

The Proposed Auckland Unitary Plan (notified 30 September 2013)

6 Coastal - General Coastal Marine zone

The activities, controls and assessment criteria in the General Coastal Marine zone apply in the CMA in all the coastal zones and precincts unless otherwise specified under the relevant zone or precinct.

1 Activity tables

The following table specifies the activity status of activities in the General Coastal Marine zone, the Significant Ecological Area – Marine overlay and the parts of the following overlays that are within the Coastal Marine Area (CMA): Outstanding Natural Character, High Natural Character, Outstanding Natural Landscapes, Outstanding Natural Feature, Historic Heritage.

1.1 Drainage, reclamation and declamation (s. 12(1) RMA)

[rcp]

Activity table – General Coastal Marine zone, SEA-M, ONC, HNC, ONL, ONF and HH overlays						
Activity	Activity status					
	General Coastal Marine zone	SEA-M1, ONC	SEA-M2, HNC, ONL	ONF - Type A1 and A	ONF - Type V1, V2, B, C, D, E, F	HH
Maintenance or repair of a lawful reclamation or drainage system	P	P	P	P	P	P
Minor reclamation for the purpose of maintaining, repairing or upgrading a lawful reclamation	RD	D	D	D	D	D
Reclamation or drainage: - carried out as part of rehabilitation or remedial works; or - where it is required for the safe and efficient operation or construction of significant infrastructure	D	NC	NC	NC	NC	NC
Authorisation of an unlawful reclamation under s 355A RMA	D	NC	NC	NC	NC	NC
Reclamation or drainage not otherwise provided for	NC	Pr	NC	Pr	Pr	Pr
Declamation	D	NC	NC	NC	NC	D

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1.2 Depositing and disposal of material (s. 12(1) RMA) including any associated discharge of contaminants and water into water (s. 15)

[rcp]

Activity table – General Coastal Marine zone, SEA-M, ONC, HNC, ONL, ONF and HH overlays						
	General Coastal Marine zone	SEA-M1, ONC	SEA-M2, HNC, ONL	ONF - Type A1 and A	ONF - Type V1, V2, B, C, D, E, F	HH
CMA depositing of material where the deposited sediment is extracted from within the same coastal cell - maximum of 1000m ³ per calendar year	P	D	D	D	NC	D
CMA depositing of material where the deposited sediment is extracted from within the same coastal cell - between 1000m ³ and 10,000m ³ per calendar year	RD	NC	D	D	NC	D
CMA depositing of material from outside the coastal cell - maximum of 10,000m ³ per calendar year	RD	NC	D	NC	NC	D
CMA depositing of material not otherwise provided for	D	NC	NC	NC	NC	NC

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<p>Disposal of waste or other matter in the CMA</p> <p>Limited to:</p> <ul style="list-style-type: none"> - dredged material - sewage sludge - fish processing waste from an onshore facility - vessels, platforms, or other man-made structures - inert, inorganic geological materials - organic materials of natural origin - bulky items consisting mainly of iron, steel and concrete. <p>Excludes:</p> <ul style="list-style-type: none"> - disposal or storage of waste or other matter arising directly from, or related to, the exploration, exploitation and associated offshore processing of seabed mineral resources - a discharge made in accordance with s. 15B of the RMA or Part 3 of the Resource Management (Marine Pollution) Regulations 1998 	D	D	D	D	D	D
Disposal or storage of waste or other matter arising directly from, or related to, the exploration of seabed mineral resources	P	NC	NC	NC	NC	NC
Disposal or storage of waste or other matter arising directly from, or related to, the exploitation and associated offshore processing of seabed mineral resources	D	NC	NC	NC	NC	NC
Disposal of waste or other matter in the CMA not otherwise provided for	Pr	Pr	Pr	Pr	Pr	Pr

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1.3 Dredging (s. 12(1) RMA) including any associated discharge of contaminants and water into water (s. 15)

[rcp]

Activity table – General Coastal Marine zone, SEA-M, ONC, HNC, ONL, ONF and HH overlays						
	General Coastal Marine zone	SEA-M1, ONL	SEA-M2, HNC, ONL	ONF - Type A1 and A	ONF - Type V1, V2, B, C, D, E, F	HH
River mouth dredging; dredging to maintain or gain access to an existing lawful structure; dredging to clear the exit of any lawful stormwater outfall or pipe - maximum of 1500m ³ - maximum of 100m length	P	D	P	D	D	D
River mouth dredging; dredging to maintain or gain access to an existing lawful structure; dredging to clear the exit of any lawful stormwater outfall or pipe: - maximum of 5000m ³ - maximum of 500m length	RD	NC	RD	NC	NC	NC
River mouth dredging; dredging to maintain or gain access to an existing lawful structure; dredging to clear the exit of any lawful stormwater outfall or pipe - not otherwise provided for	D	NC	D	NC	NC	NC
Dredging for the removal of a Pacific oyster reef, other than as part of aquaculture activities, to restore water depths to previous levels	RD	D	D	D	D	D
Maintenance dredging	D	NC	D	NC	NC	NC
Capital works dredging	D	NC	NC	NC	NC	NC

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1.4 CMA disturbance (s. 12(1) RMA) and CMCA mineral extraction (s. 12(2(b))) including any associated discharge of contaminants and water into water (s. 15)

[rcp]

Activity table – General Coastal Marine zone, SEA-M, ONC, HNC, ONL, ONF and SHHP overlays						
	General Coastal Marine Zone	SEA-M1, ONC	SEA-M2, HNC, ONL	ONF -Type A1 and A	ONF - Type V1, V2, B, C, D, E, F	SHHP
CMA disturbance related to scientific or engineering investigations, including taking samples	P	NC	P	D	NC	D
Mineral prospecting, mineral exploration	P	Pr	NC	Pr	Pr	Pr
CMCA mineral extraction	D	Pr	NC	Pr	Pr	Pr
CMA disturbance that is: - not otherwise provided for and meets the land and water use controls, or - associated with removal of litter or marine debris, or - associated with removal of sediment, vegetation and encrusting organisms from any existing lawful CMA structures, or - associated with the burial of dead marine mammals, or - associated with control or eradication of any exotic or introduced plant or animal species	P	P	P	P	P	P
CMA disturbance that is associated with movement of up to 1000m ³ of sediment per calendar year within the same coastal cell	P	D	D	D	NC	D
CMA disturbance that is associated with movement of between 1000m ³ and 10,000m ³ of sediment per calendar year within the same coastal cell	RD	NC	D	D	NC	NC
CMA disturbance that is not otherwise provided for	D	NC	NC	NC	NC	NC
Livestock access in the CMA not otherwise provided for	P	Pr	P	P	Pr	Pr

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Activity table – General Coastal Marine zone, SEA-M, ONC, HNC, ONL, ONF and SHHP overlays

	General Coastal Marine Zone	SEA-M1, ONC	SEA-M2, HNC, ONL	ONF -Type A1 and A	ONF - Type V1, V2, B, C, D, E, F	SHHP
Livestock access in the CMA (other than for droving and horse riding) seven years after the date of plan notification for the General Coastal Marine zone and five years after plan notification for SEA-M2 and ONF-A1 and A)	Pr	Pr	Pr	Pr	Pr	Pr
Pacific oyster shell removal other than as part of: - aquaculture activities or - dredging of Pacific oyster shell reefs	P	P	P	P	P	P
Mangrove seedling removal - not in a marine reserve - in SEA-M1 only in areas listed in Appendix 6.5 or Appendix 6.6	P	P	P	P	P	P
Mangrove removal (other than seedlings) from an area that was free of mangroves in 1996 - not in a marine reserve - in SEA-M1 and 2 only in areas listed in Appendix 6.5	P	P	P	P	P	P
Mangrove removal in significant wading bird areas listed in Appendix 6.6	P	P	P	P	P	P
Mangrove removal to enable the operation, maintenance, use and functioning of existing lawful structures, infrastructure and drainage systems, or to ensure public health and safety in the use or operation of infrastructure - maximum of 200m ² in GCM zone and SEA-M2, ONL and HNC overlay - maximum of 30m ² in SEA-M1, ONC, ONFs and HH overlay	P	C	P	C	C	C

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1.5 Planting in the CMA (s. 12(1) RMA)

[rcp]

Activity table – General Coastal Marine zone, SEA-M, ONC, ONL, ONF and HH overlays						
	General Coastal Marine zone	SEA-M1, ONC	SEA-M2, HNC, ONL	ONF - Type A1 and A	ONF - Type V1, V2, B, C, D, E, F	HH
Planting of native vegetation	P	D	D	D	D	D
Planting of exotic plant species, not otherwise provided for	NC	Pr	Pr	Pr	Pr	Pr
Planting of <i>Spartina alterniflora</i> , <i>Spartina anglica</i> or <i>Spartina x townsendii</i>	Pr	Pr	Pr	Pr	Pr	Pr

1.6 Taking, use and damming or diverting coastal water (s. 14 RMA)

[rcp]

Activity table – General Coastal Marine zone, SEA-M, ONC, HNC, ONL, ONF and HH overlays						
	General Coastal Marine zone	SEA-M1, ONC	SEA-M2, HNC, ONL	ONF - Type A1 and A	ONF - Type V1, V2, B, C, D, E, F	HH
Taking and use of coastal water for operational needs of vessels and fire fighting	P	P	P	P	P	P
Taking, use or diversion of coastal water other than for the operational needs of vessels and fire fighting	P	D	P	D	D	P
Taking, use or diversion of coastal water not otherwise provided for	D	NC	D	NC	NC	D
Damming or impoundment of coastal water	D	NC	D	NC	NC	D
Taking or use of heat or energy from coastal water	D	D	D	D	D	D

