F2. Coastal – General Coastal Marine Zone

F2.1. Zone description

The Coastal – General Coastal Marine Zone comprises the majority of the coastal marine area. It comprises the coastal marine area that is outside of the following zones:

Coastal – Marina Zone;

Coastal – Mooring Zone;

Coastal – Minor Port Zone;

Coastal – Ferry Terminal Zone; and

Coastal – Defence Zone.

Notwithstanding the spatial extent of the Coastal – General Coastal Marine Zone, its objectives, policies and rules apply to all coastal zones and coastal precincts unless otherwise provided for in the specific zone or precinct. If an overlay applies to the area where an activity is proposed, the provisions of the overlay will also apply, including any overlay rule that applies to the activity.

The purpose of the Coastal – General Coastal Marine Zone is to provide for use and development in the coastal marine area, in particular those forms of use and development that have a functional or operational need to be undertaken or located in the coastal marine area, while:

- enabling people and communities to provide for their social and economic well-being, through the appropriate use and development of the coastal marine area;
- enabling the construction, operation, maintenance and upgrading of infrastructure within the coastal marine area (that cannot be practicably located on land) where it has a functional or operational need;
- protecting natural character, landscape values and natural features;
- maintaining and enhancing water quality and the life-supporting capacity of the marine environment;
- protecting significant ecological values;
- protecting historic heritage values;
- recognising and providing for Mana Whenua values in accordance with tikanga Māori;
- maintaining and enhancing public access, open space, recreational use, amenity values, and access to and along the coastal marine area;
- not increasing the risk of subdivision, use and development being adversely affected by coastal hazards; and
- managing conflicts between activities within the coastal marine area.

Some parts of the Coastal – General Coastal Marine Zone have particular significant use or values that are mapped in overlays or precincts. Some overlays cross both land and

sea areas. The overlays that apply below mean high water springs and to parts of the Coastal – General Coastal Marine Zone are:

- D10 Outstanding Natural Features and Outstanding Natural Landscapes Overlay;
- D11 Outstanding Natural Character and High Natural Character Overlay;
- D14 Volcanic Viewshafts and Height Sensitive Areas Overlay;
- D9 Significant Ecological Areas Overlay;
- D17 Historic Heritage Overlay;
- D21 Sites and Places of Significance to Mana Whenua Overlay; and
- D26 National Grid Corridor Overlay.

Activities in the coastal marine area also need to comply with the Auckland Council Navigation Safety Bylaw 2014 and the Resource Management (Marine Pollution) Regulations 1998, or any review of them. Some activities such as moorings require a permit from the Council's harbourmaster's office. Other Council bylaws control activities on beaches, such as dogs, vehicles and temporary events.

Any sites or places of significance to Mana Whenua that are identified prior to, or discovered during use and development in the coastal marine area, must comply the accidental discovery rules in E11 Land disturbance – Regional or E12 Land disturbance - District. The Plan has identified significant marine communities and habitats in the D9 Significant Ecological Areas Overlay. The coastal marine area has not been comprehensively surveyed for the purpose of identifying these. The D9 Significant Ecological Areas Overlay under-represents the significant marine communities and habitats present in the sub-tidal areas of the region. Additionally, in larger coastal marine areas with ecological significance, such as the Hauraki Gulf, or the Kaipara and Manukau harbours, it is difficult to map ecological values because of their scale and the highly mobile habits of marine fauna. A precautionary approach is therefore required to manage effects in the coastal environment. The criteria in Schedule 4 Significant Ecological Areas - Marine Schedule will be of use in determining whether a previously unidentified area has significant ecological value. The New Zealand Coastal Policy Statement will also be relevant in that regard, particularly Policy 11.

F2.2. Drainage, reclamation and declamation

F2.2.1. Background

Large areas of Auckland’s coast have been reclaimed and/or drained in the past. This has enabled a range of activities including the development of the port and airport, provision of land areas adjacent to marinas, construction of roads and creation of farmland.

Reclamation and drainage in the coastal marine area may sometimes be necessary to enable activities that have a functional or operational need to locate on the coast and to provide for infrastructure, marine related activities and social benefits such as

maintaining or enhancing public access. However reclamation and drainage can have significant and often irreversible adverse effects on natural character, coastal processes, habitats and ecosystems, Mana Whenua values and public access.

Declamation of land can have adverse effects on natural character, water quality, ecological values and coastal processes. The adverse effects from declamation, if undertaken in an appropriate location and at an appropriate scale, may be offset by the enhanced public access and social and economic opportunities provided by extending water access.

F2.2.2. Objectives[rcp]

(1) The adverse environmental effects of reclamation, drainage or declamation on the coastal marine area are avoided, remedied, or mitigated.

(2) The natural character, ecological values and natural coastal processes of the coastal marine area are not adversely affected by inappropriate reclamation, drainage or declamation.

(3) Public access, amenity and Mana Whenua values are not adversely affected by inappropriate reclamation, drainage or declamation.

F2.2.3. Policies [rcp]

(1) Avoid reclamation and drainage in the coastal marine area except where all of the following apply:

(a) the reclamation will provide significant regional or national benefit;

(b) there are no practicable alternative ways of providing for the activity, including locating it on land outside the coastal marine area;

(c) efficient use will be made of the coastal marine area by using the minimum area necessary to provide for the proposed use, or to enable drainage; and

(d) significant adverse effects on sites scheduled in the D17 Historic Heritage Overlay or D21 Sites and Places of Significance to Mana Whenua Overlay are avoided or mitigated.

(2) Provide for reclamation and works that are necessary to carry out any of the following:

(a) maintain or repair a reclamation;

(b) enable the repair and upgrade of existing reclamations and seawalls, by way of minor reclamation;

(c) carry out rehabilitation or remedial works;

(d) maintain or enhance public access or linkages with public open space to, within or adjacent to the coastal marine area;

(e) enable the construction and/or efficient operation of infrastructure, including but not limited to, ports, airports, roads, pipelines, electricity transmission, railways, ferry terminals, and electricity generation; or

(f) create or enhance habitat for indigenous species where degraded areas of the coastal environment require restoration or rehabilitation.

(3) Enable lawfully established drainage channels to continue to manage their risk of flooding or coastal inundation.

(4) Require proposals for reclamation to mitigate effects through the form and design of reclamation as far as practicable, taking into account the following:

(a) the shape of the reclamation, and the extent to which the materials used are visually compatible with the adjoining coast; and

(b) the ability to avoid consequential changes to coastal processes, including erosion and accretion.

(5) Consider where the adverse effects of drainage or reclamation cannot be completely avoided, remediated or mitigated on site, compensating for those adverse effects by additional or enhanced public access or public facilities or environmental enhancement or restoration.

(6) Require the design of reclamations to take into account the potential effects of climate change, including sea level rise, over 100 years.

(7) Maintain and where possible enhance public access to and along the coastal marine area to the extent practicable in providing for reclamation, declamation and drainage, having regard to all of the following:

(a) the purpose and proposed use of the area;

(b) whether a restriction on public access is necessary for public health, safety or operational reasons; and

(c) the ability to remedy or mitigate any loss of public access.

(8) Require an esplanade reserve or strip to be included on reclaimed or drained areas of the coastal marine area, unless a restriction on public access is provided for under B8.4.2(3) in B8.4 Public access and open space.

(9) Enable the beneficial use of dredged material in reclamations, including where stabilised with cement.

(10) Avoid using contaminated materials in reclamation, unless any contaminants are contained in a way that avoids, remedies or mitigates other adverse effects on water quality, aquatic ecosystems and indigenous biodiversity in the coastal marine area.

(11) Assess whether authorising past unlawful reclamation or drainage in the coastal marine area is appropriate having regard to all of the following:

(a) the extent of social or economic benefit provided to the public, including whether it is necessary to enable the operation of infrastructure;

(b) whether there will be more significant adverse effects resulting from the works required to restore the area than from retaining the reclamation or drained area; and

(c) the extent to which the removal of the reclamation or reinstatement of the drained area is practicable.

(12) Enable the declamation of reclaimed land where it would achieve any of the following:

(a) restore the natural character and resources of the coastal marine area;

(b) provide for better public access or greater open water space;

(c) provide for the efficient operation of nationally and regionally significant infrastructure; or

(d) provide for management of coastal hazards, including managed retreat and erosion management.

F2.3. Depositing and disposal of material

F2.3.1. Background

The depositing and disposal of material in the coastal marine area affects natural character, coastal processes, water quality, sediment quality and the ecology of an area. The type and scale of effects are related to the following:

- volume and type of material that is deposited;
- level of contamination of the material;
- method of disposal; and
- characteristics of the receiving environment.

Material can be placed on the foreshore or seabed to dispose of dredge spoil or waste material, or deposited for beneficial use, such as beach replenishment and erosion management.

The disposal of dredge spoil and waste is subject to the Resource Management (Marine Pollution) Regulations 1998.

The Hauraki Gulf Marine Park Act 2000 requires that the Hauraki Gulf is managed to protect, and where appropriate, enhance the life-supporting capacity of the environment of the Gulf. The disposal of material can have significant adverse effects on natural values and should be avoided within the Hauraki Gulf Marine Park.

F2.3.2. Objectives [rcp]

(1) Depositing of material in the coastal marine area is undertaken in appropriate locations to provide for public benefit including erosion management or habitat enhancement and the beneficial use of dredged material.

(2) Areas identified as having significant values are not adversely affected by material being deposited or disposed of in the coastal marine area.

(3) The adverse effects from the disposal of material, particularly any contaminated material, are minimised, where reasonably practicable, or otherwise avoided, remedied or mitigated.

(4) The depositing or disposal of material in the coastal marine area must not have significant adverse effects on the ecological, recreational, cultural, and amenity values of the Hauraki Gulf.

(5) The depositing and disposal of material in the coastal marine area must avoid, remedy or mitigate the spread of harmful aquatic organisms.

F2.3.3. Policies [rcp]

(1) Provide for depositing of material in the coastal marine area on the foreshore and seabed for beach replenishment where all of the following apply:

(a) it is free of waste;

(b) it is free from contaminants and harmful aquatic organisms as far as practicable;

(c) the material has similar physical characteristics to the sediment at the location it will be deposited;

(d) it will have environmental, scientific, cultural, amenity or social benefits, or is for erosion management;

(e) the adverse environmental effects of depositing the material can be avoided, remedied or mitigated; and

(f) the methods used will include appropriate sediment retention methods to retain the material within the coastal cell in which it is placed. Such methods can include coarser sediment, combined with planting or repeated sand transfer.

(2) Provide for the disposal of contaminated material in an approved reclamation where any contaminants are contained in a way that avoids, remedies or mitigates adverse effects on water quality, aquatic ecosystems and indigenous biodiversity in the coastal marine area.

(3) Avoid the disposal of material in the Hauraki Gulf Marine Park other than where it is part of:

(a) an approved reclamation;

(b) a rehabilitation or restoration programme in degraded areas of the coastal marine area; or

(c) provided for in accordance with section 15B of the Resource Management Act 1991 or Part 3 of the Resource Management (Marine Pollution) Regulations 1998.

(4) Avoid the disposal of material in the coastal marine area where it will have significant adverse effects on any of the following:

(a) sites scheduled in the D17 Historic Heritage Overlay or scheduled in the D21 Sites and Places of Significance to Mana Whenua Overlay; or

(b) significant surf breaks identified in Appendix 4 Surf breaks.

(5) Avoid the disposal of material where it will have adverse effects on significant navigation channels.

(6) Avoid the disposal of solid inorganic waste or other matter, such as vessels, or structures in the coastal marine area, unless any of the following applies:

(a) it is for environmental, scientific, cultural, amenity or social benefits and the adverse effects associated with the disposal can be avoided as far as practicable, or remedied or mitigated;

(b) there is no practicable alternative method for removal of the vessel, platform or structure from the coastal marine area and its subsequent disposal onto land;

(c) there will be less environmental effect from disposing of the vessel, platform or structure in the coastal marine area than on land;

(d) the proposed disposal area will not interfere with or adversely affect other users of the coastal marine area; or

(e) the disposal is part of an approved reclamation.

(7) Avoid significant adverse effects from the disposal of material, other than the disposal of material in approved reclamations and determine the appropriateness of proposals by taking into account all of the following:

(a) the volume of material;

(b) the degree of contamination and resulting effects on water quality, sediment quality and ecology;

(c) the presence of harmful aquatic organisms in the material to be disposed of and the risk of introducing these into areas where they are not present;

(d) the sensitivity of the receiving environment, with particular reference to natural character and ecological values;

(e) the public use of the area;

(f) the characteristics of the disposal area, with particular reference to the potential for contaminants to be released from the area, and the potential for re-suspension of the material;

(g) the disposal technique, and for dredged material, the water content or solidity of the material at the time of disposal;

(h) available alternative disposal techniques, including stabilisation, use as mudcrete, or disposing of the material on land; and

(i) the other matters contained in Schedule 3 of the Resource Management (Marine Pollution) Regulations 1998.

(8) Avoid the disposal of significantly contaminated material in the coastal marine area that is not undertaken as part of an approved reclamation, unless, after undertaking an assessment of waste management options described in Part

1, Schedule 3 of the Resource Management (Marine Pollution) Regulations 1998, it can demonstrate all of the following:

(a) there are no practicable alternative disposal methods or areas; and

(b) the contaminants can be satisfactorily contained within the disposal area, or if it is a dispersive environment, that the adverse effects associated with the release of contaminants will not be significant.

(9) Require the disposal of material to be undertaken in an area that will minimise the spread or loss of sediment and other contaminants to the surrounding seabed and coastal waters, or demonstrate that the site is the best practicable option given the type of material to be disposed of.

(10) Require proposals to dispose of material in a dispersive environment to ensure that the adverse effects associated with the release and spread of contaminants and sediment can be avoided, remedied or mitigated.

(11) Require any disposal of material to be undertaken at a location and time that will avoid, remedy or mitigate adverse effects on all of the following:

(a) the ecological function of the area, such as the growth and reproduction of marine and coastal fauna and flora, including feeding and spawning habitats and migratory pathways;

(b) other established activities, including recreational and commercial use; and

(c) water quality, including any contributing factors which may lead to or promote algal blooms.

F2.4. Dredging

F2.4.1. Background

Dredging may be necessary to enable the ongoing use of areas by existing activities, for example to maintain adequate water depth in navigation channels and around structures to enable the ongoing safe vessel movement and access for port or marina activities. Dredging may also be necessary to:

- enable the development of new activities such as ports, marinas, wharves and jetties, and to clear, cut or realign stream and river mouths;
- provide for the operation of land drainage, stormwater systems and other infrastructure; or
- maintain or restore areas for recreational and commercial use and navigation, including through the removal of Pacific oyster reefs.

Dredging, and the disposal of dredged material, can have adverse environmental effects, particularly on water quality, and these need to be minimised. New development that requires water access should be located in areas that will minimise the need for dredging or channel clearance to maintain adequate water depth, both for the initial development and in the ongoing use of the facility.

F2.4.2. Objectives [rcp]

(1) The adverse environmental effects on the coastal marine area from dredging are avoided, remedied, or mitigated.

(2) Adequate water depth is provided and maintained, particularly in navigation channels, around structures, and marinas, to ensure safe and efficient navigation, use and operation of activities in the coastal marine area.

(3) The safe and efficient operation of infrastructure and marinas are enabled, through undertaking dredging where necessary.

(4) The risk of flooding or erosion, including from channels, river mouths or drainage systems, is minimised.

F2.4.3. Policies [rcp]

(1) Enable dredging to provide for the ongoing safe and efficient use of navigational channels, the Coastal – Minor Port Zone, the Coastal – Defence Zone, the Coastal – Ferry Terminal Zone and the Coastal – Marina Zone, the City Centre waterfront precincts and infrastructure.

(2) Enable dredging to be undertaken to minimise the risk of flooding and erosion, including dredging that is necessary for:

(a) clearing, cutting or realigning stream or river mouths or watercourses for drainage purposes;

(b) clearing the exit of any lawful stormwater outfall or pipe and surrounds;

(c) maintaining efficient water flow to reduce the risk of flooding and erosion; and

(d) maintaining structures and removing hazards to recreational and commercial users.

(3) Manage dredging outside the Port Precinct, the Central Wharves Precinct and the Waitemata Navigation Channel Precinct so that it will to be undertaken at times of the day or year that will:

(a) avoid as far as practicable, remedy or mitigate, adverse effects on marine mammals, bird roosting, nesting and feeding; and

(b) minimise adverse effects on recreational and commercial users of the coastal marine area.

(4) Manage dredging activities so that they do not:

(a) cause or exacerbate erosion within the coastal marine area or on adjacent land;

(b) cause damage to any existing lawful structures;

(c) result in the permanent loss of any habitat of a rare or endangered species;

(d) result in adverse effects on significant surf breaks identified in Appendix 4 Surf Breaks;

(e) result in significant adverse effects on sites scheduled in the D17 Historic Heritage Overlay or/and scheduled in the D21 Sites and Places of Significance to Mana Whenua Overlay; and

(f) result in any seabed disturbance and resulting turbidity other than that which is localised and limited in duration.

(5) Require best practicable methods and procedures to be used for the dredging of contaminated sediments, and for sediment or contaminant mobilisation and dispersal to be minimised.

(6) Require the development or redevelopment of marinas, wharves, piers and berths, outside of the Coastal – Minor Port Zone, the Coastal – Defence Zone, the Coastal – Ferry Terminal Zone, the Coastal – Marina Zone and the City Centre waterfront precincts, to be designed and located to minimise the need for dredging including by assessing whether there are reasonable practicable alternatives to provide for a use or activity which would avoid or reduce the need for dredging.

F2.5. Disturbance of the foreshore and seabed

F2.5.1. Background

Activities and works can have adverse effects on the foreshore and seabed, such as:

- compaction or 'cutting up' of the foreshore or seabed;
- sediment disturbance including drilling, piling, tunnelling, or the construction, maintenance or removal of structures, can have discharges and impacts on water quality, habitat, flora and fauna;
- loss of vegetation;
- displaced material from excavation and piling;
- equipment and material being deposited in the coastal marine area;
- disturbance, destruction or demolition of historic heritage; or
- the mauri of the coast.

Visual, natural character and amenity values can also be adversely affected.

The extent of effects vary depending on the nature of the foreshore and seabed. Soft muddy shores are more likely to be significantly impacted than sandy or harder substrate areas. The extent of vegetation and the ecological values of an area will also influence the significance of effects from disturbance.

A number of activities, including recreation and general use of the coastal marine area, result in some minor and short-term disturbance of the foreshore and seabed that is usually restored by natural tide and wave action. Construction or installation

works associated with structures may also only result in a minor level of disturbance that will result in only short-term effects.

F2.5.2. Objectives [rcp]

(1) Use and development in the coastal marine area that has only short-term and minor impacts on the foreshore and seabed is enabled.

(2) Activities that have long-term impacts or involve more than a minor level of disturbance avoid, remedy or mitigate adverse effects on natural character, ecological values, coastal processes, historic heritage and Mana Whenua values.

F2.5.3. Policies [rcp]

(1) Enable use and development in the coastal marine area that results in a minor level of disturbance to the foreshore and seabed, or that can be remedied by wave and tidal processes.

(2) Provide for the disturbance of the foreshore and seabed outside areas identified as having significant values, for the purposes of the following:

(a) existing or new infrastructure or drainage systems or where the disturbance is in an appropriate location;

(b) the operation, maintenance, repair, reconstruction and use of existing lawful structures, or infrastructure;

(c) the safe and efficient functioning of drainage systems;

(d) public health and safety; or

(e) the normal operation of vessels.

(3) Provide for the disturbance of the foreshore or seabed that is necessary to protect, maintain or enhance historic heritage or Mana Whenua values, geological, ecological or habitat values, or for public access or research, where this is consistent with maintaining the values of the area.

(4) Limit the area of foreshore and seabed disturbance to the extent practicable and for the works to be done at a time of day or year, that will avoid, remedy or mitigate adverse effects on all of the following:

(a) the feeding, spawning and migratory patterns of marine and coastal fauna, including bird roosting, nesting and feeding;

(b) stability of coastal features such as dunes and coastal vegetation;

(c) public access, recreational and commercial use of the coastal marine area;

(d) other established activities;

(e) traditional gathering, collection or harvest of kaimoana by Mana Whenua; and

(f) historic heritage and Mana Whenua values.

(5) Require activities or works to be done by methods, at times and in conditions that will avoid, remedy or mitigate adverse effects arising from the release of sediment and contaminants into coastal water.

(6) Avoid disturbance of the foreshore and seabed that will result in the following:

(a) significant changes to natural coastal processes that will have adverse effects on surf breaks identified in Appendix 4 Surf breaks; and

(b) cause or exacerbate coastal erosion.

(7) Require where practicable visible disturbance of the foreshore or seabed to be remedied or restored upon completion of works to be in keeping with the natural character and visual amenity of the area that has been disturbed.

F2.6. Mineral extraction

F2.6.1. Background

Growth and development in Auckland create significant demand for minerals, sand, shingle, shell and other natural material from the coastal marine area. Whether it is for steel or glass production, construction materials, or beach replenishment, these resources can benefit the regional community and economy.

