5 Coastal zones

Introduction
The coastal marine area (CMA) applies to foreshore, seabed, water and air from mean high water springs (MHWS) to 12 nautical miles (territorial sea) (s. 2 RMA).

Determining Mean High Water Springs
The MHWS boundary has not been surveyed for Auckland, as it has a dynamic and varying location. The indicative coastline shown on the maps is an approximate representation of MHWS-10, which is the level equalled or exceeded by the largest 10 per cent of all high tides. Where the line crosses a river mouth and the CMA boundary has been defined by agreement between the council and Department of Conservation, the CMA boundary at river mouths is indicated on the maps and detailed in Appendix 6.4.

As a jurisdictional boundary, the exact location of MHWS needs to be defined on a case-by-case basis. Where activities are close to the indicative coastline, a site-specific survey will be required to determine the location of MHWS and the actual CMA boundary. If a site-specific survey determines that MHWS is not located in the position shown on the maps, the zone of the adjacent land or CMA applies.

Management Framework
The CMA is managed through zone, precinct, overlay and bylaw provisions. The CMA zones are:

General Coastal Marine zone (CMA only)
This zone includes the majority of Auckland's CMA. It covers all of the CMA outside of the zones listed below.

Marina zone (land and CMA)
This zone provides for the development and operation of existing marinas. The Marina zone covers both land and CMA to enable integrated consideration of activities that cross MHWS.

Mooring zone (CMA only)
This zone contains objectives, policies and rules for moorings within a Mooring zone and has been established to provide for the mooring of vessels at strategic locations. By establishing mooring areas the Unitary Plan seeks to concentrate moorings in defined locations and avoid a proliferation of moorings throughout the CMA.

Minor Port zone (land and CMA)
This zone provides for the integrated and efficient operation of particular minor ports in the Auckland region. The Minor Port zone includes the Port of Onehunga, the Gabador Place Wharves, the Papakura LPG Terminal and the Chelsea Sugar Factory Wharf. The zone includes land as well as CMA at the Port of Onehunga and Gabador Place to integrate management across mean high water springs.

Ferry Terminal zone (CMA only)
This zone provides for the integrated and efficient operation and development of existing ferry terminal facilities, and provisions for the development of new ferry terminal facilities.

The Ferry Terminal zone applies to terminals at Devonport (includes Devonport and Victoria wharves), Stanley Bay, Northcote, Birkenhead, Beach Haven, Hobsonville, Mātiatia and Kennedy Point (Waiheke Island), and Whangaparāoa, Tryphena and Port Fitzroy (Great Barrier Island). The existing ferry terminal facilities at Gulf Harbour, Bayswater, West Harbour, Half Moon Bay and Pine Harbour are within marinas and are in the Marina zone.

Defence zone (CMA only)

This zone provides for the continued operation of defence activities in the CMA adjacent to the HMNZ Naval Base in Devonport and the Onetaunga Bay Wharf (Kauri Point).

City Centre zone and waterfront precincts (land and CMA)
This area is included in the City Centre zone to recognise the key role of the waterfront as part of the city centre. This area includes the Port, Viaduct and Central Wharves, Wynyard and Westhaven precincts.

Auckland Airport sub-precinct coastal (CMA only)
The CMA adjacent to the Auckland International Airport is included in the precincts section.

5.1 General Coastal Marine zone

Zone description
The General Coastal Marine zone (GCM zone) comprises the majority of the coast, and includes the CMA that lies outside of the Marina, Mooring, Minor port, Ferry terminal, Defence or City Centre zones, and is not in a precinct.

The objectives, policies and rules of the GCM zone apply to all zones and precincts unless otherwise provided for in the 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 GCM zone is to provide for use and development that has a functional need to be undertaken in the CMA, and to manage conflicts between activities, while:

- Enabling appropriate use and development of the CMAs natural and physical resources to provide for our social and economic well-being.
- Protecting natural character and landscape values and natural features.
- Maintaining water quality and the life-supporting capacity of the marine environment.
- Protecting significant ecological values.
- Protecting historic heritage values.
- Providing for Mana Whenua values in accordance with tikanga Māori.
- Maintaining and enhancing public access, open space, recreational use and amenity values.
- Avoiding and protecting development from coastal hazard risks.

Objectives and policies
The objectives and policies that apply to the management of the GCM zone are:

- Those that apply below MHWS in the parts of the plan relating to; historic heritage, natural heritage (natural character, outstanding natural landscapes and outstanding natural features and biodiversity), Mana whenua values, sustainably managing the coastal environment, natural hazards, and responding to climate change
- The objectives and policies relating to activities and use and development in the CMA.

Some parts of the GCM 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 MHWS and to parts of the GCM zone are:

- Natural Heritage - Outstanding Natural Landscapes and Outstanding Natural Features
- Outstanding Natural Character and High Natural Character
- Volcanic viewshafts
- Significant Ecological Areas - Marine 1 and 2
- Historic Heritage – historic heritage place and sites of signficance to Mana Whenua

In addition to the above, the Auckland-wide provisions for temporary activities, noise, signs and vehicles on beaches also apply to activities in the GCM zone. Discharges to the CMA from stormwater and wastewater are provided for in Auckland-wide objectives, policies and rules.

Activities in the CMA also need to comply with the Auckland Council Navigation Safety Bylaw 2008 and the

Resource Management (Marine Pollution) Regulations 1998. 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 CMA, must comply with clause 2.5 of the General Provisions.

Activities in the CMA

5.1.1 Drainage, reclamation and declamation

Background

Large areas of Auckland's coast have been reclaimed and/or drained in the past in order to enable the development of the port and airport, provide land areas adjacent to marinas, and to construct roads and create farmland.

Reclamation and drainage in the CMA may sometimes be necessary to enable activities that have a functional need to locate on the coast and to provide for significant infrastructure and marine related activities. The repair and upgrade of existing reclamations and seawalls may also be necessary. However reclamation and drainage can have potentially significant and often irreversible adverse effects on natural character, coastal processes, habitats and ecosystems.

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.

Declamation of reclaimed land in the CMA can provide benefits to natural character, habitat and ecosystems, as well as community benefits, such as a greater level of access to water space.

Objectives

[rcp]

1. The adverse environmental effects of reclamation, drainage or declamation on the CMA are avoided, remedied, or mitigated.
2. The natural character, ecological values and natural coastal processes of the CMA 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.

Policies

[rcp]

1. Avoid reclamation and drainage in the CMA except where all of the following apply:
   a. the reclamation, or purpose for which it is required, will provide significant public, regional or national benefit
   b. the reclamation or drainage is necessary to enable the construction and/or efficient operation of infrastructure, including but not limited to, ports, marinas, airports, roads, pipelines, electricity transmission, railways, ferry terminals, and electricity generation, where they comply with other relevant policies
   c. there are no reasonably practicable alternative methods of providing for the activity, including locating it on land outside the CMA
   d. efficient use will be made of the CMA by using the minimum area necessary to provide for the proposed use, or to enable drainage
   e. a scheduled historic heritage place or a site or place of significance to Mana Whenua is not adversely affected
   f. significant adverse effects (including cumulative effects) on the GCM zone are avoided.
2. Provide for reclamation and works that are necessary to enable the repair and upgrade of existing

reclamations and seawalls.

3. Require proposals for reclamation to mitigate effects through the form and design of reclamation as far as practicable, taking into account:
   a. the shape of the reclamation, and the extent to which the materials used are visually compatible with the adjoining coast
   b. the ability to avoid consequential changes to coastal processes, including erosion and accretion.
4. Require the design of reclamations to take into account the potential effects of climate change, including sea level rise, over 100 years.
5. Maintain and where possible enhance public access to and along the CMA to the extent practicable in providing for reclamation, declamation and drainage, having regard to:
   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
   c. the ability to remedy or mitigate any loss of public access.
6. Require an esplanade reserve or strip to be included on reclaimed or drained areas of the CMA, unless a restriction on public access is appropriate.
7. Avoid using contaminated materials in reclamation, unless any contaminants are contained in a way that will result in no more than minor adverse effects on water quality, aquatic ecosystems and indigenous biodiversity in the CMA.
8. Assess whether authorising past unlawful reclamation or drainage in the CMA is appropriate having regard to:
   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
   c. the extent to which the removal of the reclamation or reinstatement of the drained area is practicable.
9. Provide for the declamation of reclaimed land where it would:
   a. restore the natural character and resources of the CMA, or
   b. provide for better public access or greater open water space, or
   c. provide for the efficient operation of nationally and regionally significant infrastructure.

5.1.2 The depositing and disposal of material

Background

The depositing and disposal of material in the CMA 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 volume and type of material that is deposited
- the level of contamination
- the method of disposal
- the characteristics of the disposal site.

Material is usually deposited on the foreshore or seabed to dispose of dredge spoil or waste material, or for beach re-nourishment and erosion protection. 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.

Objectives

[rcp]

1. The depositing of material is undertaken in appropriate locations to provide for public benefit, erosion control or habitat enhancement.
2. Areas identified as having significant values are not adversely affected by material being deposited or disposed of in the CMA.
3. The adverse effects from the disposal of material, particularly any contaminated material, are minimised.
4. The ecological, recreational, cultural, and amenity values of the Hauraki Gulf are not adversely affected by the disposal of material in the CMA.

