of indigenous fauna;
 - (b) protect cultural and spiritual values of the tangata whenua;
 - (c) protect public health and safety;
 - (d) ensure consistency consistent with the purpose of a resource consent;
- or other exceptional circumstances.

21.6.3.4 To remove or require the removal of unauthorised, abandoned or redundant structures adversely affecting public access, except where removal would have adverse effects on the environment or where the structure has heritage or cultural values.

21.6.3.5 To enable Mooring Areas to establish in appropriate locations where the structures will enhance public access to and along the coastal marine area.

21.6.3.6 To minimise the effects on public access from moored and anchored craft by:

- (a) providing Mooring Areas in appropriate locations and encouraging mooring within those areas;
- (b) encouraging public moorings in appropriate locations;
- (c) requiring the use of space efficient mooring systems where practicable and appropriate.

21.6.20 Methods of Implementation

21.6.20.1 Regulatory

- (a) Rules that prohibit structures that would prevent public access in areas of significant natural value, including estuaries, tidal flats, inshore areas and offshore areas supporting significant coastal marine habitats, except where structures are necessary to protect natural heritage, cultural and spiritual values of the tangata whenua, public health and safety, some scientific purposes and to ensure security consistent with the purpose of a resource consent.
- (b) Rules that prevent private occupation that impedes public access across the foreshore.
- (c) Rules that prohibit occupation by structures where their adverse effects on natural character, natural ecosystems and public interest, cannot otherwise be avoided, remedied or mitigated.
- (d) Harbour bylaw provisions that reserve space for uses of craft, vessels or other activities on the surface of coastal waters, and that prohibit activities in certain locations.
- (e) Harbour bylaw provisions that allow occupation and use of areas for vessels for special occasions.
- (f) Rules that allow the temporary exclusive occupation of space, including temporary structures for military training purposes.
- (g) Rules that regulate the effects of disturbance, structures or occupation on public access in the coastal marine area.
- (h) Rules that enable the removal of unauthorised, abandoned or redundant structures adversely affecting public access.
- (i) Rules that encourage efficient moorings, public moorings and moorings in appropriate locations.

[Unchanged or irrelevant text omitted]

21.7 ENHANCEMENT OF AMENITY VALUES

[Unchanged or irrelevant text omitted]

21.7.20 Methods of Implementation

21.7.20.1 Regulatory

- (a) Rules that regulate the adverse effects of the passage of craft or vehicles across or along the foreshore, particularly in estuaries.
- (b) Rules that regulate the construction, removal, use and maintenance of structures.

[Unchanged or irrelevant text omitted]

CHAPTER 25: COASTAL MARINE AREA RULES

25.1 STRUCTURES AND OCCUPATION

Refer to Policy sets 20.1, 21.1 – 21.7, 22.1, 23.1, 24.1.

25.1.1 Scope of Section

This section deals with occupation and associated structures for a range of purposes, within the coastal marine area. Disturbance relating to aquaculture structures is addressed in Section 25.1. Disturbance relating to other activities in the coastal marine area are dealt with in Section 25.2. Information required with coastal permit applications for occupation or structures is detailed in Chapter 26.

25.1.2 Structures Relating to Craft

25.1.2.1 Permitted Activities (Structures Relating to Craft)

Any structure for the launching, haulout, mooring, berthage, or storage of craft, including launching ramps, slipways, swing or pile moorings, jetties, or boatsheds is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