Extraction is currently undertaken to remove sand and shell from subtidal areas, offshore from Pakiri on the east coast, and at Tapora in the Kaipara Habour on the west coast, and from the coastal marine area in Auckland. Exploration and extraction for petroleum, while currently limited, may increase in the future. Petroleum exploration involves drilling exploration wells which has a higher potential to result in adverse environmental effects than exploration for other types of minerals.

The exploration, prospecting and mining of minerals, such as black iron sand and petroleum, is controlled by the Crown under the Crown Minerals Act 1991. The Council, under the Resource Management Act 1991, has the responsibility of managing the environmental effects of any mining activity.

The effects associated with mineral exploration and extraction from the coastal marine area depends on the location, techniques used, the characteristics of the resource and sensitivity of the environment. For this reason, a precautionary approach is proposed, recognising that the potential adverse effects on the physical coastal system can be uncertain, and that it is difficult in many cases to determine an accurate sediment budget.

F2.6.2. Objective [rcp]

(1) The extraction of minerals, sand, shingle, shell, petroleum, and other natural material occurs in a manner that does not have significant adverse effects on the coastal marine area or near-shore environments.

F2.6.3. Policies [rcp]

(1) Provide for the extraction of minerals, sand, shingle, shell, and other natural material from appropriate areas, having regard to the values of the area and

the natural rate of sediment being deposited over sediment lost from the area where extraction is proposed.

(2) Adopt a precautionary approach to applications for petroleum exploration and for mineral extraction within the coastal marine area, which may include using an adaptive management approach in terms of the following:

(a) staging the operation;

(b) the location of the activity;

(c) the maximum volume of minerals, sand, shingle, shell and other natural material to be extracted;

(d) the term of consent; or

(e) environmental monitoring.

(3) Require applications for petroleum exploration or for mineral extraction to identify the significant adverse effects, and the extent to which they can be avoided, remedied or mitigated, for all of the following:

(a) marine and coastal vegetation;

(b) marine and coastal fauna, including feeding, spawning and migratory patterns, bird roosting and nesting, fish and shellfish;

(c) water quality, including effects arising from sediment, turbidity or contaminants;

(d) habitats of a rare or endangered species;

(e) dune stability and coastal erosion;

(f) changes to the bathymetry, foreshore contours, sediment particle size or physical coastal processes;

(g) the values of significant surf breaks identified in Appendix 4 Surf breaks;

(h) recreation and amenity values of the area;

(i) established lawful activities in the area; and

(j) Mana Whenua values.

(4) Require applications for petroleum exploration or mineral extraction in the coastal marine area to include measures to manage any adverse effects, including remediation and mitigation measures.

F2.7. Vegetation: Mangrove management

F2.7.1. Background

Mangroves are a native plant species and a valuable part of some coastal ecosystems. They may also perform an important role in trapping sediment and contaminants and in mitigating coastal erosion.

However mangroves and their spread is causing concern to some people and communities, in particular changing the natural character, landscape and amenity

values of an area as well as effects on public access, navigation and the ongoing use and function of structures and infrastructure. While the removal of mangroves may be appropriate to address these concerns, this must be weighed with the important ecological and biological values of mangroves.

As the coast is predominantly a public resource, mangrove removal should be for the purpose of maintaining or restoring biodiversity or to provide for public use and benefit, rather than for private property gain or enhancement.

Removal activities may disturb and damage the foreshore and seabed and can have adverse effects on water quality from the release of sediment and contaminants. Removal can also affect ecological values, including effects on native and migratory bird species, particularly during breeding and feeding times. At the same time mangrove spread can reduce wading bird feeding and roosting areas and removal may be appropriate to retain these areas.

As areas have different use and values, and are subject to varying natural processes of wind, wave and tide, the effects of mangrove removal will differ between locations. The most appropriate method for the removal of mangroves and the disposal of removed mangroves will also differ between sites and this can be determined on a case by case basis when applications are received for mangrove removal.

In some circumstances it may be appropriate for mangrove removal to be accompanied by initiatives to address the long-term issue of mangrove spread by reducing the amount of sediment entering the coastal marine area, as sediment that settles in upper estuaries and harbours creates an environment where mangroves can successfully establish and spread.

The long-term maintenance of cleared areas needs to be provided for if they are to remain free of mangroves in the long term. Mangrove seedlings can quickly re-colonise areas if they are not removed on an ongoing basis. Sediment may also move from cleared areas over time and result in mangrove stumps needing to be cut back to the new seabed level to maintain the safe use of cleared areas.

F2.7.2. Objectives [rcp]

(1) The ecological value of mangroves is recognised and mangroves are retained in areas where they have significant ecological value.

(2) Mangroves are retained in areas where they perform an important role in mitigating coastal hazards.

(3) Restore or maintain natural character and ecological values including significant wading bird areas, public access, navigation, riparian access and amenity values.

(4) Sediment deposition within the coastal marine area, that facilitates ongoing mangrove colonisation and spread, is reduced.

Mana Whenua values, mātauranga and tikanga are recognised and reflected in mangrove management.

F2.7.3. Policies [rcp]

(1) Avoid the removal of mangroves from any of the following:

(a) areas having significant ecological or natural character values of which mangroves are an important component, or in other areas where mangroves can provide significant ecological values;

(b) areas of active coastal erosion where mangroves have historically provided a buffer against coastal processes causing erosion; or

(c) areas where the sediments contain high levels of contaminants at risk of being re-suspended.

(2) Encourage an assessment of sediment inputs in the area and promote catchment initiatives to reduce sediment and nutrient inputs when mangrove removal activities are proposed.

(3) Provide for mangrove removal where mangroves have spread and the proposed removal is necessary to maintain, restore or enhance any of the following:

(a) natural character, biodiversity and ecological values, including significant wading bird feeding or roosting areas, that existed prior to the spread of the mangroves;

(b) public access to or along the coastal marine area;

(c) connections with reserves or publicly owned land and the sea;

(d) public use and amenity values;

(e) water access for vessels and navigation, including waka portage routes;

(f) public health and safety, including sightlines and traffic safety;

(g) mahinga mātaitai, access to the coast from marae, or to areas of traditional use;

(h) scheduled historic heritage places or natural features; or

(i) operation and development of infrastructure.

(4) Require mangrove removal operations to meet all of the following:

(a) minimise the disturbance of the foreshore and seabed and to shorebird breeding and feeding, including migratory species;

(b) minimise sediment and contaminant discharges;

(c) avoid the burning of removed mangroves as the method of disposal in the coastal marine area and require that disposal of removed mangroves outside the coastal marine area, unless Policy F2.7.3(4)(d) applies (other than for burning);

(d) provide evidence that the disposal method will not result in more than minor adverse effects on the coastal marine area where landward disposal is not proposed;

(e) take an adaptive management approach for mangrove removal and disposal where a significant area of removal is proposed and there is uncertainty over the extent of adverse effects; and

(f) provide for the long-term maintenance of cleared areas.

F2.8. Vegetation: removal of exotic species and Pacific oyster shell

F2.8.1. Background

Exotic or introduced plants, including spartina and seaweeds, can spread rapidly and cause adverse effects on indigenous biodiversity. The removal of exotic species needs to be carefully managed as it is often difficult and the removal process can increase the risk of their spreading.

Pacific oysters are an exotic species that are valued for aquaculture, but that have also spread through large parts of the coast resulting in the displacement of the native oyster and causing significant adverse effects on recreational use and amenity values.

In some areas, including the Manukau Harbour, Pacific oysters have built up into reefs that limit the ability for people to safely use areas for boating, wind-surfing and other activities. The removal of these often substantial reefs will require dredging or other mechanical means.

The accumulation of Pacific oysters and oyster shell along beaches also significantly detracts from their recreational use and amenity value. Community groups around Auckland often undertake Pacific oyster shell removal projects to help restore beaches for recreational use.

F2.8.2. Objectives [rcp]

(1) Exotic species are not introduced so that indigenous biodiversity, public access and amenity values are restored, enhanced or maintained.

(2) The adverse effects and risks associated with the removal of exotic species are minimised.

(3) Recreational use and amenity values of the coast are maintained or enhanced by the removal of Pacific oyster reefs and shells.

F2.8.3. Policies [rcp]

(1) Allow the removal of exotic plants where all of the following apply:

(a) the removal meets the provisions of an approved pest management strategy prepared under the Biosecurity Act 1993;

(b) removal will have the least adverse environmental effects and a lesser adverse effect than taking no action; and

(c) the method of removal and disposal minimises any adverse effects, including the risks of further spread.

(2) Provide for the removal of Pacific oyster reefs and shell where:

(a) they are restricting access, navigation, recreational use and detracting from the amenity value of an area;

(b) they are affecting public health and safety; or

(c) they are having an adverse effect on ecological values; and

(d) the removal method minimises adverse effects to the extent practicable;

(e) the removal method will have only minor effects on areas identified as an significant ecological value; and

(f) appropriate provision is made for the disposal of dredged material or removed shell.

Note 1

Pacific oyster shell removal must also comply with the Fisheries Act 1996. For the removal of Pacific oyster reefs refer to the dredging provisions.

F2.9. Vegetation: planting in the coastal marine area

F2.9.1. Background

The planting of native plants for habitat protection and enhancement or for coastal hazard mitigation can have beneficial effects on the ecology of the coastal marine area. The greatest benefit is achieved from using plants sourced from within, rather than outside, the same ecological district.

The introduction of exotic plants can have adverse effects on the ecology and natural processes of the coastal marine area. Often the potential effects of exotic species are unknown.

F2.9.2. Objective [rcp]

(1) The distinct natural variations in native plant species that occur between different areas, and biodiversity in the coastal marine area are maintained.

F2.9.3. Policies [rcp]

(1) Avoid the introduction and use of exotic plant species into the coastal marine area unless the adverse effects are understood and can be avoided or mitigated.

(2) Avoid the planting, transplanting or introduction of all species of spartina (cord grass) in the coastal marine area.

(3) Promote the use of native plants sourced from the same ecological district for planting in the coastal marine area unless:

(a) this is not possible; or

(b) any adverse effects, including cumulative effects, on local native plants can be avoided or mitigated.

(4) Promote planting in the coastal marine area to:

(a) enhance existing natural character and communities of native plants by using native plants that are consistent with the local native plants species and common to the location; or

(b) avoid changes to natural coastal processes, unless the planting is for the purpose of mitigating a coastal hazard.

F2.10. Taking, use and damming or diverting of coastal waters

F2.10.1. Background

While water is an abundant resource in the coastal marine area, adverse environmental effects may result from the taking, use, damming or diverting of large quantities of coastal water. Adverse environmental effects are more likely to occur if these activities are undertaken in more enclosed and sensitive coastal areas such as estuaries, inlets, harbours and embayments. The structures or works associated with these activities may also have adverse environmental effects.

F2.10.2. Objective [rcp]

(1) The taking, use or diversion of coastal water is enabled while the environmental values of the coastal marine area are protected.

F2.10.3. Policies [rcp]

(1) Enable the taking or use of coastal water for the normal operational needs of vessels or for fire-fighting purposes.

(2) Provide for taking, use or diversion of coastal water, or taking or using heat or energy from coastal water, where adverse effects can be avoided, remedied or mitigated on any of the following:

(a) the identified natural character of the coastal environment;

(b) adjacent land uses; or

(c) significant marine habitats or identified outstanding natural features; and

(d) where the activity will not:

(i) result in the abstraction of significant numbers of marine organisms;

(ii) produce significant changes in water levels, current velocity and sediment transport patterns which would increase sedimentation, result in scouring, or change existing dynamic coastal processes;

(iii) result in significant adverse effects on water quality; and

(iv) produce significant changes in water temperature.

(3) Avoid damming or impoundment of coastal water unless:

(a) it is necessary to enable the construction, operation or maintenance of significant infrastructure; or

(b) it is for habitat protection; and

(c) a location on land or other method is not available;

(4) Provide for damming or impoundment of coastal water where Policy F2.10.3(3)(a),(b) or (c) apply, having regard to the following:

(a) there is significant public benefit;

(b) the positive effects on the environment are sufficient to mitigate the adverse effects; and

(c) there are no significant adverse cumulative effects.

F2.11. Discharges

F2.11.1. Background

Good water is fundamental to most activities undertaken in the coastal marine area and underpins the ecological health and life-supporting capacity of the marine environment.

Coastal activities such as food gathering, recreation, tourism and aquaculture rely on water quality being of a safe standard. Amenity values and the intrinsic values of the coast are also influenced by whether there is clean coastal water.

The Plan enables a range of coastal activities that support social and economic well-being but which result in discharges to the coastal marine area. These include marine and port activities, marinas, marine industry, transport, infrastructure, aquaculture and recreational activities.

Sediment, litter, heavy metals, nutrients and other contaminant in discharges to coastal water have a significant effect on ecological values and coastal habitats. Sensitive receiving environments with high recreational or ecological values such as high use beaches, estuaries and harbours are affected by discharges, particularly from urbanised areas. As shown in the Regional Policy Statement, most harbour areas in Auckland have been identified as being degraded through a combination of urban and rural land-use activities and discharges.

The coastal marine area and its resources comprise some of the most important taonga to Mana Whenua. Water quality, which underpins the well-being of the coastal marine area and the ability to use the resources of the coastal marine area, is fundamental to all aspects of Mana Whenua well-being. Tikanga places high value on the concept of manākitanga, the ability to provide an abundance of food to guests as a matter of tribal mana and well-being. Discharges that degrade water quality, deplete marine life, or prevent consumption of kai moana for health reasons, are a fundamental matter of concern for Mana Whenua.

In urban areas a significant number of discharges in to the coastal marine area are from existing wastewater, stormwater, road and combined sewer network infrastructure. It is inevitable that some of these discharges occur in sensitive marine environments. Significant public expenditure is required to change the location of discharges or mitigate all the environmental effects from discharges. Given this situation, a best practicable option strategic approach, as defined in section 2(1) of the Resource Management Act 1991, has been adopted to prioritise upgrades of

infrastructure networks discharging into the coastal marine area and to guide in the assessment of discharge consents.

The Plan includes a range of provisions to manage Auckland's fresh and coastal water quality, including those focused on sediment and land disturbing activities, stormwater, wastewater, industrial and trade processes and other diffuse or point source contaminant discharges. The adverse effects of these activities and discharges are managed through rules on discharges and, in some circumstances, land use activities. While the focus of this chapter is specifically on discharges to the coastal marine area, all of the relevant Plan provisions contribute to the aim of maintaining coastal water quality (including benthic sediment) where it is excellent or good and to progressively improve water quality in degraded areas over time. This approach recognises the coastal marine area is the ultimate receiving environment for many of the contaminants generated on and discharged from land.

The Council will work collaboratively with stakeholders to identify additional coastal water quality indicators and guideline values to complement the existing sediment quality threshold effects levels. This will help improve the evaluation of different discharge options through the resource consent process. This will be an interim measure as implementation of the National Policy Statement Freshwater Management 2014 and marine spatial planning is likely to result in additional measures to safeguard the values of coastal receiving environments.

Other discharges into the coastal marine area can occur from construction activities or vessels. Common contaminants discharged include fuel and oil, suspended solids, heavy metals, synthetic and naturally occurring organic compounds, sewage, micro-organisms, and litter.

F2.11.2. Objectives [rcp]

(1) Water and sediment quality in the coastal marine area is maintained where it is excellent or good and progressively improved over time in degraded areas.

(2) The life-supporting capacity and resources of the Hauraki Gulf, are protected and, where appropriate, enhanced.

(3) Stormwater and wastewater networks protect public health and safety by preventing or minimising the adverse effects of contaminants on the coastal water quality.

F2.11.3. Policies [rcp]

(1) Avoid the discharge of contaminants where it will result in significant modification of, or damage to any areas identified as having significant values.

(2) Require any proposal to discharge contaminants or water into the coastal marine area to adopt the best practicable option to prevent or minimise adverse effects on the environment, having regard all of the following:

(a) whether it is practicable or appropriate to discharge to land above mean high water springs;

(b) whether there is a wastewater network in place that should be used;

(c) whether the receiving environment has the capacity to assimilate the discharged contaminants after reasonable mixing, particularly within areas identified as degraded or is an having significant ecological value;

(d) the extent to which present or foreseeable future adverse effects have been avoided, remedied or mitigated on:

(i) areas of high recreational use;

(ii) relevant initiatives by Mana Whenua established under regulations relating to the conservation or management of fisheries;

(iii) the collection of fish and shellfish for consumption; and

(iv) areas associated with maintenance dredging;

(e) high ecological values;

(f) cleaner production methods are used where practicable to minimise the volume and level of contaminates being discharged; and

(g) the discharge after reasonable mixing, does not either by itself or in combination with other discharges results in any or all of the following effects:

(i) oil or grease films, scums or foams, or floatable or suspended materials;

(ii) conspicuous change in the colour or visual clarity;

(iii) any emission of objectionable odour;

(iv) any significant adverse effects on aquatic life; or

(v) any significant effects of aesthetic or amenity values.

(3) Provide for discharges that are unavoidable but intermittent, where:

(a) the discharge occurs infrequently;

(b) there are technical and practical difficulties which prevent measures being taken to avoid, remedy or mitigate adverse effects of the discharge; or

(c) there is an appropriate programme, consistent with the best practicable option approach, in place to prevent or minimise adverse effects within a reasonable timeframe.

(4) Minimise, to the extent practicable, the discharge of contaminants in areas that require maintenance dredging.

(5) Encourage source control of contaminants, through the management of land use and discharges, as a method to prevent or minimise contaminant generation and discharge to coastal receiving environments, where source contaminant control devices and methods can practicably be installed and maintained on an ongoing basis.

(6) Reduce the amount of litter entering coastal waters, and mitigate the effects of litter disposal, by encouraging design, maintenance and management initiatives, for discharge structures, road cleaning and other activities, that will help minimise the amount of litter discharged into the coastal marine area.

(7) Enable discharges associated with new or redevelopment of infrastructure to meet the economic and social needs of people and communities, taking into account all of the following:

(a) the practicability of upgrading the part of the infrastructure at issue, the state of the infrastructure and the costs of upgrading it;

(b) public health priorities;

(c) the nature of both the receiving environment and the discharge;

(d) priorities for flooding and inundation protection;

(e) the operational need for stormwater or wastewater infrastructure and associated discharges to be located in the coastal marine area; and

(f) Policies E1.3(8) – (14), (17) – (21) of E1 Water quality and integrated management;

(8) Avoid the discharge of wastewater to the coastal marine area, unless:

(a) alternative methods, sites and routes for the discharge have been considered and are not the best practicable option;

(b) Mana Whenua have been consulted in accordance with tikanga Māori and due weight has been given to section 6, 7 and 8 of the Resource Management Act 1991;

(c) the affected community has been consulted regarding the suitability of the treatment and disposal system to address any environmental effects;

(d) the extent to which adverse effects have been avoided, remedied or mitigated on areas of:

(i) high recreational use, or areas that are used for fishing or shellfish gathering;

(ii) maintenance dredging;

(iii) commercial or residential waterfront development;

(iv) high ecological value; and

(v) marine farms.

(9) Require operators of ports, marinas, ferry terminals and other marine facilities to take all practicable steps to prevent contamination of coastal waters, substrate, ecosystems and habitats that is more than minor.

(10) Require adequate and convenient facilities in ports, marinas, ferry terminals and other marine facilities for the containment, collection and appropriate disposal of:

(a) sewage, bilge water and litter from vessels;

(b) recyclable material including waste oils;

(c) residues from vessel servicing, construction, maintenance and repair;

(d) spills from refuelling operations and refuelling equipment;

(e) spills, residues and debris from cargo operations; and

(f) the discharge of stormwater generated from the port facilities, including facilities located above mean high water springs.

F2.12. Untreated sewage discharge from vessels

F2.12.1. Background

Auckland has a high concentration of recreational and boating activities. The direct discharge of untreated sewage into the coastal marine area from vessels reduces water quality. This can have localised adverse effects on amenity values, recreational activities, cultural values, ecology, and marine farming. The effect of discharges from vessels cause most concern during peak summer months and holiday periods, particularly in enclosed bays, harbours and popular anchorages.

The Resource Management (Marine Pollution) Regulations 1998 set limits on where sewage from vessels should not be discharged into the coastal marine area. In Auckland, additional estuaries, bays and harbours have been also been identified as locations where sewage from vessels should not be discharged.

F2.12.2. Objectives [rcp]

(1) The values of the coastal marine area, and the activities that rely on high water quality, are protected from the adverse effects from the discharge of untreated sewage from vessels, while providing for the health and safety of vessels and their occupants.

(2) The high recreation and amenity values of the inner Hauraki Gulf are maintained.

F2.12.3. Policies [rcp]

(1) Avoid the discharge of untreated sewage from vessels within areas that have been identified as inappropriate due to the proximity to shore, marine farms, marine reserves, or shallow water depth while providing for the health and safety of vessels and their occupants.