1.7 Discharges (s. 15 RMA)

[rcp]

Activity table – General Coastal Marine zone, SEA-M, ONC, HNC, ONL, ONF and HH overlays						
	General Coastal Marine zone	SEA-M1, ONC	SEA-M2, HNC, ONL	ONF - Type A1 and A	ONF - Type V1, V2, B, C, D, E, F	HH
Discharge of untreated sewage from a vessel or offshore installation	P	P	P	P	P	P

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Activity table – General Coastal Marine zone, SEA-M, ONC, HNC, ONL, ONF and HH overlays

	General Coastal Marine zone	SEA-M1, ONC	SEA-M2, , HNC, ONL	ONF - Type A1 and A	ONF - Type V1, V2, B, C, D, E, F	HH
Discharge of any contaminant, other than hull fouling, resulting from the cleaning, anti-fouling or painting of vessels, not otherwise provided for	P	NC	P	P	D	P
Discharge of hull bio-fouling organisms from below the load line resulting from: 1. in-water cleaning of a vessel which has arrived from overseas with light to very heavy macro-fouling (level of fouling scale 2 to 5), or 2. passive release from a vessel which has arrived from overseas with light to very heavy macro-fouling (level of fouling scale 2 to 5), or 3. in-water cleaning of a vessel which has been wholly resident in New Zealand waters with extensive to very heavy macro-fouling (level of fouling scale 4 to 5), or 4. passive release from a vessel which has been wholly resident in New Zealand waters with extensive to very heavy macro-fouling (level of fouling scale 4 to 5)	D	Pr	D	D	NC	D

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Activity table – General Coastal Marine zone, SEA-M, ONC, HNC, ONL, ONF and HH overlays

	General Coastal Marine zone	SEA-M1, ONC	SEA-M2, , HNC, ONL	ONF - Type A1 and A	ONF - Type V1, V2, B, C, D, E, F	HH
Discharge of any contaminant, including hull biofouling organisms, resulting from the hull cleaning below the load line, anti-fouling or painting of vessels within 500m of MHWS of the following Hauraki Gulf conservation islands: <ul style="list-style-type: none"> - Beehive Island - Browns Island - Hen & Chickens Islands - Little Barrier Island - Mokohinau Islands - Motuihe Island - Motuora Island - Motutapu Island - Rangitoto Island - Saddle (Te Haupa) Island - The Noises Islands - Tiritiri Matangi Island 	Pr	Pr	Pr	Pr	Pr	Pr
Discharge of hull biofouling organisms from in-water hull cleaning below the load line of a vessel, not otherwise provided for	P	Pr	P	P	D	P
Passive discharge of hull biofouling organisms resulting from its presence, not otherwise provided for	P	P	P	P	P	P
Discharge of dye or tracer material for investigative purposes	P	P	P	P	P	P
Discharge of potable water from the water supply network	P	P	P	P	P	P

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Activity table – General Coastal Marine zone, SEA-M, ONC, HNC, ONL, ONF and HH overlays

	General Coastal Marine zone	SEA-M1, ONC	SEA-M2, , HNC, ONL	ONF - Type A1 and A	ONF - Type V1, V2, B, C, D, E, F	HH
Discharges into the coastal marine area, which are not covered by another rule in the Unitary Plan and not covered by the Resource Management (Marine Pollution) Regulations 1998	P	P	P	P	P	P
Discharge of hazardous substances as defined in HSNO	D	D	D	D	D	D
Discharge of stormwater	Refer to Auckland-wide - Stormwater rules	Refer to Auckland-wide - Stormwater rules	Refer to Auckland-wide - Stormwater rules	Refer to Auckland-wide - Stormwater rules	Refer to Auckland-wide - Stormwater rules	Refer to Auckland-wide - Stormwater rules
Discharge of untreated wastewater overflows from a wastewater network servicing new development areas and new wastewater networks within existing urban areas	P	NC	P	P	P	P
Discharge of untreated wastewater overflows from a wastewater network servicing new development areas and new wastewater networks within existing urban areas that does not comply with the permitted activity standards	C	NC	C	C	C	C
Discharge of untreated wastewater overflows from an existing combined sewer network	RD	RD	RD	RD	RD	RD
Discharge of untreated wastewater overflows from an existing separated wastewater network servicing existing urban areas	C	C	C	C	C	C
Discharge of treated wastewater from a wastewater treatment plant	D	NC	D	D	D	D

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Activity table – General Coastal Marine zone, SEA-M, ONC, HNC, ONL, ONF and HH overlays

	General Coastal Marine zone	SEA-M1, ONC	SEA-M2, , HNC, ONL	ONF - Type A1 and A	ONF - Type V1, V2, B, C, D, E, F	HH
Discharge of wastewater from a private wastewater network and associated wastewater treatment plant	D	NC	D	D	D	D
Discharges into coastal water not otherwise authorised by a rule in the Unitary Plan, or covered by the Resource Management (Marine Pollution) Regulations 1998, that do not comply with the permitted activity controls	D	NC	D	D	NC	D

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1.8 Aquaculture activities (s. 12(1), s. 12(2), s. 12(3)) including any associated discharge of contaminants and water into water (s. 15) RMA

[rcp]

Activity table – General Coastal Marine zone, SEA-M, ONC, HNC, ONL, ONF and HH overlays						
	General Coastal Marine zone	SEA-M1, ONC	SEA-M2, HNC, ONL	ONF- Type A1 and A	ONF - Type V1, V2, B, C, D, E, F	HH
Aquaculture activities (new)	D	Pr	NC	Pr	Pr	Pr
Aquaculture activities (re-consenting an existing marine farm)	RD	D	RD	D	D	D
Aquaculture activities (extension or repositioning of an existing marine farm)	RD	NC	D	NC	NC	NC

1.9 Use and activities (s. 12(3) RMA) and associated occupation of the common marine and coastal area (s. 12(2))

[rcp]

Activity table – General Coastal Marine zone, SEA-M, ONC, HNC, ONL, ONF and HH overlays						
	General Coastal Marine zone	SEA-M1, ONC	SEA-M2, HNC, ONL	ONF- Type A1 and A	ONF - Type V1, V2, B, C, D, E, F	HH
Public access, passive recreation, navigation and general use not otherwise provided for and that does not involve occupation of the CMCA	P	P	P	P	P	P
Occupation of the CMCA not otherwise provided for	D	D	D	D	D	D
Activities that do not have a functional need to be undertaken below MHWS, including activities in, or on, an existing building or structure, and that are not otherwise provided for	NC	Pr	NC	Pr	Pr	Pr
Occupation of the CMCA by structures that do not have a functional need to be located below MHWS, and that are not otherwise provided for	NC	Pr	NC	Pr	Pr	Pr
Use and occupation by houseboats	D	Pr	Pr	Pr	Pr	Pr

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Activity table – General Coastal Marine zone, SEA-M, ONC, HNC, ONL, ONF and HH overlays						
	General Coastal Marine zone	SEA-M1, ONC	SEA-M2, HNC, ONL	ONF- Type A1 and A	ONF - Type V1, V2, B, C, D, E, F	HH
Anchoring of vessels to the foreshore or seabed in the same position for no more than 28 consecutive days, other than in a prohibited anchorage area, or for longer times as necessary for navigation safety, emergency response or maintenance and repair of structures (anchoring does not include occupation by a vessel at a wharf, jetty or other lawful berth or mooring)	P	P	P	P	D	D
Occupation of the CMCA by an activity that would otherwise be permitted where the area to be occupied is already the subject of an existing occupation consent	RD	RD	RD	RD	RD	RD
Marine and port activities other than accessory offices or maintenance and servicing of vessels	P	P	P	P	P	P
Maintenance and servicing of vessels	P	NC	D	NC	NC	D
Construction of vessels	D	NC	D	NC	NC	D
Maritime passenger operations existing at the date of plan notification	P	P	P	P	P	P
Maritime passenger operations established after the date of plan notification	D	NC	D	NC	NC	D
Parking on CMA structures for loading and unloading passengers and cargo to vessels	P	P	P	P	P	P
Parking on CMA structures other than as provided for as a permitted activity	D	D	D	D	D	D
Vehicle use, other than parking, on CMA structures	P	P	P	P	P	P
Vehicle use of the foreshore and seabed, not otherwise provided for	P	NC	P	NC	NC	NC

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Activity table – General Coastal Marine zone, SEA-M, ONC, HNC, ONL, ONF and HH overlays						
	General Coastal Marine zone	SEA-M1, ONC	SEA-M2, HNC, ONL	ONF - Type A1 and A	ONF - Type V1, V2, B, C, D, E, F	HH
Vehicle use of the foreshore and seabed: - by emergency response or conservation management vehicles; or - for launching vessels from any structure; or - where necessary for environmental monitoring by the Council or consent holders	P	P	P	P	P	P
Vehicle use of the foreshore and seabed to access private property established before the date of notification	P	P	P	P	P	P
Vehicle use of the foreshore and seabed to access private property established after the date of plan notification	NC	NC	NC	NC	NC	NC
Archaeological investigations	P	P	P	P	P	P
Workers' accommodation	D	NC	D	NC	NC	NC
Clubrooms for marine-related clubs	D	NC	D	NC	NC	D
Helicopter landing areas for emergency services including police, ambulance, and rescue operations	P	P	P	P	P	P
Helicopter landing areas	NC	NC	D	NC	NC	NC
Public amenities on existing lawful CMA structures	P	D	D	D	D	D
Public amenities not otherwise provided for	D	NC	D	NC	NC	NC
Underwater explosives training exercises	NC	Pr	NC	Pr	Pr	Pr