- (a) The activity does not contravene any other applicable rule in Chapter 25 of this Plan.
- (b) The activity is the occupation of the coastal marine area by, and use of, a structure listed in Schedule 25A; OR one of the following:
 - ~~(i) a wharf or breakwater that existed on 25 May 1996 at the ports of Mapua, Motueka, Tarakohe, Waitapu, Milnthorpe, Collingwood, and Mangarakau, and is listed in Schedule 25A;~~
 - ~~(ii) a boat ramp that existed on 25 May 1996 and is listed in Schedule 25A;~~
 - ~~(iii) a swing mooring that existed on 25 May 1996 in the Mapua Mooring Area and is listed in Schedule 25A;~~
 - ~~(iv) a mooring that existed on 25 May 1996 at Kaiteriteri Bay and is listed in Schedule 25A;~~
 - ~~(v) a jetty or berth that existed on 25 May 1996 at Ligar Inlet, Best Island, Deadman's Island, Jackett's Island, or Collingwood, and is listed in Schedule 25A.~~
 - ~~(vi) a jetty, wharf, boatshed, or boat ramp that existed on 25 May 1996 at Riwaka and is listed in Schedule 25A.~~
- ~~(c) The activity is the occupation of the coastal marine area by and use of a mooring structure in a Mooring Area that is authorised by a Mooring Licence issued under the Council Consolidated Bylaw, Chapter 5A, provided that:~~
 - ~~(i) no person lives on board a craft moored on the mooring for a period exceeding seven days within any two calendar months;~~
 - ~~(ii) no commercial operations are undertaken on board a craft moored on the mooring;~~
 - ~~(iii) any mooring in Torrent Bay/Rākauroa and Boundary Bay Mooring Area is in association with an interest in a land title at Torrent Bay/Rākauroa, Boundary Bay; OR~~
- ~~(d) The activity is the maintenance, repair or replacement of the structure and meets the following conditions (except mooring within a Mooring Area):~~
 - ~~(i) There is no change in the character, intensity or scale of the structure.~~

- (ii) There is no change in the location of the structure.
- (iii) The materials used are similar or the same as previously used for the structure.
- (e) The owner of the structure provides their name and contact details to the Harbourmaster;
AND
- (f) The structure is maintained free of any pest or pest agent declared under the Biosecurity Act 1993.

25.1.2.2 Controlled Activities (Structures Relating to Craft)

Any structure for the launching, haulout, mooring, berthage, or storage of craft, including launching ramps, slipways, swing or pile moorings, jetties, or boatsheds, that does not comply with rule 25.1.2.1, is a controlled activity, if it complies with the following conditions:

- ~~(a) Occupation of the coastal marine area by, and use of a swing mooring:

 - ~~(i) in the Mapua Mooring Area;~~
 - ~~(ii) at Stephens Bay at least 100 metres seaward of mean high water springs and within a straight line from Anawera Point to the northern headland of Stephens Bay;~~
 - ~~(iii) at Motueka in the area generally north of the line of the main channel and west of the flood-gated channel;~~
 complies with condition (b).~~
- ~~(b) In relation to condition (a), there is adequate separation distance between the swing mooring and any other structure to allow swinging room for a vessel without causing a risk of collision.~~
- ~~(c) The Nautical Advisor, National Topo/Hydro Authority, Land Information New Zealand, is given written advice of the work at the time of commencement and completion.~~

~~A resource consent is required and may include conditions on the following matters over which the Council has reserved control:~~

- ~~(1) Continuing management of the structure.~~
- ~~(2) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purposes of reviews (Section 128).~~
- ~~(3) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).~~

25.1.2.3 Discretionary Activities (Structures Relating to Craft)

Any structure for the launching, haulout, mooring, berthage, or storage of craft, or yacht or boat club clubrooms, and including launching ramps, slipways, swing or pile moorings, jetties, or boatsheds, that does not comply with rule 25.1.2.2, is a discretionary activity, if it complies with the following conditions:

- (a) The structure is not sited in any area identified in Schedule 25D, except:
 - (i) within 200 metres of the breakwaters at Port Tarakohe, as they existed at 31 December 2002;
 - (ii) within 100 metres of the wharves, jetties, boatramps or slipways at Port Mapua, Port Motueka, Waitapu, Collingwood or Mangarakau, as they existed at 31 December 2002;

(iii) within 75 metres of the public jetty at Torrent Bay/Rākauroa, as it existed at 31 December 2002;

or

- (b) The structure is a launching ramp or swing mooring; and
- (c) The Nautical Advisor, National Topo/Hydro Authority, Land Information New Zealand, is given written advice of the work at the time of commencement and completion.