(2) Require provision of sewage collection and disposal facilities for vessels at ports, marinas and other allied facilities, or at the time of significant upgrading of these facilities.

(3) Promote the installation of public toilet facilities at high use boat ramps and boating destinations, at construction, or during significant upgrades of such facilities.

F2.13. Discharges from bio-fouling and vessel maintenance

F2.13.1. Background

Vessels accumulate biofouling of marine plant and animal organisms on their hulls, which may include harmful aquatic organisms. Many of these organisms can present a risk to native ecology or to marine industry such as aquaculture. The changes to the environment that may result from their introduction and spread can also adversely affect amenity values and recreational activities. Controlling the spread of these organisms, once they are established in an area, is expensive, and total eradication is often impossible.

Vessels arriving from overseas may be carrying organisms that are exotic to New Zealand, whereas vessels from other parts of New Zealand, or even those travelling between different places in Auckland, may further spread exotic species which are already established. These organisms may be discharged into the coastal marine area either by active in-water cleaning of hulls, or by passive discharge due to reproductive processes of the organisms, or by water sheering during vessel movement.

The best way to minimise the risks associated with harmful aquatic organisms is to restrict their introduction into New Zealand, limit their spread (if they are already present) by controlling the movement of fouled vessels, equipment and gear and restrict discharges from in-water cleaning that may include harmful aquatic organisms. The origin of a vessel adds to the risk of the spread of invasive organisms.

Movement controls for the management of biofouling on vessels can be addressed through the Biosecurity Act 1993. It has mechanisms to manage the hull state of vessels arriving from overseas through the Craft Risk Management Standard and between regions through Pest and Pathway Plan provisions in the Act.

The provisions in this Section allow for the removal of microfouling from vessels, but place progressively stricter controls on vessels with higher levels of hull bio-fouling (in accordance with the Antifouling and In Water Cleaning Guidelines June 2013), which is preventable if vessel maintenance is kept up to date. The provisions in this section relating to biofouling are also stricter for high value areas.

Note 1

The level of fouling is as expressed in the international Level of Fouling, or LOF Scale of 1 - 5; LOF 1 being algal slime microfouling, and LOF 2 - 5 being progressive macrofouling stages.

F2.13.2. Objectives [rcp]

(1) The risk of introducing or spreading harmful aquatic organisms from vessel biofouling is minimised.

(2) The risk of introducing contaminants, including harmful aquatic organisms, from the in-water cleaning of vessels near the shores of Hauraki Gulf Marine Park Islands which have conservation status is minimised

F2.13.3. Policies [rcp]

(1) Raise awareness among the boating community, particularly for vessels arriving from outside New Zealand or Auckland, of the importance of maintaining clean hulls to reduce risk of introducing or spreading harmful aquatic organisms from biofouling on vessel hulls and niche areas, and particularly during boat maintenance activities and from the passive discharge of organisms from macrofouling.

(2) Manage the in-water hull and niche area cleaning and boat maintenance activities of vessels, particularly those that have a high degree of biofouling, to minimise the risk of harmful aquatic organisms being discharged into coastal water.

(3) Avoid in-water cleaning or boat maintenance activities being undertaken on the foreshore and marine area surrounding the Hauraki Gulf conservation islands, to reduce the risk from contaminants, including harmful aquatic organisms, adversely affecting the natural values of these islands.

F2.14. Use, development and occupation in the coastal marine area

F2.14.1. Background

There is a presumption that public use and access is freely available to much of the coast and the coastal marine area. Use and development needs to be managed to ensure that any exclusion of the public is temporary and short term, unless exclusion is required for public health and safety or operational purposes, or where rights to exclusively occupy part of the coastal marine area are provided for.

The granting of occupation rights apply to those parts of the coastal marine area that form part of the common marine and coastal area, which is defined in the Marine and Coastal Area (Takutai Moana) Act 2011 (section 9(1)). It is defined as the marine and coastal area other than specified freehold land that extends below mean high water springs or any area that is owned by the Crown and has the status of a conservation area, national park, or reserve.

Use and development in the common marine and coastal area can enhance social, cultural and economic well-being and the natural environment. Rights of exclusive use, and/or restricting public access, may be necessary to enable the operation and safe operation of some activities. At the same time the need to exclude the public has to be demonstrated as necessary, and any loss of public access and use must be mitigated where this is practicable. In some cases the right to cross the coastal marine area provides the only access to private property.

The finite resources of the coast and its public access and open space values require that use and occupation of the common marine and coastal area should be by activities that have a functional or operational need to be located in the coastal marine area.

In some parts of the common marine and coastal area, such as the waterfront and at ferry terminals, non-marine activities on wharves or structures, including cafes and restaurants, add to the atmosphere and amenity value of the area. In these areas

non-marine related activities may be appropriate as they complement the intended use and function of the area, and the necessary land-based infrastructure can be provided.

Outside of areas where non-marine related activities are provided for, use and development in the common marine and coastal area that does not have a functional or operational need to be located in the coastal marine area should generally not be located there. If such use and development is proposed it needs to be assessed through a process that enables public input and takes into account the impacts on the use and values of both the land and sea. The appropriate provision of land-based infrastructure also needs to be assessed. Due to the geography of Auckland, some infrastructure may have an operational need to locate in, or traverse the common marine and coastal area to enable an effective and sustainable network.

The Council is able to impose a charge for occupation of the common marine and coastal area. The Resource Management Act 1991 requires that the Council either includes a statement that a charging regime will not apply, or includes a regime for coastal occupation in the Unitary Plan, or in the first plan change after 1 October 2014.

The Council has chosen not to include a charging regime at this time, but will consider whether to do so after the Unitary Plan is made operative and after consultation with affected parties. Notwithstanding this the Council considers that where occupation rights are granted, especially exclusive occupation, and a private benefit is obtained from that occupation, then an occupation charge to ‘compensate’ the public would be appropriate.

F2.14.2. Objectives [rcp]

(1) The high public value of the coast and coastal marine area as open space area with free public access is maintained.

(2) Occupation rights are provided for in appropriate locations, and in appropriate circumstances for use and development that has a functional need to be located in the common marine and coastal area, and for infrastructure that has an operation need to be located below mean high water springs and cannot be practicably located on land.

(3) Limit exclusive occupation to where it can be demonstrated it is necessary for the efficient functioning of the use and development or is needed for public safety, and any loss of public access and use as a result is minimised and mitigation is provided where practicable.

(4) Efficient use is made of coastal marine area by consolidating use and development within appropriate areas, where practicable.

(5) Activities that do not have a functional or operational need to be undertaken in the common marine and coastal area are provided for within zones or precincts only where they can demonstrate:

(a) the need for a common marine and coastal area location;

(b) they cannot practicably be located on land outside of the coastal marine area; and

(c) they are consistent with the use and value of the area, including the adjacent land area, and do not compromise natural character, ecological, public access, Mana Whenua, historic heritage, or amenity values.

(6) Activities that do not have a functional or operational need to be undertaken in the coastal marine area do not unduly limit the use of areas for marine and port activities or result in adverse cumulative effects.

(7) Use and development in the coastal marine area is supported by all necessary land-based access and infrastructure.

(8) Short-term occupation that restricts public access for a limited period to enable special events and activities to be undertaken in the common marine and coastal area is allowed.

(9) Limited expansion of marinas existing at the date of notification into the Coastal – General Coastal Marine Zone is provided for, provided there is adequate infrastructure to support the expansion and adverse effects on the coastal environment are avoided, remedied or mitigated.

F2.14.3. Policies [rcp]

(1) Enable use and occupation of the common marine and coastal area to provide for use and development that:

(a) has a functional or operational need to be below mean high water springs and may require public access to be restricted; or

(b) is necessary to provide for the use of the coastal marine area by Mana Whenua for Māori cultural activities and customary uses; and

(c) will not compromise or limit the operation of existing activities that have occupation rights within the common marine and coastal area.

(2) Provide for exclusive occupation rights in the common marine and coastal area only where it can be demonstrated this is necessary for the efficient functioning of the use and development or is needed for public safety, and will enable the most efficient use of space by activities in the common marine and coastal area and require that the loss of public access and recreational use is mitigated.

(3) Avoid use and occupation of the common marine and coastal area by activities that do not have a functional need to be undertaken below mean high water springs, unless the proposed use:

(a) can demonstrated it needs to be located in the common marine and coastal area and cannot practicably be located on land outside of the common marine and coastal area;

(b) is consistent with the objectives and policies for the relevant zone or precinct;

(c) will enhance amenity values and not conflict with marine activities; or

(d) any necessary land-based infrastructure can be provided.

(4) Avoid granting rights of exclusive occupation in areas with high public use and where it will have a significant adverse effect on public access and recreational use of the common marine and coastal area.

(5) Provide for use and occupation of the common marine and coastal area by infrastructure, where it does not have a functional need to locate in the common marine and coastal area but has an operational need, and only where it cannot be practicably located on land and avoids, remedies, or mitigates other adverse effects on:

(a) the existing use, character and value of the area;

(b) public access, recreational use and amenity values;

(c) natural character and scenic values, from both land and sea;

(d) water quality and ecological values;

(e) coastal processes including erosion;

(f) other lawfully established use and development in the coastal marine area or on adjoining land;

(g) the anticipated future use of the area for marine activities; and

(h) Mana Whenua or historic heritage values.

(6) Provide for the use and occupation of the common marine and coastal area associated with the effective operation, maintenance, upgrading and development of the components of the electricity transmission network that have an functional or operational need to locate in the coastal marine area in appropriate areas.

(7) Enable temporary occupation of the common marine and coastal area by structures or activities associated with events or temporary activities, while minimising adverse effects on public access, use, and ensuring safety.

(8) Limit the time that vessels can anchor in the same position and occupy water space within the Coastal – General Coastal Marine Zone, other than is necessary for navigational safety, accident or emergency reasons.

(9) Provide for development, use, repair, maintenance, refurbishment and reconstruction and expansion to existing marinas that avoids, remedies or mitigates adverse effects on the coastal environment, including land zoned for residential or open space purposes.

(10) Require any proposed use and development for activities in the common marine and coastal area to demonstrate that any necessary land-based access and infrastructure can be appropriately provided for.

(11) Determine the appropriate duration for granting rights of occupation having regard to the:

(a) extent of public use and access of the area and the impact of restrictions on the loss of public use and access;

(b) level of investment in the development and need for security of tenure to ensure its financial and economic viability and/or long term public benefit;

(c) land use and coastal development changes proposed in the vicinity through any statutory management strategies or plans that anticipate a change in public use and access in the area; and

(d) term of other consents in the vicinity, and the strategic benefit of all consents in an area expiring simultaneously.

(12) Allow temporary military training activities for defence purposes within the coastal marine area, provided:

(a) there is no, damage to or destruction of sites scheduled in the: D17 Historic Heritage Overlay; D9 Significant Ecological Areas Overlay – Marine 1 and 2; D10 Outstanding Natural Features Overlay and Outstanding Natural Landscape Overlay; or D11 Outstanding Natural Character Overlay and High Natural Character Overlay;

(b) adverse effects on coastal processes are mitigated; and

(c) public access is maintained to and along the coastal marine area except where a restriction is necessary to protect public health and safety or where public access would be in conflict with the Defence Act 1990.

(13) Avoid underwater explosives training:

(a) in sites scheduled in the scheduled in the D17 Historic Heritage Overlay; D9 Significant Ecological Areas Overlay – Marine 1 and 2; D10 Outstanding Natural Features Overlay and Outstanding Natural Landscape Overlay; or D11 Outstanding Natural Character Overlay and High Natural Character Overlay;

(b) where it will result in non-transitory or more than minor adverse effects on significant indigenous biodiversity; and

(c) sites and places of significance or value to Mana Whenua.

F2.15. Aquaculture

F2.15.1. Background

Aquaculture, particularly the marine farming of green-lipped mussels and Pacific oysters, has a long history in Auckland as a marine-based industry. Aquaculture and its associated processing and transport of its product contribute to Auckland's economic, social and cultural well-being. For this reasons the continued operation of established aquaculture and where appropriate new aquaculture development is provided for.

Aquaculture has a functional need to be located in the coastal marine area. Some established marine farms are in and around areas with high natural character and ecological value. Aquaculture can result in conflicts with other uses and values,

particularly in areas with high recreational use, ecological, natural landscape or natural character values. For these reasons it is important that aquaculture is appropriately located and managed.

The cultural and traditional use and relationship of Mana Whenua with their ancestral water and sites of special significance such as wāhi tapu need to be respected when considering the location of new aquaculture.

However, aquaculture holds potential for Mana Whenua as a business opportunity, through independent business ventures, settlement options or joint ventures with industry. The equivalent of 20 per cent of new aquaculture space will be provided, by the Crown, for settlement purposes pursuant to the Māori Commercial Aquaculture Claims Settlement Act 2004 to relevant iwi recognised under the Māori Fisheries Act 2004.

Aquaculture relies on good quality water which can be affected by contaminants from stormwater or wastewater discharges, runoff from land, or discharges from boats. In areas where aquaculture is already established there is a need to protect water quality from new sources of contaminants and to be aware of the reverse sensitivity effects associated with changes in catchment use that will affect water quality. This is likely to become an increasing issue with the growth of Auckland.

New techniques and species for aquaculture are being developed. A precautionary approach is required when assessing new species and techniques where the effects on the environment are unknown or uncertain but the effects are potentially significantly adverse.

Aquaculture activities can spread or introduce harmful aquatic organisms through the movement of stock, gear and equipment. These activities need to be managed to minimise the degree of risk.

F2.15.2. Objectives [rcp]

(1) The cultural, social and economic benefits of aquaculture are recognised.

(2) New aquaculture or the expansion or realignment of established aquaculture activities, occurs in appropriate locations and at appropriate scales that avoid, or where appropriate minimise, conflicts with ecological, social and cultural values and other uses.

(3) Established aquaculture activities are provided for and are not compromised by other uses or by activities that degrade water quality.

(4) Aquaculture activities are managed to minimise the risk of introducing or spreading harmful aquatic organisms.

F2.15.3. Policies [rcp]

(1) Require new aquaculture activities to be located and designed to avoid adverse effects on those characteristics and qualities that contribute to the identified values of:

(a) D9 Significant Ecological Areas Overlay – Marine 1 and 2;

(b) D17 Historic Heritage Overlay;

(c) D21 Sites and Places of Significance to Mana Whenua Overlay;

(d) D11 Outstanding Natural Character and High Natural Character overlays; and

(e) D10 Outstanding Natural Features Overlay; and Outstanding Natural Landscapes Overlay.

(2) Require, in addition to Policy F2.15.3(1), that new aquaculture activities be designed and located to avoid significant adverse effects, and avoid, remedy or mitigate other adverse effects on the characteristics and qualities that contribute to the values of:

(a) Coastal – Mooring Zone;

(b) popular and safe navigation routes and anchorages, for example by complying with the current Maritime NZ guidelines for aquaculture;

(c) areas with high recreational use or amenity value; and

(d) public access, particularly to highly used areas.

(3) Provide for the continued operation of established aquaculture activities where:

(a) adverse effects on ecological values, water quality and navigation and safety are avoided, remedied or mitigated;

(b) adverse effect on those characteristics and qualities that contribute to the identified values set out below are avoided:

(i) D9 Significant Ecological Areas Overlay – Marine 1 and 2;

(ii) D17 Historic Heritage Overlay;

(iii) D21 Sites and Places of Significance to Mana Whenua Overlay;

(iv) D11 Outstanding Natural Character and High Natural Character overlays;

(v) D10 Outstanding Natural Features Overlay; and Outstanding Natural Landscapes Overlay; and

(c) there is existing substantial level of economic investment in lawfully established aquaculture activities.

(4) Provide for minor extension or realignment of established aquaculture activities where:

(a) this improves their efficient use;

(b) the established marine farm is fully developed before a minor extension is sought;

(c) adverse effects on other values and uses are avoided, remedied or mitigated;

(d) adverse effect on those characteristics and qualities that contribute to the identified values set out below are avoided:

(i) D9 Significant Ecological Areas Overlay – Marine 1 and 2;

(ii) D17 Historic Heritage Overlay;

(iii) D21 Sites and Places of Significance to Mana Whenua Overlay;

(iv) D11 Outstanding Natural Character and High Natural Character overlays;

(v) D10 Outstanding Natural Features Overlay; and Outstanding Natural Landscapes Overlay; and

(e) there is an existing substantial level of economic investment in lawfully established aquaculture activities.

(5) Require that structures used for aquaculture, or the introduction or relocation of equipment or stock, are managed to avoid, as far as practicable, the release or spread of harmful aquatic organisms.

(6) Provide for aquaculture research trials in appropriate locations and of a limited scale and duration.

(7) Apply a precautionary approach, such as adaptive management, when assessing applications for aquaculture activities that propose using species, techniques or locations not previously used for aquaculture and where the adverse effects are uncertain, unknown or little understood but are potentially significant.

(8) Avoid reverse sensitivity issues with other activities in areas with lawfully established aquaculture activities by controlling:

(a) sewage discharges from vessels less than 500m from a marine farm;

(b) new subdivision, use and development on land which may affect water quality in adjacent areas used for aquaculture;

(c) biosecurity effects from in-water cleaning of vessel hulls, consistent with regional and national standards; and

(d) other discharges to the coastal marine area or take, damming or diverting of water.

(9) Where facilities and infrastructure associated with new aquaculture activities are necessary, require them to be provided for in an integrated manner where practicable including via the consolidation of the location of facilities or the sharing of wharf structures.

(10) Manage the allocation of space in areas where there is high and competing demand for space, or where there may be the opportunity for allocation of authorisations or consents within future aquaculture zones, through mechanisms described in Part 7A of the Resource Management Act, or by weighted attributes tendering that takes into account:

(a) economic, social, cultural and environmental sustainability;

(b) the local employment opportunity and profit retention in the Auckland region or other social good; and

(c) the opportunity for Mana Whenua to benefit by the location of the activity within their rohe moana.

(11) Consider aquaculture to be generally more appropriate when located in areas where it consolidates existing aquaculture activities provided that potential opportunities to maintain biosecurity are not compromised.

(12) Avoid the significant expansion of aquaculture in the Mahurangi Harbour.

F2.16. Structures

F2.16.1. Background

Structures and buildings in the coastal marine area are necessary to provide for people's social, economic and cultural well-being. They can enhance the use of the coastal marine area as well as access to and from it. This can be for a range of activities including: social, cultural, recreational and commercial.

The coast is a finite resource which is under pressure for use and development. To ensure efficient use is made of coastal space, and because the coast is a public resource, structures need to have a functional need for a coastal location and to provide for multiple uses where practicable, taking into account the purpose and use of the structure. However it is also recognised that certain activities, such as some infrastructure, may have operational needs that make a location in the coastal marine area appropriate.

The growth of Auckland and people living next to the coast means there is an ongoing demand for new structures in the coastal marine area. These can adversely affect natural character, coastal process, landscape, and public access and coastal processes and result in adverse effects from a proliferation of structures.

Structures must be designed to take into account coastal processes and hazards, including the expected effects from climate change and sea level rise.

F2.16.2. Objectives [rcp]

(1) Structures are generally limited to those that have a functional need to be located in the coastal marine area, or those that have an operational need and that cannot be practicably located outside of the coastal marine area.

(2) Structures provide for public access and multiple uses where practicable, other than those restricted by location or functional requirements.

(3) Structures are appropriately located and designed to minimise adverse effects on the ecological, natural character, landscape, natural features, historic heritage and Mana Whenua values of the coastal marine area, and avoid to the extent practicable the risk of being adversely affected by coastal hazards.

(4) Structures are provided in appropriate locations to enable Māori cultural activities and customary use.

F2.16.3. Policies [rcp]

Efficient use of coastal space

(1) Limit structures to the following:

(a) those that generally have a functional need to be located in the coastal marine area, or that have an operational need and cannot be practicably be located outside of the coastal marine area;

(b) where the proposed purpose or use cannot practicably be accommodated on existing structures or facilities;

(c) those that are necessary to provide access to land where there are no practicable land-based access options, and there is no existing structure in close proximity that could provide reasonable access; and

(d) locations where the purpose and frequency of use warrants the proposed structure, and an alternative that would have lesser effects is not a practicable option.

(2) Avoid adverse cumulative impacts from structures in the Coastal – General Coastal Marine Zone taking into account the number of structures in the immediate and surrounding area.

(3) Limit the impacts from structures associated with infrastructure by:

(a) requiring an assessment of any practicable alternative sites, routes or designs where it is likely that the proposed structure will result in any significant adverse effect on the environment, including land-based alternatives, to demonstrate that the chosen option is appropriate taking into account the purpose and use of the structure and that the adverse effects will be avoided to the extent practicable, and will otherwise be remedied or mitigated;

(b) concentrating infrastructure structures, including pipelines, cables and transmission structures, in locations where similar, or other infrastructure, already exists where reasonably practicable;

(c) ensuring that where practicable cables and transmission structures are located beneath the seabed to avoid the need for anchoring or fishing restrictions; and

(d) encouraging structures for infrastructure to be multifunctional where practicable.