Policies

[rcp]

1. Provide for the depositing of material on the foreshore and seabed for beach nourishment where:
   a. it is free of waste and contaminants and the material has similar physical characteristics to the sediments at the location it will be deposited
   b. it will have environmental, scientific, cultural, amenity or social benefits, or is for erosion control
   c. the adverse environment effects of depositing the material can be avoided, remedied or mitigated
   d. the methods used will maximise retention of the material within the coastal cell in which it is placed.
2. Provide for the depositing of contaminated material in an approved reclamation where any contaminants are contained in a way that will result in no more than minor adverse effects on water quality, aquatic ecosystems and indigenous biodiversity in the CMA.
3. Avoid the disposal of material in the Hauraki Gulf Marine Park.
4. Avoid the disposal of material in the CMA where it will have adverse effects on:
   a. areas identified as having significant value
   b. scheduled historic heritage places or sites and places of significance to Mana Whenua.

5. Avoid the disposal of solid inorganic waste or other matter, such as vessels, or structures in the CMA, unless:
   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 reasonable alternative method for removal of the vessel, platform or structure from the CMA and its subsequent disposal onto land
   c. there will be less environmental effect from disposing of the vessel, platform or structure in the CMA than on land
   d. the proposed disposal area will not interfere with or adversely affect other users of the CMA.
6. Avoid significant adverse effects from the disposal of material, and determine the appropriateness of proposals by taking into account:
   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
   i. the other matters contained in Schedule 3 of the Resource Management (Marine Pollution) Regulations 1998.
7. Avoid the disposal of significantly contaminated material in the CMA 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 be demonstrated that:
   a. there are no reasonable and practicable alternative disposal methods or areas
   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.
8. 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.
9. Require proposals to dispose of material in a dispersive environment to demonstrate that the adverse effects associated with the release and spread of contaminants and sediment will not be significant.
10. Require any disposal of material to be undertaken at a location and time that will avoid, remedy or mitigate adverse effects on:
    a. the ecological function of the area, such as growth and reproduction of marine and coastal fauna and flora, including feeding and spawning habitats and migratory pathways

b. other established activities, including recreational use

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

5.1.3 Dredging

Background

Dredging may be necessary to enable the on-going 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
- maintain or restore areas for recreational 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.

Objectives

[rcp]

1. The adverse environmental effects on the CMA from dredging are avoided, remedied, or mitigated.
2. Adequate water depth is maintained, particularly in navigation channels and around structures, to ensure safe navigation and use of the CMA.
3. The safe and efficient operation of significant infrastructure is enabled, including through undertaking dredging where necessary.
4. The risk of flooding or erosion, including from channels, river-mouths or drainage systems, is minimised.
5. New use and development that requires water access is located and designed to minimise the need for dredging.

Policies

[rcp]

1. Enable dredging within navigational channels and the Minor Port, Defence, Ferry Terminal, Marina zones and the City Centre waterfront precincts, to provide for their ongoing use.
2. Enable dredging to be undertaken to maintain the safe and efficient operation of significant infrastructure and 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
   c. maintaining efficient water flow to reduce the risk of flooding and erosion
   d. maintaining structures and removing hazards to recreational users.
3. Provide for dredging that is necessary to maintain navigation and enable safe recreational use, including dredging for the removal of Pacific oyster reefs.
4. Require dredging in the GCM zone to be undertaken at a time that will avoid, or minimise, adverse effects on marine mammals, bird roosting, nesting and feeding, and recreational users of the CMA.
5. Control dredging activities so that they do not:
   a. cause or exacerbate erosion within the CMA 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 6.3

e. result in the permanent loss of a scheduled historic heritage place or scheuled sites and places of significance to Mana Whenua.

6. Require best practice methods and procedures to be used for the dredging of contaminated sediments, and for sediment or contaminant mobilisation and dispersal to be minimised.

7. Require the development or redevelopment of marinas, wharves, piers and berths, outside of the Minor Port, Defence, Ferry Terminal and the City Centre waterfront precincts, to be designed and located to minimise the need for dredging.

8. Require proposals for dredging to demonstrate that:
   a. there are no reasonably practicable alternatives to provide for a use or activity which would avoid or reduce the need for dredging

   b. any bed disturbance and resulting turbidity is localised and limited in duration so that there are no long-term adverse effects on the surrounding environment.

5.1.4 Disturbance of the foreshore and seabed

Background

Activities and works, including drilling, piling, tunnelling, or the construction, maintenance or removal of structures, can have adverse effects on the foreshore and seabed, including:

- compaction or 'cutting-up' of the foreshore or seabed
- sediment 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 CMA
- disturbance, destruction or demolition of historic heritage
- the mauri of the coast.

Visual, natural character and amenity values can also be adversely affected by significant disturbance of the foreshore. The extent of effects will often vary, depending on the nature of the foreshore and seabed. Soft muddy shores are more likely to be significantly impacted by disturbance of the foreshore 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 CMA, result in some minor and short term disturbance of the foreshore and seabed that can usually be restored through natural tide and wave action. Construction or installation works associated with structures may also only result in a minor level of disturbance to the foreshore and seabed that will result in only short-term effects.

Objectives

[rcp]

1. Use and development in the CMA that has only short-term and minor impacts on the foreshore and seabed is enabled.
2. Activities that involve more than a minor level of disturbance to the foreshore and seabed are managed to avoid, remedy or mitigate adverse effects on natural character, ecological values, coastal processes, historic heritage and Mana Whenua values.

Policies

[rcp]

1. Enable recreational use and development in the CMA 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, where there is no practicable alternative, and the disturbance is necessary to provide for:
   a. infrastructure or drainage systems in appropriate locations
   b. the operation, maintenance and use of existing lawful structures, or infrastructure
   c. the safe and efficient functioning of drainage systems
   d. public health and safety.
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. Require use and development to 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 minimise effects on:

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 and recreational use of the CMA

d. other established activities

e. traditional gathering, collection or harvest of kaimoana by Mana Whenua

f. historic heritage and Mana Wheunua values.

5. Require activities or works to be done by methods and at times and in conditions that will minimise the release of sediment and contaminants into coastal water.

6. Avoid disturbance of the foreshore and seabed that will result in significant changes to natural coastal processes that will have adverse effects on significant surf breaks identified in Appendix 6.3, or cause or exacerbate coastal erosion.

7. Avoid significant adverse effects on the CMA from the location, or method of disposal, of any displaced material.

8. Require the foreshore or seabed to be reinstated upon completion of works, where practicable, to be in keeping with the natural character and visual amenity of the area.

5.1.5 Mineral extraction

Background

Growth, development and activities in Auckland create significant demand for minerals, sand, shingle, shell and other natural material from the CMA. Whether it is for steel or glass production, construction materials, or beach replenishment purposes, 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, from the CMA in Auckland.
The exploration, prospecting and mining of some minerals, such as black iron sand, is controlled by the Crown under the Crown Minerals Act 1991. The council, under the RMA, has the responsibility of managing the environmental effects of any mining activity.

The effects associated with mineral extraction from the CMA depend on the location, techniques used, the characteristics of the extracted material 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

Objective

[rcp]

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

Policies

[rcp]

1. Provide for the sustainable 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 extraction within the CMA, which may include using an adaptive management approach in terms of:
    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
    e. environmental monitoring.
3. Require applications for mineral extraction to identify the significance of adverse effects, and the extent to which they can be avoided, remedied or mitigated, on:
    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 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 6.3

h. recreation and amenity values of the area

i. established lawful activities in the area

j. Mana Whenua values.

4. Require applications for mineral extraction in the CMA to include the measures to manage any adverse effects, including remediation and mitigation measures.

5.1.6 Vegetation: mangrove management

Background

Mangroves are a valuable part of coastal ecosystems and perform an important role in trapping sediment and contaminants and in mitigating coastal erosion. However, in some areas mangroves have been spreading and are having an adverse effect on other use and values of the coast. A key factor contributing to their spread is the level of sediment entering the CMA from catchments, both from past and current land use, and cumulatively over time. Mangroves have increased significantly in some areas and with the increasing urbanisation and use of coastal areas this has resulted in demands for mangroves to be able to be removed back to an extent that existed at a earlier point in time.

Mangroves can affect access, navigation, views, amenity values and the ongoing safe use and function of structures, infrastructure and drainage systems. In some areas mangrove spread has resulted in mangroves dominating over other habitat types and reducing biodiversity. Removal may be appropriate to address these issues.

As the coast is predominantly public commons, mangrove removal should be for the purpose of maintaining biodiversity or to provide for public use and benefit, rather than for private property gain or enhancement. In some areas plans have been developed for the management of the land-sea interface. These include existing coastal compartment plans, comprehensive coastal management plans, area plans, reserve management plans and integrated catchment management plans. Mangrove removal proposals, and initiatives to reduce sediment inputs, should take into account the strategic direction provided by any plan adopted for the area.

Removal activities 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 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 of removal and disposal of removed mangroves will also differ between sites.

Mangrove removal should be accompanied by initiatives to address the long-term issue of mangrove spread by reducing the amount of sediment entering the CMA, 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 on-going 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.