A resource consent is required. Consent may be refused or conditions imposed to manage any likely effect of the activity. Council's assessment of an application may include, but is not restricted to, consideration of the following matters:

- (1) The purpose of the structure, and the appropriateness of its being located in the coastal marine area, including reasons why any location on dry land is not suitable.
- (2) The scale of the structure.
- (3) Structural integrity.
- (4) The effects of the structure and its use, including:
- (a) effects on the natural character of the coastal environment;
 - (b) effects on the shape of the shoreline (in plan view and profile);
 - (c) effects on the long-term stability of the foreshore or seabed;
 - (d) effects on animal and plant habitats and ecosystems, including effects on the natural ecosystem values of the areas listed in Schedule 25D;
 - (e) the risk of material or contaminants moving or leaching from the structure into any part of the coastal marine area;
 - (f) changes to wave patterns, current flow, sediment transport and deposition, exchange of saltwater and fresh water, nutrient transfer, or other coastal processes;
 - (g) navigational safety;
 - (h) public access;
 - (i) access and use by ~~for~~ other authorised activities;
 - (j) amenity values of the locality;
 - (k) efficiency of the use of space for the structure;
 - (l) effects of the existence and use of the structure on landscape and seascape values and visual amenity;
 - (m) effects during the construction, continued existence, maintenance and use of the structure;
 - (n) any likely adverse effects from the removal of any existing structure;
 - (o) effects on water quality.
 - (p) effects on any network utility;
 - (q) effects on any heritage or cultural value.
- (5) Measures to avoid, remedy, or mitigate any identified adverse effects of the structure.
- (6) Circumstances where removal of the structure will be required.
- (7) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).

(8) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

(8A) Circumstances when living aboard the structure or any associated use will be provided for.

(8B) Any declaration under the Biosecurity Act 1993.

[Unchanged or irrelevant text omitted]

25.1.5 Other Structures or Occupation

[Unchanged or irrelevant text omitted]

25.1.5.6 Permitted Activities (Aviation and Marine Navigational Aids and Beacons)

The placement, operation and maintenance of aviation navigational aids and beacons, and marine navigational aids and beacons, is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

- (a) The navigational aid or beacon is installed for and on behalf of the Maritime Safety Authority, the Airways Corporation of New Zealand, or the Council, to mark a navigational hazard or for air navigational purposes.
- (b) Light spill to land is avoided as far as practicable, without detracting from the effectiveness of the navigational aid or beacon.
- (c) The navigational aid or beacon does not include an audible navigation warning.
- (d) All structures:
 - (i) do not exceed 5 square metres in ground floor area; and
 - (ii) do not exceed 5 metres in height.

25.1.5.6A Permitted Activities (Removal of Structures)

The removal of structures and any disturbance of the coastal marine area by or in connection with the removal is a permitted activity that may be undertaken without resource consent, if it complies with the following conditions:

- (a) The removal is undertaken by or on behalf of:
 - (i) the owner of the structure;
 - (ii) the Council; or
 - (iii) the Crown.
- (b) The area of disturbance does not exceed the minimum practical footprint required for access and removal.
- (c) Any damage to animal or plant communities does not exceed the minimum practical footprint required for access and removal or have any significant adverse effects on aquatic life.
- (d) The foreshore or seabed disturbed during the removal of the structure is restored as close as practicable to the local undisturbed condition within two days following removal.
- (e) Any person who intends to remove a structure must provide the following information to the Environment and Planning Manager of Council before the removal takes place:
 - (i) a description of the structure and how it is proposed to be removed;

- (ii) the date of removal;
- (iii) the expected duration required to remove the structure;
- (iv) the location co-ordinates of the structure to be removed;
- (v) how the structure will be disposed of; and
- (vi) who will be undertaking the work.

- (f) The structure is not recorded on the New Zealand Heritage List (in accordance with the Heritage New Zealand Pouhere Taonga Act 2014) or listed in Schedule 16.13.
- (g) Navigation safety will not be adversely affected during the removal of the structure.
- (h) Network utilities will not be adversely affected during the removal of the structure.
- (i) Where the structure to be removed is marked on a hydrographic chart, the New Zealand Hydrographic Authority, Land Information New Zealand, is given written advice of the work before removal.

[Unchanged or irrelevant text omitted]

25.1.20 Principal Reasons for Rules

Structures for Launching, Haulout, Mooring, Berthage or Storage of Craft or Vessels

The District contains several existing structures that have no current authorisation – because none were needed previously, or consent requirements were not administered. Those existing unauthorised structures that have no adverse effects have been given permitted activity status, subject to a condition relating to the provision of the owner's name and contact details to Council~~their structural integrity~~. Consent needs to be obtained for other unauthorised structures if adverse effects can be adequately managed; otherwise the structures need to be removed. Where coastal structures are abandoned and no owner can be found then, under the Marine and Coastal Area Act 2011, the Crown (Department of Conservation) is deemed to be the owner and the structure can be removed. Council can also remove some abandoned structures where the structure is considered to be of minimal value and the owner cannot be found. All new structures require consent, which will not be granted unless adverse effects can be avoided, remedied or mitigated.