(4) Enable the maintenance, repair, reconstruction and upgrade of existing lawful structures, including where necessary to comply with applicable standards and codes.

(5) Enable the extension or alteration of existing structures in locations where they will:

(a) not have significant adverse effects on other uses and values;

(b) result in greater, more efficient, or multiple use of the structure; or

(c) reduce the need for new structures elsewhere.

Ensuring structures are appropriately located and designed

(6) Require structures to be located to avoid significant adverse effects and avoid, remedy or mitigate other adverse effects on the values of areas identified as:

(a) D9 Significant Ecological Areas Overlay – Marine 1 and 2;

(b) D17 Historic Heritage Overlay;

(c) D21 Sites and Places of Significance to Mana Whenua Overlay;

(d) D11 Outstanding Natural Character and High Natural Character overlays;

(e) D10 Outstanding Natural Features Overlay; and Outstanding Natural Landscapes Overlay; and

(f) significant surf breaks identified in Appendix 4 Surf breaks, including the recreation, amenity and economic values, and taking into account any effects on coastal processes, currents, water levels, seabed morphology and swell corridors that contribute to significant surf breaks.

(7) Require structures in the Coastal – General Coastal Marine Zone to be located to minimise:

(a) impacts on other coastal activities, including activities provided for in zones or resource consents;

(b) adverse effects on recreational use, including popular anchorage areas;

(c) adverse effects on public access to and along the coastal marine area;

(d) visual impacts, particularly in areas sensitive to effects such as headlands or the outer edges of enclosed bays, as seen from both land and water;

(e) the size of the structure, including its size in relation to wharves and jetties and consider providing for partial rather than all-tide access, unless this is not a practicable option given the function and frequency of use;

(f) the risk of being affected by coastal hazards including sea level rise;

(g) the need for dredging, including ongoing dredging to maintain water access; and

(h) adverse effects on scheduled sites and places of significance to Mana Whenua.

(8) Require structures to be designed to:

(a) be the minimum size reasonably necessary to provide for the proposed use;

(b) be multi-purpose where practicable and where it will not conflict with operational or safety requirements;

(c) minimise impacts on natural character and amenity values and generally fit with the character of any existing built elements, including in the use of materials and colours having regard to safety requirements;

(d) not increase rates of coastal erosion; and

(e) take into account dynamic coastal processes, including the expected effects of climate change and sea level rise.

(9) Have regard to the value of retaining the natural character of areas where structures are absent, taking into account the area's uniqueness and value because of the absence of structures.

(10) Require the building material used for structures to be appropriately marine treated, or if relocated or recycled building material is used, that it is treated to prevent the transference or introduction of harmful aquatic organisms.

(11) Require buildings in the coastal marine area to be of a scale, location and design that is appropriate to its context.

Structures that enhance public use and access and enable traditional and cultural use

(12) Enable structures in appropriate locations where the structure is to provide, or enhance:

(a) public access, use or amenity values, including artworks in the coastal marine area; and

(b) access to the coast by Mana Whenua for customary uses and cultural activities, and for access to the coast from papakāinga, marae or Māori land.

(13) Require structures to provide for public access and reasonable use, except in exceptional circumstances, or where public use needs to be restricted or excluded for operational, or health and safety reasons.

Foreshore protection works – hard protection structures

(14) Avoid a proliferation of hard protection structures in the coastal marine area by requiring:

(a) hard protection structures to be located landward of mean high water springs where practicable, particularly if the structure is for the purpose of protecting private assets;

(b) evidence to demonstrate that the adjoining landward area, or development in the coastal marine area, is at risk from a coastal hazard, and the degree of risk;

(c) evidence to demonstrate that the options of non-intervention, managed retreat, abandonment or relocation of any landward development or structures are not practicable; and

(d) evidence to demonstrate that the proposed structure is the most appropriate method for remedying or mitigating a coastal hazard having regard to the entire area affected or potentially affected by the hazard, and taking into account alternative methods, including soft engineering works.

(15) Avoid hard protection structures that are likely to result in:

(a) undermining of the foundations at the base of the structure;

(b) erosion behind or around the ends of the structure;

(c) settlement or loss of foundation material;

(d) movement or dislodgement of individual structural components;

(e) the failure of the coastal protection structure should overtopping by seawater occur;

(f) piping or hydraulic pumping of fine material or backfill;

(g) offshore or long-shore loss of sediment from the immediate vicinity; and

(h) any increase in the coastal hazard posed to the coastline elsewhere.

(16) Require the design and location of hard protection structures to:

(a) minimise adverse effects on natural character and amenity values;

(b) avoid restricting public access to or along the coastal marine area; and

(c) take into account dynamic coastal processes, including the effects of climate change, sea level rise, assessed at least over a 100 year timeframe, including the potential for inundation or for the coastal marine area to advance inland.

(17) Encourage a comprehensive and integrated land-sea management approach to be taken in considering new foreshore protection works, including:

(a) the erosion effects from any on-site stormwater discharges;

(b) whether the discharge method is lawful and the most appropriate option; and

(c) the extent that the hazard risk is being increased as a result of the location and method of stormwater discharges or drainage.

(18) Require consideration to be given to any relevant management strategy, strategic plan or hazard risk assessment relating to the area where foreshore protection works are proposed.

Ensuring integrated management between land and sea

(19) Require applications for structures in the coastal marine area to demonstrate that any landward component, development, or use of land-based infrastructure or facilities can be appropriately provided for.

(20) Require applications for structures in the coastal marine area to demonstrate how any significant adverse effects on the use of adjoining land, including reverse sensitivity effects on existing use or development of that land, can be avoided, remedied or mitigated.

Ensuring safe navigation

(21) Enable structures required to ensure safe navigation or for health and safety purposes.

(22) Ensure that structures in the coastal marine area do not pose a risk to navigation or to public health and safety by:

(a) requiring structures to be maintained to an appropriate standard;

(b) requiring structures to be appropriately located and lit; and

(c) enabling the removal of structures, where they are no longer functional or required, or have been abandoned.

(23) Enable the removal of unlawful, abandoned, unsafe and redundant structures where the structure has been assessed as:

(a) not being a site scheduled in the Historic Heritage Overlay;

(b) a potential risk to navigation or public health and safety;

(c) restricting public access and use of the area;

(d) having an adverse effect on the natural character or visual amenity of the area;

(e) having an adverse effect on coastal processes or ecological values;

(f) having poor structural integrity; and

(g) likely to result in anchoring or fishing restrictions if it remained in the coastal marine area.

(24) Avoid structures that will limit the ability to moor vessels in the Coastal – Mooring Zone, other than those structures necessary for infrastructure that have a functional or operational need to be located in the coastal marine area and that cannot practicably be located outside the Coastal – Mooring Zone.

F2.17. Local water transport facilities

F2.17.1. Background

Auckland has a range of important smaller scale, water-based wharf and landing facilities that provide for social, economic and cultural well-being. They have not

been identified as ports or ferry terminals, and are not on ferry routes that form part of public transport network for Auckland. They include wharves at Leigh, Mansion House/School House Bay on Kawau, Rangitoto, Motutapu, Tiritiri Mātangi, Rotoroa, Rākino and Motuihe islands, and at Sandspit and Ōrakei.

These facilities are important local strategic assets providing access to public open space, conservation estate land and recreational facilities, and they play a key role in local freight delivery.

F2.17.2. Objective [rcp]

(1) Structures, including wharves and landings used for local water transport operations (passengers and goods) are managed to support and enhance these activities.

F2.17.3. Policies [rcp]

(1) Allow the use, development and occupation of structures for local water transport facilities (passengers and goods) that provide for:

(a) passenger transport including passenger transport services;

(b) public access to open space and conservation estate lands including the Hauraki Gulf islands;

(c) public recreational use of the coastal marine area; and

(d) the movement of freight to serve the social and economic needs of local communities, provided that it does not interfere with other uses of the existing facilities.

(2) Restrict any activity, use or development in coastal marine area and above mean high water springs that adversely affects the operation of local water transport facilities or services.

(3) Require adequate land-based facilities for car parking, rubbish disposal, and wastewater pump-out to be provided when existing local water transport facilities increase their capacity or when local water transport services increase their scale of operations at those facilities.

F2.18. Underwater noise

F2.18.1. Background

Underwater noise can have an adverse effect on a range of marine animals that rely on sound to communicate, navigate, hunt and mate. Noise can cause threshold shifts in sensitivity to sound, and higher levels of sound can permanently damage or even kill some species.

Underwater noise has largely been overlooked in the past as a potential source of adverse effect to marine fauna, as well as to people working or undertaking recreational activities underwater. While limits on underwater noise generated by ships and vessels needs to be regulated at a national level, significant noise from certain underwater activities, such as blasting, impact and vibratory piling, marine seismic surveys, can be managed to address effects on marine fauna and people.

The Department of Conservation 2013 Code of Conduct for Minimising Acoustic Disturbance to Marine Mammals from Seismic Survey Operations focuses on controlling peak level noise effects and the Unitary Plan addresses the need to control noise levels.

F2.18.2. Objective [rcp]

(1) Underwater noise from identified activities is managed to maintain the health and well-being of marine fauna and users of the coastal environment.

F2.18.3. Policies [rcp]

(1) Require underwater blasting, impact and vibratory piling, and marine seismic surveys in the coastal marine area to adopt the best practicable option to manage noise so that it does not exceed a reasonable level.

(2) Assess the following matters for underwater blasting, impact and vibratory piling, and marine seismic surveys:

(a) the health and well-being of marine fauna (including threatened and at-risk species) and people from the noise associated with the proposal;

(b) the practicability of being able to control the noise effects;

(c) the social and economic benefits to the community of the proposal; and

(d) the extent to which the adverse effects of the noise will be mitigated.

(3) Enable the generation of underwater noise where that noise is associated with the following activities:

(a) the operational requirements of vessels;

(b) construction or operation of marine and port activities, marine and port facilities, marina activities, marine and port accessory structures and services, maritime passenger facilities and dredging, that do not involve underwater blasting, impact and vibratory piling, or marine seismic surveys; and

(c) sonar not including marine seismic surveys.

F2.19. Activity tables

(1) Tables F2.19.1 to F2.19.10 specify the activity status of activities in the Coastal – General Coastal Marine Zone (GCM Zone) and the coastal marine area parts of the following overlays pursuant to sections 12(1), 12(2) and 12(3) of the Resource Management Act 1991, including any associated discharges of contaminants into water pursuant to section 15 of the Resource Management Act 1991:

(a) D9 Significant Ecological Areas Overlay – Marine 1 and 2 (SEA-M1, SEA-M2);

(b) D17 Historic Heritage Overlay (HH);

(c) D11 Outstanding Natural Character and High Natural Character overlays (ONC) (HNC) ;

(d) D10 Outstanding Natural Features Overlay; and Outstanding Natural Landscapes Overlay (ONF) (ONL).

The abbreviations in brackets after the overlay names that are listed above, are used as references to these overlays in Tables F2.19.1 to F2.19.10

(2) The activities, standards and assessment in F2 Coastal – General Coastal Marine Zone apply in the coastal marine area of all the coastal zones and coastal precincts unless otherwise specified under the relevant zone or precinct.

Table F2.19.1 Activity table - Drainage, reclamation and declamation pursuant to section 12(1) of the Resource Management Act 1991

Activity		Activity status						
		GCM Zone	**SEA-M1, ONC**	**ONL**	**SEA-M 2, HNC**	**ONF Type A1 and A**	**ONF Type V1, V2, B, C, D, E, F**	**HH**
(A1)	Reclamation or drainage not otherwise provided for	NC	Pr	NC	NC	Pr	Pr	Pr
(A2)	Maintenance or repair of a lawful reclamation or drainage system	P	P	P	P	P	P	P
(A3)	Minor reclamation for the purpose of maintaining, repairing or upgrading a lawful reclamation	RD	D	D	D	D	D	D
(A4)	Reclamation or drainage for any of the following: • carried out as part of rehabilitation or remedial works; • where it is required for the safe and efficient operation or construction of infrastructure; or • where it is necessary to provide for safe public access to, within or adjacent to the coastal marine area.	D	NC	NC	NC	NC	NC	NC
(A5)	Authorisation of an unlawful reclamation under s 355A Resource Management Act 1991	D	NC	NC	NC	NC	NC	NC
(A6)	Declamation	D	NC	NC	NC	NC	NC	D

Table F2.19.2 Activity table - Depositing and disposal of material pursuant to section 12(1) of the Resource Management Act 1991 including any associated discharge of contaminants and water into water pursuant to section 15 of the Resource Management Act 1991

Activity		Activity status						
		GCM Zone	**SEA-M1, ONC**	**ONL**	**SEA-M2, HNC**	**ONF Type A1 and A**	**ONF Type V1, V2, B, C, D, E, F**	**HH**
(A7)	Coastal marine area depositing of material where the deposited sediment is extracted from within the same coastal cell: • maximum of 1500m^3 per 12 month period	P	D	D	D	D	NC	D
(A8)	Coastal marine area depositing of material where the deposited sediment is extracted from within the same coastal cell: • between 1500m^3 and 10,000m^3 per 12 month period	RD	NC	D	D	D	NC	D
(A9)	Coastal marine area depositing of material from outside the coastal cell: • maximum of 10,000m^3 per 12 month period	RD	NC	D	D	NC	NC	D
(A10)	Coastal marine area depositing of material not otherwise provided for	D	NC	NC	NC	NC	NC	NC
(A11)	Disposal of waste or other matter in the Hauraki Gulf Marine Park, not otherwise provided for other than for the following: • where it is part of an approved reclamation; or • rehabilitation or restoration programme in degraded areas of the coastal marine area.	Pr	Pr	Pr	Pr	Pr	Pr	Pr
(A12)	Disposal of waste or other matter in the coastal marine area. Limited to the following: • dredged material; • sewage sludge; • fish processing waste from an onshore facility; • vessels, platforms, or other	D	D	D	D	D	D	D

	man-made structures; • inert, inorganic geological materials; • organic materials of natural origin; or • bulky items consisting mainly of iron, steel and concrete. Excludes the following: • disposal or storage of waste or other matter arising directly from, or related to, the exploration, exploitation and associated offshore processing of seabed mineral resources; and • a discharge made in accordance with section 15B of the Resource Management Act 1991 or Part 3 of the Resource Management (Marine Pollution) Regulations 1998.							
(A13)	Disposal or storage of waste or other matter arising directly from, or related to, the exploration of seabed mineral resources where the exploration is a permitted activity	P	NC	NC	NC	NC	NC	NC
(A14)	Disposal or storage of waste or other matter arising directly from, or related to, the exploration of seabed mineral resources not otherwise provided for	RD	NC	NC	NC	NC	NC	NC
(A15)	Disposal or storage of waste or other matter arising directly from, or related to, the exploitation and associated offshore processing of seabed mineral resources	D	NC	NC	NC	NC	NC	NC
(A16)	Disposal of waste or other matter in the coastal marine area not otherwise provided for	Pr	Pr	Pr	Pr	Pr	Pr	Pr

Table F2.19.3 Activity table - Dredging pursuant to section 12(1) of the Resource Management Act 1991 including any associated discharge of contaminants and water into water pursuant to section 15 of the Resource Management Act 1991.

Activity		Activity status						
		GCM Zone	**SEA-M1, ONC**	**ONL**	**SEA-M2, HNC**	**ONF Type A1 and A**	**ONF Type V1, V2, B, C, D, E, F**	**HH**
(A17)	Dredging to maintain or clear an existing lawful drainage systems involving maximum of 500m^3 of material	P	D	RD	P	D	D	D
(A18)	River mouth dredging; • maximum of 1500m^3; or • maximum of 100m length	P	D	RD	RD	D	D	D
(A19)	Dredging to maintain or gain access to an existing lawful structure; dredging to clear the exit of any lawful stormwater outfall or pipe or existing lawful drainage systems: • maximum of 1500m^3; • maximum of 100m length	P	D	RD	P	D	D	D
(A20)	River mouth dredging; dredging to maintain or gain access to an existing lawful structure; dredging to clear the exit of any lawful stormwater outfall or pipe or existing lawful drainage systems: • maximum of 5000 m^3; • maximum of 500m length	RD	NC	RD	RD	NC	NC	NC
(A21)	River mouth dredging; dredging to maintain or gain access to an existing lawful structure; dredging to clear the exit of any lawful stormwater outfall or pipe or existing lawful drainage systems not otherwise provided for	D	NC	D	D	NC	NC	NC
(A22)	Dredging for the removal of a Pacific oyster reef, other than as part of aquaculture activities, to restore water depths to previous levels	RD	D	D	D	D	D	D
(A23)	Maintenance dredging	RD	NC	D	D	NC	NC	NC
(A24)	Capital works dredging	D	NC	D	D	NC	NC	NC

Table F2.19.4 Activity table - Coastal marine area disturbance pursuant to section 12(1) of the Resource Management Act 1991 and common marine and coastal area mineral extraction pursuant to section 12(2)(b) of the Resource Management Act 1991 including any associated discharge of contaminants and water into water pursuant to section 15 of the Resource Management Act 1991.

Note 1

Activities regulated by the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 are not affected by the provisions below.

Activity		Activity status						
		GCM Zone	**SEA-M1, ONC**	**ONL**	**SEA-M2, HNC**	**ONF Type A1 and A**	**ONF Type V1, V2, B, C, D, E, F**	**HH**
(A25)	Coastal marine area disturbance related to scientific or engineering investigations, including taking samples	P	D	D	P	D	D	D
(A26)	Coastal marine area disturbance related to scientific or engineering investigations for common marine and coastal area prospecting and exploration	P	NC	D	P	NC	NC	D
(A27)	Coastal marine area disturbance for mineral prospecting, mineral exploration (excluding petroleum)	P	Pr	NC	NC	Pr	Pr	Pr
(A28)	Common marine and coastal area disturbance for mineral extraction (excluding petroleum)	D	Pr	NC	NC	Pr	Pr	Pr
(A29)	Coastal marine area disturbance for petroleum prospecting	P	Pr	NC	NC	Pr	Pr	Pr
(A30)	Coastal marine area disturbance for petroleum exploration	D	Pr	NC	NC	Pr	Pr	Pr
(A31)	Coastal marine area disturbance for petroleum extraction	D	Pr	NC	NC	Pr	Pr	Pr
(A32)	Coastal marine area disturbance that is: • not otherwise provided for and meets the standards; or • associated with removal of litter or marine debris; or • associated with removal of sediment, vegetation and	P	P	P	P	P	P	P

Activity		Activity status						
		GCM Zone	SEA-M1, ONC	ONL	SEA-M2, HNC	ONF Type A1 and A	ONF Type V1, V2, B, C, D, E, F	HH
	encrusting organisms from any existing lawful Coastal marine area structures; or • associated with the burial of dead marine mammals; or • associated with control or eradication of any exotic or introduced plant or animal species; or • associated with operation, maintenance, repair or reconstruction of existing lawful Coastal marine area structures or buildings; or • associated with minor infrastructure upgrading.							
(A33)	Coastal marine area disturbance that is associated with movement of up to 1500m^3 of sediment per calendar year within the same coastal cell	P	D	D	D	D	NC	D
(A34)	Coastal marine area disturbance that is associated with movement of between 1500m^3 and 10,000m^3 of sediment per calendar year within the same coastal cell	RD	NC	D	D	D	NC	NC
(A35)	Coastal marine area disturbance associated with movement greater than 10,000m^3 of sediment per calendar year within the same coastal cell, where it is required for the safe and efficient operation or construction of significant infrastructure	D	NC	NC	D	NC	NC	NC
(A36)	Coastal marine area disturbance associated with movement greater than 10,000m^3 of sediment per calendar year within the same coastal cell	D	NC	NC	NC	NC	NC	NC

Activity		Activity status						
		GCM Zone	**SEA-M1, ONC**	**ONL**	**SEA-M2, HNC**	**ONF Type A1 and A**	**ONF Type V1, V2, B, C, D, E, F**	**HH**
(A37)	Coastal marine area disturbance that is not otherwise provided for	D	NC	NC	NC	NC	NC	NC
(A38)	Livestock access in the coastal marine area not otherwise provided for	P	Pr	P	P	P	Pr	Pr
(A39)	Livestock access in the coastal marine area (other than for droving and horse riding): • after 30 September 2020 in the Coastal – General Coastal Marine Zone in areas identified in B7 Natural Resources at Figure B7.4.2.1: Areas of Coastal Water that have been degraded by human activities; • after 30 September 2018 for SEA-M2, HNC, ONL, ONC and ONF-A1 and A); • after 30 September 2013 for SEA-M1, ONF - Type V1, V2, B, C, D, E, F and HH.	NC	NC	NC	NC	NC	NC	NC
(A40)	Livestock access in the coastal marine area for horse riding	P	P	P	P	P	P	P
(A41)	Pacific oyster shell removal other than as part of: • aquaculture activities; or • dredging of Pacific oyster shell reefs	P	P	P	P	P	P	P
(A42)	Native vegetation alteration or removal, not otherwise provided for	RD	NC	NC	D	NC	NC	RD
(A43)	Exotic vegetation alteration or removal, not otherwise provided for	P	P	P	P	P	P	P
(A44)	Vegetation alteration or vegetation removal for routine operation, repairs and maintenance within 3m of existing buildings, structures motorways and roads, excluding mangrove, seagrass or salt marsh removal	P	P	P	P	P	P	P

Activity		Activity status						
		GCM Zone	**SEA-M1, ONC**	**ONL**	**SEA-M2, HNC**	**ONF Type A1 and A**	**ONF Type V1, V2, B, C, D, E, F**	**HH**
(A45)	Mangrove seedling removal: • not in a marine reserve • in SEA-M1 only in areas listed in Schedule 4 Significant Ecological Areas – Marine Schedule or Appendix 5 Wading bird areas	P	P	P	P	P	P	P
(A46)	Mangrove removal in significant wading bird areas listed in Appendix 5 Wading bird areas	D	D	D	D	D	D	D
(A47)	Mangrove removal to enable the operation, maintenance, use and functioning of existing lawful structures, infrastructure, or to ensure public health and safety in the use or operation of infrastructure: • maximum of 200m^2 in the Coastal – General Coastal Marine Zone and SEA-M2, ONL and HNC overlay; or • maximum of 30m^2 in SEA-M1, ONC, ONFs and HH overlays	P	C	P	P	C	C	C
(A48)	Mangrove removal to enable the operation, maintenance, use and functioning of existing lawful structures, infrastructure to ensure public health and safety in the use or operation of infrastructure: • greater than 200m^2 in the Coastal – General Coastal Marine Zone and SEA-M2, ONL and HNC overlay; or • greater than 30m2 in SEA-M1, ONFs and HH overlays	D	D	D	D	D	D	D
(A49)	Mangrove removal for maintaining or enhancing ecological areas, or maintaining or enhancing public access where consistent with	NA	D	D	D	D	D	D

Activity		Activity status						
		GCM Zone	SEA-M1, ONC	ONL	SEA-M2, HNC	ONF Type A1 and A	ONF Type V1, V2, B, C, D, E, F	HH
	protecting the values of the relevant overlay							
(A50)	Mangrove removal, not otherwise provided for	D	NC	NC	D	NC	NC	NC

Table F2.19.5 Activity table - Planting in the coastal marine area pursuant to section 12(1) of the Resource Management Act 1991.