Objectives

[rcp]

1. The ecological value of mangroves is recognised and mangroves are retained in areas where they have been identified as having significant ecological value.
2. Mangroves are retained in areas that are subject to active coastal erosion and where they perform an important role in mitigating coastal hazards.
3. The spread of mangroves is managed and removal in appropriate locations enabled to restore or maintain public access, navigation and amenity values, or to retain ecological values, including significant wading bird areas.
4. The removal of mangroves is enabled from areas where they have spread since 1996, with only minor adverse effects on the environment.
5. Sediment inputs into the CMA, that facilitate on-going mangrove colonisation and spread, are reduced.

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

Policies

[rcp]

1. Avoid the removal of mangroves, including seedlings, from areas:
   a. identified as having significant ecological or natural character values, or where mangroves provide important ecological values
   b. of active coastal erosion where mangroves provide a buffer against coastal processes causing erosion
   c. 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 and seedling removal where mangroves have spread and the proposed removal is necessary to enable, maintain, restore or enhance:
   a. public access to, or along, the CMA
   b. connections with reserves or publicly owned land and the sea
   c. public use and amenity values
   d. water access and navigation, including waka portage routes
   e. public health and safety, including sightlines and traffic safety
   f. access to the coast from marae, or to areas of traditional use
   g. ecological values, including significant wading bird feeding or roosting areas
   h. scheduled historic heritage places or natural features.
4. Enable mangrove removal back to the extent that existed at 1996 to reinstate navigation, access and amenity values, subject to the methods of removal and disposal having only minor adverse effects on the CMA.
5. Enable mangrove removal, where there is no practicable alternative, and removal is necessary to allow for:
   a. the operation, maintenance and use of existing lawful structures, or infrastructure including drainage
   b. the provision of infrastructure, including drainage systems that cannot practically be located in an alternative area that would avoid the need for mangrove removal.
6. Provide for mangrove removal where the proposed removal is in general accordance with a reserve management plan, comprehensive coastal management plan, or similar plan that has been subject to a statutory consultation process where the potential adverse effects have been considered.
7. Require mangrove removal to:
   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. where practical, dispose of removed mangroves by an appropriate method outside the CMA
   d. provide evidence that the disposal method will not result in significant adverse effects on the CMA 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

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

8. Avoid the burning of removed mangroves as the method of disposal in the CMA.

9. Encourage a coordinated approach to mangrove management where there are multiple proposals for mangrove removal within the same coastal receiving environment, rohe, local board area, or coastal cell, so that they are considered in an integrated manner and within a single resource consent application.

10. Encourage the identification of Mana Whenua values associated with mangroves and the CMA, and assessment of the effects of mangrove removal on these values and to incorporate Mātauranga and tikanga in the management of mangroves.

5.1.7 Vegetation: removal of exotic species and pacific oyster shell

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.

Objectives

[rcp]

1. Exotic species are managed so that indigenous biodiversity, public access and amenity values are restored, maintained or enhanced.
2. The adverse effects and risks associated with the removal of exotic species are minimised.
3. Pacific oyster reefs and shell are managed so that the recreational use and amenity values of the coast are maintained.

Policies

[rcp]

1. Allow the removal of exotic plants where:
   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
   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, or
   b. they are having an adverse effect on ecological values, and
   c. the removal method minimises adverse effects to the extent practicable, and
   d. the removal method will have only minor effects on areas identified as an significant ecological value, and
   e. appropriate provision is made for the disposal of dredged material or removed shell.

Note: Pacific oyster shell removal must also comply with the Fisheries Act 1996.

5.1.8 Vegetation: planting in the CMA

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 CMA. 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 CMA. Often the potential effects of exotic species are unknown.

Objective

[rcp]

1. The distinct natural variations in native plant species that occur between different areas, and biodiversity in the CMA, are maintained.

Policies

[rcp]

1. Avoid the introduction and use of exotic plant species into the CMA 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 CMA.
3. Promote the use of native plants sourced from the same ecological district for planting in the CMA unless:
   a. this is not possible
   b. any adverse effects, including cumulative effects, on local native plants can be avoided or mitigated.
4. Promote planting in the CMA 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
   b. avoid changes to natural coastal processes, unless the planting is for the purpose of mitigating a coastal hazard.

5.1.9 Taking, use and damming or diverting of coastal waters

Background

While water is an abundant resource in the CMA 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.

Objective

[rcp]

1. The taking, use or diversion of coastal water is managed to protect the environmental values of the CMA.

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 it will not:
   a. have significant adverse effects on the natural character of the coastal environment
   b. result in the abstraction of significant numbers of marine organisms
   c. damage or destroy marine habitats or natural features
   d. 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
   e. adversely affect water quality
   f. produce significant changes in water temperature
   g. adversely affect adjacent land uses.
3. Avoid damming or impoundment of coastal water unless:
   a. there is no practicable alternative location on land or other method available
   b. there is significant public benefit
   c. it is necessary to enable the construction, operation or maintenance of significant infrastructure
   d. it is for habitat protection
   e. the positive effects on the environment are sufficient to mitigate the adverse effects
   f. there are no adverse cumulative effects.

5.1.10 Discharges

Background
Water quality is fundamental to most activities undertaken in the CMA 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 we have clear, clean coastal water.

Sediment, nutrient and contaminant levels in discharges to coastal water have a significant effect on ecological values and coastal habitats. Sensitive receiving environments with high recreational or ecological values, for example high use beaches, estuaries and harbours are particularly affected by discharges, particularly from urbanised areas.

The CMA and its resources comprise some of the most important taonga to Mana Whenua. Water quality, which underpins the well-being of the CMA and the ability to use the resources of the CMA, is fundamental to all aspects of Mana Whenua well-being. Tikanga places high value on the concept of manaakitanga, 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 kai moana for health reasons, are a fundamental matter of concern for Mana Whenua.

Discharges controlled by the Unitary Plan are primarily end-of-pipe discharges, with the majority coming from existing wastewater stormwater and combined network infrastructure.

Some of these discharges occur in sensitive marine environments. However, it would involve significant public expenditure to change the location of discharges or to undertake works to mitigate the environmental effects from discharges. Given this situation, a best practicable option (BPO) strategic approach, as defined in s. 2 (1) of the RMA, has been adopted to prioritise upgrades of infrastructure networks discharging into the CMA and to guide in the assessment of discharge consents. In implementing this approach regard will be had to:

- the policies contained in the Water chapter of the Unitary Plan
- existing marine sediment quality and benthic ecology values
- the contaminant trends over time and indicators measured and observed for the relevant receiving environment.

In managing discharges to the coast, all discharges will be required to have regard to existing sediment quality threshold effects levels, below which adverse effects on aquatic organisms are predicted to rarely occur.

The council will work collaboratively 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 2011 and marine spatial planning is likely to result in additional measures to safeguard the values of coastal receiving environments.

The effects of contaminant discharges on the CMA are not well understood, but as more is learned about them, priority will be given to managing the contaminants and sources causing the most degradation.

Other discharges into the CMA 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.

Objectives

[rcp]

1. Water and sediment quality in the CMA is maintained and degraded areas enhanced.
2. The mauri of coastal water is maintained and, where possible, restored to enable traditional and cultural use of the coast and its resources by Mana Whenua.
3. The life-supporting capacity and natural resources, including kaimoana, of the Hauraki Gulf, are protected and, where appropriate, enhanced.
4. Stormwater and wastewater networks protect public health and safety and manage the adverse effects of contaminants on coastal water quality.
5. Wastewater and stormwater discharges are managed to minimise and reduce adverse effects on the CMA, recognising that the cost of removing or relocating infrastructure is high.
6. Other discharges, including those from boats and land, are managed to minimise adverse effects on coastal water quality and ecosystems.
7. The quantity of litter entering coastal water is reduced.

Policies

[rcp]

1. Allow discharges that are consistent with the best practicable option (BPO) approach for preventing or minimising the adverse effects from stormwater and wastewater discharges in the coastal environment.
2. Require stormwater and wastewater network upgrades to achieve identified water quality outcomes on a whole of catchment and coastal receiving area basis.
3. Avoid the discharge of contaminants where it will result in significant modification of, or damage to any areas identified as having significant values.
4. Require any proposal to discharge contaminants or water into the CMA to adopt the BPO to prevent or minimise adverse effects on the environment, having regard to whether:
    a. it is practicable or appropriate to discharge to land above MHWS
    b. there is a reticulated wastewater system in place that should be used
    c. contaminants in the discharge are minimised
    d. the receiving environment has the capacity to assimilate the discharged contaminants after reasonable mixing, particularly within areas identified as having significant ecological value
    e. the adverse effects on the present and foreseeable use of the receiving waters after reasonable mixing have been avoided, remedied or mitigated, particularly in areas where there is:
        i. 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
        iv. areas associated with maintenance dredging.
    f. cleaner production methods would result in the volume and level of contamination being reduced to the greatest extent practicable
    g. the discharge after reasonable mixing results in any 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

v. any significant effects of aesthetic or amenity values.

h. the discharge complies with relevant, appropriate and accepted codes of practice and environmental guidelines.