1.10 CMA structures (construction in the CMA (s. 12(1) RMA), occupation of the CMCA (s. 12(2)) and their use (s. 12(3)))

[rcp]

Activity table – General Coastal Marine zone, SEA-M, ONC, HNC, ONL, ONF and HH overlays						
	General Coastal Marine zone	SEA-M1, ONC	SEA-M2, HNC, ONL	ONF - Type A1 and A	ONF - Type V1, V2, B, C, D, E, F	HH
Maintenance, repair or reconstruction of existing lawful CMA structures or buildings	P	P	P	P	P	Refer HH activity tables

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Activity table – General Coastal Marine zone, SEA-M, ONC, HNC, ONL, ONF and HH overlays						
	General Coastal Marine zone	SEA-M1, ONC	SEA-M2, HNC, ONL	ONF - Type A1 and A	ONF - Type V1, V2, B, C, D, E, F	HH
Extension or alteration of existing lawful CMA structures or buildings	RD	NC	D	NC	NC	Refer HH activity tables
Demolition or removal of any buildings or CMA structures	P	C	P	C	C	Refer HH activity tables
CMA structures located below the surface of the foreshore and seabed, constructed by methods other than trenching, (but not the occupation by those structures)	P	NC	D	NC	NC	D
Occupation associated with CMA structures erected and placed entirely below the surface of the foreshore and seabed in areas other than in prohibited anchorage areas	RD	RD	RD	RD	RD	D
Temporary CMA structures or buildings	P	D	P	D	D	Refer HH activity tables
Navigational aids	P	P	P	P	P	P
Maimai	P	P	P	P	P	P
Minor infrastructure upgrading	P	P	P	P	P	P
Infrastructure CMA structures not existing at 23 October 2001	D	D	D	D	D	D
Occupation of the CMCA by infrastructure CMA structures, that form part of a network operated or managed by a network utility operator, and were existing at 23 October 2001, and any subsequent upgrade to such a structure	P	P	P	P	P	P
Cables located within prohibited anchorage areas	P	P	P	P	P	P
Marine and port facilities on existing wharves or other existing CMA structures	RD	D	RD	D	D	D

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	General Coastal Marine zone	SEA-M1, ONC	SEA-M2, HNC, ONL	ONF - Type A1 and A	ONF - Type V1, V2, B, C, D, E, F	HH
Marine and port accessory structures and services on existing wharves or other existing CMA structures	RD	D	RD	D	D	D
CMA structures for scientific research, investigation or monitoring	RD	RD	RD	RD	RD	RD
CMA structures and buildings not provided for elsewhere	D	NC	NC	NC	NC	NC
CMA structures and buildings not provided for elsewhere where their use is a non-complying or prohibited activity	NC	NC	NC	NC	NC	NC
Marine and port facilities and buildings not on an existing wharf or existing CMA structure	D	NC	D	NC	NC	D
Marine and port accessory structures and services not on an existing wharf or existing CMA structure	D	NC	D	NC	NC	D
Maritime passenger facilities	D	NC	D	NC	NC	D
New and existing moorings located outside a Mooring zone, including the occupation and use of water space by the vessel to be moored	D	NC	D	NC	NC	D
Wave attenuation devices	D	NC	D	NC	NC	D
Foreshore protection works	D	NC	D	NC	NC	D
Observation areas, viewing platforms, boardwalks and boat launching facilities	D	D	D	D	NC	D
Artworks	D	NC	D	NC	NC	D
New marinas	NC	NC	NC	NC	NC	NC

2. Land and water use controls

The land and water use controls specified for the General Coastal Marine zone apply to the CMA in all the coastal zones and precincts unless otherwise specified under the relevant zone or precinct.

2.1 Noise

1. Interface with other zones:
 - a. activities in the CMA must not exceed the levels specified in [clause 1.2.1](#) of the Auckland-wide - Noise and vibration rules.

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2. Underwater noise from construction, dredging, mineral exploration and extraction (including seismic surveying):
 - a. underwater activity must not exceed a noise level of 200 dB re 1 μ Pa measured at 1m from the noise source.
 - b. the noise limit above does not apply to:
 - i. the operational requirements of vessels (including cargo vessels, tugs, passenger liners, naval vessels and commercial fishing vessels)
 - ii. use of sonar
 - iii. temporary activities other than construction works (refer to the Auckland-wide - [Temporary activities](#) rules).

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2.2 Lighting

1. Lighting in the CMA must not exceed the levels specified in the Auckland-wide - [Lighting](#) rules in addition to the controls below.
2. Outdoor artificial lighting must not produce an illuminance exceeding 150 lux measured horizontally or vertically at the exterior of any building adjacent to the CMA.
3. Lighting sources must be sited, directed and screened to minimise, as far as practicable, annoyance or nuisance to adjacent properties or the bird life of any adjacent SEA-M1 or 2.
4. Lighting sources must be sited, directed and screened to avoid, as far as practicable, creating a navigation safety hazard.

2.3 Storage or handling of hazardous substances

1. Any activity involving the storage or handling of hazardous substances must comply with the Auckland-wide - [Managing hazardous substances](#) rules.

2.4 Maintenance or repair of a lawful reclamation or drainage system

1. The work must not change the area occupied by the reclamation or drainage system.
2. Any visible disturbance to the substrate of the CMA must be remedied or restored within 48 hours of the completion of the works in ONC, ONF and SEA-M1 overlay areas and within seven days in other areas of the CMA.
3. There must be no release of contaminants from equipment being used for the activity.
4. All equipment and materials must be removed from the foreshore and seabed on the completion of works or activities.
5. Written advice must be given to the council at least 10 working days prior to the work starting.

2.5 Depositing of material where the deposited sediment is extracted from within the same coastal cell

1. Depositing must be for the purpose of: erosion protection; beach (including dune system) replenishment or re-contouring; habitat enhancement; or depositing of material excavated during stream mouth and stormwater outfall clearance operations.
2. Written advice must be given to the council at least 10 working days prior to the work starting.
3. The sediment must not be deposited within any area of indigenous vegetation or within any bird nesting area.
4. The deposited sediment must not temporarily or permanently prevent or hinder public access or prevent or hinder the operation of any existing infrastructure.

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

1. Dredging must not take place within 100m of a previously dredged site unless a minimum of two months has elapsed since the completion of dredging at that site.
2. Impounded water must be released in a way that minimises any potential contamination of receiving waters.
3. Best practice dredging methods must be used in order to minimise sediment mobilisation and dispersal.
4. No dredged material may be deposited in the CMA or on land where it could re-enter a water body

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(refer to the Auckland-wide - [Lakes, rivers, streams and wetland management](#) rules).

5. Upon completion of dredging, all equipment and litter must be removed.
6. Written advice must be given to the council at least 10 working days prior to the work starting.

Note: Channel clearance activities outside the CMA are covered in the Auckland-wide - [Lakes, rivers, streams and wetland management](#) rules.

2.7 CMA disturbance related to scientific or engineering investigations and mineral prospecting, mineral exploration

1. The disturbance must be limited to:
 - a. removal of a maximum of 1m³ of uncompacted material, or 0.2m³ of compact material, in any 24-hour period
 - b. any drilling device must be no larger than 250mm (head size)
 - c. less than 5m³ of the foreshore or seabed must be disturbed.
2. Any visible disturbance to the substrate of the CMA must be remedied or restored within 48 hours of the completion of the works in ONC, ONF and SEA-M1 overlay areas and within seven days in other areas of the CMA.

2.8 CMA disturbance: not otherwise provided for; associated with removal of litter or marine debris; associated with removal of sediment, vegetation and encrusting organisms from any existing lawful structure; associated with the burial of dead marine mammals; associated with movement of up to 1000m³ of beach sediment per calendar year within the same coastal cell; associated with control or eradication of any exotic or introduced plant or animal species

1. Any visible disturbance to the substrate of the CMA must be remedied or restored within 48 hours of the completion of the works in ONC, ONF and SEA-M1 overlay areas and within seven days in other areas of the CMA.
2. There must be no release of contaminants from equipment being used for the activity.
3. There must be no discharge of chemical herbicides in the CMA, other than as provided for in an approved pest management strategy.
4. All equipment and materials must be removed from the foreshore and seabed on the completion of works or activities.
5. Any disturbance associated with control or eradication of any exotic or introduced plant or animal species must be:
 - a. in accordance with an approved pest management plan prepared under the Biosecurity Act 1993
 - b. written advice must be given to the council at least 10 working days prior to the work starting.

2.9 Livestock access in the CMA

1. Any visible disturbance to the substrate of the CMA must be remedied or restored within 48 hours of the completion of the works in ONC, ONF and SEA-M1 overlay areas and within seven days in other areas of the CMA.
2. Any livestock access in the CMA for droving of stock or horse riding must ensure:
 - a. the droving does not occur in estuarine areas or areas of salt marsh or mangroves and no grazing of intertidal vegetation must be allowed to occur
 - b. the stock must be moved along at all times and not left unattended
 - c. horses must be kept under control at all times

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- d. horses must not graze on intertidal vegetation
 - e. horses must not be ridden or taken into bird breeding areas.
3. Any livestock exclusion measures must be effective and can include a permanent fence or temporary hot-wire, dense vegetation or natural barriers that prevent stock gaining access to the CMA.

Note: Controls on livestock access to waterways are also provided in the Auckland-wide - [Lakes, rivers, streams and wetland management](#) rules.