Activity		Activity status						
		GCM Zone	SEA-M1, ONC	ONL	SEA-M2, HNC, ONL	ONF Type A1 and A	ONF Type V1, V2, B, C, D, E , F	HH
(A51)	Planting of native vegetation	P	P	P	P	P	P	P
(A52)	Planting of exotic plant species, not otherwise provided for	NC	Pr	Pr	Pr	Pr	Pr	Pr
(A53)	Planting of *Spartina alterniflora, Spartina anglica* or *Spartina x townsendii*	Pr	Pr	Pr	Pr	Pr	Pr	Pr

Table F2.19.6 Activity table - Taking, use and damming or diverting coastal water pursuant to section 14 of the Resource Management Act 1991.

Activity		Activity status						
		GCM Zone	SEA-M 1, ONC	ONL	SEA-M 2, HNC,	ONF - Type A1 and A	ONF - Type V1, V2, B, C, D, E, F	HH
(A54)	Taking and use of coastal water for operational needs of vessels and firefighting	P	P	P	P	P	P	P
(A55)	Taking, use or diversion of coastal water other than for the operational needs of vessels and firefighting	P	D	D	P	D	D	P
(A56)	Damming or impoundment of coastal water	D	NC	NC	D	NC	NC	D
(A57)	Taking or use of heat or energy from coastal water	D	D	D	D	D	D	D

Table F2.19.7 Activity table - Discharges to the coastal marine area pursuant to section 15 of the Resource Management Act 1991

Activity		Activity status						
		GCM Zone	SEA-M1, ONC	ONL	SEA-M2, HNC	ONF Type A1 and A	ONF Type V1, V2, B, C, D, E, F	HH
(A58)	Discharge of untreated sewage from a vessel or offshore installation: • that is 500m (0.27 NM) from mean high water springs and 5m water depth; and • in the Hauraki Gulf, is not discharged inside an enclosed bay (inside a line between two headlands (from point to point)). • for the Waitemata Harbour the line is from North Head to Orakei Wharf. Refer to standard F2.21.8.2(6)for additional locations. • and is more than: • 500m (0.27 NM) from an aquaculture activity and Mātaitai Reserve; and • 200m (0.108 NM) from a marine reserve	P	P	P	P	P	P	P
(A59)	Discharge of any contaminant, other than hull fouling, resulting from the cleaning, (other than removal of hull bio-fouling organisms), application or removal of anti-fouling coating or painting of vessels, not otherwise provided for	P	NC	P	P	P	D	P
(A60)	Discharge of dye or tracer material for investigative purposes	P	P	P	P	P	P	P
(A61)	Discharge of potable water from the water supply network	P	P	P	P	P	P	P
(A62)	Discharges into the coastal marine area, which are not covered by another rule in the Unitary Plan and not covered by the Resource Management (Marine Pollution)	P	P	P	P	P	P	P

	Regulations 1998							
(A63)	Discharge of hazardous substances as defined in the Hazardous Substances and New Organisms Act 1996	D	D	D	D	D	D	D
(A64)	Discharges from firefighting and other emergency response activities undertaken by the New Zealand Fire Service (including discharges of hazardous substances)	P	P	P	P	P	P	P
(A65)	Discharge of stormwater	Refer to E8 Stormwater – Discharge and diversion						
(A66)	Discharge of treated sediment laden water from any land disturbance	Refer to E11 Land disturbance - Regional						
(A67)	Discharge of untreated wastewater overflows from a wastewater network servicing new development areas and new wastewater networks within existing urban areas	RD	NC	RD	RD	RD	RD	RD
(A68)	Discharge of untreated wastewater overflows from an existing combined sewer network	RD	RD	RD	RD	RD	RD	RD
(A69)	Discharge of treated wastewater from a wastewater treatment plant	D	NC	D	D	D	D	D
(A70)	Discharges into coastal water not otherwise authorised by a rule in the Plan, or covered by the Resource Management (Marine Pollution) Regulations 1998, that do not comply with the permitted activity standards	D	NC	D	D	D	NC	D
(A71)	Discharge of hull bio-fouling organisms resulting from in-water cleaning of a vessel with micro-fouling (LOF 0-1) and goose barnacles	P	Pr	P	P(HNC) Pr (SEA – M2)	P	P	P
(A72)	Discharge of hull bio-fouling organisms resulting from the in-water small scale manual removal (up to 5 per cent of the hull surface area, including niche areas) of bio-fouling organisms	P	Pr	P	P(HNC) Pr (SEA – M2)	D	P	P
(A73)	Discharge of hull bio-fouling	P	Pr	P	P(HNC)	D	P	

	organisms resulting from in-water cleaning of a vessel with macro-fouling from within Auckland				Pr (SEA – M2)			
(A74)	Discharge of hull bio-fouling organisms resulting from in-water cleaning of a vessel with macro-fouling of domestic origin following a risk assessment that determined a relative biosecurity risk of negligible or low	P	Pr	P	P(HNC) Pr (SEA – M2)	D	P	
(A75)	Discharge of hull bio-fouling organisms resulting from in-water cleaning of a vessel with macro-fouling where the fouling is: • of international origin; or • of domestic origin but more than low biosecurity risk or has not had a risk assessment (or extensive to very heavy macro-fouling)	P	Pr	P	P (HNC) Pr (SEA – M2)	D	P	
(A76)	Discharges associated with in-water treatment methods that render bio-fouling organisms non-viable	P	Pr	P	P(HNC) Pr (SEA – M2)	D	P	
(A77)	Discharge of any contaminant resulting from in-water cleaning, the application of anti-fouling, or painting of vessels, including discharge of hull bio-fouling organisms, within 500m of mean high water springs of the following Hauraki Gulf conservation islands: • Beehive Island; • Browns Island; • Little Barrier Island; • Mokohinau Islands; • Motuihe Island; • Motuora Island; • Motutapu Island; • Rangitoto Island; • Saddle (Te Haupa) Island; • The Noises Islands; and • Tiritiri Matangi Island.	Pr	Pr	Pr	Pr	Pr	Pr	Pr
(A78)	Discharge of hull bio-fouling organisms resulting from in-water	RD	Pr	RD	RD (HNC) Pr (SEA –	RD	RD	RD

	cleaning of a vessel not otherwise provided for				M2)			
(A79)	Passive discharge of hull bio-fouling organisms from a commercial or military vessel	P	P	P	P	P	P	P
(A80)	Passive discharge from a non-commercial and non-military vessel with light to very heavy macro-fouling of international origin (level of fouling scale 2 to 5), or very heavy macro-fouling of domestic origin (level of fouling scale 4 to 5)	D	D	D	D	D	D	D
(A81)	Passive discharge from a non-commercial and non-military vessel with unusual or suspected harmful aquatic organisms (or species designated as pests in the relevant pest management plan prepared under the Biosecurity Act)	D	D	D	D	D	D	D
(A82)	Passive discharge of hull bio-fouling organisms resulting from its presence, not otherwise provided for	P	P	P	P	P	P	P

Table F2.19.8 Activity table - Use and activities pursuant to section 12(3) of the Resource Management Act 1991 and associated occupation of the common marine and coastal area pursuant to section 12(2) of the Resource Management Act 1991

Note 1

This table does not apply to use, activities and occupation covered by Activity table F2.19.10.

Note 2

The activity status for 'underwater blasting, impact and vibratory piling, marine seismic surveys' relates to the generation of underwater noise from these activities. These activities are generally part of other activities (for example, dredging, demolition, construction, mineral exploration). For the avoidance of doubt, the activity status of the other activity continues to apply, unless the activity is permitted or controlled, in which case the overall activity status becomes restricted discretionary.

Activity		Activity status						
		GCM Zone	SEA-M1, ONC	ONL	SEA-M2, HNC	ONF - Type A1 and A	ONF - Type V1, V2, B, C, D, E, F	HH
(A83)	Public access, passive recreation, navigation and general use not otherwise provided for and that does not involve occupation of the common marine and coastal area	P	P	P	P	P	P	P
(A84)	Occupation of the common marine and coastal area and associated use which have a functional need to be below mean high water springs and are not otherwise provided for	D	D	D	D	D	D	D
(A85)	Use and occupation by activities that do not have a functional need to be undertaken below mean high water springs, including activities in, or on, an existing building or structure, and that are not otherwise provided for	NC	NC	NC	NC	NC	NC	NC
(A86)	Anchoring of vessels to the foreshore or seabed in the same position for no more than 28 consecutive days, other than in a cable protection area (as identified on the planning maps), or for longer times as necessary for navigation safety, emergency response or maintenance and repair of structures (anchoring does not include occupation by a vessel at a wharf, jetty or other lawful berth or mooring or at any designated anchorage for commercial shipping)	P	P	P	P	P	D	D
(A87)	Occupation of the common marine and coastal area by an activity that would otherwise be permitted where the area to be occupied is already the subject of an existing occupation consent	RD	RD	RD	RD	RD	RD	RD
(A88)	Marine and port activities other	P	P	P	P	P	P	P

	than accessory offices or maintenance and servicing of vessels							
(A89)	Maintenance and servicing of vessels	P	NC	NC	D	NC	NC	D
(A90)	Construction of vessels	D	NC	NC	D	NC	NC	D
(A91)	Maritime passenger operations existing at the date of plan notification	P	P	P	P	P	P	P
(A92)	Maritime passenger operations established after the date of plan notification	D	NC	NC	D	NC	NC	D
(A93)	Parking on coastal marine area structures for loading and unloading passengers and cargo to vessels	P	P	P	P	P	P	P
(A94)	Parking on coastal marine area structures other than as provided for as a permitted activity	D	D	D	D	D	D	D
(A95)	Vehicle use, other than parking, on or existing lawful coastal marine area structures	P	P	P	P	P	P	P
(A96)	Vehicle use of the foreshore and seabed, not otherwise provided for	P	NC	P	P	NC	NC	NC
(A97)	Vehicle use of the foreshore and seabed: • by emergency response or conservation management vehicles; or • for launching vessels from any structure; or • where necessary for environmental monitoring by the Council or consent holders	P	P	P	P	P	P	P
(A98)	Vehicle use of the foreshore and seabed by network utility operators for the maintenance, repair and minor upgrading of lawfully established infrastructure	P	RD	P	P	P	RD	RD
(A99)	Vehicle use of the foreshore and seabed by network utility operators for the construction of new infrastructure	P	D	D	P	D	D	D
(A100)	Vehicle use of the foreshore and seabed to access private property	P	P	P	P	P	P	P

	established before the date of plan notification							
(A101)	Vehicle use of the foreshore and seabed to access private property established after the date of plan notification	NC	NC	NC	NC	NC	NC	NC
(A102)	Archaeological investigations (refer to D17 Historic Heritage Overlay)	P	P	P	P	P	P	P
(A103)	Workers' accommodation	D	NC	NC	D	NC	NC	NC
(A104)	Clubrooms for marine-related clubs	D	NC	NC	D	NC	NC	D
(A105)	Helicopter landing areas for emergency services including police, ambulance, and rescue operations	P	P	P	P	P	P	P
(A106)	Helicopter landing areas	NC	NC	NC	NC	NC	NC	NC
(A107)	Public amenities on existing lawful coastal marine area structures	P	D	D	D	D	D	D
(A108)	Public amenities not otherwise provided for	D	NC	NC	D	NC	NC	NC
(A109)	Underwater explosives training exercises	D	NC	D	D	NC	NC	NC
(A110)	Temporary military training activities	P	P	P	P	P	P	P
(A111)	Industrial and trade activities on structures in the coastal marine area	Refer to E33 Industrial and trade activities						
(A112)	New marinas and expansion of a marina existing at the date the plan becomes operative by 15 per cent or more of its area within the coastal marine area existing at that time	NC	NC	NC	NC	NC	NC	NC
(A113)	Expansion of a marina existing at the date the plan becomes operative by no more than 15 per cent of its area within the coastal marine area existing at that time.	D	NC	NC	NC	NC	NC	NC
(A114)	Underwater blasting, impact and vibratory piling, marine seismic surveys	RD	RD	RD	RD	RD	RD	RD

Table F2.19.9 Activity table - Aquaculture activities pursuant to section 12(1), 12(2), and 12(3) of the Resource Management Act 1991 including any associated discharge of contaminants and water into water pursuant to section 15 of the Resource Management Act 1991.

Activity		Activity status						
		GCM Zone	SEA-M1, ONC	ONL	SEA-M2, HNC	ONF Type A1 and A	ONF Type V1, V2, B, C, D, E, F	HH
(A115)	Aquaculture activities (new)	D	NC	NC	NC	NC	NC	NC
(A116)	Aquaculture activities (re-consenting an established aquaculture activity)	RD	RD	RD	RD	RD	RD	RD
(A117)	Aquaculture activities minor extension of a lawfully established aquaculture activity limited to a maximum of 25 percent of the size of the originally consented current farm	RD	D	D	D	D	D	D
(A118)	Aquaculture activities minor realignment of an lawfully established aquaculture activities limited to moving 1/3 of the farm area, while 2/3 of the farm area stays within the same space as originally consented	RD	D	D	D	D	D	D
(A119)	Experimental aquaculture activities that are a maximum of 1ha	RD	NC	NC	NC	NC	NC	NC
(A120)	Aquaculture activities not otherwise provided for	D	NC	NC	NC	NC	NC	NC

Table F2.19.10 Activity table - Coastal marine area structures and construction in the coastal marine area pursuant to section 12(1) of the Resource Management Act 1991, occupation of the common marine and coastal area pursuant to section 12(2) of the Resource Management Act 1991) and their use pursuant to 12(3) of the Resource Management Act 1991

Note 1

Unless otherwise specified, activities listed in Table F2.19.10 include construction and occupation. Use of a structure has the activity status listed in this table unless it is addressed more specifically in Table F2.19.9.

Note 2

Provisions relating to moorings in the Coastal – General Coastal Marine Zone are contained in the F4 Coastal – Mooring Zone and moorings outside the Coastal – Mooring Zone.

Note 3

Activities regulated by the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 are not affected by the provisions below.

Activity		Activity status						
		GCM Zone	**SEA-M1, ONC**	**ONL**	**SEA-M2, HNC**	**ONF Type A1 and A**	**ONF Type V1, V2, B, C, D, E, F2, F2**	**HH**
(A121)	Coastal marine area structures and buildings unless provided for elsewhere	D	NC	NC	NC	NC	NC	NC
(A122)	Maintenance, repair or reconstruction of existing lawful coastal marine area structures or buildings	P	P	P	P	P	P	Refer HH activity tables
(A123)	Extension or alteration of existing lawful coastal marine area structures or buildings other than those that are a component of infrastructure	RD	NC	NC	D	NC	NC	Refer HH activity tables
(A124)	Extension or alteration of existing lawful coastal marine area structures or buildings that are a component of infrastructure	RD	D	D	D	D	D	Refer HH activity tables
(A125)	Demolition or removal of any buildings or coastal marine area structures	P	C	C	P	C	C	Refer HH activity tables
(A126)	Coastal marine area structures located below the surface of the foreshore and seabed,	P	D	D	D	D	D	D

	constructed by methods other than trenching, (but not the occupation by those structures)							
(A127)	Occupation associated with coastal marine area structures located below the surface of the foreshore and seabed in areas other than cables in the cable protection areas (as identified on the planning maps)	RD	RD	RD	RD	RD	RD	D
(A128)	Temporary coastal marine area structures or buildings	P	D	RD	P	D	D	Refer HH activity tables
(A129)	Navigational aids including their extension and alteration	P	P	P	P	P	P	P
(A130)	Maimai including their extension and alteration	P	P	P	P	P	P	P
(A131)	Minor infrastructure upgrades	P	P	P	P	P	P	P
(A132)	Cables and pipes including their extension and alteration operated by network utility operators attached to existing bridge structures	P	P	P	P	P	P	P
(A133)	Infrastructure coastal marine area structures not otherwise provided for	D	D	D	D	D	D	D
(A134)	Occupation of the common marine and coastal area by infrastructure structures, that form part of a network operated or managed by a network utility operator, and were lawfully existing at 23 October 2001, and any subsequent upgrade to such a structure	P	P	P	P	P	P	P
(A135)	Cables including their extension and alteration located within the cable protection areas (as identified on the planning maps) and including the occupation by cables located below the surface of the foreshore and seabed	P	P	P	P	P	P	P
(A136)	Marine and port facilities on existing wharves or other	RD	D	D	RD	D	D	D

	existing coastal marine area structures							
(A137)	Marine and port accessory structures and services on existing wharves or other existing coastal marine area structures	RD	D	RD	RD	D	D	D
(A138)	Coastal marine area structures for scientific research, investigation or monitoring	RD	RD	RD	RD	RD	RD	RD
(A139)	Marine and port facilities and buildings not on an existing wharf or existing coastal marine area structure	D	NC	NC	D	NC	NC	D
(A140)	Marine and port accessory structures and services not on an existing wharf or existing coastal marine area structure	D	NC	D	D	NC	NC	D
(A141)	Maritime passenger facilities	D	NC	NC	D	NC	NC	D
(A142)	Hard protection structures	D	NC	NC	D	NC	NC	D
(A143)	Observation areas, viewing platforms and boardwalks	D	D	D	D	D	NC	D
(A144)	Artworks	D	NC	NC	D	NC	NC	D

F2.20. Notification

(1) The occupation of the common marine and coastal area by an activity that would otherwise be permitted, where the area to be occupied is already the subject of an existing occupation consent, will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

(2) Any application for resource consent for an activity listed in Tables F2.19.1 to F2.19.10 and not otherwise listed in F2.20(1) will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

(3) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

F2.21. Standards

F2.21.1. All permitted activities, controlled activities and restricted discretionary activities

All activities listed as permitted activities, controlled activities or restricted discretionary activities in Table F2.19.1 to F2.19.10 must comply the following standards unless otherwise specified.

Purpose: ensure adequate safety and appropriate site management to minimise disturbance of the coastal marine area and adverse effects on other users.

(1) Structures and works must not cause a hazard to safe navigation.

(2) Any excess building material, spoil, construction equipment or litter must be removed from the coastal marine area within 24 hours of completion of any works.

(3) Any visible disturbance to the substrate of the coastal marine area must be remedied or restored within 48 hours of the completion of the works in areas identified in the D11 Outstanding Natural Character Overlay, D10 Outstanding Natural Features Overlay and D9 Significant Ecological Area Overlay – Marine 1 and within seven days in other areas of the coastal marine area.

(4) Written advice must be given to the Council at least 10 working days prior to the work starting unless otherwise specified.

F2.21.1.1. Noise and vibration

(1) Interface with other zones:

(a) activities in the coastal marine area must not exceed the relevant levels specified E25 Noise and vibration.

F2.21.1.2. Lighting

(1) Lighting in the coastal marine area must not exceed the levels specified in E24 Lighting.