[Unchanged or irrelevant text omitted]

SCHEDULES

Schedule 25A: Coastal Structures Permitted by Rule 25.1.2.1

STRUCTURE	LOCATION	DESCRIPTION	POSITION (NZTM)		POSITION (WGS 84) ①		ID ②	PHOTO ③
			EASTING	NORTHING	EASTING	NORTHING		
(i) Wharves and Breakwaters								
1	Mapua	Seaward end of floating wharf	173.1023385	-41.2562993	1608573.4	5432785.6	62(a)	
2		Mid-length of main wharf	173.1021478	-41.2565336	1608557.4	5432759.6	62(b)	
3	Motueka	Mid-length of main wharf	173.0226082	-41.1386206	1601897.4	5445854.3		
4	Tarakohe	Western breakwater, outer end	172.8930088	-40.8211596	1590977.6	5481090.1		
5		Eastern breakwater, outer end	172.8941353	-40.8204048	1591072.5	5481174.0		
6		Southern wharf, mid-length	172.8981023	-40.8232893	1591407.4	5480854.2		
7		Northern wharf, mid-length	172.8974988	-40.8224429	1591356.4	5480948.1		
8	Waitapu	North-east corner of wharf	172.8084642	-40.8228618	1583848.5	5480889.0	161	161a
9	Milnthorpe	Eastern corner of wharf	172.6846290	-40.7170426	1573363.7	5492605.3	214	214a 215a
10	Collingwood	Mid-length of wharf	172.6791298	-40.6789657	1572883.8	5496830.3	197	197a
11	Mangarakau	North-east end of derelict_uncompleted wharf structure	172.5239085	-40.6221127	1559732.1	5503081.7	237	237a
(ii) Boat Ramps								
1	Best Island	West of jetty	173.1613927	-41.3012220	1613511.4	5427791.0	40	40a
2	Rough Island	Hunter Brown Reserve	173.1075613	-41.2689829	1609009.2	5431377.0		
3	Rabbit Island/ Moturoa	Ski-lane ramp	173.1511199	-41.2835410	1612654.8	5429755.4		
4	Mapua	Adjoining wharf	173.1020280	-41.2562004	1608547.4	5432796.6	63	
5		Grossi Point	173.0987782	-41.2613359	1608274.5	5432226.8		
6	Kina	Baigent's Reserve	173.0398101	-41.1635951	1603339.8	5443081.3		
7	Motueka	East of main wharf	173.0239663	-41.1379267	1602011.4	5445931.3		
8		Peninsula	173.0204166	-41.1374319	1601713.5	5445986.3		
9	Riwaka	End of Green Tree Road	173.0069527	-41.0716890	1600584.1	5453284.7	362	
10	Kaiteriteri		173.0195796	-41.0352000	1601645.8	5457335.2	318	318a
11	Otuwhero	Estuary	173.0075894	-41.0090957	1600638.2	5460233.2		
12		Beach	173.0090627	-41.0081956	1600762.1	5460333.1		
13	Totaranui	Beach	173.0060332	-40.8181461	1600508.8	5481430.1	187	187a, 187b
14	Totaranui	Estuary	173.0055589	-40.8176957	1600468.8	5481480.1	188	188a, 188b
15	Tata Beach		172.9147836	-40.8115242	1592812.8	5482161.7	186	186a
16	Tarakohe		172.8942731	-40.8232588	1591084.5	5480857.2		
17	Waitapu		172.8075846	-40.8239864	1583774.6	5480764.0		
18	Rangihaeata		172.7889710	-40.8059900	1582200.2	5482758.1	180	180a
19	Onekaka		172.7093369	-40.7479647	1575461.9	5489180.0		
20	Collingwood		172.6805998	-40.6756915	1573006.7	5497194.2	195	
21	Mangarakau	Adjoining derelict wharf	172.5239908	-40.6221671	1559739.1	5503075.7		
(iii) Swing moorings in the Mapua Mooring Area ④ Public Structures in the Abel Tasman Foreshore								
4					1608507.4	5432458.7	61(b1)	
2					1608527.4	5432508.7	61(b2)	
3					1608527.4	5432591.6	61(d)	
4					1608534.4	5432630.6	61(f)	
5					1608575.4	5432570.6	61(g)	
6					1608547.4	5432654.6	61(h)	
7					1608576.4	5432617.6	61(i)	
8					1608544.4	5432693.6	61(j)	
9					1608582.4	5432719.6	61(k)	
10					1608599.4	5432702.6	61(l)	
11					1608615.4	5432737.6	61(m)	
12					1608627.4	5432770.6	61(n)	
13					1608601.4	5432815.6	61(o)	

