

1 Structures and occupation of space in the Coastal Marine Area (SO)

Rule Number	Submissions made seeking changes?	Equivalent Rule in operative RCEP (and brief summary of changes)	Exclusions	Classification	Description of Activity
SO 1	YES	12.2.4(b) – extended period to 14 days (was 7) Reference to Bylaws Noise condition added	Port Zone Harbour Development Zone Any Indigenous Biological Diversity Area A	Permitted, conditions apply	Occupation of the common marine and coastal area for recreational events 14 days
SO 2	YES	NEW	Port Zone Harbour Development Zone Any Indigenous Biological Diversity Area A Permanently navigable waters	Permitted, conditions apply	Temporary structures
SO 3	YES	13.2.4(a) Added Port of Tauranga		Permitted, conditions apply	The use, erection or placement, alteration, extension or removal of navigation aids by: 1 Bay of Plenty Regional Council or its agents; or 2 The Port of Tauranga 3 Maritime New Zealand or its agents.
SO 4		13.4.4(c) and (e)		Permitted, conditions apply	The erection, construction, placement or removal of swing mooring structures in the mooring areas identified in the maps to this Plan.
SO 5		12.2.4(c) New conditions re sewage treatment and overnight stays		Permitted, conditions apply	The use of mooring structures and anchorages
SO 6	YES	NEW		Permitted, conditions apply	The use, erection, reconstruction, placement, alteration, or extension of monitoring and sampling structures
SO 7		13.4.4(f)	Port Zone Harbour Development Zone Any Indigenous Biological Diversity Area A	Permitted, conditions apply	The maintenance or alteration of any structure in the coastal marine area when there is no increase in the external length, width, or height of any structure, except for purposes specified in the rule.
SO 8		13.2.4(g) & (j) Changed conditions	Port Zone Harbour Development Zone	Permitted, conditions apply	The use, erection, reconstruction, placement, alteration, extension, removal or demolition of temporary maimai in the coastal marine area.
SO 9	YES	13.2.4(i) DoC & TA included	Any Indigenous Biological Diversity Area A Historic heritage structures	Permitted	The removal of any structure in the coastal marine area that is derelict, redundant or abandoned
SO 10		13.2.4(k)		Discretionary	The erection, reconstruction, placement, alteration, or extension of the following structures in an Indigenous Biological Diversity Area A: (a) Structures for the specific purpose of providing protection for the biodiversity values associated with such areas, (b) Structures for the specific purpose of providing educational, scientific or passive recreational opportunities that will enhance the understanding and long-term protection of the biodiversity values of the area, (c) Structures for navigational aids, (d) Structures erected, reconstructed, placed, altered, or extended prior to the date on which this plan was publicly notified, (e) Structures associated with the operation, maintenance and protection of existing and new regionally significant infrastructure; (f) Operation and maintenance of River and Drainage Schemes (g) Maintenance or enhancement of navigational safety.
SO 11		13.2.4(d) & (h); 12.2.4(a)	Harbour Development Zone Port Zone	Discretionary	Structures, occupation and use in the coastal marine area not covered by another rule in this Plan Includes structures in navigable waters exempt from Rule SO 13
SO 12		NEW		Non complying	Structures in an Indigenous Biological Diversity Area A that have a functional need to locate in the coastal marine area, but do not fit within Rule SO 10
SO 13		13.2.4(b) – currently prohibited	Wharfs and boat ramps Public access structures Submarine cables and pipelines Vessel moorings or berths Bridges	Non complying	The use, erection or placement of any structure within permanently navigable harbour waters
SO 14		13.2.4(l)		Prohibited	Structures in an Indigenous Biological Diversity Area A not otherwise provided for
SO 15	YES	NEW		See National Environmental Standard	Operation, maintenance, upgrading, relocation or removal of an existing electricity transmission line in the coastal marine area