2.10 Pacific oyster shell removal other than as part of aquaculture activities or dredging of Pacific oyster shell reefs

1. Any visible disturbance to the substrate of the CMA must be remedied or restored within 48 hours of the completion of the works in ONC, ONF and SEA-M1 overlay areas and within seven days in other areas of the CMA.
2. Only handheld methods may be used in ONC, ONF and SEA-M1 overlay areas
3. There must be no disturbance of other biota in ONC, ONF and SEA-M1 overlay areas
4. Shells must not be disposed of in the CMA.

2.11 Mangrove removal

1. Mangrove seedling removal; mangrove removal from an area that was free of mangroves in 1996; and mangrove removal in significant wading bird areas:
 - a. removed vegetation must be disposed of outside the CMA
 - b. the removal must not involve any discharge of chemical herbicides in the CMA other than as provided for in an approved pest management plan prepared in accordance with the Biosecurity Act 1993
 - c. any visible disturbance to the substrate of the CMA must be remedied or restored within 48 hours of the completion of the works in ONC, ONF and SEA-M1 overlay areas and within seven days in other areas of the CMA
 - d. removal must be done by hand or by hand-held tools
 - e. removal must not be in areas where mangroves are serving to mitigate coastal erosion from wave action
 - f. removal must not damage or disturb areas of salt marsh or seagrass
 - g. written advice must be given to the council at least 10 working days prior to removal, other than for the removal of 30m² or less of seedlings. The advice will include the location and extent of the mangroves to be removed, the timing and methods of removal, and sufficient evidence to demonstrate that the area was free of mangroves in 1996
 - h. in a significant wading bird area, removal must be timed to avoid bird roosting and nesting seasons
2. Mangrove removal to enable the operation, maintenance, use and functioning of existing lawful structures, infrastructure and drainage system, or to ensure public health and safety in the use or operation of infrastructure to a maximum of 200m²:
 - a. removed vegetation must be disposed of outside the CMA
 - b. the removal must not involve any discharge of chemical herbicides in the CMA, other than as provided for in an approved pest management plan prepared in accordance with the Biosecurity

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Act 1993

- c. any visible disturbance to the substrate of the CMA must be remedied or restored within 48 hours of the completion of the works in ONC, ONF and SEA-M1 overlay areas and within seven days in other areas of the CMA
- d. the removal must be immediately adjacent to the structure or infrastructure, or any drainage system.

2.12 Pruning, vegetation alteration or removal for routine operation, repairs and maintenance within 3m of existing buildings and structures, excluding mangrove, seagrass or salt marsh removal

1. No more than 20m² of vegetation must be removed.
2. Removed vegetation must be disposed of outside the CMA
3. The removal must not involve any discharge of chemical herbicides in the CMA other than as provided for in an approved Pest Management Plan prepared under the Biosecurity Act 1993
4. Vegetation alteration or removal must be undertaken by hand or by handheld tools
5. Vegetation alteration or removal must not be in areas where the vegetation mitigates coastal erosion from wave action
6. Vegetation alteration or removal must not damage or disturb areas of salt marsh or seagrass.

2.13 Planting of native vegetation

1. Planting of native vegetation should be sourced from the same ecological district.

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

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

Note: Any structure must also comply with the controls for structures.

2. Maximum water velocity into the entry point of the intake structure must be no greater than 0.3m/second.
3. Any visible disturbance to the substrate of the CMA must be remedied or restored within 48 hours of the completion of the works in ONC, ONF and SEA-M1 overlay areas and within seven days in other areas of the CMA.

2.15 Discharges

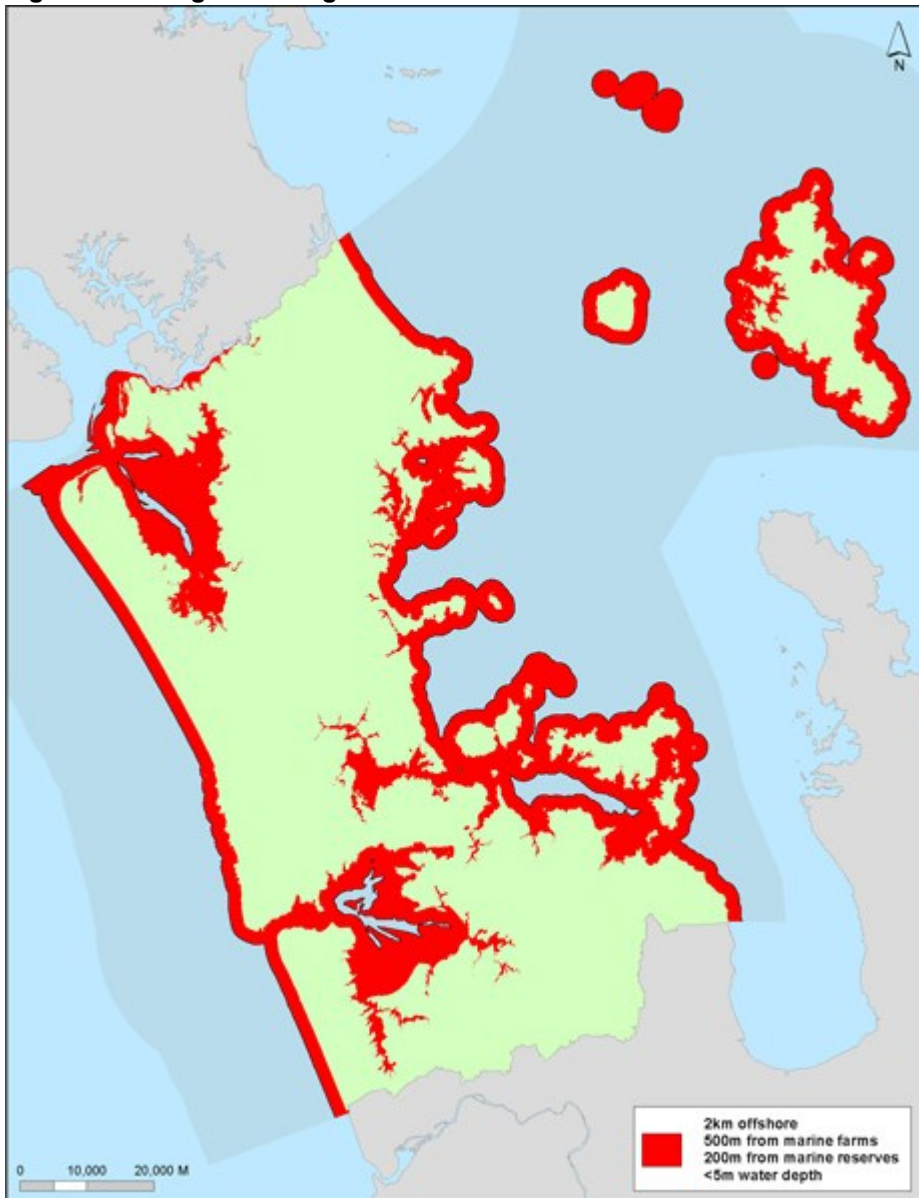
1. General - All permitted activities:
 - a. the discharge must not, after reasonable mixing, give rise to any or all of the following effects:
 - i. the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials
 - ii. any conspicuous change in the colour or visual clarity water in the CMA
 - iii. any emission of objectionable odour
 - iv. any significant adverse effects on aquatic life.
2. Discharge of untreated sewage from a vessel or offshore installation:
 - a. the discharge must be in water depths greater than 5m

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- b. the discharge must be more than 2km from MHWS (other than as specified in (f))
- c. the discharge must be more than 500m from an aquaculture activity
- d. the discharge must be more than 500m from a mataitai reserve
- e. the discharge must be more than 200m from a marine reserve
- f. notwithstanding (b), in harbours during extreme weather conditions when wind conditions at the mouth of the harbour exceed 25 knots and sea swells exceed 3 metres, untreated sewage may be discharged as necessary for health and safety reasons, provided that:
 - i. the discharge is more than 500m from MHWS and
 - ii. the discharge takes place during the first 3 hours of an outgoing tide.

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

Figure 1: Sewage discharges restriction from vessels



3. Cleaning, anti-fouling or painting of vessels:
 - a. the discharge or escape of contaminant materials or debris onto the foreshore, seabed or into the water must be collected as far as practicable and removed from the CMA. This may require the use of collection devices such as ground covers, nettings or similar.
4. Discharge of dye or tracer material for investigative purposes:
 - a. notice of the intended discharge must be given to the council at least 12 hours prior to the discharge occurring
 - b. the dye or tracer must be of a type that is designed to be used in natural water and must be used in accordance with manufacturer's recommendations and any relevant and recognised standards and practices.
5. Potable water from the water supply network:
 - a. the discharge must occur during the upper half of the tide unless the discharge occurs directly into open water without disturbing sediment
 - b. the discharge, after reasonable mixing, must result in a free available chlorine concentration of less than or equal to 20 µg/l in the receiving water.