STRUCTURE	LOCATION	DESCRIPTION	POSITION (NZTM)		POSITION (WGS 84) ①		ID-②	Photo-③
			EASTING	NORTHING	EASTING	NORTHING		
14					1608646.4	5432798.6	61(p)	
15					1608620.4	5432843.5	61(q)	
16					1608666.4	5432831.5	61(r)	
17					1608676.4	5432895.5	61(s)	
1	Torrent Bay/ Rakauoro	Torrent Bay/Rakauoro Jetty	1604079	5467276	173 02.907651	40 56.738118		
1a	Torrent Bay/ Rakauoro	Track markers (Various)	-	-	-	-		
2		Torrent Bay/Rakauoro Finger Jetty	1603974	5467221	173 02.832824	40 56.767876		
3a	Marahau	Causeway Marahau 1	1600414	5461687	173 00.295327	40 59.759566		
3b		Causeway Marahau 2	1600514	5461787	173 00.366660	40 59.705513		
3c		Causeway Marahau 3	1600514	5461887	173 00.366655	40 59.651463		
3d		Causeway Marahau 4	1600514	5461987	173 00.366650	40 59.597414		
3e		Causeway Marahau 5	1600614	5462087	173 00.437979	40 59.543360		
4	Bark Bay	Water Pipe Bark Bay	1604765	5470680	173 03.395087	40 54.898028		
5d		Bark Bay Estuary steps	1604256	5470469	173 03.032507	40 55.012243		
5e		Bark Bay Estuary ramp / steps	1604240	5470497	173 03.021095	40 54.997114		
6	Mosquito Bay	One set of wooden steps	1605012	5470983	173 03.570929	40 54.734167		
8a	Watering Cove	Beach Steps	1604723	5465238	173 03.367651	40 57.839446		
8b		Beach Steps	1604741	5465254	173 03.380478	40 57.830792		
8c	Awaroa	Track markers (various)	-	-	-	-		
(iv) — Swing Moorings at Kaiteriteri, in the Mooring Area defined in the Tasman District Council Navigation Safety Bylaw 1994								
1					1601894.7	5457078.3	381	
2					1601852.7	5457132.3	382	
3					1601793.7	5457123.3	383	
4					1601803.7	5457165.3	384	
5					1601799.7	5457213.3	385	
6					1601822.7	5457249.3	386	
(v) Jetty or Berth at Specified Locations								
1	Ligar Inlet	Jetty	172.9099630	-40.8182922	1592407.0	5481410.0	91	91a
2		Pile berth	172.9099394	-40.8182111	1592405.0	5481419.0	90	90a
3		Ramp and slipway	172.9099161	-40.8179499	1592403.0	5481448.0	86	86a
4		Pile berths (3)	172.9099873	-40.8178598	1592409.0	5481458.0	85	85a, 85b
5		Pile berths (4)	172.9100350	-40.8177257	1592413.0	5481472.9	84	84a
6	Best Island	Jetty	173.1617276	-41.3013746	1613539.4	5427774.0	39	39a
7	Deadman's Island	Jetty	173.1521402	-41.2965965	1612737.7	5428305.9		
8	Jackett's Island	Jetty	173.0219418	-41.1411691	1601841.4	5445571.4	112	112a
9	Collingwood	Western jetty adjoining boat ramp	172.6802685	-40.6756816	1572978.7	5497195.2	195(a)	195a
10		Eastern jetty adjoining boat ramp	172.6804690	-40.6758082	1572995.7	5497181.2	195(b)	195b
11	Port Motueka	Yacht Club jetty and berths	173.0198685	-41.1373420	1601667.5	5445996.3	305(b)	
(vi) Jetty or Berth at Riwaka								
1	Riwaka	Jetty	173.0059410	-41.0728592	1600499.1	5453154.8	349	349a, 349b
2		Jetty	173.0060243	-41.0727421	1600506.1	5453167.8	351	351b
3		Jetty	173.0060600	-41.0726971	1600509.1	5453172.8	352	352a
4		Jetty	173.0063457	-41.0723728	1600533.1	5453208.8	354	354a, 354b
5		Jetty	173.0064409	-41.0723007	1600541.1	5453216.8	355	355a, 355b
6		Jetty	173.0065123	-41.0722115	1600547.1	5453226.7	356	356a
7		Jetty	173.0066432	-41.0720313	1600558.1	5453246.7	357	357a, 357b
8		Jetty	173.0067861	-41.0720223	1600570.1	5453247.7	359	359a
9		Jetty	173.0068456	-41.0719953	1600575.1	5453250.7	360	360a
10		Jetty, 120m west of boat ramp	173.0054766	-41.0714999	1600460.1	5453305.7		
11		Jetty, 100m west of boat ramp	173.0056790	-41.0714729	1600477.1	5453308.7		
12		Boatshed	173.0063696	-41.0734898	1600535.1	5453084.8	344	
13		Boatshed	173.0063696	-41.0733997	1600535.1	5453094.8	342	
14		Boatshed, ramp, and jetty	173.0064529	-41.0733366	1600542.1	5453101.8	339	
15		Boatshed	173.0065243	-41.0732646	1600548.1	5453109.8	338	