2 Disturbance, deposition and extraction (DD)

Rule Number	Submissions made seeking changes?	Equivalent Rule in operative RCEP (and brief summary of changes)	Exclusions	Classification	Description of Activity
DD 1		14.2.4(c) New wording	Any Indigenous Biological Diversity Area A	Permitted, conditions apply	Channel clearance and maintenance of existing diversions in artificial watercourses or modified watercourses.
DD 2		14.2.4(g)	Historic Heritage sites	Permitted, conditions apply	Burial of dead animals washed up on the foreshore.
DD 3		14.2.4(i) Reference to Outstanding Natural Character is new	Any Indigenous Biological Diversity Area A or Outstanding Natural Character Area	Permitted, conditions apply	Temporary military training activities - New Zealand Defence Forces.
DD 4		14.2.4(l)		Permitted, conditions apply	Taking driftwood without use of vehicles on the foreshore
DD 5	No	NEW		Permitted, conditions apply	Planting indigenous plant species
DD 6	Yes	NEW		Permitted, conditions apply	Wetland enhancement
DD 7		14.2.4(f) Changed conditions	Any Indigenous Biological Diversity Area A	Permitted, conditions apply	Specified vehicle access and use
DD 8	No	NEW		Permitted, conditions apply	Vehicle access/use for emergency or law enforcement
DD 9		NEW		Controlled, conditions apply	Use of soft coastal hazard protection methods
DD 10		14.2.4(m) Minor changes		Controlled, conditions apply	Maintenance of existing flood protection and drainage schemes – Bay of Plenty Regional Council and Waihi Drainage District Society Incorporated
DD 11		NEW		Controlled	Maintenance of artificial or modified watercourses to protect houses from flooding – Bay of Plenty Regional Council
DD 12		NEW – currently prohibited under Rule 14.2.4(a)		Restricted Discretionary	Maintenance of existing artificial watercourses or modified watercourses in an Indigenous Biological Diversity Area A by Bay of Plenty Regional Council
DD 13		NEW	Port Zone Harbour Development Zone	Restricted Discretionary	Maintenance dredging of existing navigational channels
DD 14		14.2.4(b), (h), (q), (r) and (j)		Discretionary	Disturbance, deposition and excavation in the coastal marine area not covered by another rule in this Plan.
DD 15		NEW		Discretionary	Disturbance, deposition and extraction in an Indigenous Biological Diversity Area A for specific purposes: (a) providing protection for the biodiversity values associated with such areas, (b) providing educational, scientific or passive recreational opportunities that will enhance the understanding and long-term protection of the biodiversity values of the area, (c) navigational aids, (d) Use of structures erected, reconstructed, placed, altered, or extended prior to the date on which this plan was publicly notified, (e) The operation, maintenance and protection of existing and new regionally significant infrastructure; (f) Operation and maintenance of River and Drainage Schemes (g) Maintenance or enhancement of navigational safety.
DD 16		NEW		Prohibited	Fracking
DD 17		14.2.4(d), (a), (k), (h) and (p)		Prohibited	Specified activities in the coastal marine area: (a) Construction of new artificial watercourses or modification of watercourses, in an Indigenous Biological Diversity Area A (b) Removal of sand, shell, shingle and minerals, dredging and spoil disposal, in an Indigenous Biological Diversity Area A (c) Disposal in the coastal marine area of any spoil from land-based activities, (d) Stock access (excluding horses). (e) Mining of sand, shell and shingle from the active beach system on the open coast (f) Artillery gunfire, naval gunfire, or aerial bombardment for military training in marine reserves. (g) Vehicle use in an Indigenous Biological Diversity Area A, except emergency response and enforcement related vehicles
DD 18	Yes	NEW		Permitted, conditions apply	Removal of mangrove seedlings
DD 19		NEW		Permitted, conditions apply	Small-scale clearance of adult mangroves: (a) 30 square metres in any Indigenous Biological Diversity Area A within any 12-month period, or (b) 200 square metres in an 'activity site' in any other area within any 12-month period.
DD 20		NEW		Permitted, conditions apply	Management of sites where mangrove removal has already occurred as part of Estuary Care works
DD 21		NEW		Restricted Discretionary	Mangrove management not covered by other rules – includes mechanical removal methods