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6. Discharge of untreated wastewater overflows from a wastewater network servicing new development areas and new wastewater networks within existing urban area (permitted activity):
 - a. engineered overflow points must be designed and located so that any discharges from them generate a minimum of public health risk, ecological effects, nuisance and/or damage and must not cause erosion or scouring at the point of discharge
 - b. a wastewater network operations plan must be prepared and implemented and provide:
 - i. a description of the wastewater network
 - ii. maintenance procedures and levels of service for key elements of the network
 - iii. operations procedures including response to system failures, incidents and significant overflow events
 - iv. monitoring and reporting procedures
 - c. the network must be designed and operated to prevent dry weather overflows during normal operation of the network, and the network operator must have an operational and maintenance programme in place that minimises unforeseen dry weather overflows to the environment
 - d. all pump stations must be continuously monitored by telemetry so that the wastewater network operator is immediately informed of any pump station failure or fault that may result in an overflow
 - e. the network must be designed and constructed so that:
 - i. capacity is provided for maximum probable development of the serviced network area as anticipated at the time the network is designed and constructed
 - ii. capacity is provided for at least five times the average dry weather flow from the maximum probable development of the service network area at the time the network is constructed
 - iii. all pump stations are designed for a minimum of four hours storage, in the pump station or the network
 - f. the frequency of wet weather overflows must be an average of no more than two events per discharge location per year.
7. Discharge of untreated wastewater overflows from a wastewater network servicing new development areas and new wastewater networks within existing urban area, and discharge of untreated wastewater overflows from an existing separated wastewater network servicing existing urban areas (controlled activities):
 - a. a programme must be in place to reduce network overflows to an average of no more than two events per discharge location per annum by 2040
 - b. where the overflow frequency exceeds an average of two events per discharge location per annum, an alternative discharge frequency must be established using a Best Practicable Option approach as set out in s2 of the RMA.
8. Discharges into the CMA which are not covered by another rule in this Unitary Plan, and not covered by the Resource Management (Marine Pollution) Regulations 1998:
 - a. the discharge must not contain human sewage or hazardous substances as defined by HSNO and any regulations made under s. 75 of that Act
 - b. the discharge must not change the natural temperature of the receiving water, after reasonable mixing, by more than 3 degrees C
 - c. the discharge must not involve any visible disturbance to the substrate of the CMA that cannot be remedied or restored within 48 hours in ONC, ONF and SEA-M1 overlay areas and within seven days in other areas of the CMA

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- d. public access to and along the coast must not be restricted by the volume or movement of the discharge.

2.16 Public access, passive recreation, navigation and general use not otherwise provided for

1. Any visible disturbance to the substrate of the CMA must be remedied or restored within 48 hours of the completion of the works in ONC, ONF and SEA-M1 overlay areas and within seven days in other areas of the CMA.
2. The activity or use must not require exclusive occupation of the CMCA.
3. The activity or use must not require exclusion of public use and access to an area.

For temporary events in the CMA refer to the Auckland-wide - [Temporary activities](#) rules.

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

1. Vessels must not obstruct the safe navigation of other vessels or obstruct the approach to any wharf or jetty.
2. Vessels must not create a hazard to other vessels at anchor or on a mooring.

2.18 Marine and port activities including repair and maintenance of vessels

1. Any excess building material, spoil, construction equipment or litter must be removed from the CMA within 24 hours of completion of any works.
2. Any discharge will not, after reasonable mixing, give rise to any or all of the following effects:
 - a. the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials
 - b. any conspicuous change in the colour or visual clarity of the water in the CMA
 - c. any emission of objectionable odour
 - d. any significant adverse effects on aquatic life

Note: compliance with this rule may require the installation of collection devices such as ground covers, netting or other devices to ensure the collection of any contaminant or debris from the operation.

3. Any activity involving the storage or handling of hazardous substances must comply with the Auckland-wide - [Managing hazardous substances](#) rules.

2.19 Parking on CMA structures for loading and unloading passengers and cargo to vessels

1. Refer to Auckland-wide [Transport](#) rules.
2. Parking must be located so that it does not obstruct pedestrian and vehicle access, and allows for passenger and cargo loading/unloading.

2.20 Vehicle use of the foreshore and seabed, or on existing lawful CMA structures, not otherwise provided for

Note: Vehicle use is controlled by bylaws as well as this Unitary Plan.

2.21 Archaeological investigations

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1. Any archaeological investigations in the Historic heritage overlay must not include disturbance of the foreshore and seabed except for the temporary insertion of a probe or peg not exceeding a diameter of 10 mm.

3. Development controls

The development controls specified for the General Coastal Marine zone apply to the CMA in all the coastal zones and precincts unless otherwise specified under the relevant zone or precinct.

3.1 General controls - all permitted activities

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

1. Structures and works must not cause a hazard to safe navigation.
2. Any excess building material, spoil, construction equipment or litter must be removed from the CMA area within 24 hours of completion of any works.
3. Any visible disturbance to the substrate of the CMA must be remedied or restored within 48 hours of the completion of the works in ONC, ONF and SEA-M1 overlay areas and within seven days in other areas of the CMA.
4. Written advice must be given to the council at least 10 working days prior to the work starting unless otherwise stated below.

3.2 Maintenance, repair and reconstruction of existing lawful CMA structures or buildings

Purpose: ensure works are undertaken to an acceptable standard.

1. The work must maintain the structure or building in a good and safe working condition.
2. The work must not use materials which alter the form or external appearance of the structure in more than a minor way.
3. The work must not change the area occupied by the structure.

3.3 Demolition or removal of any buildings or CMA structures

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

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

3.4 CMA structures located below the surface of the foreshore and seabed

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

1. The structure must not be capable of being uncovered or moved by natural coastal processes, other than exceptional hazard events such as tsunamis.
2. Written advice must be given to the council and the National Topo/Hydro Authority at LINZ at least five working days prior to the work starting.

3.5 Temporary CMA structures or buildings

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

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1. The temporary structure must be in place for no longer than 14 days within any six month period and removed within seven days of the completion of the event or use for which it was erected.
2. The temporary structure must occupy the minimum area necessary for its purpose.

3.6 Navigational aids

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

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

3.7 Maimai

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

1. Structures must be piled.
2. The floor area must not exceed 10m².
3. The height must not exceed 3m above MHWS.
4. Any maimai not displaying a tag issued under the Wildlife Act 1953 for two years consecutively must be removed from the CMA.
5. A maimai must not used for accommodation purposes
6. The structure must not be located in the following Significant Ecological Areas – Marine 1: 2b-j, 10b-c, 27c, 30b, 34b.

3.8 Minor infrastructure upgrading

Purpose: ensure infrastructure upgrading work meets required controls.

1. Upgrading works must meet the controls in clause 3.1 of the Auckland-wide - [Network utilities and energy](#) rules.

3.9 Occupation of the CMCA by infrastructure structures

Purpose: ensure existing infrastructure structures are managed so that adverse effects on the environment are avoided, remedied or mitigated.

1. Occupation of the CMCA by infrastructure structures, that form part of a network operated or managed by a network utility operator, and are existing at 23 October 2001, and any subsequent upgrade to such a structure:
 - a. the structure must be located so that it does not cause more than minor erosion, depositing, or disturbance
 - b. the structure must be not redundant, in that it is being used and is physically capable of being used for its required purpose
 - c. the structure and/or its location must be shown on a plan with the NZMS grid references (seven digit easting & northing), and by a photograph, both of which are provided to the council
 - d. the structure must be located so that it does not unduly impede public access to and along the CMA
 - e. any upgrade must comply with the performance controls for minor infrastructure upgrading in the network utilities and energy rules.

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3.10 Cables located within prohibited anchorage areas

Purpose: ensure the appropriate authorities are notified of cable locations.

1. Written notice must be given to the council and the National Topographic/Hydro Authority at LINZ at least five working days prior to the work starts.

4. Assessment - Controlled activities

4.1 Matters of control

The Council will reserve its control to the matters below for the activities listed as controlled activities in the General Coastal Marine zone activity tables:

1. Mangrove removal to enable the operation, maintenance, use and functioning of existing lawful structures, infrastructure and drainage systems, or to ensure public health and safety in the use or operation of infrastructure (maximum of 30m² in SEA-M1, ONC, ONFs and HH overlays)
 - a. construction or works methods, timing and hours of operation
 - b. location, extent, design and materials
 - c. effects on coastal processes, ecological values, water quality and natural character
 - d. effects on public access navigation and safety
 - e. effects on existing uses and activities
 - f. effects on Mana Whenua values
 - g. consent duration
2. Demolition or removal of any buildings or CMA structures
 - a. construction or works methods, timing and hours of operation
 - b. location, extent, design and materials
 - c. effects on coastal processes, ecological values, water quality and natural character
 - d. effects on public access, navigation and safety
 - e. effects on existing uses and activities
 - f. effects on Mana Whenua values
 - g. effects on the values of the overlay where the site is within a overlay
 - h. consent duration
3. Discharge of untreated wastewater overflows from a wastewater network servicing new development areas and new wastewater networks within existing urban areas that does not comply with the permitted activity controls
 - a. the management of the wastewater discharge and the mitigation of any adverse effects associated with the permitted activity controls that are unable to be met
 - b. the mitigation of any adverse effects arising from wastewater overflows, including those on potable water supplies and public health
 - c. associated monitoring and reporting
 - d. the duration of the consent and the timing and nature of reviews of consent conditions
 - e. implementation of the overflow reduction programme

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- f. implementation of the wastewater network operations plan and the operational and maintenance programme.