(2) Outdoor artificial lighting must not produce an illuminance exceeding 150 lux measured horizontally or vertically at the exterior of any building adjacent to the coastal marine area.

(3) Lighting sources must be sited, directed and screened to minimise, as far as practicable, annoyance or nuisance to adjacent properties or the bird life of any adjacent sites within the D9 Significant Ecological Areas Overlay – Marine 1 or 2.

(4) Lighting sources must be sited, directed and screened to avoid, as far as practicable, creating a navigation safety hazard.

F2.21.1.3. Storage or handling of hazardous substances

(1) Any activity involving the storage or handling of hazardous substances must comply with E31 Hazardous substances.

F2.21.2. Standards - Drainage, reclamation and declamation

Activities listed as a permitted activity and restricted discretionary activity in Table F2.19.1 must comply with the standards in F2.21.1 and the standards in F2.21.2.

F2.21.2.1. Maintenance or repair of a lawful reclamation or drainage system

(1) The work must not change the area occupied by the reclamation or drainage system.

(2) Any visible disturbance to the substrate of the coastal marine area must be remedied or restored within 48 hours of the completion of the works in areas identified as D11 Outstanding Natural Character Overlay, D10 Outstanding Natural Features Overlay and D9 Significant Ecological Area Overlay – Marine 1 and within seven days in other areas of the coastal marine area.

(3) There must be an emergency spill plan in place to address the unforeseen release of contaminants from equipment being used for the activity.

(4) All equipment and materials must be removed from the foreshore and seabed on the completion of works or activities.

(5) Written advice must be given to the Council at least 10 working days prior to the work starting.

F2.21.2.2. Minor reclamation for the purpose of maintaining, repairing or upgrading a reclamation

(1) The outside face of the new seawall must not extend more than 1.5m beyond the seaward limit of the existing seawall or bund.

F2.21.3. Standards - Depositing and disposal of material including any associated discharge of contaminants and water into water

Activities listed as a permitted activity and restricted discretionary activity in Table F2.19.2 must comply with the standards in F2.21.1 and standards in F2.21.3.

F2.21.3.1. Depositing of material where the deposited sediment is extracted from within the same coastal cell

(1) Depositing must be for the purpose of the following:

(a) erosion management;

(b) beach (including dune system) replenishment or re-contouring;

(c) habitat enhancement; or

(d) depositing of material excavated during stream mouth and stormwater outfall clearance operations.

(2) Written advice must be given to the Council at least 10 working days prior to the work starting.

(3) The sediment must not be deposited within any area of indigenous vegetation or within any bird nesting area or on a rocky reef.

(4) The deposited sediment must not permanently prevent or hinder public access or prevent or hinder the operation of any existing infrastructure.

(5) Any visible disturbance to the substrate of the coastal marine area must be remedied or restored within 48 hours of the completion of the works in areas identified in D11 Outstanding Natural Character Overlay, D10 Outstanding Natural Features Overlay and D9 Significant Ecological Area Overlay – Marine 1 and within seven days in other areas of the coastal marine area.

(6) There must be an emergency spill plan in place to address the unforeseen release of contaminants from equipment being used for the activity.

(7) All equipment and materials must be removed from the foreshore and seabed on the completion of works or activities.

F2.21.4. Standards - Dredging including any associated discharge of contaminants and water into water

Activities listed as permitted or restricted discretionary in Table F2.19.3 must comply with the standards in F2.21.1 and the standards in F2.21.4.

Note 1

Channel clearance activities outside the coastal marine area are covered in E3 Lakes, rivers, streams and wetlands.

F2.21.4.1. Dredging: River mouth dredging; dredging to maintain or gain access to an existing lawful structure; and dredging to clear the exit of any lawful stormwater outfall or pipe

(1) Dredging must not take place within 100m of a previously dredged site unless a minimum of two months has elapsed since the completion of dredging at that site.

(2) Impounded water must be released in a way that minimises any potential contamination of receiving waters.

(3) Best practicable dredging methods must be used in order to minimise sediment mobilisation and dispersal.

(4) No dredged material may be deposited in the coastal marine area or on land where it could re-enter a water body unless depositing of that

material is listed in this plan as a permitted activity or has a resource consent.

(5) Upon completion of dredging, all equipment and litter must be removed.

(6) Written advice must be given to the Council at least 10 working days prior to the work starting.

F2.21.4.2. In significant wading bird areas as identified in Appendix 5 Wading bird areas dredging must be timed to avoid bird nesting seasons and avoid adverse effects on birds using roosting areas and must not damage or disturb areas of salt marsh or nesting or roosting birds, or other indigenous biota. Dredging to maintain or clear an existing lawful drainage system

(1) The activity may only take place adjacent to land that is continuous with land that has a rural zone.

(2) The volume of material cleared must not exceed 500m^3.

(3) There must be no diversion of any part of the channel to a different course.

(4) The must be no deepening or widening of the channel beyond the limits of its original profile.

(5) Any visible disturbance to the surrounding coastal marine area must be remedied or restored within seven days.

(6) Best practicable dredging methods must be used in order to minimise sediment mobilisation and dispersal

(7) In identified wading bird areas (Appendix 5 Wading bird areas), drainage clearance must be timed to avoid bird nesting seasons and avoid adverse effects on birds using roosting areas and must not damage or disturb areas of salt marsh or nesting or roosting birds, or other indigenous biota.

(8) No dredged material may be deposited in the coastal marine area or on land where it could re-enter a water body unless the deposition of that material is listed in this plan as a permitted activity or has a resource consent.

(9) Upon completion of dredging, all equipment and litter must be removed.

(10) Written advice must be given to the Council at least 10 working days prior to the work starting.

F2.21.5. Standards – Coastal marine area disturbance and common marine and coastal area mineral extraction including any associated discharge of contaminants and water into water

Activities listed as permitted or restricted discretionary in Table F2.19.4 must comply with the standards in F2.21.1 and the standards listed in F2.21.5.

F2.21.5.1. Coastal marine area disturbance related to scientific or engineering investigations and mineral prospecting, mineral exploration

(1) The disturbance must be limited to:

(a) removal of a maximum of $1m^3$ of uncompacted material, or $0.2m^3$ of compact material, in any 24-hour period;

(b) any drilling device must be no larger than 250mm (head size); and

(c) less than $5m^3$ of the foreshore or seabed must be disturbed.

(2) Any visible disturbance to the substrate of the coastal marine area must be remedied or restored within 48 hours of the completion of the works in areas identified in the D11 Outstanding Natural Character Overlay, D10 Outstanding Natural Features Overlay and D9 Significant Ecological Area Overlay – Marine 1 and within seven days in other areas of the coastal marine area.

(3) There must be an emergency spill plan in place to address the unforeseen release of contaminants from equipment which may result in spills being used for the activity.

F2.21.5.2. Coastal marine area disturbance related mineral prospecting, mineral exploration and petroleum prospecting (excluding petroleum)

(1) The disturbance must be limited to:

(a) removal of a maximum of $1m^3$ of uncompacted material, or $0.2m^3$ of compact material, in any 24-hour period;

(b) any drilling device must be no larger than 250mm (head size); and

(c) less than $5m^3$ of the foreshore or seabed must be disturbed.

(2) Any visible disturbance to the substrate of the coastal marine area must be remedied or restored within 48 hours of the completion of the works in areas identified in the D11 Outstanding Natural Character Overlay, D10 Outstanding Natural Features Overlay and D9 Significant Ecological Area Overlay – Marine 1 and within seven days in other areas of the coastal marine area.

(3) There must be an emergency spill plan in place to address the unforeseen release of contaminants from equipment being used for the activity.

F2.21.5.3. Coastal marine area disturbance: not otherwise provided for; associated with removal of litter or marine debris; associated with removal of sediment, vegetation and encrusting organisms from any existing lawful structure; associated with the burial of dead marine mammals; associated with movement of up to 1500m³ of beach sediment per calendar year within the same coastal cell; associated with control or eradication of any exotic or introduced plant or animal species

(1) Any visible disturbance to the substrate of the coastal marine area must be remedied or restored within 48 hours of the completion of the works identified in D11 Outstanding Natural Character Overlay, D10 Outstanding Natural Features Overlay and D9 Significant Ecological Area Overlay – Marine 1 and within seven days in other areas of the coastal marine area.

(2) There must be an emergency spill plan in place to address the unforeseen release of contaminants from equipment which may result in spills being used for the activity.

(3) There must be no discharge of chemical herbicides in the coastal marine area, other than as provided for in an approved pest management strategy.

(4) All equipment and materials must be removed from the foreshore and seabed on the completion of works or activities.

(5) Any disturbance associated with control or eradication of any exotic or introduced plant or animal species must be:

(a) in accordance with an approved pest management plan prepared under the Biosecurity Act 1993; and

(b) written advice must be given to the Council at least 10 working days prior to the work starting.

(6) Non-compliance with F2.21.5.3(1), (2), (3), (4) or (5) is a non-complying activity.

F2.21.5.4. Livestock access in the coastal marine area

(1) Any visible disturbance to the substrate of the coastal marine area must be remedied or restored within 48 hours of the completion of the works in areas identified in the Outstanding Natural Character Overlay, Outstanding Natural Features Overlay and Significant Ecological Areas – Marine 1 Overlay and within seven days in other areas of the coastal marine area.

(2) Any livestock access in the coastal marine area for droving of stock or horse riding must ensure:

(a) the droving does not occur in estuarine areas or areas of salt marsh or mangroves or adjacent to a marine farm and no grazing of intertidal vegetation must be allowed to occur;

(b) the stock must be moved along at all times and not left unattended;

(c) horses must be kept under control at all times;

(d) horses must not graze on intertidal vegetation; and

(e) horses must not be ridden or taken into bird breeding areas.

(3) Any livestock exclusion measures must be effective and can include a permanent fence or temporary hot-wire, dense vegetation or natural barriers that prevent stock gaining access to the coastal marine area.

Note 1

Rules on livestock access to waterways are also provided in E3 Lakes, rivers, streams and wetlands.

F2.21.5.5. Pacific oyster shell removal other than as part of aquaculture activities or dredging of Pacific oyster shell reefs

(1) Any visible disturbance to the substrate of the coastal marine area must be remedied or restored within 48 hours of the completion of the works identified in the D11 Outstanding Natural Character Overlay, D10 Outstanding Natural Features Overlay and D9 Significant Ecological Area Overlay – Marine 1 and within seven days in other areas of the coastal marine area.

(2) Only handheld methods may be used in areas identified in the D11 Outstanding Natural Character Overlay, D10 Outstanding Natural Features Overlay and D9 Significant Ecological Area Overlay – Marine 1.

(3) There must be no more than minor disturbance of other biota in areas identified in D11 Outstanding Natural Character Overlay, D10 Outstanding Natural Features Overlay and D9 Significant Ecological Area Overlay – Marine 1.

(4) Shells must not be disposed of in the coastal marine area unless otherwise authorised.

F2.21.5.6. Mangrove removal

(1) Mangrove seedling removal and mangrove seedling removal in significant wading bird areas identified in Appendix 5 Wading bird areas, must meet all of the following:

(a) removed vegetation must be disposed of outside the coastal marine area;

(b) the removal must not involve any discharge of chemical herbicides in the coastal marine area other than as provided for in an approved pest management plan prepared in accordance with the Biosecurity Act 1993;

(c) any visible disturbance to the substrate of the coastal marine area must be remedied or restored within 48 hours of the completion of the works in areas identified in D11 Outstanding Natural Character Overlay, D10 Outstanding Natural Features Overlay and D9 Significant Ecological Area Overlay – Marine 1 and within seven days in other areas of the coastal marine area;

(d) removal must be done by hand or by hand-held tools;

(e) removal must not be in areas where mangroves are serving to mitigate coastal erosion from wave action;

(f) removal must not damage or disturb areas of salt marsh or seagrass;

(g) written advice must be given to the Council at least 10 working days prior to removal, other than for the removal of 30m^2 or less of seedlings. The advice will include the location and extent of the mangroves to be removed, the timing and methods of removal and the matters in F2.21.5.6(1)(h); and

(h) in a significant wading bird area identified in Appendix 5 Wading bird areas, removal must be timed to avoid bird roosting and nesting seasons and minimise adverse effects on birds using roosting areas.

(2) Mangrove removal to enable the operation, maintenance, use and functioning of existing lawful structures, infrastructure, or to ensure public health and safety in the use or operation of infrastructure to a maximum of 200m^2, all of the following apply:

(a) removed vegetation must be disposed of outside the coastal marine area;

(b) the removal must not involve any discharge of chemical herbicides in the coastal marine area, other than as provided for in an approved pest management plan prepared in accordance with the Biosecurity Act 1993;

(c) any visible disturbance to the substrate of the coastal marine area must be remedied or restored within 48 hours of the completion of the works in areas identified in the D11 Outstanding Natural Character Overlay, D10 Outstanding Natural Features Overlay and D9 Significant Ecological Area Overlay – Marine 1 and within seven days in other areas of the coastal marine area;

(d) the removal must be immediately adjacent to the structure or infrastructure, or any drainage system;

(e) removal must not damage or disturb areas of salt marsh or seagrass; and

(f) written advice must be given to the Council at least 10 working days prior to removal. The advice will include the location and extent of the mangroves to be removed and the timing and methods of removal.

F2.21.5.7. Vegetation alteration or removal for routine operation, repairs and maintenance within 3m of existing buildings and structures, roads excluding mangrove, seagrass or salt marsh removal

(1) No more than 20m^2 of vegetation must be removed.

(2) Removed vegetation must be disposed of outside the coastal marine area.

(3) The removal must not involve any discharge of chemical herbicides in the coastal marine area other than as provided for in an approved Pest Management Plan prepared under the Biosecurity Act 1993.

(4) Vegetation alteration or removal must be undertaken by hand or by handheld tools.

(5) Vegetation alteration or removal must not be in areas where the vegetation mitigates coastal erosion from wave action.

(6) Vegetation alteration or removal must not damage or disturb areas of salt marsh or seagrass.

F2.21.6. Standards - Planting in the coastal marine area

Activities listed as permitted in Table F2.19.5 must comply with the standards in F2.21.1 and the standards in F2.21.6.

F2.21.6.1. Planting of native vegetation

(1) Planting of native vegetation shall be sourced from the same ecological district.

F2.21.7. Standards - Taking, use and damming or diverting coastal water

Activities listed in Table F2.19.6 must comply with the general standards in F2.21.1 and the specific standards listed in F2.21.7.

F2.21.7.1. Taking, use and diversion of coastal water other than for the operational needs of vessels and fire fighting

(1) A screen with a mesh size spacing no greater in one dimension than 5mm must be used.

Note 1

Any structure must also comply with the standards for structures.

(2) Maximum water velocity into the entry point of the intake structure must be no greater than 0.3m/second.

(3) Any visible disturbance to the substrate of the coastal marine area must be remedied or restored within 48 hours of the completion of the works in areas identified D11 Outstanding Natural Character Overlay, D10 Outstanding Natural Features Overlay and D9 Significant Ecological Area Overlay – Marine 1 and within seven days in other areas of the coastal marine area.

F2.21.8. Standards - Discharges

Activities listed as permitted and restricted discretionary activity in Table F2.19.7 must comply with the standards in F2.21.1 and the standards listed in F2.21.8.

F2.21.8.1. All permitted activities (other than discharges from firefighting and other emergency response activities undertaken by the New Zealand Fire Service)

(1) The discharge must not, after reasonable mixing, give rise to any or all of the following effects:

(a) the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials;

(b) any conspicuous change in the colour or visual clarity water in the coastal marine area;

(c) any emission of objectionable odour; and

(d) any significant adverse effects on aquatic life.

F2.21.8.2. Discharge of untreated sewage from a vessel or offshore installation

(1) The discharge must be in water depths greater than 5m.

(2) The discharge must be more than 500m (0.27 nautical miles) from mean high water springs.

(3) The discharge must be more than 500m (0.27 nautical miles) from an aquaculture activity.

(4) The discharge must be more than 500m (0.27 nautical miles) from a mataitai.

(5) The discharge must be more than 200m (0.108 nautical miles) from a marine reserve.

(6) Notwithstanding F2.21.8.2(1) to (5) the discharge must not be inside two headlands (point to point) of the following specific locations:

(a) Waitemata Harbour from North Head to Orakei Wharf;

(b) Mahurangi Harbour from from Pudding Island to Sadler Point;

(c) Bostaquet Bay Kawau Island, from Brownrigg Point to Challenger Island;

(d) Port Fitzroy Great Barrier Island, inside Paget rock in Man O War Passage to a line between the NE tip of Kaikoura Island and Kotutu point;

(e) Nagle Cove Great Barrier Island from Tortoise Head and Wood island; or

(f) Tryphena Harbour Great Barrier Island from Tryphena Point to Bird Islet.

(7) Notwithstanding in harbours, bays and embayments listed in F2.21.8.2(6), during rough weather conditions when wind conditions at the mouth of the harbour, bay or embayment exceed 15-18 knots untreated sewage may be discharged as necessary for health and safety reasons.

Note 1

Discharges that do not meet these requirements are prohibited activities under the Resource Management (Marine Pollution) Regulations 1998 which control the discharges of treated sewage from a vessel or offshore installation.

F2.21.8.3. Discharge of any contaminant, other than hull fouling, resulting from the cleaning, (other than removal of hull bio-fouling organisms), application or removal of anti-fouling coating or painting of vessels, not otherwise provided for

(1) The discharge or escape of contaminant materials or debris onto the foreshore, seabed or into the water must be collected as far as practicable and removed from the coastal marine area. This may require the use of collection devices such as ground covers, nettings or similar or suction pumps if in-water.

F2.21.8.4. Discharge of dye or tracer material for investigative purposes

(1) Notice of the intended discharge must be given to the Council at least 12 hours prior to the discharge occurring.

(2) The dye or tracer must be of a type that is designed to be used in natural water and must be used in accordance with manufacturer's recommendations and any relevant and recognised standards and practices.

F2.21.8.5. Discharge of potable water from the water supply network

(1) The discharge must occur during the upper half of the tide unless the discharge occurs directly into open water without disturbing sediment.

(2) The discharge, after reasonable mixing, must result in a free available chlorine concentration of less than or equal to 20 µg/l in the receiving water.

F2.21.8.6. Discharges into the coastal marine area which are not covered by another rule in this Unitary Plan, and not covered by the Resource Management (Marine Pollution) Regulations 1998

(1) The discharge must not contain human sewage or hazardous substances as defined by the Hazardous Substances and New Organisms Act 1996 and any regulations made under section 75 of that Act.

(2) The discharge must not change the natural temperature of the receiving water, after reasonable mixing, by more than 3 degrees celcius.

(3) The discharge must not involve any visible disturbance to the substrate of the coastal marine area that cannot be remedied or restored within 48 hours in D11 Outstanding Natural Character Overlay, D10 Outstanding Natural Features Overlay and D9 Significant Ecological Area Overlay – Marine 1 areas and within seven days in other areas of the coastal marine area.

(4) Public access to and along the coast must not be restricted by the volume or movement of the discharge.

F2.21.8.7. Discharges of hull bio-fouling organisms from in-water cleaning of vessels

(1) Gentle non-abrasive cleaning techniques must be used.

(2) The cleaning method will not compromise the existing anti-fouling coating system.

(3) In-water cleaning technologies should capture debris to a minimum of 50 micrometers in diameter.

(4) Any debris is collected and appropriately disposed of.

(5) If unusual or suspected harmful aquatic organisms (or species designated as pests in the relevant pest management plan prepared under the

Biosecurity Act) are found, the vessel owner or operator must take the following steps:

(a) all cleaning must cease;

(b) the Council must be immediately notified; and

(c) cleaning may not recommence until notified by Council to do so.

Note 1

Council may contact the Ministry for Primary Industries for advice on the nature of the species and the appropriate measures to be taken.

(6) The discharge or escape of hull bio-fouling organisms or debris onto the foreshore, seabed or into the water must be collected as far as practicable and removed from the coastal marine area.

(7) The anti-fouling coating on the hull and niche areas to be cleaned shall not have exceeded its planned service life as specified by the manufacturer.

F2.21.8.8. Passive discharges of hull bio-fouling organisms from commercial and military vessels

(1) The vessel must be subject to an approved Bio-fouling Management Plan that implements the guidelines of the International Maritime Organisation, adherence to which can be demonstrated through the maintenance of a Bio-fouling Record Book which is available for inspection upon request by Council.

(2) For military vessels, implementation of the following measures may serve as an alternative to implementation of the Biofouling Management Plan required under F2.21.8.8(1):

(a) The measures recorded in a Craft Risk Management Plan prepared in accordance with section 24(k) of the Biosecurity Act 1993 and approved by the Ministry for Primary Industries; and

(b) the additional measures proposed by the operator of the vessel(s) to effectively minimise the transfer of hull bio-fouling organisms while military vessels remain in Auckland waters.

(3) The measures proposed under F2.21.8.8(2)(b) shall be provided to the Council. In order to demonstrate the effectiveness of these measures, or in the event of disagreement between the vessel operator and the Council regarding the effectiveness of these measures, technical advice may be obtained from the Ministry for Primary Industries or other suitably qualified agent agreed by the parties.