5. Avoid the discharge of sewage to the CMA, unless:
   a. alternative methods, sites and routes for the discharge have been considered and are not the BPO
   b. Mana Whenua have been consulted in accordance with tikanga Māori and due weight has been given to s. 6, s. 7 and s. 8 of the RMA
   c. the affected community has been consulted regarding the suitability of the treatment and disposal system to address any environmental effects
   d. the adverse effects on present and foreseeable future use of the area are avoided, remedied or mitigated, particularly in areas of:
      i. high recreational use, or that are used for fishing or shellfish gathering
      ii. areas of maintenance dredging
      iii. commercial or residential waterfront development.
6. Minimise, to the extent practicable, the discharge of contaminants in areas that require maintenance dredging.
7. Reduce the amount of litter entering coastal waters, and mitigate the effects of litter disposal, through a range of methods, including:
   a. education and raising awareness of the range of ways litter enters the coast, and the adverse effects it has
   b. supporting beach clean-ups
   c. providing litter disposal facilities in appropriate locations, and providing advice on where litter should be disposed of
   d. encouraging design, maintenance and management initiatives, including for discharge structures, road cleaning and other activities, that will help minimise the amount of litter discharged into the CMA.
8. 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
   c. there is an appropriate programme, consistent with the BPO approach, in place to upgrade the quality of the infrastructure within a reasonable timeframe to avoid, remedy or mitigate adverse effects.
9. Enable new or redevelopment of infrastructure to meet the economic and social needs of people and communities, taking into account:
   a. the practicability of upgrading the part of the infrastructure at issue, taking into consideration the state of the infrastructure and the costs of upgrading option
   b. public health priorities
   c. the nature of both the receiving environment and the discharge

d. priorities for flooding and inundation protection.

10. Require discharges to the CMA from stormwater, wastewater and non-network sources to be managed within a BPO framework, having regard to:
    a. policies 3.1.3.16.1.1 to 3.1.3.16.1.4 in Part 3.1.3.16.1 Water Quality
    b. the sediment quality indicators in Table 1 below, and to:
        i. maintaining existing sediment concentrations where they are below the threshold effects levels
        ii. reducing contaminant levels and the spread of contaminants outside the discharge zone where existing sediment concentrations are above the threshold effects level
        iii. taking into account trends in the sediment quality identified by monitoring, or modelling of how each option will affect those trends
        iv. protecting existing benthic ecology.

Table 1: Sediment Quality Indicators-primary contaminants (mg/kg) in surficial sediments (to a depth of 20mm)

Monitoring method guideline	**Parameter**	**Threshold effects level (TEL)**
'Blueprint for environmental monitoring of urban coastal receiving environments' ARC TP 168 i	Zn	124
	Cu	19
	Pb	30
	HMW PAHa,b	0.66

11. Monitoring methods for discharges should be aligned to those outlined in Auckland Regional Council's Technical Publication 168, Blueprint for Monitoring Urban Receiving Environments.

12. Encourage the source control of contaminants as a method to prevent or minimise their entry into the receiving environment from sites where source contaminant control devices and methods can practicably be maintained on an ongoing basis.

5.1.11 Sewage discharge from vessels

Background

Auckland has a high concentration of recreational and boating activities. The direct discharge of sewage into coastal waters 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 can be discharged from boats. The regulations leave small areas, mainly channels, within certain harbours, embayments, or estuaries where it is lawful to discharge untreated sewage from boats.

Sewage pump-out facilities enable vessels with holding tanks to dispose of waste appropriately rather than discharging further offshore. Such facilities are available at several marinas, however there are currently no such facilities at cruising destination sites such as Great Barrier Island and Waiheke Island. A lack of available sewage pump-out facilities necessitates the direct discharge of sewage from vessels into coastal waters.

Objectives

[rcp]

1. The values of the CMA, and activities that rely on high water quality, are protected from the adverse effects from the discharge of sewage from vessels.
2. The high recreation and amenity values of the inner Hauraki Gulf are maintained.

Policies

[rcp]

1. Avoid the discharge of 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.
2. Require provision of sewage collection and disposal facilities for vessels at new ports, marinas and other appropriate 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 these facilities.
4. Promote public awareness and education campaigns around the discharge of sewage from vessels, and use of vessel holding tanks and pump-out facilities.

5.1.12 Discharges from bio-fouling and vessel maintenance

Background

Vessels accumulate bio-fouling of marine plant and animal organisms on their hulls, which may include harmful aquatic organisms. 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 CMA 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.

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.

The best way to minimise the risks associated with harmful aquatic organisms is to try and avoid their introduction into New Zealand, and if they are already present, to try and limit their spread by controlling the movement of fouled vessels, equipment and gear. Higher levels of bio-fouling on the hull of a vessel increase the risk of harmful aquatic organisms being discharged. The origin of a vessel further adds to the level of risk. These provisions allow for the removal of micro-fouling scum from vessels, but place progressively stricter controls on vessels with higher levels of hull bio-fouling, which is preventable if vessel maintenance is kept up to date.

Note: 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.

Objectives

[rcp]

1. The risk of introducing or spreading harmful aquatic organisms from vessel bio-fouling 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.

Policies

[rcp]

1. Raise awareness among the boating community, particularly for vessels arriving from outside New Zealand or Auckland, of the risk of introducing or spreading harmful aquatic organisms during boat maintenance activities and from the passive discharge of organisms from macro-fouling.
2. Manage the in-water hull cleaning and boat maintenance activities of vessels, particularly those that have a high degree of bio-fouling, 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.

5.1.13 Use, development and occupation in the CMA

Background

The coast is our 'commons' and there is a presumption that public use and access is freely available to the coast. 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 CMA are provided for.

The granting of occupation rights apply to those parts of the CMA that form part of the CMCA, which is defined in the Marine and Coastal Area (Takutai Moana) Act 2011 (s. 9 (1)) as the marine and coastal area other than specified freehold land that extends below MHWS 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 CMCA can enhance our social, cultural and economic well-being. 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 where practicable any loss of public access and use must be mitigated.

The finite resources of the coast and its public access and open space values require that use and occupation of the CMCA should be by activities that have a functional need to be located below MHWS.

In some parts of the CMCA, 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 are 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 CMCA that does not have a functional need to be located below MHWS should be avoided. 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.

The preferred approach for assessing use and development that affects both land and sea, including new marinas, is through a plan change process. A plan change enables the council and communities to participate in a robust and participatory process and to address all of the effects, both landward and seaward, in an integrated manner. It also enables the development of a set of rules to permit or control various elements of a proposed use.

In some circumstances the council may impose a charge for occupation of the CMCA. The RMA 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.

Objectives

[rcp]

1. The high public value of the coast as an open space area with free public access is retained while occupation of parts of the CMCA by use and development is provided for.
2. Occupation rights are granted in appropriate locations for use and development that has a functional need to be located in the CMCA, and where public access needs to be restricted or excluded for operational or safety reasons.
3. Efficient use is made of coastal resources by consolidating use and development that has a functional

need to be located within the CMCA within appropriate areas, where practicable.

4. Activities that do not have a functional need to be undertaken in the CMA are provided for within zones or precincts where 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.
5. Activities that do not have a functional need to be undertaken in the CMA do not limit the use of areas for marine activities or result in adverse cumulative effects.
6. Use and development in the CMCA is supported by all necessary land-based access and infrastructure.
7. Short-term occupation that restricts public access for a limited period to enable special events and activities to be undertaken in the CMCA is allowed.
8. Loss of public access and use as a result of exclusive occupation is minimised, and mitigation is provided where practicable.

Policies

[rcp]

1. 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 CMCA.
2. Enable exclusive occupation where it will enable the most efficient use of space by activities that have a functional need to be located in the CMCA, including activities provided for in zones.
3. Enable occupation of the CMCA to provide for use and development that:
   a. has a functional need to be in the CMCA and to restrict public access, or
   b. is necessary to provide for the cultural and traditional needs of Mana Whenua (as provided for under Marine and Coastal Area (Takutai Moana) Act 2011) and
   c. will not compromise or limit the operation of existing activities that have occupation rights within the CMCA.
4. Allow for temporary occupation of CMCA by structures or activities associated with events or temporary activities, while minimising adverse effects on public access and safety.
5. Limit the time that vessels can anchor in one position and occupy water space within the GCM zone, other than is necessary for navigational safety, accident or emergency reasons.
6. Provide for use and occupation of the CMCA by activities that do not have a functional need to be undertaken below MHWS in zones or precincts where the proposed use:
   a. is consistent with the objectives and policies for the area
   b. will enhance amenity values and not conflict with marine activities
   c. the necessary land-based infrastructure can be provided.
7. Avoid use and occupation of the CMCA by activities that do not have a functional need to be undertaken below MHWS, including houseboats, where they have may have 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 CMA or on adjoining land

g. the anticipated future use of the area for marine activities

h. Mana Whenua or historic heritage values.