4.2 Assessment criteria

1. General - all activities:

- a. construction or works methods, timing and hours of operation
 - i. construction or works methods should avoid, remedy or mitigate adverse effects, particularly on water quality and sedimentation.
 - ii. construction or works should be done at a time that will avoid or minimise, adverse effects on marine mammals, bird roosting, nesting and feeding, and recreational users of the CMA.
 - iii. construction or works hours of operation should be limited to minimise effects of noise and disruption on existing activities, and on nearby residential and open space areas.
- b. location, extent, design and materials:
 - i. the work should be located and designed to avoid, remedy or mitigate adverse effects on the environment
 - ii. the form, intensity and scale of works, structures and buildings should be sensitive to the marine environment and surrounding adjoining spaces.
 - iii. works and structures should ensure efficient use of the CMA is made by using the minimum area necessary for their purpose.
 - iv. the materials used should be compatible with the surrounding coastal environment, and where practicable be consistent with the natural materials at the site. This should take into account the physical characteristics of the materials used, including texture, colour, composition, grain size, level of contamination and potential for leaching.
- c. effects on coastal processes, ecological values, water quality and natural character:
 - i. measures should be taken to avoid, remedy or mitigate adverse effects on coastal processes, ecological values, water quality and natural character.
- d. effects on public access, navigation and safety:
 - i. effects on existing public access arrangements should be avoided by minimising the extent and duration of work and by providing alternative access routes where practicable.
 - ii. the proposed activity or development should not adversely affect navigation and safety.
 - iii. effects on vessel access and berthage should be avoided, remedied or mitigated.
 - iv. where possible, the layout of structures and activities should enhance public access, including pedestrian access, to the coastline and particularly to any areas of public open space.
 - v. any loss of public access to, along and within the CMA should be mitigated, including through provision of facilities such as public boat ramps, lookout platforms, and alternative access.
- e. effects on existing uses and activities:
 - i. proposals should avoid, remedy or mitigate adverse effects on existing activities as far as practicable, taking into account both activities in the CMA and on adjacent land.
 - ii. Activities should avoid, remedy or mitigate adverse effects on the amenity of adjacent residential and open space zoned land.
- f. effects on Mana Whenua values:
 - i. the proposal should include an assessment of the cultural impact to Mana Whenua (Note:

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Chapter G General Provisions Treaty of Waitangi 2. General Rules and Special Information requirements of the Unitary Plan provides guidance on this matter).

- g. consent duration and monitoring:
 - i. consent duration should be limited to the minimum duration necessary for the functional or operational needs of the activity.
 - ii. consent duration may be limited to allow an adaptive management approach
 - iii. monitoring may be required in order to demonstrate the extent and type of environmental effects of the activity, and the degree to which the effects are remedied or mitigated during and after the activity.
- 2. Activities in a SEA-Marine
 - a. the proposed activity should not provide greater opportunities for the movement or introduction of animal and plant pests that threaten indigenous biodiversity.
 - b. proposals should avoid, remedy or mitigate any adverse effect on the ecology and wildlife of the area and, where relevant, on:
 - i. nesting, feeding and breeding of species
 - ii. biological processes
 - iii. connections between ecosystems
 - iv. the diversity of species
 - v. the habitat of threatened or protected species, both terrestrial and aquatic
 - vi. cumulative effects.
 - c. The proposal should include an assessment of the extent to which:
 - i. alternative methods or locations are available to the applicant to avoid effects on the identified values of the SEA-Marine
 - ii. the degree to which a reduction in water quality and/or the depositing of material will affect the natural ecological functioning of the area.
 - iii. existing use and development already, and in combination with any proposal, impacts on the habitat, or impedes the operation of ecological and physical processes
 - iv. there are similar habitat types within other SEA-Marine in the same harbour or estuary or, where the SEA-Marine is located on open coast, within the same vicinity.
 - v. there will be positive benefits for the ecological functioning and values of the SEA-M.
- 3. Activities in an Outstanding Natural Features overlay:
 - a. the proposal should include an assessment of:
 - i. whether the nature, form and extent of the proposed works or activity adversely affects the feature or features for which the item was scheduled
 - ii. whether the proposed works or activity adversely affect landscape values
 - iii. the degree to which the feature or features have already been modified so that further modification will not cause significant additional loss of geological information
 - iv. the extent to which the modification is necessary
 - v. the purpose of the proposed works or activity and whether it has specific connections or relevance to the scheduled item
 - vi. what alternative methods and locations are available to the applicant for carrying out the work

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or activities that do not affect a scheduled feature

- vii. the extent to which the proposed works will protect the feature from further damage, such as erosion protection, or remediate it from previous damage. This excludes potential damage from the activity for which consent is sought.

4. Activities in an Outstanding Natural Landscapes (ONL) and Outstanding and High Natural Character (ONC and HNC) overlay:

- a. the proposal should include consideration of the potential impacts on landscape, natural character, visual, amenity and experiential values by assessing the extent to which:
 - i. the proposal will adversely affect amenity and identified natural character values, and whether the proposed mitigation measures can ensure there will be no more than minor effects on:
 - amenity values or views, both from land and sea
 - landscape and natural character values
 - people's experience and values associated with an area, including the predominance of nature and wilderness values
 - ii. the siting of the building adversely affects the line and form of the landscape with particular regard to ridgelines, headlands and promontories
 - iii. the building can be located in a less prominent location taking into account the characteristics of the site, and is located within an area that has the greatest potential to absorb change to the landscape
 - iv. the building will be visually obtrusive from any public road or public place, including from beaches and the sea
 - v. the location, scale, height, design, external appearance and overall form of the building is appropriate to the rural and coastal context, and the colours and material used for roofs, walls and windows is of low reflectivity and merges with the surrounding landscape
 - vi. the building will result in adverse cumulative effects, having regard to other buildings or use and development
 - vii. of adverse visual and ecological effects from any earthworks, landform modification and vegetation removal associated with creating a building platform, driveways or other servicing requirements
 - viii. the building, driveways and servicing are set back from MHWS to avoid being affected by coastal erosion, natural coastal hazards or sea level rise, taking into account predicted risk over a 100-year timeframe
 - ix. the proposed building or structure will impact on Mana Whenua values
 - x. the proposed building or structure has a functional need to be in the location proposed
 - xi. the proposed building or structure will improve the resilience and security of the infrastructure network.

5. Activities in a Historic Heritage overlay:

- a. the criteria listed in the [overlay rules](#) – Historic heritage

6. Mangrove removal:

- a. removal of mangroves, including seedlings, should be avoided in areas:
 - i. where mangroves provide important ecological values
 - ii. of active coastal erosion where mangroves provide a buffer against coastal processes causing erosion

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- iii. where the sediments contain high levels of contaminants at risk of being re-suspended.
- b. proposals to remove mangroves may require an assessment of sediment inputs in the area and identification of catchment initiatives to reduce sediment and nutrient inputs
- c. mangrove removal should:
 - i. minimise the disturbance of the foreshore and seabed, and sediment and contaminant discharges
 - ii. where practical, dispose of removed mangroves outside the CMA using an appropriate method. Burning of removed mangroves in the CMA should be avoided
 - iii. not utilise a disposal method results in significant adverse effects on the CMA where landward disposal is not proposed
 - iv. take an adaptive management approach where a significant area of removal is proposed and there is uncertainty over the extent of adverse effects
 - v. provide for the long-term maintenance of cleared areas.
- d. mangrove removal should be enabled where there is clear evidence that mangroves have spread and the proposed removal is necessary to enable, maintain, restore or enhance:
 - i. public access to, or along, the CMA
 - ii. connections with reserves or publicly owned land and the sea
 - iii. public use and amenity values
 - iv. water access and navigation, including waka portage routes
 - v. public health and safety, including sightlines and traffic safety
 - vi. access to the coast from marae, or to areas of customary use
 - vii. ecological values, including significant wading bird feeding or roosting areas
 - viii. cultural or historic heritage or natural features.
- e. mangrove removal should be enabled where there is no practicable alternative, and removal is necessary to allow for:
 - i. the operation, maintenance and use of existing lawful structures, or infrastructure including drainage
 - ii. the provision of infrastructure, including drainage systems that cannot practically be located in an alternative area, that would avoid the need for mangrove removal
 - iii. removal of areas identified for clearance in a reserve management, comprehensive coastal management or similar plan that has been subject to a statutory consultation process where the potential adverse effects have been considered.
- 7. Demolition or removal of any buildings or CMA structures:
 - a. the works should avoid, remedy or mitigate any adverse effects arising from:
 - i. disturbance of the foreshore and seabed
 - ii. depositing material in the CMA
 - iii. the removal of indigenous vegetation
 - iv. any discharge of contaminants
 - b. discharges from wastewater networks within existing urban areas that do not comply with the permitted activity controls.

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- c. the extent to which the overflow reduction programme and the network operations plan and operational and maintenance programme:
 - i. are the best practicable option for preventing or minimising adverse effects
 - ii. adequately address wastewater discharges generated as a result of potential urban growth, urban redevelopment, and land use intensification within the catchment, taking into account the growth and intensification provisions of the Unitary Plan
 - iii. prevent or minimise adverse effects on public health, potable water supplies, freshwater and coastal waters
 - iv. take account of consultation undertaken, including engagement with Mana Whenua, on priorities and timing of overflow reductions
- d. consultation undertaken on priorities and timing of overflow reductions.

5. Assessment - Restricted discretionary activities and development control infringements

5.1 Matters of discretion

The council will restrict its discretion to the matters below for the restricted discretionary activities listed in the activity tables and for land and water use or development control infringements.