3 Discharge of Contaminants (CD)

Rule Number	Submissions made seeking changes?	Equivalent Rule in operative RCEP (and brief summary of changes)	Exclusions	Classification	Description of Activity
CD 1	No	NEW		Permitted, conditions apply	Discharge of aquatic herbicide over coastal water for weed control
CD 2	No	NEW		Permitted, conditions apply	Discharge of dye or gas tracers
CD 3	Yes	NEW		Permitted, conditions apply	Minor discharges of water
CD 4	No	NEW		Permitted	Discharges of substances from aircraft for avoiding, remedying or mitigating oil spills
CD 5		9.2.4(a) – excludes high risk facilities		Permitted, conditions apply	Discharge of stormwater to coastal water. Conditions include (but are not limited to): 1 Suspended solids concentration of the discharge shall not be greater than 150g/m ³

Rule Number	Submissions made seeking changes?	Equivalent Rule in operative RCEP (and brief summary of changes)	Exclusions	Classification	Description of Activity
					2 The rate of discharge shall not exceed 125 litres per second for a 10 minute duration 3 The discharge shall not contain any stormwater from a high risk facility as defined in Schedule 12
CD 6		NEW – currently discretionary in catch-all Rule		Restricted Discretionary, conditions apply	Discharge of stormwater to coastal water not covered by permitted Rule CD 4
CD 7	Yes	NEW – gives effect to MARPOL regs		Discretionary	Dumping of specified waste or other matter in the coastal marine area: Dredge material. Sewage sludge. Fish processing waste from an onshore facility. Ships and platforms or other man-made structures at sea. Inert, inorganic geological material. Organic materials of natural origin. Bulky items consisting mainly of iron, steel, and concrete.
CD 8		9.2.4(b)		Discretionary	Discharges to the coastal marine area not covered by any other rule in this Plan or the Resource Management (Marine Pollution) Regulations 1998.
CD 9		9.2.4(c) – currently prohibited		Non-complying	Discharge of treated human sewage from land-based systems that has not passed through land, soil or wetlands
CD 10	No	NEW – gives effect to MARPOL regs	Dredge material. Sewage sludge. Fish processing waste from an onshore facility. Ships and platforms or other man-made structures at sea. Inert, inorganic geological material. Organic materials of natural origin. Bulky items consisting mainly of iron, steel, and concrete.	Prohibited	Dumping of waste and other matter
CD 11	No	NEW – gives effect to MARPOL regs		Prohibited	Incineration of waste in marine incineration facilities
CD 12		9.2.4(c)		Prohibited	Discharge of untreated sewage from land-based activities
CD 13		9.2.4(e) & MARPOL regs Distances extended further		Prohibited	The discharge of sewage from ships and offshore installations in the following areas: 1 In any part of Tauranga Harbour and Ōhiwa Harbour, 2 In any estuary, and 3 On the open coast: (a) within 2 kilometres of Mean High Water Springs (ships less than 300 gross tonnage), (b) within 10 kilometres of Mean High Water Springs (ships equal or greater than 300 gross tonnage), (c) within 500 metres of a marine farm or a mātaītai reserve, (d) where the water depth is less than 5 metres, or (e) within 200 metres of a marine reserve

4 Reclamation (RM)

Rule Number	Equivalent Rule in operative RCEP (and brief summary of changes)	Exclusions	Classification	Description of Activity
RM 1	15.2.4(c) – currently fully discretionary		Restricted Discretionary	Removal of reclamations to: 1 Restore the natural character and resources of the coastal marine area, or 2 Provide for more public open space. 3 Provide for enhanced walking access.
RM 2	15.2.4(b)		Discretionary	Reclamation and removal of reclamations in the Coastal Marine Area not covered by another rule in this Plan
RM 3	NEW		Non complying	Reclamation associated with regionally significant infrastructure in an Indigenous Biological Diversity Area A or Outstanding Natural Character Area
RM 4	15.2.4(a)	Port Zone	Prohibited	Reclamation for specified purposes: 1 Disposal of dredged material as the primary purpose of the reclamation, 2 Extension to or creation of farmland, playing fields, urban, and industrial areas excepting ports, or other marine servicing facilities and storage 3 Carparks as the primary purpose of the reclamation, or 4 Rubbish disposal, including industrial, horticultural, farm and household,
RM 5	15.2.4(d)		Prohibited	Reclamation in an Indigenous Biological Diversity Area A or Outstanding Natural Character Area

5 Taking, using, damming or diversion of coastal water (TD)

Rule Number	Equivalent Rule in operative RCEP (and brief summary of changes)	Exclusions	Classification	Description of Activity
TD 1	10.2.4(a)		Permitted	Use of coastal water or open coastal water
TD 2	10.2.4(b)		Permitted	Take of open coastal water
TD 3	10.2.4(c)		Permitted	The take of up to 15 cubic metres coastal water per day from within a harbour or estuary
TD 4	10.2.4(d) and (g)		Discretionary	Take, damming and diversion of coastal water not covered by another rule in this Plan.