8. Require a public consultative and integrated assessment across land and the CMA, including an evaluation of alternatives, costs and benefits, to determine appropriate areas for houseboats, and for major development proposals in the CMA, including new marinas to:
   a. enable public participation in determining that the proposed use and development is appropriate for the area
   b. ensure that both land and sea aspects are assessed in an integrated manner
   c. ensure that all necessary land-based infrastructure can be provided
   d. concentrate activities within appropriate areas.
9. Consider use and development to provide for a new Marina zone to be generally appropriate in locations:
   a. where the natural character of the coastal environment has already been substantially modified
   b. where there is an existing water-based transport or recreation function, such as existing ferry services, and the addition of a marina consolidates this function
   c. where there is existing and adequate land-based transportation infrastructure to service any new marina development
   d. the landward and seaward effects are appropriate taking into account the effect on other users, particularly established and existing uses.
10. Require any proposed use and development for activities in the CMCA to demonstrate that any necessary land-based access and infrastructure can be appropriately provided for.
11. Require, where practicable, that the loss of public access and recreational use as a result of exclusive occupation rights be mitigated.
12. 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
   b. level of investment in the development and need for security of tenure to ensure the financial and economic viability
   c. land use and coastal development changes proposed in the vicinity through any statutory management strategies or plans that the anticipated change in public use and access in the area
   d. term of other consents in the vicinity, and the strategic benefit of all consents in an area expiring simultaneously.

5.1.14 Aquaculture

Background

Aquaculture, particularly the farming of green-lipped mussels and Pacific oysters, has a long history in Auckland as a sustainable marine-based industry. Both aquaculture and the added-value processing and transport of its product contribute to Auckland's economic, social and cultural well-being. The continued availability of fresh locally produced seafood is an important asset for Aucklander's way of life.

Aquaculture has a functional need to be located in the CMA, but farmed areas can result in conflicts with other uses and values, particularly in areas with high recreational use or natural character values. For these reasons it is important that aquaculture is appropriately located and managed.

Mana Whenua have a primary relationship with many of the areas where aquaculture could be optimally located. 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.

Aquaculture holds great potential for Mana Whenua as a business opportunity, and as a way to provide for manaakitanga through non-commercial marae-based marine farming. The equivalent of 20 per cent of new aquaculture space will be provided 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 high-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 and the coastal environment being a desired location for development.

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

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

Objectives

[rcp]

1. The cultural, social and economic benefits of aquaculture are recognised, and aquaculture is developed in appropriate locations that avoid, or where appropriate minimise, conflicts with other uses and values of the CMA.
2. Established aquaculture is not compromised by other uses or activities that degrade water quality.
3. Aquaculture activities are managed to minimise the risk of introducing or spreading harmful aquatic organisms.

Policies

[rcp]

1. Apply a precautionary approach when assessing applications for aquaculture activities that propose using species, techniques or locations not previously used for aquaculture and where the actual or potential effects are not fully understood.
2. Require the staged development of an aquaculture activity where the actual or potential effects on the coastal and marine environment are not fully understood, unless it can be demonstrated that staged development is not a practicable option.

3. Require that structures used for aquaculture, or the introduction or relocation of equipment or stock, be managed to avoid the release or spread of harmful aquatic organisms.
4. Require that aquaculture activities be located and designed to avoid adverse effects on:.
   a. Significant Ecological Areas–Marine 1
   b. Outstanding Natural Character Areas
   c. Outstanding Natural features
   d. Outstanding Natural Landscapes
   e. Scheduled historic heritage places or scheduled sites and places of significance to Mana Whenua.
5. Require that aquaculture activities be designed and located to avoid significant adverse effects, and avoid, remedy or mitigate other adverse effects on:
   a. Significant Ecological Areas–Marine 2
   b. High Natural Character areas
   c. Mooring zones
   d. safe navigation routes and anchorages
   e. areas with high recreational use or amenity value
   f. public access, particularly to highly used areas.
6. Avoid reverse sensitivity issues with other activities in areas of existing aquaculture 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 the ANZECC Anti-fouling and in-water cleaning guidelines (2012).
7. Require land-based facilities and infrastructure associated with new aquaculture activities to be provided for in an integrated manner.
8. 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
   c. the opportunity for Mana Whenua to benefit by the location of the activity within their rohe moana.
9. Consider aquaculture to be more appropriate when located in areas where it consolidates existing aquaculture activities of like-species and like-farming methods, and where this will not result in adverse cumulative effects.
10. Avoid the significant expansion of aquaculture in the Mahurangi Harbour.

5.1.15 Structures

Background

Structures in the CMA are necessary to provide for our social, economic and cultural well-being and can enhance use and access to the coast. Auckland is dominated by coastal harbours and inlets and therefore structures associated with infrastructure often need to be located in the CMA.

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 public commons, structures need to have a functional need for a coastal location and to provide for multiple use where practicable, taking into account the purpose and use of the structure.

The growth of Auckland and people living next to the coast means there is an on-going demand for new structures in the CMA. These can affect natural character, coastal processes, landscape and public access, 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

Objectives

[rcp]

1. Structures are limited to those that have a functional need to be located in the CMA, other than structures associated with infrastructure that cannot reasonably or practicably be located outside the CMA.
2. Structures, other than those restricted by location or functional requirements, provide for public access and multiple-use where practicable.
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 CMA, and avoid, to the extent practicable, the risk of being affected by coastal hazards.
4. Structures are strategically provided in appropriate locations to enhance public access and amenity values, or enable customary uses and cultural activities by Mana Whenua.

Policies

[rcp]

Efficient use of coastal space

1. Limit structures to:
   a. those that have a functional need to be located in the CMA, or that are for infrastructure that cannot reasonably or practicably be located outside of the CMA
   b. where the proposed purpose or use cannot reasonably or practicably be accommodated on existing structures or facilities
   c. those that are necessary to provide access to property where there are no practicable land-based access options, and there is no existing structure in close proximity that could provide reasonable access
   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 GCM zone, taking into account the number and cumulative effects of structures both in the context of the proposed location and the wider surrounding area.
3. Limit the impacts from structures associated with infrastructure by:

a. requiring an assessment of any practicable alternative sites, routes or designs, including land-based alternatives, to demonstrate that the chosen option is the most appropriate 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

d. encouraging structures for infrastructure to be multifunctional where reasonably practicable.

4. Enable the maintenance, repair, and upgrade of existing lawful structures to comply with applicable standards and codes.

5. Enable the reconstruction or extension of existing structures in locations where redevelopment will:
   a. not have significant adverse effects on other uses and values

   b. result in greater, more efficient, or multiple use of the structure for marine activities

   c. reduce the need for a new structure elsewhere.

Ensuring structures are appropriately located and designed

6. Require structures to be located to avoid adverse effects on the values of:
   a. areas identified as having significant value

   b. significant surf breaks identified in Appendix 6.3, 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 GCM zone to be located to minimise:
   a. impacts on other coastal uses, including activities provided for in zones or resource consents

   b. adverse effects on recreational use, including popular anchorage areas

   c. public access to and along the CMA

   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 by wharves and jetties 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 on-going dredging to maintain water access

   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 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

   d. not increase rates of coastal erosion

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.

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

11. Enable structures in appropriate locations where the structure is to provide, or enhance:
    a. public access, use or amenity values, including artworks in the CMA
    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.

12. 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

13. Avoid a proliferation of hard protection structures in the CMA by requiring:
    a. hard protection structures to be located landward of MHWS 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 CMA, 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
    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.

14. 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
    h. any increase in the coastal hazard posed to the coastline elsewhere.

15. 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 CMA

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 CMA to advance inland.

16. 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
    c. the extent that the hazard risk is being increased as a result of the location and method of stormwater discharges or drainage.
17. 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

18. Require applications for structures in the CMA to:
    a. demonstrate that any landward component, development, or use of land-based infrastructure or facilities can be appropriately provided for
    b. apply for all land-based and coastal resource consents required at the same time.
19. Avoid structures in the CMA having significant adverse effects on the use of adjoining land, including reverse sensitivity effects on existing use or development.

Ensuring safe navigation

20. Enable structures required to ensure safe navigation, or for health and safety purposes.
21. Ensure that structures in the CMA 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
    c. enabling the removal of structures, where they are no longer functional or required, or have been abandoned.
22. Enable the removal of unlawful, abandoned, unsafe and redundant structures where the structure has been assessed as:
    a. not being a scheduled historic heritage place
    b. a potential risk to navigation or public health and safety
    c. restricting public access and use of the area
    d. having an adverse affect 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
    g. likely to result in anchoring or fishing restrictions if it remained in the CMA.

5.1.16 Local water transport facilities

Background

Auckland has a range of important smaller-scale water-based wharf and landing facilities that provide for our 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.

Objective

[rcp]

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

Policies

[rcp]

1. Allow the use, development and occupation of structures for local water transport facilities that provide for:
   a. passenger transport
   b. public access to open space and conservation estate lands including the Hauraki Gulf islands
   c. public recreational use of the CMA
   d. the movement of freight to serve the social and economic needs of local communities.
2. Restrict any activity, use or development in CMA and above MHWS that adversely affects the operation of local water transport facilities.
3. Require adequate land-based facilities for car parking, rubbish disposal, and wastewater pump-out to be provided when existing facilities increase their capacity.

5.1.17 Underwater noise from dredging, mineral exploration and extraction

Background

Noise generated from activities undertaken in the CMA can have an adverse effect on people's health, and on amenity values, both within and adjacent to the CMA. The impact of noise from activities in the CMA on adjoining land is provided for in the Auckland- wide provisions of the plan.