- 1. General - all activities:
 - a. construction or works methods, timing and hours of operation
 - b. location, extent, design and materials
 - c. effects on coastal processes, ecological values, water quality and natural character
 - d. effects on public access, navigation and safety
 - e. effects on existing uses and activities
 - f. effects on Mana Whenua values
 - g. consent duration and monitoring.
- 2. Additional matters for:
 - a. activities in a SEA-M, ONF, ONL, ONC or HNC overlay:
 - i. effects on the values of the overlay
 - ii. effects on views, visual amenity and landscape values in a ONL, ONC or HNC
 - b. activities in the SHHP overlay:
 - i. effects on the values of the overlay
 - ii. the matters listed in the overlay rules – Historic heritage
 - c. occupation of the CMCA:
 - i. location, extent, timing and duration of the occupation
 - d. CMA structures:
 - i. effects on views and visual amenity
 - e. discharge of untreated wastewater overflows from an existing combined sewer network:
 - i. implementation and on-going maintenance of measures necessary to achieve the best practicable option for preventing or minimising the adverse effects of the wastewater discharges
 - ii. implementation of the wastewater network operations plan and the operational and maintenance programme

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5.2 Assessment criteria

1. General - all activities:
 - a. construction or works methods, timing and hours of operation:
 - i. construction or works methods should avoid, remedy or mitigate adverse effects, particularly on water quality and sedimentation
 - ii. construction or works should be done at a time that will avoid or minimise, adverse effects on marine mammals, bird roosting, nesting and feeding, and recreational users of the CMA
 - iii. construction or works hours of operation should be limited to minimise effects of noise and disruption on existing activities, and on nearby residential and open space areas.
 - b. location, extent, design and materials:
 - i. the work should be located and designed to avoid, remedy or mitigate adverse effects on the environment
 - ii. the form, intensity and scale of works, structures and buildings should be sensitive to the marine environment and surrounding adjoining spaces.
 - iii. works and structures should ensure efficient use of the CMA is made by using the minimum area necessary for their purpose.
 - iv. the materials used should be compatible with the surrounding coastal environment, and where practicable be consistent with the natural materials at the site. This should take into account the physical characteristics of the materials used, including texture, colour, composition, grain size, level of contamination and potential for leaching.
 - c. effects on coastal processes, ecological values, water quality and natural character:
 - i. measures should be taken to avoid, remedy or mitigate adverse effects on coastal processes, ecological values, water quality and natural character.
 - d. effects on public access, navigation and safety:
 - i. effects on existing public access arrangements should be avoided by minimising the extent and duration of work and by providing alternative access routes where practicable.
 - ii. the proposed activity or development should not adversely affect navigation and safety.
 - iii. effects on vessel access and berthage should be avoided, remedied or mitigated.
 - iv. where possible, the layout of structures and activities should enhance public access, including pedestrian access, to the coastline and particularly to any areas of public open space.
 - v. any loss of public access to, along and within the CMA should be mitigated, including through provision of facilities such as public boat ramps, lookout platforms, and alternative access.
 - e. effects on existing uses and activities:
 - i. proposals should avoid, remedy or mitigate adverse effects on existing activities as far as practicable, taking into account both activities in the CMA and on adjacent land.
 - ii. activities should avoid, remedy or mitigate adverse effects on the amenity of adjacent residential and open space zoned land.
 - f. effects on Mana Whenua values:
 - i. the proposal should include an assessment of the cultural impact to Mana Whenua (Note: Chapter G General Provisions Treaty of Waitangi 2. General Rules and Special Information Requirements of the Unitary Plan provides guidance on this matter).

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- g. consent duration and monitoring:
 - i. consent duration should be limited to the minimum duration necessary for the functional or operational needs of the activity.
 - ii. consent duration may be limited to allow an adaptive management approach.
 - iii. monitoring may be required in order to demonstrate the extent and type of environmental effects of the activity, and the degree to which the effects are remedied or mitigated during and after the activity.
- 2. Activities in a SEA-Marine:
 - a. the proposed activity should not provide greater opportunities for the movement or introduction of animal and plant pests that threaten indigenous biodiversity.
 - b. proposals should avoid, remedy or mitigate any adverse effect on the ecology and wildlife of the area and, where relevant, on:
 - i. nesting, feeding and breeding of species
 - ii. biological processes
 - iii. connections between ecosystems
 - iv. the diversity of species
 - v. the habitat of threatened or protected species, both terrestrial and aquatic
 - vi. cumulative effects.
 - c. the proposal should include an assessment of the extent to which:
 - i. alternative methods or locations are available to the applicant to avoid effects on the identified values of the SEA-Marine
 - ii. the degree to which a reduction in water quality and/or the depositing of material will affect the natural ecological functioning of the area.
 - iii. existing use and development already, and in combination with any proposal, impacts on the habitat, or impedes the operation of ecological and physical processes
 - iv. there are similar habitat types within other SEA-Marine in the same harbour or estuary or, where the SEA-Marine is located on open coast, within the same vicinity.
 - v. there will be positive benefits for the ecological functioning and values of the SEA-M.
 - d. structures in a SEA-Marine 1 should be established only where they are necessary for:
 - i. scientific and research purposes or for public education and will enhance the understanding and long term protection of the SEA-Marine, or
 - ii. navigation and safety, or
 - iii. habitat maintenance and enhancement, or
 - iv. their benefit to the regional and national community, including infrastructure, and there is no reasonable or practicable alternative location on land or elsewhere in the CMA
 - e. any proposal to extend or alter any existing lawful structure in SEA-Marine 1 should demonstrate that all of the following apply:
 - i. the existing structure has no significant adverse effect on the values and ecological and physical processes operating in the SEA-Marine
 - ii. the extension or alteration does not involve significant disturbance of foreshore or seabed, clearance of indigenous vegetation, or significantly increase the need to dredge in order to

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obtain access to the structure from the CMA

iii. the purpose of the extension cannot practicably be met by a land based alternative.

3. Activities in an Outstanding Natural Features overlay:

a. the proposal should include an assessment of:

i. whether the nature, form and extent of the proposed works or activity adversely affects the feature or features for which the item was scheduled

ii. whether the proposed works or activity adversely affect landscape values

iii. the degree to which the feature or features have already been modified so that further modification will not cause significant additional loss of geological information

iv. the extent to which the modification is necessary

v. the purpose of the proposed works or activity and whether it has specific connections or relevance to the scheduled item

vi. what alternative methods and locations are available to the applicant for carrying out the work or activities that do not affect a scheduled feature

vii. the extent to which the proposed works will protect the feature from further damage, such as erosion protection, or remediate it from previous damage. This excludes potential damage from the activity for which consent is sought.

4. Activities in a Outstanding Natural Landscapes (ONL) and Outstanding and High Natural Character (ONC and HNC) overlay:

a. the proposal should include consideration of the potential impacts on landscape, natural character, visual, amenity and experiential values by assessing the extent to which:

i. the proposal will adversely affect amenity and identified natural character values, and whether the proposed mitigation measures can ensure there will be no more than minor effects on:

- amenity values or views, both from land and sea

- landscape and natural character values

- people's experience and values associated with an area, including the predominance of nature and wilderness values

ii. the siting of the building adversely affects the line and form of the landscape with particular regard to ridgelines, headlands and promontories

iii. the building can be located in a less prominent location taking into account the characteristics of the site, and is located within an area that has the greatest potential to absorb change to the landscape

iv. the building will be visually obtrusive from any public road or public place, including from beaches and the sea

v. the location, scale, height, design, external appearance and overall form of the building is appropriate to the rural and coastal context, and the colours and material used for roofs, walls and windows is of low reflectivity and merges with the surrounding landscape

vi. the building will result in adverse cumulative effects, having regard to other buildings or use and development

vii. of adverse visual and ecological effects from any earthworks, landform modification and vegetation removal associated with creating a building platform, driveways or other servicing requirements

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- viii. the building, driveways and servicing are set back from MHWS to avoid being affected by coastal erosion, natural coastal hazards or sea level rise, taking into account predicted risk over a 100-year timeframe
 - ix. the proposed building or structure will impact on Mana Whenua values
 - x. the proposed building or structure has a functional need to be in the location proposed.
 - xi. the proposed building or structure will improve the resilience and security of the infrastructure network.
5. Activities in a Historic Heritage overlay:
- a. refer to the criteria listed in the Historic heritage [overlay rules](#).
6. Noise:
- a. management of noise emissions from activities in the CMA should take into account:
 - i. the adverse effects on the health, well-being, and amenity values of the people who reside in or use the area
 - ii. the health and well-being of coastal and marine fauna from the noise associated with the proposal
 - iii. the extent to which the noise may add to a cumulative noise effect, taking into account the existing noise generated at or near the site
 - iv. the practicability of being able to control the noise levels
 - v. the extent to which any social and economic benefits to the community offset the impact of noise associated with the application
 - vi. the extent to which the effects of the noise will be mitigated.
7. Lighting:
- a. refer to the assessment criteria in the Auckland-wide - [Lighting](#) rules.
8. Occupation:
- a. occupation of the CMCA should be limited in spatial and temporal extent to minimise:
 - i. the extent to which people will be excluded from using a structure, or by the activity, from the CMA
 - ii. the effect the proposal may have on existing resource consent holders of occupation within the same locality or the vicinity
 - iii. cumulative effects of the occupation.
 - b. occupation of the CMCA should be limited to circumstances where it can be demonstrated that:
 - i. there are no similar areas, structures or activities nearby which could be utilised for the same or similar purpose
 - ii. it is not practicable to locate the structure or activity on land outside the CMA
 - iii. the use or development has a functional or operational need to locate in the CMA, or
 - iv. it is necessary to provide for the cultural and traditional needs of Mana Whenua.
 - c. exclusive occupation of the CMCA should not be granted where it will have a significant adverse effect on public access and recreational use of the CMA.
 - d. the duration of rights of occupation should be determined having regard to the:
 - i. extent of public use and access to the area and the impact of restrictions