F2.21.9. Standards - Use and activities and associated occupation of the common marine and coastal area

Activities listed as permitted, controlled or restricted discretionary in Table F2.19.8 must comply with the standards in F2.21.1 and the standards listed in F2.21.9.

F2.21.9.1. Public access, passive recreation, navigation and general use not otherwise provided for and that does not involve occupation of the common marine and coastal area

(1) Any visible disturbance to the substrate of the coastal marine area must be remedied or restored within 48 hours of the completion of the works in areas identified in D11 Outstanding Natural Character Overlay, D10 Outstanding Natural Features Overlay and D9 Significant Ecological Area Overlay – Marine 1 and within seven days in other areas of the coastal marine area.

(2) The activity or use must not require exclusive occupation of the common marine and coastal area.

(3) The activity or use must not require exclusion of public use and access to an area.

Note 1

For temporary events in the coastal marine area refer to E40 Temporary activities.

F2.21.9.2. Anchoring of vessels to the foreshore or seabed in the same position for no more than 28 consecutive days, other than in a cable protection area or for longer times as necessary for navigation safety, emergency response or maintenance and repair of structures (anchoring does not include occupation by a vessel at a wharf, jetty or other lawful berth or mooring or at any designated anchorage for commercial shipping)

(1) Vessels must not obstruct the safe navigation of other vessels or obstruct the approach to any wharf or jetty.

(2) Vessels must not create a hazard to other vessels at anchor or on a mooring.

F2.21.9.3. Marine and port activities including repair and maintenance of vessels

(1) Any excess building material, spoil, construction equipment or litter must be removed from the coastal marine area within 24 hours of completion of any works.

(2) Any discharge will not, after reasonable mixing, give rise to any or all of the following effects:

(a) the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials;

(b) any conspicuous change in the colour or visual clarity of the water in the coastal marine area;

(c) any emission of objectionable odour; or

(d) any significant adverse effects on aquatic life

Note 1

Compliance with Standard F2.21.9.3(2) may require the installation of collection devices such as ground covers, netting or other devices to ensure the collection of any contaminant or debris from the operation.

(3) Any activity involving the storage or handling of hazardous substances must comply with E31 Hazardous substances.

F2.21.9.4. Parking on coastal marine area structures for loading and unloading passengers and cargo to vessels

(1) Provisions in E27 Transport apply.

(2) Parking must be located so that it does not obstruct pedestrian and vehicle access, and allows for passenger and cargo loading/unloading.

F2.21.9.5. Vehicle use of the foreshore and seabed, or on existing lawful coastal marine area structures, not otherwise provided for

Note 1

Vehicle use is controlled by bylaws as well as this Plan.

Note 2

Refer also to F9 Vehicles on beaches for objectives and policies for that activity.

F2.21.9.6. Archaeological investigations

(1) Any archaeological investigations in the area covered by D17 Historic Heritage Overlay must not include disturbance of the foreshore and seabed except for the temporary insertion of a probe or peg not exceeding a diameter of 10mm.

F2.21.9.7. Temporary military training activities

(1) Any visible disturbance to the substrate of the coastal marine area must be remedied or restored within 48 hours of the completion of the works in areas identified in D11 Outstanding Natural Character Overlay, D10 Outstanding Natural Features Overlay and D9 Significant Ecological Area Overlay – Marine 1 and within seven days in other areas of the coastal marine area.

(2) There must be no damage to or destruction of the values listed in the schedules for D11 Outstanding Natural Character Overlay, D10

Outstanding Natural Features Overlay and D9 Significant Ecological Area Overlay – Marine 1.

(3) There must be no modification to known heritage values listed in the Schedule 14 Historic Heritage Schedule, Statements and Maps.

(4) All equipment, materials and litter must be removed from the coastal marine area on the completion of the activity.

(5) The activity or use must not require exclusion of public use and access to an area except where a restriction is necessary to protect public health and safety or where public access would be in conflict with the Defence Act 1990.

(6) There must be an emergency spill plan in place to address the unforeseen release of contaminants from equipment being used for the activity.

(7) Temporary military training activities involving weapons firing and/or the use of explosives must have the separation distance from any noise sensitive land use, and not exceed the noise levels, set out in E40 Temporary activities at E40.6.8.

F2.21.10. Standards - Coastal marine area structures, construction in the coastal marine area, occupation of the common marine and coastal area and their use

Activities listed as permitted or restricted discretionary in Table F2.19.10 must comply with the standards in F2.21.1 and the standards in F2.21.10.

F2.21.10.1. Maintenance, repair and reconstruction of existing lawful coastal marine area structures or buildings

Purpose: ensure works are undertaken to an acceptable standard.

(1) The work must maintain the structure or building in a good and safe working condition.

(2) The work must not use materials which alter the form or external appearance of the structure in more than a minor way.

(3) The work must not change the area occupied by the structure except that with respect to network utilities in the Coastal - General Coastal Marine Zone (outside of the overlays other than the National Grid Corridor Overlay), the area of occupation is within 2m of the existing alignment or location.

F2.21.10.2. Demolition or removal of any buildings or coastal marine area structures

Purpose: manage removal and demolition of buildings and coastal marine area structures to ensure safety and public access and to ensure the coastal marine area is left in a safe and acceptable condition.

(1) Any part of a structure or building that is not removed must not protrude above the foreshore or seabed so that they create a hazard to safe navigation or public access.

F2.21.10.3. Coastal marine area structures located below the surface of the foreshore and seabed

Purpose: ensure sub-surface structures are appropriately located and designed.

(1) The structure must not be capable of being uncovered or moved by natural coastal processes, other than exceptional hazard events such as tsunami.

(2) Written advice must be given to the council and the National Topo/Hydro Authority at Land Information New Zealand at least five working days prior to the work starting.

F2.21.10.4. Temporary coastal marine area structures or buildings

Purpose: ensure temporary structures are in place for the minimum period required and occupy the minimum area necessary so effects on other users are minimised.

(1) The temporary structure must be in place for no longer than 14 days within any six month period (except that temporary structures associated with maintenance, repair, reconstruction, alteration, extension or construction works (including scaffolding and fencing) must be in place for no longer than the duration of the construction project or 40 working days, whichever is the lesser).

(2) The temporary structure must be removed within seven days of the completion of the event or use for which it was erected.

(3) The temporary structure must occupy the minimum area necessary for its purpose.

(4) The temporary structure must maintain safe navigation access.

F2.21.10.5. Navigational aids

Purpose: provide for safe navigation while complying with any required standards.

(1) Written advice must be given prior to the work being undertaken to the council harbourmaster, and the National Topo/Hydro Authority at Land Information New Zealand at least five working days prior to the work starting.

F2.21.10.6. Maimai

Purpose: ensure permitted maimai are of an acceptable size and used appropriately, and do not obstruct coastal processes.

(1) Structures made from permanent materials with a floor must be piled.

(2) The floor area must not exceed $10m^2$.

(3) The height must not exceed 3m above mean high water springs.

(4) Any maimai not displaying a tag issued under the Wildlife Act 1953 for two years consecutively must be removed from the coastal marine area.

(5) A maimai must not used for residential purposes.

(6) The structure must not be located in the sites identified in Schedule 4 Significant Ecological Areas - Marine Schedule under ID: 2b-j; 10b-c; 27c; 30b; and 34b.

F2.21.10.7. Minor infrastructure upgrades

Purpose: ensure infrastructure upgrading work meets required standards.

(1) Upgrading works must meet the relevant standards in E26 Infrastructure.

(2) In the: D9 Significant Ecological Areas Overlay – Marine 1 and 2; D17 Historic Heritage Overlay; D21 Sites and Places of Significance to Mana Whenua Overlay; D11 Outstanding Natural Character and High Natural Character overlays; and D10 Outstanding Natural Features Overlay; and Outstanding Natural Landscapes Overlay; the work must not change the area occupied by the structure.

F2.21.10.8. Occupation of the common marine and coastal area by infrastructure structures

Purpose: ensure existing infrastructure structures are managed so that adverse effects on the environment are avoided, remedied or mitigated.

(1) Occupation of the common marine and coastal area by infrastructure structures, that form part of a network operated or managed by a network utility operator, and are existing at 23 October 2001, and any subsequent upgrade to such a structure, must meet all of the following:

(a) the structure must be located so that it does not cause more than minor erosion, depositing, or disturbance;

(b) the structure must be not redundant, in that it is being used and is physically capable of being used for its required purpose;

(c) the structure and/or its location must be shown on a plan with the NZMS grid references (seven digit easting and northing), and by a photograph, both of which are provided to the Council; and

(d) any upgrade must comply with the standards for minor infrastructure upgrading in the network utilities and energy rules.

F2.21.10.9. Cables located within cable protection areas

Purpose: ensure the appropriate authorities are notified of cable locations.

(1) Written notice must be given to the Council and the National Topographic/Hydro Authority at LINZ at least five working days prior to the work starts.

F2.21.10.10. Cables and pipes operated by network utility operators attached to existing bridge structures

Purpose: ensure that pipes and cables attached to bridges are of a limited scale so that they do not have adverse environmental effects and do not exacerbate any existing effects.

(1) The cable or pipe must be securely affixed to the existing structure.

(2) Any visible disturbance to the substrate of the coastal marine area created during the installation of the cable or pipe must be remedied or restored within 48 hours of the completion of the works in areas identified in the D11 Outstanding Natural Character Overlay, D10 Outstanding Natural Features Overlay and D9 Significant Ecological Area Overlay – Marine 1; and within seven days in other areas of the coastal marine area.

(3) The cable or pipe must not reduce the air draft between the low-point of the existing structure and the water level so that it does not form an impediment to navigation.

(4) The cable or pipe must be affixed so that it is unobtrusive and does not alter the form or external appearance of the existing bridge in more than a minor way.

(5) Installation works must not create a hazard to safe navigation or public access.

(6) The pipes must not be for the purpose of conveying hazardous substances.

F2.22. Assessment – controlled activities

F2.22.1. Matters of control

The Council will reserve its control to all of the following matters when assessing a controlled activity resource consent application:

(1) mangrove removal to enable the operation, maintenance, use and functioning of existing lawful structures, infrastructure or to ensure public health and safety in the use or operation of infrastructure (maximum of 30m² in: D9 Significant Ecological Areas Overlay; D10 Outstanding Natural Features Overlay and Outstanding Natural Landscape Overlay; and D11 Outstanding

Natural Character Overlay and High Natural Character Overlay; and D17 Historic Heritage Overlay):

(a) methods and extent of removal, timing and hours of operation;

(b) effects on values of D9 Significant Ecological Areas Overlay; D10 Outstanding Natural Features Overlay and Outstanding Natural Landscape Overlay; and D11 Outstanding Natural Character Overlay and High Natural Character Overlay; and D17 Historic Heritage Overlay; and

(c) consent duration.

(2) demolition or removal of any buildings or coastal marine area structures:

(a) works or methods, timing and hours of the operation; and

(b) consent duration.

F2.22.2. Assessment criteria

The Council will consider the relevant assessment criteria for controlled activities:

(1) mangrove removal to enable the operation, maintenance, use and functioning of existing lawful structures, infrastructure or to ensure public health and safety in the use or operation of infrastructure (maximum of 30m² in D9 Significant Ecological Areas Overlay; D10 Outstanding Natural Features Overlay and Outstanding Natural Landscape Overlay; and D11 Outstanding Natural Character Overlay and High Natural Character Overlay; and D17 Historic Heritage Overlay):

(a) whether the works avoid, remedy or mitigate any adverse effects arising from:

(i) disturbance of the foreshore and seabed;

(ii) depositing material in the coastal marine area;

(iii) the removal of indigenous vegetation; and

(iv) discharge of contaminants.

(b) whether the effect on the values of the D9 Significant Ecological Areas Overlay; D10 Outstanding Natural Features Overlay and Outstanding Natural Landscape Overlay; and D11 Outstanding Natural Character Overlay and High Natural Character Overlay; and D17 Historic Heritage Overlay areas have been avoided, remedied or mitigated; and

(c) consent duration and monitoring.

(2) demolition or removal of any buildings or coastal marine area structures:

(a) whether the works avoid, remedy or mitigate any adverse effects arising from:

(i) disturbance of the foreshore and seabed;

(ii) depositing material in the coastal marine area;

(iii) the removal of indigenous vegetation; and

(iv) discharge of contaminants.

(b) consent duration and monitoring.

F2.23. Assessment – restricted discretionary activities

F2.23.1. Matters of discretion

The Council will restrict its discretion to all of the following matters when assessing a restricted discretionary resource consent application:

(1) all restricted discretionary activities:

(a) the effects of construction or works methods, and the timing and hours of operation;

(b) the effects of the location, extent, design and materials;

(c) effects on coastal processes, ecological values, water quality and natural character and landscape values;

(d) effects on public access, navigation and safety;

(e) effects on existing uses and activities (including significant infrastructure);

(f) effects on Mana Whenua values;

(g) effects on historic heritage; and

(h) consent duration and monitoring.

(2) Additional matters for:

(a) activities in a D9 Significant Ecological Areas Overlay – Marine 1 and 2; D17 Historic Heritage Overlay; D21 Sites and Places of Significance to Mana Whenua Overlay; D11 Outstanding Natural Character and High Natural Character overlays; D10 Outstanding Natural Features Overlay; and Outstanding Natural Landscapes Overlay; and

(i) effects on the characteristics and qualities that contribute to an area's values;

(ii) effects on the ecological values of the D9 Significant Ecological Areas Overlay – Marine 1 and 2; and

(iii) effects on views, visual amenity and landscape values in a D10 Outstanding Natural Landscape Overlay, D11 Outstanding Natural Character Overlay or High Natural Character Overlay.

(b) activities affecting a place identified in Schedule 14.1 Schedule of Historic Heritage:

(i) effects on the identified historic heritage values.

(c) occupation of the common marine and coastal area:

(i) the effects of the location, extent, timing and duration of the occupation, including exclusive occupation.

(d) structures in the coastal marine area:

(i) effects on views to and from the surrounding area, and visual amenity effects from the presence of the structure.

(e) discharge of untreated wastewater overflows from a combined sewer and wastewater network:

(i) implementation and ongoing maintenance of measures necessary to achieve the best practicable option to prevent or minimise the adverse effects of the wastewater overflows; and

(ii) implementation of the wastewater network operations plan and the operational and maintenance programme.

(3) specific matters for identified activities:

(a) the matters for discretion in F22.3(1) do not apply to F23.1(3)(b)-(e);

(b) discharges of hull bio-fouling organisms from in-water cleaning:

(i) the effects of the proposed cleaning method, including the capture and disposal of bio-fouling material;

(ii) the presence and condition of an anti-fouling treatment and the anti-fouling treatment manufacturer's recommendations (including expected service life of the treatment); and

(iii) consistency with the 2013 "Anti-fouling and in-water cleaning guidelines" (Australian Department of Agriculture, Fisheries and Forestry and Department Sustainability, Environment, Water, Population and Communities and New Zealand Ministry for Primary Industries).

(c) underwater blasting, impact and vibratory piling, marine seismic surveys:

(i) the health and well-being of marine fauna (including threatened and at-risk species) and people from the underwater noise associated with the proposal;

(ii) the practicability of being able to control the underwater noise effects;

(iii) the social and economic benefits of the proposal; and

(iv) the extent to which non-transitory or more than minor adverse effects on threatened or at risk indigenous species (including Maui's Dolphin and Bryde's Whale) are avoided.

(d) re-consenting established aquaculture activities:

(i) effects on Mana Whenua values and ecological values and water quality;

(ii) effects on navigation and safety from the established aquaculture activities;

(iii) consent duration is a minimum of 20 years and a maximum of 35 years and monitoring;

(iv) where the activity is within an overlay, effects on the characteristics and qualities of the overlay; and

(v) the existing level of economic investment in lawfully established aquaculture activities.

(e) extensions and realignment of established aquaculture activities:

(i) the effects from construction or works methods;

(ii) the effects of the location, extent, design and materials of the marine farm;

(iii) the effects on coastal processes, Mana Whenua values and ecological values and, water quality;

(iv) the effects on public access, navigation and safety;

(v) the effects on existing uses and activities;

(vi) consent duration and monitoring;

(vii) where the activity is within an overlay, effects on the characteristics and qualities of the overlay; and

(viii) the existing level of economic investment in lawfully established aquaculture activities.

(f) experimental aquaculture activities:

(i) the effects from construction or works methods;

(ii) the effects of location, extent, design and materials of the marine farm;

(iii) the effects on coastal processes, ecological values, water quality and natural character;

(iv) the effects on public access, navigation and safety;

(v) the effects on existing uses and activities;

(vi) the effects on Mana Whenua values;

(vii) the effects of introducing food and antibiotics; and

(viii) consent duration and monitoring.

F2.23.2. Assessment criteria

The Council will consider the relevant assessment criteria for restricted discretionary activities from the list below:

(1) all restricted discretionary activities:

(a) construction or works methods, timing and hours of operation:

(i) whether construction or works methods avoid, remedy or mitigate adverse effects, particularly on water quality and sedimentation;

(ii) whether construction or works are to be done at a time that will avoid or minimise, adverse effects on marine mammals, bird roosting, nesting and feeding, and recreational users of the coastal marine area; and

(iii) whether construction or works hours of operation are limited to minimise effects of noise and disruption on existing activities, and on nearby residential and open space areas.

(b) location, extent, design and materials:

(i) whether the work is located and designed to avoid, remedy or mitigate adverse effects on the environment;

(ii) whether the form, intensity and scale of works, structures and buildings are sensitive to the marine environment and surrounding adjoining spaces;

(iii) whether works and structures ensure efficient use of the coastal marine area is made by using the minimum area necessary for their purpose; and

(iv) whether the materials used are compatible with the surrounding coastal environment and consistent with the natural materials at the site; taking into account the physical characteristics of the materials used, including texture, colour, composition, grain size, level of contamination and potential for leaching.

(c) effects on coastal processes, ecological values, water quality and natural character and landscape values:

(i) whether measures can be taken to avoid, remedy or mitigate adverse effects on coastal processes, ecological values, water quality and natural character and landscape values; and

(ii) whether proposals have had particular regard to the policies in B8.2 Natural character, B4.2 Outstanding natural features and landscapes and B7.2 Indigenous Biodiversity.

(d) effects on public access, navigation and safety:

(i) whether the effects on existing public access arrangements have been avoided by minimising the extent and duration of work and by providing alternative access routes where practicable;

(ii) whether the proposed activity or development adversely affects navigation and safety;

(iii) whether the effects on vessel access and berthage has been avoided, remedied or mitigated;

(iv) whether the layout of structures and activities enhances public access, including pedestrian access, to the coastline and particularly to any areas of public open space; and

(v) whether any loss of public access to, along and within the coastal marine area has been mitigated, including through provision of facilities such as public boat ramps, lookout platforms, and alternative access.

(e) effects on existing uses and activities (including infrastructure):

(i) whether proposals avoid, remedy or mitigate adverse effects on existing activities as far as practicable, taking into account both activities in the coastal marine area and on adjacent land; and

(ii) whether activities avoid, remedy or mitigate adverse effects on the amenity of adjacent residential and open space zoned land.

(f) effects on Mana Whenua values:

(i) whether the proposal has included an assessment of Mana Whenua and how any effects have been avoided, remedied or mitigated.

(g) consent duration and monitoring:

(i) whether the consent duration should be limited to the minimum duration necessary for the functional or operational needs of the activity;

(ii) whether the consent duration should be limited as part of an adaptive management approach; and

(iii) whether monitoring is required in order to demonstrate the extent and type of environmental effects of the activity, and the degree to which the effects are remedied or mitigated during and after the activity

(h) effects on historic heritage

(i) whether proposals avoid, remedy or mitigate adverse effects on historic heritage.

(2) activities in and area within the D9 Significant Ecological Areas Overlay – Marine 1 and 2:

(a) whether the proposed activity provides greater opportunities for the movement or introduction of animal and plant pests that threaten indigenous biodiversity;

(b) whether proposals avoid, remedy or mitigate any adverse effect on the ecology and wildlife of the area and, where relevant, on the following:

(i) nesting, feeding and breeding of species;

(ii) biological processes;

(iii) connections between ecosystems;

(iv) the diversity of species;

(v) the habitat of threatened or protected species, both terrestrial and aquatic; or

(vi) cumulative effects

(c) whether the proposal has included an assessment of the extent to which:

(i) alternative methods or locations are available to the applicant to avoid effects on the identified values in D9 Significant Ecological Areas Overlay – Marine 1 and 2;

(ii) the degree to which a reduction in water quality and/or the depositing of material will affect the natural ecological functioning of the area;

(iii) existing use and development already, and in combination with any proposal, impacts on the habitat, or impedes the operation of ecological and physical processes;

(iv) there are similar habitat types within other D9 Significant Ecological Areas Overlay – Marine 1 and 2 in the same harbour or estuary or, where the D9 Significant Ecological Areas Overlay – Marine 1 and 2 is located on open coast, within the same vicinity; and

(v) there will be positive benefits for the ecological functioning and values of the D9 Significant Ecological Areas Overlay – Marine 1 and 2.