Underwater noise can have an adverse effect on a range of marine animals that rely on sound to communicate, navigate, hunt and mate. Chronic 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 underwater. While limits on underwater noise generated by ships and vessels needs to be regulated at a national level, significant noise from underwater construction activities, such as blasting or piling, can be managed to address effects on marine fauna and people.

The Department of Conservation 2012 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.

Objective

[rcp]

1. Underwater noise from construction, dredging, mineral exploration and extraction activities is managed to maintain the health and well-being of marine fauna, and the health and amenity value of users of the coastal environment.

Policies

[rcp]

1. Require underwater activities in the CMA to:
   a. comply with the underwater noise controls specified in the Unitary Plan
   b. adopt the best practicable option where noise standards are not specified
   c. manage noise from underwater activities so they do not exceed a reasonable level.
2. Assess the following matters for activities that require a resource consent:
   a. the health and well-being of marine fauna and people from the noise associated with the proposal
   b. the practicality of being able to control the noise levels
   c. the extent to which any social and economic benefits to the community offset the impact of noise associated with the proposal
   d. the extent to which the effects of the noise will be mitigated.
3. Require activities in the CMA to be undertaken in a manner that avoids or mitigates the adverse effects of noise as far as practicable.

5.2 Marina zone

Zone description

Marinas provide an efficient use of coastal space to moor vessels, for easy and safe boat access and launching, and enhanced amenity for boat users through associated facilities, events and services. They are an important recreational and tourism asset for Auckland and are often used for ferry transport services.

The Marina zone provides for the development and operation of various established marinas. Marinas usually involve both land and water components. The zone covers both land and CMA to promote integrated management of activities and effects that cross MHWS. Additional development controls for some marinas are set out in a precinct plan. Where there is any conflict, the provisions of the precinct plan will override the provisions within the zone.

The Marina zone applies to the following marinas:

1. Sandspit, Warkworth
2. Mahurangi, Wilson Road, Warkworth
3. Gulf Harbour, Whangaparaoa
4. Milford
5. Bayswater
6. Westpark, West Harbour
7. Westhaven (Westhaven is zoned as a precinct in the City Centre zone. The rules of this chapter apply to Westhaven where an activity is not covered by the provisions for that precinct.)
8. Outdoor Boating Club, Hobson Bay
9. Orakei
10. Bucklands Beach/Half Moon Bay
11. Pine Harbour, Beachlands
12. Hobsonville Point.

Objectives

[rcp/dp]

1. Marina activities are located within a Marina zone, which encompasses the CMA and any adjoining land used for marina-related activity.
2. Marina facilities are used, developed, maintained, refurbished, reconstructed, and berthage maximised while avoiding, remedying or mitigating adverse effects on the coastal environment.
3. The management and assessment of marina development and redevelopment is integrated.
4. Activities that have a functional requirement for a coastal location are prioritised in Marina zones.
5. Access to the waterfront for berth holders and the public is preserved or enhanced.

Policies

[rcp/dp]

1. Provide for use, development, repair, maintenance, refurbishment, and reconstruction in existing marinas that avoids, remedies or mitigates adverse effects on the coastal environment, including adjacent land zoned for residential or open space purposes.
2. Encourage and provide for marine-related and other compatible business activities, while protecting the

amenities of adjacent residential and open space zoned land.

3. Provide for existing ferry terminal facilities and operations at Half Moon Bay, Bayswater, Pine Harbour, Gulf Harbour and West Harbour marinas.
4. Require adequate and convenient facilities in marinas for the containment, collection and appropriate disposal of:
   a. rubbish from vessels
   b. sewage from vessels
   c. recyclable material including waste oils
   d. residues from vessel construction and maintenance
   e. spills from refuelling operations and refuelling equipment
   f. the discharge of stormwater generated from the marina complex, including above MHWS.
5. Encourage additional berthage to be created within a Marina zone where this is practicable and will avoid, remedy or mitigate adverse effects on the environment including:
   a. the natural character of the coastal environment
   b. landscape and visual amenity values
   c. coastal processes
   d. water quality
   e. biosecurity
   f. historic heritage and Mana Whenua values
   g. land-based facilities including parking, access and the adjoining road network
   h. the provision of public access.
6. Minimise, as far as practicable, any reclamation required for creating marina facilities.
7. Minimise, as far as practicable, the size of any wave attenuation devices associated with a marina development.
8. Require any marina development to be of a scale, design and materials and located so that it remedies or mitigates adverse effects on the coastal environment, particularly the following:
   a. the natural character of the coastal environment
   b. effects on the recreational, visual and amenity values in the locality, including lighting effects
   c. public access to, along and within the CMA
   d. effects on the landscape elements and features
   e. effects on historic heritage or Mana Whenua values
   f. noise effects including construction noise and ongoing operational noise, such as halyard slap
   g. effects on coastal processes including wave sheltering, downstream effects, sediment movement, erosion and depositing, littoral drift, and localised effects on water currents
   h. effects on significant surf-breaks
   i. the need for capital works and maintenance dredging within the marina and any approach/entrance channel, options for disposal, measures to address any contaminants in dredged material, and effects of dredging on water quality

j. effects on other users of the CMA including existing moorings and public boat ramps

k. effects on navigation and safety and the need for any aids to navigation

l. the provision of shore-based facilities including car and trailer parking, boat storage and maintenance areas, administration buildings, public toilets, boat racks, lockers, public access and esplanade reserves, landscaping and urban design treatment

m. the effects of additional traffic generation on the adjacent road network and any measures to mitigate these effects

n. consideration of any relevant council structure plans, concept plans, strategies, reserve management plans, designations or additional limitations that apply to the adjoining land.

9. Provide for public access to be restricted where it is necessary for public health, safety or operational reasons.

10. Require mitigation for any loss of public access to, along and within the CMA, including providing facilities such as public boat ramps, and alternative access for other users such as windsurfers, kayakers and kite boarders.

11. Require a precinct plan to be prepared where substantial redevelopment, or change of use is proposed within a Marina zone.

12. Allow activities that do not have a functional need for a coastal location, such as residential and general retail, to form part of a precinct plan only where it can be demonstrated that:
    a. the proposed activities will not conflict with, or limit, the operation of marina activities, ferry transport or other marine-related activities that are undertaken in the Marina zone

    b. no reclamation is required to enable the development

    c. adequate provision is made for activities with a functional requirement for a coastal location

    d. the foreseeable future demand for space for activities with a functional requirement for a coastal location can be provided for without requiring further reclamation as a result of other activities being located within the zone

    e. public access and use of the CMA will be enhanced

    f. the development is integrated with public transport

    g. the development is designed to complement the unique coastal location.

5.3 Mooring zone

Zone description

Auckland has a large number of recreational vessels, and the number is likely to increase as Auckland's population grows. Recreational boating is a popular activity in Auckland, particularly in the Hauraki Gulf, and the mooring of vessels needs to be provided for in appropriate locations.

Many recreational vessels are permanently stored in the CMA, either in marinas or on moorings. While moorings enable recreational use of the CMA, individual moorings and groups of moored vessels can have adverse effects on the environment, particularly on natural character, landscape, visual and amenity values. Leaching from boat hulls can have adverse effects on water quality and ecological values.

Moorings can affect other recreational use of the CMA, including limiting the water space available for vessels to anchor at popular boating destinations. Moorings can also limit the areas where vessels can anchor to shelter from bad weather.

To consolidate moorings in appropriate areas a number of Mooring zones have been identified around Auckland's coast. Most Mooring zones are within the Hauraki Gulf, reflecting the high recreational boat use of the Gulf. Enabling the mooring of vessels within a Mooring zone ensures the efficient use of the coast by:

- concentrating moorings in suitable areas and avoiding a proliferation of moorings around the coast
- reducing conflict with other users of coastal space
- reducing pressure on areas with high natural values
- enabling the strategic planning and provision of land-based facilities such as dinghy racks, parking and boat ramps.

Note: The day-to-day management of moorings within a Mooring zone is managed by the Harbourmaster's office with reference to the Navigation Safety bylaw.

Objectives

[rcp]

1. Vessels are moored in appropriate locations in the CMA to avoid, as far as practicable, adverse effects on natural character, landscape, navigational safety, commonly used safe anchorage areas, recreational activities and amenity values.
2. The use of mooring space within a Mooring zone is maximised.
3. The use of a Mooring zone is enhanced by the provision of land-based facilities in appropriate locations.

Policies

[rcp]

1. Avoid moorings or Mooring zones being located:
   a. within Significant Ecological Area - Marine 1 area
   b. where they would have an adverse effect on any Outstanding Natural Feature
   c. within an Outstanding Natural Character or High Natural Character area
   d. where they would have an adverse effect on historic heritage values.
2. Avoid moorings or Mooring zones in areas:
   a. where they will restrict opportunities for safe anchorage in strategic locations
   b. that are commonly relied upon for safe anchorage during adverse weather conditions
   c. that are popular cruising destinations used by the general public.