STRUCTURE	LOCATION	DESCRIPTION	POSITION (NZTM)		POSITION (WGS 84) ①		ID ②	Photo ③
			EASTING	NORTHING	EASTING	NORTHING		
16		Boatshed	173.0065243	-41.0732015	1600548.1	5453116.8	337	
17		Jetty	173.0064410	-41.0731384	1600541.1	5453123.8	336	
18		Jetty	173.0065600	-41.0730844	1600551.1	5453129.8	335	
19		Jetty	173.0087847	-41.0725528	1600738.0	5453188.8	328	
20		Jetty	173.0088918	-41.0725798	1600747.0	5453185.8	327	
21		Jetty	173.0089752	-41.0725978	1600754.0	5453183.8	326	
22		Jetty	173.0090823	-41.0726248	1600763.0	5453180.8	325	
23		Wharf, mid-length of northern face	173.0093561	-41.0726158	1600786.0	5453181.8	274	

Footnotes:

①— Position assessed from aerial photos in Explore Tasman, and generally taken from the seaward end of structures.

②— ID number as in database: Excel Spreadsheet: P:\Environmental Databases\Coastal\Coastal Structures working copy 2004-5.xls.

③— Photo links are available through Explore Tasman / General / Water / Coastal Structures.

④— Existing moorings 61(a), (c), (e) and (t) missing from this sequence are outside the mapped boundary of the Mapua Mooring Area.

Schedule 25B: Mapua Mooring Area

The Mapua Mooring Area comprises that part of the coastal marine area bounded by mean low water mark adjoining Mapua and a line extended due south from the general line of the western shoreline of the Tahurangi/Grossi Point peninsula, and continuing generally east and north at a distance of 100 metres from mean high water springs to a point south east of Grossi Point, then generally north to merge with the centreline of the channel between Mapua and Rabbit Island/Moturoa and continuing along that channel centreline to its intersection with a straight line between points 185947 and 188947 (New Zealand Map Grid), then west to mean low water mark.

CHAPTER 36: RULES FOR CONTAMINANT DISCHARGES

36.2 DISCHARGES TO FRESH WATER OR COASTAL WATER

[Unchanged or irrelevant text omitted]

36.2.2 Permitted Activities (Discharges to Fresh Water or Coastal Water)

[Unchanged or irrelevant text omitted]

36.2.2.9 Discharge arising from the Removal of Coastal Structures

The discharge of any contaminant into coastal water arising from the removal of a coastal structure is a permitted activity, if it complies with the following conditions:

- (a) None of the following effects are likely to arise in the receiving waters, after reasonable mixing:
 - (i) the production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials;
 - (ii) any conspicuous change in the colour or visual clarity of the receiving water 12 hours following the removal of the structure;

Note: A change in colour or clarity of more than 10 percent is generally discernible by observation. A change of 20 percent can be considered a conspicuous change and is easily visible.
 - (iii) any emission of objectionable odour;
 - (iv) any discernible change to any habitat by deposition of sediment onto the coastal marine area; or
 - (v) any significant adverse effects on aquatic or bird life.