6 Aquaculture (AQ)

Rule Number	Equivalent Rule in operative RCEP (and brief summary of changes)	Exclusions	Classification	Description of Activity
AQ 1	NEW	1 Any Indigenous Biological Diversity Area A 2 Mooring areas 3 Port Zone 4 Harbour Development Zone	Controlled, subject to conditions	Experimental aquaculture – maximum footprint of 2 hectares; limited to a five year duration; no structures in permanently navigable waters
AQ 2	NEW	Mooring areas Port Zone Harbour Development Zone	Controlled, subject to conditions	Non-commercial and non-experimental aquaculture activities - maximum footprint of 2 hectares; no structures in permanently navigable waters
AQ 3	NEW		Restricted Discretionary	Reconsenting existing aquaculture and minor extensions
AQ 4	NEW (Generally the current status under operative RCEP)		Discretionary	Aquaculture not covered by any other rule in this Plan.
AQ 5	NEW (But structure in navigable waters currently prohibited by Rule 13.2.4(b))	The replacement or reconstruction of existing and legally authorised structures.	Non complying	New aquaculture structures in permanently navigable waters
AQ 6	NEW		Prohibited	Commercial aquaculture in high value or high use areas, which are: (a) Indigenous Biological Diversity Areas A (b) Areas of Outstanding Natural Character (c) Within 5.5 kilometres (3 nautical miles) of commercial shipping lanes or navigable river mouths. (d) Mooring, Port and Harbour Development Zones.

7 Biosecurity (BS)

Rule Number	Submissions made seeking changes?	Equivalent Rule in operative RCEP (and brief summary of changes)	Exclusions	Classification	Description of Activity
BS 1	Yes	NEW		Permitted, conditions apply	Disturbance of the foreshore or seabed for the removal of exotic plant species
BS 2		NEW		Discretionary	Disturbance of the foreshore or seabed for the removal of exotic plant species not covered by another rule in this Plan.
BS 3		16.2.4(d)		Discretionary	The introduction of exotic plant species into the coastal marine area that is not prohibited by a rule in this regional plan.
BS 4		16.2.4(c)		Prohibited	Eradication or control of spartina and saltwater paspalum using mechanical harvesting
BS 5		16.2.4(b)		Prohibited	The introduction, including spreading, of spartina and saltwater paspalum in the coastal marine area
BS 6		16.2.4(b)		Prohibited	Introduction of exotic plant species into an Indigenous Biological Diversity Area A or areas of outstanding natural character

8 Harbour Development Zone (HD)

Rule Number	Submissions made seeking changes?	Equivalent Rule in operative RCEP (and brief summary of changes)	Exclusions	Classification	Description of Activity
HD 1		13.2.4(f)		Permitted, conditions apply	Maintenance, minor alteration, repair or reconstruction of any lawful structure when there is no increase in the external length, width, or height of any structure, except for purposes specified in the rule.
HD 2	No	NEW		Permitted, conditions apply	Temporary events, including associated structures.
HD 3		NEW		Controlled, conditions apply	Maintenance, minor alteration, repair or reconstruction of any lawful structure that doesn't increase the height or footprint by more than 10%
HD 4		NEW		Controlled, conditions apply	Reconsenting existing structures
HD 5		NEW		Controlled, conditions apply	Maintenance dredging
HD 6		NEW		Restricted discretionary, conditions apply	New structures in the Harbour Development Zone and alteration or extension of existing structures not covered by rules HD 1- HD 3.
HD 7		NEW		Restricted discretionary	Dredging in the Harbour Development Zone for vessel access (not maintenance dredging).
HD 8		13.2.4(n) – currently fully discretionary		Restricted Discretionary	Demolition or removal of structures in the Harbour Development Zone.
HD 9		13.2.4(h), 14.2.4(s)		Discretionary	Any activity in the Harbour Development Zone not covered by another rule in this Plan.