3. Determine the appropriateness of moorings outside a Mooring zone by also taking into account whether:
   a. there is a Mooring zone with available space in proximity to the proposed mooring location
   b. there is a functional need for a mooring outside of a Mooring zone, and the ability to access the property from land
   c. it can be demonstrated that short-term anchorage, as opposed to a permanent mooring, is not a practicable option
   d. the proposed method of mooring is the most appropriate, taking into account the particular location, the extent of water space that will be occupied and the level of impact on other users
   e. the navigation and safety of other vessels, or other lawful use of the CMA, will be adversely affected
   f. land-based vessel storage is a practicable option
   g. it will limit public access to and along the CMA.
4. Require proposals for moorings, or a new Mooring zone, to demonstrate that the location is suitable in terms of wave, tide, and wind conditions, particularly during storms.
5. Encourage the provision of land-based facilities in appropriate locations that support the use of a Mooring zone, such as boat ramps, dinghy storage, toilets and wastewater pump- out stations.
6. Discourage the use of a vessel as a dwelling within a Mooring zone.
7. Require existing moorings outside of a Mooring zone to either obtain a resource consent for the mooring, or for the mooring to be removed.
8. Encourage the shared usage of moorings.
9. Manage a Mooring zone to:
   a. concentrate moorings
   b. consolidate moorings by progressively replacing swing moorings with bow and stern moorings where this is practicable
   c. maximise the opportunities for the use of water space by other recreational activities
   d. make provision for safe anchorage.
10. Avoid structures that will limit the ability to moor vessels in a Mooring zone.

5.4 Minor Port zone

Zone description

Auckland has a range of water transport facilities in addition to the city centre port that are important for business and industry. Maintaining such sites as part of an efficient national network of safe ports is recognised in the New Zealand Coastal Policy Statement (policy 9).

The purpose of the Minor Port zone is to provide for the integrated and efficient operation and development of particular minor ports in the Auckland region. The zone includes the Port of Onehunga, the Gabador Place wharves, the LPG Terminal in the Papakura Channel, and the Chelsea Sugar Factory Wharf.

These facilities are important in serving and supporting local, regional and national business opportunities, and providing for the social and economic well-being of Auckland. The purpose of the Minor Port zone is to provide for these facilities and associated marine and port activities as they rely on proximity to the harbour for operational purposes.

The Minor Port zone provides for the integrated and efficient operation and development of the Port of Onehunga and Gabador Place by incorporating both the land and CMA of these two facilities.

The Port of Onehunga, on the Manukau Harbour, is managed by Ports of Auckland Limited and is identified in the Auckland Plan as part of our critical infrastructure. It provides for general port operations, including for multi-cargo coastal shipping, container and fishing vessels, and port services such as towage, pilotage, cargo storage, logistics and security.

Gabador Place on the Tāmaki River is used for handling and transferring bulk liquids, including hazardous substances, and the movement of sand and shingle. Commercial vessels regularly use the Tāmaki River to transport chemicals by barge to the wharves located at the Gabador Place facility. This area also has a wharf, marina and travel lift associated with boat building operations.

The LPG terminal in the Papakura Channel is used for off-loading LPG from sea tankers through a 5km-long submarine pipeline to the shore. It is located off-shore and away from other development. Any further development of this area is considered inappropriate due the potential adverse effects on the high natural character values of the nearby significant ecological area.

The Chelsea Sugar Refinery has a deepwater wharf supporting its refinery operations.

The zone applies to the wharf area at the Chelsea Sugar Refinery and the LPG terminal in the Papakura Channel within the CMA only. The landward component of these water transport facilities are zoned for their business use.

Objectives

[rcp/dp]

1. Efficient and safe operation is continued for the following water transport facilities for freight and business:
   a. Port of Onehunga
   b. Gabador Place, Tāmaki River
   c. LPG Terminal, Papakura Channel
   d. Chelsea Sugar Refinery wharf

   in a manner which:
   e. minimises the exposure of people and the natural environment to risks arising from hazardous activities and hazardous substances

f. avoids, remedies or mitigates significant adverse freight and business effects from these facilities on the surrounding environment

2. Existing water transport facilities for freight and business are protected from inappropriate subdivision, use and development that may compromise their ability to operate safely and efficiently, or adversely affect their connections with other transport modes.

3. Public access, use and enjoyment of the CMA is maintained and, where practicable, enhanced provided this does not have a significant adverse effect on the continued operation of these facilities for freight and business.

4. Structures and the water space of the CMA in and adjacent to water transport facilities for freight and business are used efficiently.

5. Potential adverse effects of Minor Port zone activities on neighbouring areas are avoided, remedied or mitigated.

6. Activities that do not require proximity to the harbour and marine and port facilities are directed to other areas of Auckland.

Policies

[rcp/dp]

1. Avoid subdivision, use, or development which adversely affects the safe and efficient operation of water transport facilities for freight and business located within the Minor Port zone or their connections with other transport modes.

2. Restrict public access to the coastal environment where necessary for health, safety or security, particularly to areas where hazardous substances are being transferred, off-loaded, or stored within the zone.

3. Enable the intensification, development and maintenance of buildings, structures and works for marine and port activities, subject to avoiding, remedying or mitigating potential adverse effects on the coastal environment and land.

4. Require activities within the zone to avoid, remedy or mitigate adverse effects on the land and coastal environment, particularly noise, lighting and amenity effects and effects on coastal processes, water quality, biosecurity, historic heritage and the surrounding road network.

5. Design and locate buildings and other significant structures to avoid, remedy or mitigate significant adverse effects on views from and to the adjoining land and water, and to contribute positively to the visual quality of the area.

6. Assess the visual effect of buildings and other significant structures in the Minor Port zone to determine if they give regard to maintaining or enhancing:
   a. the visual environment of the zone
   b. the landscape and amenity links between the harbour, the port and adjacent areas.

7. Require port operators to take all practicable steps to avoid contamination of coastal waters, substrate, ecosystems and habitats that is more than minor.

8. Require the provision of adequate and convenient facilities for the containment, collection and appropriate disposal of:
   a. rubbish from vessels
   b. sewage and bilge water from vessels
   c. recyclable material including waste oils

d. residues from vessel construction and maintenance

e. spills from refuelling operations and refuelling equipment

f. spills, residues and debris from cargo operations

g. the discharge of stormwater generated from the port complex, including above MHWS.

9. Require structures in the CMA used for handling hazardous substances to be maintained at all times to a standard that minimises potential risks to people and the environment.

10. Require the off-loading or transfer of hazardous substances on structures in the CMA to be done at all times in a manner that minimises potential risks to people and the environment.

11. Restrict any further development or expansion of the LPG Terminal in the Papakura Channel beyond the Minor Port zone.

12. Avoid office and residential land-use activities, except where they are ancillary to marine and port activities.

13. Avoid retail land use activities, except for convenience-type retail servicing the local worker population.

14. Enable use and development that is not related to marine and port activities only where:
    a. the area proposed to be used or developed is no longer entirely needed, and is not likely to be needed in the foreseeable future, for marine and port activities

    b. the use and development:
        i. has a functional need to locate in or adjacent to the CMA, or

        ii. is accessory to a structure or activity which has a functional need to locate in or adjacent to the CMA

    c. the use or development will not adversely affect the primary function of any established structure, or the use of the area for marine and port activities

    d. the use or development will, where appropriate, significantly enhance amenity values and public use and enjoyment of the CMA

    e. the use or development will, where appropriate, retain and reflect character features, structures and elements that demonstrate the historic heritage and history of the working waterfront

    f. the use or development will not result in either increased pressure for the expansion of the existing port outside the port management areas, or the establishment of a completely new port outside those areas

    g. the use or development cannot be accommodated within or on any existing structures in the CMA

    h. any landward development associated with the use or development can be accommodated

    i. adverse effects on the environment can be avoided, remedied, or mitigated.

15. Require proposals for further reclamation to demonstrate that there is no practical alternative, that reclamation is the most appropriate form of development, and that the potential adverse effects can be avoided, remedied or mitigated.

16. Require that the redevelopment of existing navigation channels, wharves, piers and berths, and the development of new facilities within the zone is designed and located to avoid as far as practicable the need for both capital works and maintenance dredging, provided this does not result in additional adverse environmental effects.

5.5 Ferry Terminal zone

Zone description

The purpose of the Ferry Terminal zone is to provide for the integrated and efficient operation and development of ferry terminal facilities. These sites play an important part in Auckland's public transport network. Passenger ferries and their supporting ferry terminal network are important for the growth of Auckland's integrated public transport system. Alongside this is the need to restrict inappropriate use and development of other activities on land and in the CMA that could compromise the use of these facilities as key passenger transport nodes.

The zone applies to terminals at Devonport (includes Devonport and Victoria wharves), Stanley Bay, Northcote, Birkenhead, Beach Haven, Hobsonville, Mātiatia (Waiheke Island), Kennedy Point (Waiheke Island), and Whangaparapara, Tryphena and Port Fitzroy (Great Barrier Island).

Several ferry terminal facilities are components of larger coastal developments. Their operation and growth, and relationship with surrounding activities, must be considered in an integrated and comprehensive manner. The ferry terminals at Devonport and Mātiatia are large complexes of ferry-related and complementary activities. The existing facilities at Gulf Harbour, Bayswater, West Harbour, Half Moon Bay and Pine Harbour are within marinas. These ferry terminal facilities within marinas form an important part of the ferry network but are managed within the Marina zone.