[Unchanged or irrelevant text omitted]



Map 180A: Mapua



Map 180B: Motueka
Mooring Areas
 Update Map 64/5
 20 June 2020
Map affected: 180



TASMAN RESOURCE MANAGEMENT PLAN
Plan Change 72
Proposed

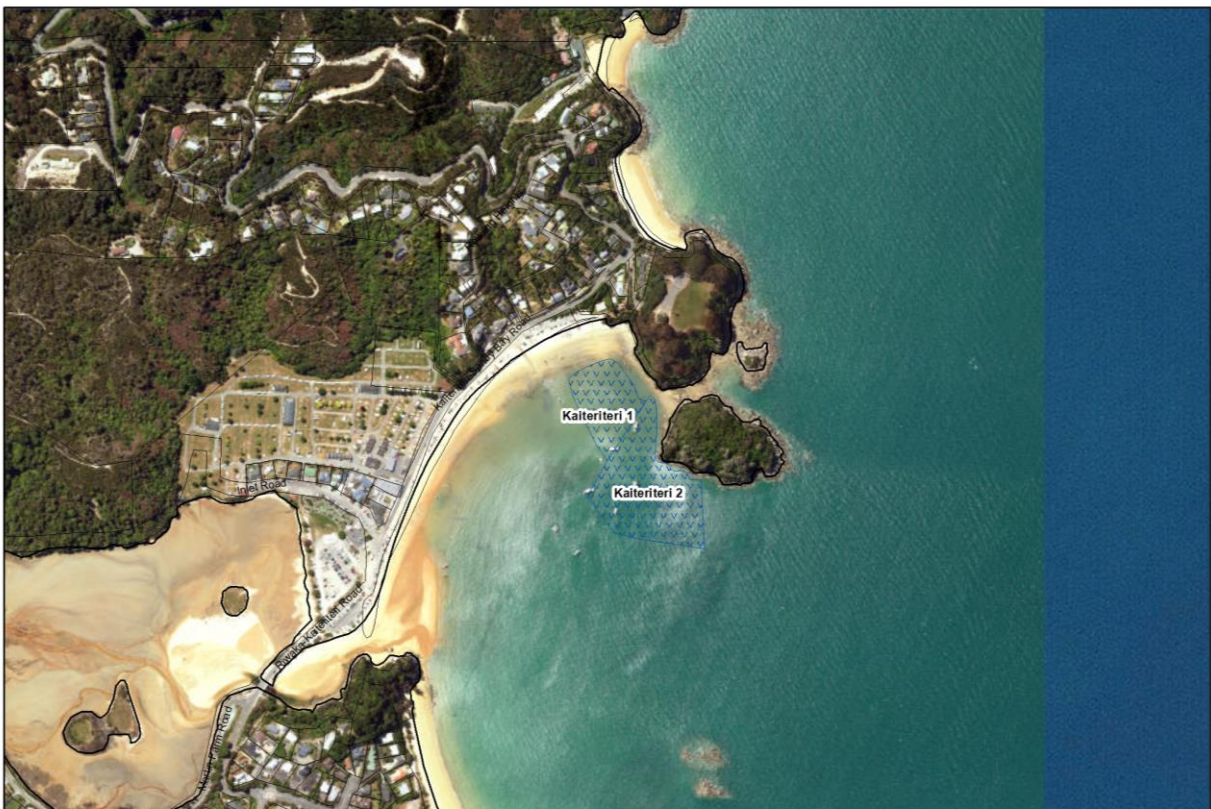
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Scale 1:6,500



Map 180C: Tapu Bay - Stephens Bay



Map 180D: Kaiteriteri
Mooring Areas
 Update Map 64/6
 20 June 2020
 Map affected: **180**



TASMAN RESOURCE MANAGEMENT PLAN
Plan Change 72

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Map 180E: Boundary Bay



Map 180F: Milnthorpe

Mooring Areas

Update Map 64/7

20 June 2020

Map affected: 180



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Map 180G: Otuwhero Inlet - Marahau



Map 180H: Glasgows and Torrent Bays



Map 180I: Mangarakau Wharf
Mooring Areas
 Update Map 64/8
 20 June 2020
Map affected: 180



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