(d) whether the structure in a D9 Significant Ecological Areas Overlay – Marine 1 is necessary for:

(i) scientific and research purposes or for public education and will enhance the understanding and long term protection of the D9 Significant Ecological Areas Overlay – Marine 1 and 2;

(ii) navigation and safety;

(iii) habitat maintenance and enhancement; or

(iv) their benefit to the regional and national community, including infrastructure, and there is no reasonable or practicable alternative location on land or elsewhere in the coastal marine area.

(e) the extent to which any proposal to extend or alter any existing lawful structure in the D9 Significant Ecological Areas Overlay – Marine 1 has demonstrated the following:

(i) the existing structure has no significant adverse effect on the values and ecological and physical processes operating in the D9 Significant Ecological Areas Overlay – Marine 1 and 2;

(ii) the extension or alteration does not involve significant disturbance of foreshore or seabed, clearance of indigenous vegetation;

(iii) significantly increase the need to dredge in order to obtain access to the structure from the coastal marine area; or

(iv) purpose of the extension cannot practicably be met by a land-based alternative.

(f) proposals should have particular regard to the policies in B7.2 Indigenous Biodiversity.

(3) activities in an Outstanding Natural Features Overlay:

(a) whether the proposal has included an assessment of:

(i) whether the nature, form and extent of the proposed works or activity adversely affects the feature or features for which the item was scheduled;

(ii) whether the proposed works or activity adversely affect landscape values;

(iii) the degree to which the feature or features have already been modified so that further modification will not cause significant additional loss of geological information;

(iv) the extent to which the modification is necessary;

(v) the purpose of the proposed works or activity and whether it has specific connections or relevance to the scheduled item;

(vi) whether alternative methods and locations are available to the applicant for carrying out the work or activities that do not affect a scheduled feature; and

(vii) the extent to which the proposed works will protect the feature from further damage, such as erosion protection, or remediate it from previous damage. This excludes potential damage from the activity for which consent is sought.

(4) activities in the Outstanding Natural Landscapes, Outstanding Natural Character and High Natural Character Overlay:

(a) whether the proposal has considered the potential impacts on landscape, natural character, visual, amenity and experiential values by assessing the extent to which:

(i) it avoids adverse effects on Outstanding Natural Character Overlay and Outstanding Natural Landscapes Overlay;

(ii) it gives effect to the policies in B4.2 Outstanding natural features and landscapes and B8.2 Natural character;

(iii) the proposal will adversely affect amenity and identified natural character values;

(iv) whether the proposed mitigation measures can ensure there will be no more than minor effects on amenity values or views, both from land and sea, landscape and natural character values and people's experience and values associated with an area, including the predominance of nature and wilderness values;

(v) the siting of the building adversely affects the line and form of the landscape with particular regard to ridgelines, headlands and promontories;

(vi) the building can be located in a less prominent location taking into account the characteristics of the site, and is located within an area that has the greatest potential to absorb change to the landscape;

(vii) the building will be visually obtrusive from any public road or public place, including from beaches and the sea;

(viii) the location, scale, height, design, external appearance and overall form of the building is appropriate to the rural and coastal context, and the colours and material used for roofs, walls and windows is of low reflectivity and merges with the surrounding landscape;

(ix) the building will result in adverse cumulative effects, having regard to other buildings or use and development;

(x) adverse visual and ecological effects from any earthworks, landform modification and vegetation removal associated with creating a building platform, driveways or other servicing requirements;

(xi) the building, driveways and servicing are set back from mean high water springs to avoid being affected by coastal erosion, natural coastal hazards or sea level rise, taking into account predicted risk over a 100-year time frame;

(xii) the proposed building or structure will impact on Mana Whenua values;

(xiii) the proposed building or structure has a functional need to be in the location proposed; and

(xiv) the proposed building or structure will improve the resilience and security of the infrastructure network.

(5) activities affecting a place identified in Schedule 14.1 Schedule of Historic Heritage:

(a) refer to the assessment criteria listed in D17 Historic Heritage Overlay.

(6) noise:

(a) the extent to which the management of noise emissions from activities in the coastal marine area has taken into account:

(i) the adverse effects on the health, well-being, and amenity values of the people who reside in or use the area;

(ii) the health and well-being of coastal and marine fauna from the noise associated with the proposal;

(iii) the extent to which the noise may add to a cumulative noise effect, taking into account the existing noise generated at or near the site;

(iv) the practicability of being able to control the noise levels;

(v) the extent to which any social and economic benefits to the community offset the impact of noise associated with the application; and

(vi) the extent to which the effects of the noise will be mitigated.

(7) underwater blasting, impact and vibratory piling, marine seismic surveys (note that no other criteria apply):

(a) whether the proposal has included an assessment of:

(i) the extent to which the underwater noise associated with the proposal adversely affects the health and well-being of marine fauna and people;

(ii) the practicability of being able to control the underwater noise effects;

(iii) the social and economic benefits of the proposal; and

(iv) the extent to which the adverse effects of the underwater noise will be mitigated.

(8) Lighting:

(a) refer to the assessment criteria in E24 Lighting.

(9) Occupation:

(a) whether occupation of the common marine and coastal area has been limited in spatial and temporal extent to minimise:

(i) the extent to which people will be excluded from using a structure, or by the activity, from the coastal marine area;

(ii) the effect the proposal may have on existing resource consent holders of occupation within the same locality or the vicinity; and

(iii) cumulative effects of the occupation.

(b) whether occupation of the common marine and coastal area has been limited to circumstances where it can be demonstrated that:

(i) there are no similar areas, structures or activities nearby which could be utilised for the same or similar purpose;

(ii) it is not practicable to locate the structure or activity on land outside the coastal marine area;

(iii) the use or development has a functional or operational need to locate in the coastal marine area; or

(iv) it is necessary to provide for the cultural and traditional needs of Mana Whenua.

(c) whether or not exclusive occupation of the common marine and coastal area that will have a significant adverse effect on public access and recreational use of the coastal marine area should be granted; and

(d) the extent to which the duration of rights of occupation are determined having regard to the following:

(i) extent of public use and access to the area and the impact of restrictions;

(ii) level of investment in the development and need for security of tenure to ensure the financial and economic viability;

(iii) land use and coastal development changes proposed in the vicinity through any statutory management strategies or plans; and

(iv) term of other consents in the vicinity, and the strategic benefit of all consents in an area expiring simultaneously.

(10) minor reclamation for the purpose of maintaining, repairing or upgrading a lawful reclamation:

(e) whether reclamations mitigate adverse effects through their form and design, taking into account the following:

(i) the compatibility of the design with the location;

(ii) the degree to which the materials used are visually compatible with the adjoining coast; and

(iii) the ability to avoid consequential erosion and accretion, and other natural hazards.

(11) River mouth dredging; dredging to maintain or gain access to an existing lawful structure; dredging to clear the exit of any lawful stormwater outfall or pipe (maximum of 5000m^3, maximum of 500m length) and maintenance dredging in specified zones:

(a) whether dredging:

(i) causes or exacerbates erosion or flooding within the coastal marine area or on adjacent land;

(ii) causes damage to existing lawful structures;

(iii) results in the permanent loss of any habitat of a rare or endangered species; and

(iv) results in adverse effects on significant surf breaks identified in Appendix 4 Surf breaks;

(b) the extent to which dredging minimises sediment or contaminant mobilisation and dispersal by using best practicable methods and procedures, particularly for dredging contaminated sediments;

(c) whether proposals for dredging have demonstrated:

(i) that there are reasonably practicable alternatives to provide for a use or activity which would avoid or reduce the need for dredging; and

(ii) any seabed disturbance and resulting turbidity other than which is localised and limited in duration.

(d) whether maintenance dredging provides for the ongoing use of the Port Precinct, the Coastal – Minor Port Zones, Coastal – Marina Zone, Coastal – Ferry Terminal Zone and Coastal – Defence Zone; and

(e) whether works have avoided effects on any sites or areas in D17 Historic Heritage Overlay.

(12) Mangrove removal, and other pruning, vegetation alteration or vegetation removal, not otherwise provided for and mangrove removal to enable the operation, maintenance, use and functioning of existing lawful structures, infrastructure, to ensure public health and safety in the use or operation of infrastructure:

(a) whether removal of mangroves, including seedlings, has been avoided in areas:

(i) where mangroves provide important ecological values;

(ii) of potential coastal erosion where mangroves provide a buffer against coastal processes causing erosion; and

(iii) where the sediments contain high levels of contaminants at risk of being re-suspended.

(b) whether proposals to remove mangroves have assessed the sediment inputs in the area and identification of catchment initiatives to reduce sediment and nutrient inputs;

(c) whether mangrove removal has:

(i) minimised the disturbance of the foreshore and seabed, and sediment and contaminant discharges;

(ii) disposed of removed mangroves outside the coastal marine area using an appropriate method and avoided burning mangroves within the coastal marine area;

(iii) utilised a disposal method that results in significant adverse effects on the coastal marine area where landward disposal is not proposed;

(iv) taken an adaptive management approach where a significant area of removal is proposed and there is uncertainty over the extent of adverse effects; and

(v) provided for the long-term maintenance of cleared areas.

(d) whether mangrove removal is granted where there is clear evidence that they have spread and the proposed removal is necessary to enable, maintain, restore or enhance:

(i) public access to, or along, the coastal marine area;

(ii) connections with reserves or publicly owned land and the sea;

(iii) public use and amenity values;

(iv) water access and navigation, including waka portage routes;

(v) public health and safety, including sightlines and traffic safety;

(vi) access to the coast from marae, or to areas of customary use;

(vii) natural character, biodiversity and ecological values, including significant wading bird feeding or roosting areas; and

(viii) cultural or historic heritage or natural features.

(e) whether mangrove removal should be granted consent where there is no practicable alternative, and removal is necessary to allow for:

(i) the operation, maintenance and use of existing lawful structures, or infrastructure;

(ii) the provision of infrastructure, that cannot practically be located in an alternative area, that would avoid the need for mangrove removal; and

(iii) removal of areas identified for clearance in a reserve management plan, comprehensive coastal management plan or similar plan that has been subject to a public consultation process where the potential adverse effects have been considered.

(13) discharges:

(a) whether facilities are to be provided for the treatment, collection and disposal of any discharge where practicable.

(14) discharge of wastewater from a wastewater network:

(a) the extent to which the proposed best practicable option:

(i) prevents or minimises adverse effects particularly on public health, safety and amenity, potable water supplies, Mana Whenua values, freshwater systems and coastal waters;

(ii) provides for wastewater discharges generated as a result of potential urban growth, urban redevelopment, and land use intensification within the catchment, taking into account the growth and intensification provisions of the Plan;

(iii) progressively reduces overflows to an average of no more than two events per discharge location per annum by 2040 and where the overflow frequency exceeds an average of two events per discharge location per annum, an alternative discharge frequency must be established using a best practicable option;

(iv) progressively reduces overflows and associated adverse effects, and the priorities for doing so, having particular regard to areas of contact recreation and public use, receiving environments that are sensitive to the adverse effects of wastewater overflows and areas with high Mana Whenua values; and

(v) takes account of consultation with key stakeholders, including Mana Whenua and the community.

(b) the operations and maintenance plans and programmes provided will ensure the effective operation of the combined sewer network and minimise dry and wet weather overflows;

(c) whether the response procedures and processes provided will mitigate the adverse effects of overflows;

(d) whether the design of engineered overflow points minimises public health risks, ecological effects, nuisance and/or damage and prevents erosion or scouring at the point of discharge.

(15) a discharge of hull bio-fouling organisms from in-water cleaning:

(a) whether the proposal has included an assessment of the extent to which the in-water hull cleaning will ensure that unusual or suspected harmful aquatic organisms (or species designated as pests in the relevant pest management plan prepared under the Biosecurity Act) are not caused to spread, with particular consideration of the following matters:

(i) the method of cleaning;

(ii) the existing anti-fouling treatment manufacturer's recommendations for cleaning;

(iii) whether the existing anti-fouling treatment is within its expected service life;

(iv) the extent to which bio-fouling material is captured;

(v) the method of disposal of any captured bio-fouling material;

(vi) whether a risk assessment is required, and if so, that assessment has been undertaken by a suitably qualified and approved person; and

(vii) any other matter included in the "In-water cleaning technologies: Review of information" Ministry of Primary Industries Technical Paper No: 2015/38

(16) discharge of wastewater from a combined sewer network:

(a) the extent to which the proposed best practicable option :

(i) prevents or minimises adverse effects particularly on public health, safety and amenity, potable water supplies, Mana Whenua values, freshwater systems and coastal waters;

(ii) provides for wastewater discharges generated as a result of potential urban growth, urban redevelopment, and land use intensification within the catchment, taking into account the growth and intensification provisions of the Plan;

(iii) progressively reduces overflows and associated adverse effects, and the priorities and timeframes for doing so, having particular regard to areas of contact recreation and public use, receiving environments that are sensitive to the adverse effects of wastewater overflows and areas with high Mana Whenua values;

(iv) takes account of consultation with key stakeholders, including Mana Whenua and the community; and

(v) considers potential impacts on stormwater management.

(b) whether the operations and maintenance plans and programmes provided will ensure the effective operation of the combined sewer network and minimise dry and wet weather overflows;

(c) whether the response procedures and processes provided will mitigate the adverse effects of overflows; and

(d) whether the design of engineered overflow points minimises public health risks, ecological effects, nuisance and/or damage and prevents erosion or scouring at the point of discharge.

(17) structures and buildings in the coastal marine area:

(a) whether proposals for structures in the coastal marine area have considered more efficient use of space on existing wharves or adjacent land that would avoid the need for the structure or reduce its size;

(b) whether the structure has a functional or operational need to be located in the coastal marine area, and/or can practicably be located outside of the coastal marine area;

(c) whether the quality of building design and its location, including consideration of scale, size, design and external appearance is appropriate, acknowledging the functional and operational requirements of marine and port activities where relevant;

(d) whether the building material used for structures is appropriately marine-treated, or if relocated or recycled building material is used, treated to prevent the transference or introduction of harmful aquatic organisms;

(e) whether buildings in the coastal marine area have interactive frontages where they face public streets and accessways;

(f) whether developments have landscaping and screening treatments to minimise adverse visual effects on adjoining land uses, including the effective screening of parking areas and outside storage or servicing areas; and

(g) the extent to which the reconstruction or extension of existing structures:

(i) do not have significant adverse effects on other uses and values;

(ii) result in greater, more efficient, or multiple use of the structure for marine activities; and

(iii) reduce the need for a new structure elsewhere.

(18) effects on views and visual amenity:

(a) whether structures and buildings adversely affect the natural character, landscape and visual amenity of the area taking into account the following:

(i) visual dominance of the building in terms of views from adjoining areas including the coastal marine area;

(ii) interface and amenity of adjacent zones, particularly residential zoned land;

(iii) scale and location of the proposed building in relation to any nearby buildings;

(iv) the type, including colour, of exterior materials used for construction;

(v) any lighting proposed on the building; or

(vi) any signs proposed to be attached to or painted on proposed building.

(b) whether the height of the structure or building contribute to adverse cumulative effects of development in the area, taking into account:

(i) visual amenity of the area;

(ii) scale and intensity of existing development; and

(iii) character of the zone.

(19) re-consenting established aquaculture activities

(a) effects on ecological values and water quality:

(i) whether measures to avoid adverse effects and avoid, remedy or mitigate other adverse effects on ecological values and water quality have been implemented.

(b) effects on navigation and safety, including structural integrity:

(i) whether measures to avoid adverse effects and to avoid, remedy or mitigate adverse effects on navigation and safety have been implemented;

(c) consent duration and monitoring:

(i) whether the term of consent is appropriate to provide for the operational needs of the aquaculture activities and to manage its environmental effects;

(ii) whether any monitoring is required to demonstrate the extent and type of environmental effects of the aquaculture activities, and the degree to which the effects are remedied or mitigated during and after the activity.

(d) effects on the characteristics and qualities of overlays:

(i) the relevant assessment criteria are those included for structures/activities in: D9 Significant Ecological Areas Overlay – Marine 1 and 2; D10 Outstanding Natural Features Overlay and Outstanding Natural Landscape Overlay; and D11 Outstanding Natural Character Overlay and High Natural Character Overlay;

(e) the level of economic investment in the existing lawfully established aquaculture activity:

(i) whether information demonstrating the value of existing infrastructure supporting the ongoing use of the aquaculture activity has been provided.

(20) extensions and realignment of established aquaculture activities:

(a) whether any extensions and or realignment of established aquaculture activities has:

(i) demonstrated it is an efficient use of the coastal marine area;

(ii) does not have adverse effects on other uses and values;

(iii) resulted in greater or more efficient use of the established aquaculture activities, and

(iv) that any adverse effects have been avoided, remedied or mitigated.

(b) construction or works methods:

(i) whether measures to ensure construction works avoid adverse effects and avoid, remedy or mitigate other adverse effects, particularly on water quality have been implemented;

(c) location, extent, design and materials:

(i) whether the extension/realignment is located and designed to avoid adverse effects and avoid, remedy or mitigate other adverse effects on the environment;

(ii) whether the form, intensity and scale of works, structures and buildings are sensitive to the marine environment and surrounding adjoining spaces; and

(iii) whether the materials used are compatible with the surrounding coastal environment and, where practicable, consistent with the existing materials at the site.

(d) effects on coastal processes, ecological values and water quality:

(i) whether measures to avoid adverse effects and avoid, remedy or mitigate other adverse effects on coastal processes, ecological values, and water quality have been assessed.

(e) effects on public access, navigation and safety:

(i) whether measures to ensure adverse effects on existing public access arrangements are minimised to the extent and duration of work and via the provision of alternative access routes where practicable have been implemented; and

(ii) whether measures have been provided to avoid, remedy or mitigate adverse effects on navigation and safety.

(f) effects on existing uses and activities:

(i) whether measures to avoid adverse effects on existing activities, on amenity of adjacent residential and open space zoned land, taking into account both activities in the coastal marine area and on adjacent land, have been implemented.

(g) consent duration and monitoring:

(i) whether the term of consent is appropriate in order to provide for the operational needs of the extension / realignment and to manage its environmental effects;

(ii) whether the consent duration need to be limited to allow an adaptive management approach; and

(iii) whether any monitoring is required to demonstrate the extent and type of environmental effects of the activity, and the degree to which the effects are remedied or mitigated during and after the activity.

(h) effects on the characteristics and qualities of overlays:

(i) the relevant assessment criteria are those included for structures / activities in: D9 Significant Ecological Areas Overlay – Marine 1 and 2; D10 Outstanding Natural Features Overlay and Outstanding Natural Landscape Overlay; and D11 Outstanding Natural Character Overlay and High Natural Character Overlay.

(i) the level of economic investment in the existing lawfully established aquaculture activity:

(i) whether information demonstrating the value of existing infrastructure supporting the ongoing use of the aquaculture activity has been provided.

(21) aquaculture activities - research trials:

(a) whether research trials:

(i) provide scientific evidence on new or established species and / or new or innovative techniques;

(ii) efficiently use the coastal marine area, including the collaboration between research agencies to share the same research trial sites; and

(iii) will have an adverse effect on other uses and values.

(b) construction or works methods:

(i) whether measures ensure construction works avoid, remedy or mitigate adverse effects, particularly on water quality.

(c) location, extent, design and materials:

(i) whether the extension/realignment is located and/or designed to avoid, remedy or mitigate adverse effects on the environment;

(ii) whether the form, intensity and scale of works, structures and buildings are sensitive to the marine environment and surrounding adjoining spaces; and

(iii) whether the materials used are compatible with the surrounding coastal environment and, where practicable, consistent with the existing materials at the site.

(d) effects on coastal processes, ecological values, water quality and natural character:

(i) whether measures to avoid, remedy or mitigate adverse effects on coastal processes, ecological values, water quality and natural character have been implemented.

(e) effects on public access, navigation and safety:

(i) whether measures ensure adverse effects on existing public access are minimised and whether alternative access is necessary and has been provided; and

(ii) whether measures to avoid, remedy or mitigate adverse effects on navigation and safety have been implemented.

(f) effects on existing uses and activities:

(i) whether measures to avoid, remedy or mitigate adverse effects on existing activities, amenity of adjacent residential and open space

zoned land taking into account both activities in the coastal marine area and on adjacent land have been implemented.

(g) effects on Mana Whenua values:

(i) whether the proposal has included an assessment of Mana Whenua values and how any adverse effects have been avoided, remedied or mitigated.

(h) effects of introducing food and antibiotics:

(i) whether measures have been implemented to minimise the potential risks associated with the introduction of food and antibiotics to the coastal marine area as part of the research trial; and

(ii) whether any monitoring is required to demonstrate the extent and type of environmental effects of the activity, and the degree to which the effects are remedied or mitigated during and after the activity.

F2.24. Special information requirements

There are no special information requirements in this zone.