Standalone ferry terminal facilities that form part of the public ferry transport network and are particularly important for local communities, including the smaller facilities on the Waitemata Harbour, and at Waiheke Island and Great Barrier Island.

The city centre facilities at the ferry terminal, Queens Wharf and at Wynyard Wharf are vital components of the ferry network. They are managed through the waterfront precincts of the City Centre zone to recognise their strong relationship with the city centre.

Devonport and Victoria wharves

Devonport Wharf is a key public transport link between the city centre and the North Shore and is an important gateway to Devonport. It needs to be recognised as a key regional transport facility so that it delivers adequate and convenient public access to the terminal and ferries.

Victoria Wharf allows access to support Devonport Wharf's role and is also an important local open space facility heavily used by the public for promenading and fishing, and by compatible marine and port activities.

Both wharves are a key part of Devonport's urban form and the continued operation and development of this ferry terminal facility must integrate with, and maintain, the visual and amenity values of the adjoining landward area.

The Auckland Plan's development strategy has identified future ferry terminal sites at Takapuna and Browns Bay serving routes identified as part of the Auckland public transport network. These sites are within the GCM zone.

The Ferry Terminal zone only applies to the CMA. Any landward components of ferry terminals are generally within road or Open Space zones.

Objectives

[rcp]

1. The safe and efficient development and operation of ferry terminal facilities identified as transport nodes in the Auckland public transport network.
2. The ability of existing ferry terminal facilities to provide for public transport is not compromised by subdivision, use and development.

3. Appropriate expansion of existing ferry terminal facilities, or the development of new ferry terminals, is enabled in appropriate locations where a transport need is identified.
4. Public access, use and enjoyment of the CMA is maintained and, where practicable, enhanced, and any associated use and development does not compromise the ability of ferry terminal facilities to provide for public transport needs.
5. Efficient use is made of the structures and water space of the CMA in, and adjacent to, ferry terminal facilities.
6. Ferry terminals are located and designed so they are vibrant, active, high-quality public spaces that complement and integrate with the local surroundings, including by maintaining the historic heritage values of the terminal site.

Policies

[rcp]

1. Maintain and enhance the safe and efficient operation and development of ferry terminals by:
   a. enabling use and development that provides for safe and convenient passenger access and circulation, and cargo transfer
   b. enabling accessory activities that support ferry terminal facilities and visitor and tourist use, such as administration offices, shops, cafes and services, to be located in the CMA where there is no demonstrated practicable alternative on land
   c. requiring ferry terminal redevelopment to provide enough sheltered passenger waiting areas convenient to the ferry berthage area to comfortably accommodate peak service users
   d. requiring sufficient parking and loading facilities
   e. supporting linkages and facilities for other public transport modes such as buses, walking and cycling
   f. managing and locating facilities to minimise conflict between different uses and activities.
2. Avoid subdivision, use, or development which adversely affects the continued operation of ferry terminals located within the Ferry Terminal zone.
3. Maintain, and where practicable, enhance public access, use and enjoyment within Ferry Terminal zones where this will not adversely affect the terminal's development, operation and maintenance.
4. Maintain and enhance the visual and amenity values of ferry terminal facilities by requiring any further development to:
   a. integrate the height, bulk and form of any new structure with existing structures, where they are retained, so they are compatible with or complement the character of the surrounding land and CMA
   b. make adequate provision for land-based activities associated with the development
   c. avoid, remedy or mitigate any adverse effects on amenity values of adjacent residential properties, particularly from noise, lighting, traffic or the erection of structures
   d. avoid obstructing views from the facility out to the CMA, particularly from public areas and accessways
   e. be designed with regard to how the structure will be viewed from land as well as from the CMA, including consideration of how any development on Devonport and Victoria wharves will be viewed from Victoria Street
   f. include high-quality public spaces with a sense of spaciousness, particularly in any internal accessways and public areas

g. require building materials, colours and any proposed signage to be sensitive to, and complement, the maritime context and prominent visual location.

5. Avoid, remedy or mitigate any significant adverse environmental effects on the environment from the development, operation and maintenance of the ferry terminal facilities, particularly on coastal processes, water quality and historic heritage.

6. Limit the size of any new structures to the minimum necessary to support ferry terminal operations and associated activities.

7. Require the provision of adequate and convenient facilities for the containment, collection and appropriate disposal of:
   a. rubbish from the public, passengers and vessels
   b. sewage and bilge water from vessels
   c. recyclable material including waste oils
   d. residues from vessel construction and maintenance
   e. spills from refuelling operations and refuelling equipment
   f. spills, residues and debris from cargo operations
   g. the discharge of stormwater generated from the ferry terminal complex.

8. Require use and development at Devonport and Victoria wharves to:
   a. retain the open space and beach between the wharves and Marine Square free of structures and available for recreational use, unless new structures would enhance public experiences and connections between the land and ferry terminal facility while retaining some public visibility of the beach
   b. include a mix of commercial and public uses that support and complement the primary role of Devonport Wharf as a ferry terminal so that the wharf is an active and vibrant space that adds to the urban form and activities of the Devonport town centre
   c. not include private or hotel accommodation, and restrict office activities other than a ferry administration office to only the upper levels of the wharf facility
   d. provide adequate bicycle, car and bus parking spaces and facilities to support the transport node.

9. Provide for the appropriate development and use of expanded or new ferry terminal facilities outside the Ferry Terminal zone, provided any:
   a. proposal is not inconsistent with the objectives and policies in the Unitary Plan for the Auckland public transport network
   b. proposal is consistent with the objectives and policies for ferry terminal facilities in the Ferry Terminal zone
   c. adverse effects on the environment are avoided, remedied or mitigated, with particular regard to effects on traffic, parking, amenity, water quality and coastal processes.

5.6 Defence zone

Zone description

The Defence zone provides for the continued operation of defence activities in the CMA adjacent to the Royal New Zealand Navy Devonport Naval Base and the Onetaunga Bay Wharf (Kauri Point).

Objective

[rcp]

1. Effective operation of defence facilities at Devonport and Onetaunga Bay Wharf (Kauri Point) is continued.

Policies

[rcp]

1. Avoid use and development adjacent to the Defence zone which would adversely affect the efficient operation of defence activities.
2. Recognise the importance of the Devonport Naval Base and Onetaunga Bay Wharf by:
   a. including those parts of the CMA containing major wharves and other access structures within the zone
   b. providing for continued operation while encouraging the use of appropriate management techniques to avoid, remedy, or mitigate adverse effects.
3. Require any proposal to erect a structure in the Defence zone, other than those for marine and port activities, to demonstrate that:
   a. the area proposed for the structure is no longer needed and is not likely to be needed in the foreseeable future for marine and port activities
   b. the loss of the proposed area will not result in increased pressure for the expansion of the Defence zone beyond its existing boundaries
   c. adverse environmental effects, including effects on historic heritage, will be avoided, remedied, or mitigated.
4. Require redevelopment or further development of existing navigation channels, wharves, piers and berths, and the development of new facilities within the Defence zone to be designed and located so that the need to dredge is avoided or minimised.
5. Require the provision of port facilities and structures to provide adequate and convenient facilities to meet the needs of all vessels berthing or anchoring within the Defence zone for the collection and appropriate disposal of:
   a. sewage, bilge water and litter from vessels
   b. residues from vessel servicing, maintenance and repair
   c. spills from refuelling operations and refuelling equipment
   d. spills, residues and debris from cargo operations.
6. Avoid reclamation and drainage in the Defence zone unless:
   a. it will not result in increased pressure for the expansion of the zone beyond its existing boundaries
   b. it will not increase the intensity of activities where those activities will have adverse effects on the surrounding residential environment
   c. adverse environmental effects, including effects on historic heritage, will be avoided, remedied or mitigated
   d. it meets the reclamation and drainage provisions of the Unitary Plan.

7. Require buildings and other structures in the Defence zone to be designed and located to avoid, remedy or mitigate significant adverse effects on views from and to the adjoining land and water.
8. Manage the visual effects of buildings and other structures in the Defence zone, to maintain or enhance:
   a. the visual environment of the area
   b. the landscape and amenity links between the harbour, the zone and adjacent commercial and residential areas.
9. Recognise that Calliope Dry Dock is a functioning dry dock and require any maintenance, repair, alteration, or reconstruction of this facility to be undertaken in a way which does not cause significant adverse effects on the integrity of the place and its identified historic heritage values.

5.7 Coastal Transition zone

Zone description

This zone applies to land which is above Mean High Water Springs that was typically unzoned in previous district plans. This zone has been introduced to account for improvements in the quality of information on the location of Mean High Water Springs.

This zone does not presume that the land is either public or private land. Rather, it clarifies which zone and precinct provisions apply once the tenure of the land has been determined.

The seaward boundary of the land approximates the location of Mean High Water Springs as at 2012. However a survey may be required to confirm its exact location.

Objective

1. If the land is privately owned land and contained in a Certificate of Title, the objectives of the zone and any precinct that applies to the balance of the land apply. If it is not, the objectives of the Public Open Space Informal Recreation zone apply.

Policy

1. If the land is privately owned land and contained in a Certificate of Title, the policies of the zone and any precinct that applies to the balance of the land apply. If it is not, the policies of the Public Open Space Informal Recreation zone apply.