9 Port Zone (PZ)

Rule Number	Equivalent Rule in operative RCEP (and brief summary of changes)	Exclusions	Classification	Description of Activity
PZ 1	20.2.4(b)		Permitted, conditions apply	Noise from activities in the Port Zone
PZ 2	13.2.4(f) and NEW additions (erection of buildings on wharves and ancillary services)		Permitted, conditions apply	Maintenance, minor alteration, repair or reconstruction of any lawful structure and erection of new buildings and ancillary services
PZ 3	NEW		Permitted, conditions apply	Maintenance or repair of any existing berth that is required to maintain the required integrity of the berth and associated structure
PZ 4	13.2.4(p)(ii)		Permitted, conditions apply	Wharf Cranes – height and location restrictions apply
PZ 5	NEW (currently restricted discretionary in Rule 14.2.4(v))		Controlled, conditions apply	Maintenance dredging
PZ 6	13.2.4(o)(i) and 14.2.4(v) Currently fully discretionary		Restricted Discretionary	Erection, reconstruction, placement, alteration, extension, removal or demolition of any structure or building (excluding cranes) within the area that the Port of Tauranga Limited has been granted a section 384A occupation permit – applies to activities not covered by Rule PZ 2
PZ 7	13.2.4(p)(i)		Restricted Discretionary	Cranes exceeding the permitted height or location (Rule PZ 4)
PZ 8			Restricted Discretionary	Specified dredging activities: (a) construction of the Sulphur Point Wharf Extension South Sitting Basin and Shipping Channel, (b) deepening the Sulphur Point Town Reach (c) the Mount Maunganui Wharfs Future Berth Deepening as shown on Plan 270-25B, and
PZ 9	14.2.4(w)		Restricted Discretionary	Specified reclamations: (a) construction of the Sulphur Point Wharf Extension South, and (b) construction of the Mt Maunganui Wharf Extension
PZ 10	14.2.4(b), 14.2.4(y), 14.2.4(x)		Discretionary	Any activity in the Port Zone not covered by another rule in this Plan.

10 Noise

Rule Number	Equivalent Rule in operative RCEP (and brief summary of changes)	Exclusions	Classification	Description of Activity
NS 1	20.2.4(a)		Permitted	Emission of noise from specified activities in the Coastal Marine Area: 1 Navigational aids, safety signals, warning devices, or emergency pressure relief valves; 2 Emergency work undertaken to protect human life, or to prevent loss or serious damage to property, or minimise or prevent environmental damage; 3 The discharge of firearms by licensed hunters; 4 The use of weapons and detonation of munitions by the New Zealand Defence Forces; 5 The use of vessels within the water ski and personal watercraft areas identified in the Bay of Plenty Regional Council Navigation Safety Bylaws, and 6 Temporary events.
NS 2	20.2.4(a)	Port Zone	Permitted, conditions apply	Emission of Noise in the Tauranga Harbour and Ōhiwa Harbour – noise limits apply.
NS 3	S16 RMA	Port Zone Tauranga Harbour Ōhiwa Harbour	Permitted	Emission of noise from other activities in the Coastal Marine Area – requirement to best management practices to ensure the emission of noise does not exceed a reasonable level.
NS 4	20.2.4(a)		Discretionary	Emission of noise in the coastal marine area that is not permitted by a rule in this regional plan.

11 Geothermal Resources

Rule Number	Submissions made seeking changes?	Equivalent Rule in operative RCEP (and brief summary of changes)	Exclusions	Classification	Description of Activity
GR 1	No	S14 RMA		Permitted	Take and use of geothermal water, heat or energy in the Coastal Marine Area in accordance with tikanga Māori.
GR 2	No	NEW (would be discretionary under current Plan as not specifically covered)		Discretionary	Activities associated with research and investigation of geothermal resources in the coastal marine area.
GR 3	No	NEW (would be discretionary under current Plan as not specifically covered)		Non complying	Activities associated with development of geothermal resources in the coastal marine area.