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- ii. level of investment in the development and need for security of tenure to ensure the financial and economic viability
 - iii. land use and coastal development changes proposed in the vicinity through any statutory management strategies or plans
 - iv. term of other consents in the vicinity, and the strategic benefit of all consents in an area expiring simultaneously.
- 9. Minor reclamation for the purpose of maintaining, repairing or upgrading a lawful reclamation:
 - a. reclamations should, as far as practicable, mitigate adverse effects through their form and design, taking into account:
 - i. the compatibility of the design with the location
 - ii. the degree to which the materials used are visually compatible with the adjoining coast
 - iii. the ability to avoid consequential erosion and accretion, and other natural hazards.
 - b. the use of contaminated material in a reclamation should be avoided unless it is contained in a way that avoids adverse effects on water quality, aquatic ecosystems and biodiversity.
 - c. the minor reclamation should:
 - i. have lesser adverse environmental effects than doing nothing or of removing the reclamation, or
 - ii. enable the efficient operation of infrastructure, including ports, marinas, airports, roads, pipelines, electricity transmission, railways, ferry terminals and electricity generation.
- 10. CMA depositing of material where the deposited sediment is extracted from within the same coastal cell and is between 1000m³ and 10,000m³ per calendar year and CMA depositing of material from outside the coastal cell, maximum of 10,000m³ per calendar year:
 - a. depositing of material should:
 - i. use methods to maximise retention of the deposited material within the coastal cell in which it is placed
 - ii. avoid the introduction of waste, contaminants or harmful aquatic organisms
 - iii. be designed to provide beach elevations and contours that provide environmental, scientific, cultural, amenity or social benefits, or is for erosion control.
- 11. River mouth dredging; dredging to maintain or gain access to an existing lawful structure; dredging to clear the exit of any lawful stormwater outfall or pipe (maximum of 5000m³, maximum of 500m length) and maintenance dredging in specified zones:
 - a. dredging should not:
 - i. cause or exacerbate erosion or flooding within the CMA or on adjacent land
 - ii. cause damage to existing lawful structures
 - iii. result in the permanent loss of any habitat of a rare or endangered species
 - iv. result in adverse effects on significant surf breaks identified in Appendix 6.3
 - b. dredging should minimise sediment or contaminant mobilisation and dispersal by using best practice methods and procedures, particularly for dredging contaminated sediments.
 - c. proposals for dredging should demonstrate that:
 - i. there are no practicable alternative methods, locations or designs for the activity which would avoid or reduce the need for dredging
 - ii. any bed disturbance and resulting turbidity or release of contaminants is localised and

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limited in duration so that there are no long-term adverse effects on the surrounding environment

- d. maintenance dredging should be enabled where it provides for the ongoing use of Port, Minor Port, Marina, Ferry Terminal and Defence zones.
 - e. works should avoid effects on any sites or areas in the Significant Historic Heritage Place overlay.
12. Mangrove removal, and other pruning, vegetation alteration or vegetation removal, not otherwise provided for and mangrove removal to enable the operation, maintenance, use and functioning of existing lawful structures, infrastructure and drainage systems, to ensure public health and safety in the use or operation of infrastructure:
- a. removal of mangroves, including seedlings, should be avoided in areas:
 - i. where mangroves provide important ecological values
 - ii. of active coastal erosion where mangroves provide a buffer against coastal processes causing erosion
 - iii. where the sediments contain high levels of contaminants at risk of being re-suspended.
 - b. proposals to remove mangroves may require an assessment of sediment inputs in the area and identification of catchment initiatives to reduce sediment and nutrient inputs.
 - c. mangrove removal should:
 - i. minimise the disturbance of the foreshore and seabed, and sediment and contaminant discharges
 - ii. where practicable, dispose of removed mangroves outside the CMA using an appropriate method. Burning of removed mangroves in the CMA should be avoided
 - iii. not utilise a disposal method that results in significant adverse effects on the CMA where landward disposal is not proposed
 - iv. take an adaptive management approach where a significant area of removal is proposed and there is uncertainty over the extent of adverse effects
 - v. provide for the long-term maintenance of cleared areas.
 - d. mangrove removal should be enabled where there is clear evidence that mangroves have spread and the proposed removal is necessary to enable, maintain, restore or enhance:
 - i. public access to, or along, the CMA
 - ii. connections with reserves or publicly owned land and the sea
 - iii. public use and amenity values
 - iv. water access and navigation, including waka portage routes
 - v. public health and safety, including sightlines and traffic safety
 - vi. access to the coast from marae, or to areas of customary use
 - vii. ecological values, including significant wading bird feeding or roosting areas
 - viii. cultural or historic heritage or natural features.
 - e. mangrove removal should be enabled where there is no practicable alternative, and removal is necessary to allow for:
 - i. the operation, maintenance and use of existing lawful structures, or infrastructure including drainage
 - ii. the provision of infrastructure, including drainage systems that cannot practically be located

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in an alternative area, that would avoid the need for mangrove removal

- iii. removal of areas identified for clearance in a reserve management plan, comprehensive coastal management plan or similar plan that has been subject to a public consultation process where the potential adverse effects have been considered.

13. Planting of native vegetation:

- a. native plants should be planted in the CMA to:
 - i. 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
 - ii. avoid any change to natural coastal processes, unless the planting is for the purpose of mitigating a coastal hazard.

14. Discharges:

- a. facilities should be provided for the treatment, collection and disposal of any discharge where practicable.

15. Discharge of wastewater from a combined sewer network:

- a. the extent to which the proposed best practicable option:
 - i. prevents or minimises adverse effects particularly on public health, safety and amenity, potable water supplies, Mana Whenua values, freshwater systems and coastal waters
 - ii. provides for wastewater discharges generated as a result of potential urban growth, urban redevelopment, and land use intensification within the catchment, taking into account the growth and intensification provisions of the Unitary Plan
 - iii. progressively reduces overflows and associated adverse effects, and the priorities and timeframes for doing so, having particular regard to:
 - areas of contact recreation and public use
 - receiving environments that are sensitive to the adverse effects of wastewater overflows
 - areas with high Mana Whenua values
 - iv. takes account of consultation with key stakeholders, including Mana Whenua and the community
 - v. considers potential impacts on stormwater management.
- b. whether the operations and maintenance plans and programmes provided will ensure the effective operation of the combined sewer network and minimise dry weather discharges.
- c. whether the response procedures and processes provided will mitigate the adverse effects of overflows.

16. CMA structures and buildings:

- a. proposals for structures in the CMA should consider whether more efficient use of space on existing wharves or adjacent land would avoid the need for the structure or reduce its size.
- b. CMA structures should be limited to those that have a functional or operational need to be located in the CMA, or that are for infrastructure that cannot reasonably or practicably be located outside of the CMA.
- c. the quality of building design and its location should acknowledge the high visibility of coastal sites from surrounding areas, whilst acknowledging the functional and operational requirements of marine and port activities where relevant. This will include consideration of scale, size, design and external appearance.
- d. the building material used for structures should be appropriately marine-treated, or if relocated or

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recycled building material is used, be treated to prevent the transference or introduction of harmful aquatic organisms.

- e. buildings in the CMA should have interactive frontages where they face public streets and access ways, where practicable, to enable public experience of activities within the buildings.
 - f. developments should use landscape and screening treatments to minimise adverse visual effects on adjoining land uses, including the effective screening of parking areas and outside storage or servicing areas.
 - g. the reconstruction or extension of existing structures should:
 - i. not have significant adverse effects on other uses and values
 - ii. result in greater, more efficient, or multiple use of the structure for marine activities
 - iii. reduce the need for a new structure elsewhere.
 - h. proposals should make efficient use and development of natural and physical resources.
17. Effects on views and visual amenity:
- a. structures and buildings should not adversely affect the natural character, landscape and visual amenity of the area taking into account the following:
 - i. visual dominance of the building in terms of views from adjoining areas including the CMA
 - ii. interface and amenity of adjacent zones, particularly residential
 - iii. scale and location of the proposed building in relation to any nearby buildings
 - iv. the type, including colour, of exterior materials used for construction
 - v. any lighting proposed on the building
 - vi. any signs proposed to be attached to or painted on proposed building.
 - b. the height of the structure or building should not contribute to adverse cumulative effects of development in the area, taking into account:
 - i. visual amenity of the area
 - ii. scale and intensity of existing development
 - iii. character of the zone.

6. Special information requirements

6.1 Design statement

A design statement is required for the activities specified in the table below. The design statement is required to include as a minimum the matters indicated within the table as set out in [clause 2.7.2](#) of the General provisions. Drawings, illustrations and supporting written explanation should be proportionate to the complexity and significance of the development proposal. Refer to the [ADM](#) for guidance on the preparation of design statements.

Table 1:

Activity		New buildings over 200m ² in the CMA
A. CONTEXT ANALYSIS		
1. Site Analysis		
a.	Existing site plan	X
b.	Streetscape	X

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2. Neighbourhood analysis		
a.	Natural and cultural environment	X
b.	Movement	X
c.	Neighbourhood character	X
d.	Use and activity	X
e.	Urban structure	
3. Opportunities and constraints analysis		
a.	Opportunities and constraints diagram	
B. DESIGN RESPONSE		
a.	Concept design	X
b.	Proposed site plan	X
c.	Proposed elevations	X
d.	Sunlight access	X
e.	Landscape	X
f.	Streets, accessways and lanes	X
g.	Urban structure	
j.	Publicly accessible open space	X

6.2 Aquaculture

1. An application for aquaculture activities must be accompanied by a management plan which includes:
 - a. details about the design, including:
 - i. the location, size, dimensions and layout of the proposed application site
 - ii. marine farming structures accurately identified on appropriately scaled topographic or hydrographic maps
 - iii. co-ordinates, using the NZTM co-ordinate systems
 - iv. proposed staging of development (if applicable)
 - v. the minimum distance to the shoreline from the proposed marine farm
 - vi. proximity to other aquaculture activities
 - vii. mooring and land-based facility requirements
 - viii. type and placement of navigational and safety markings
 - b. a description of operations, including:
 - i. culture method to be used
 - ii. stock including species, geographic source, intended stocking density
 - iii. type and quantity of feed expected to be used
 - iv. information on medicinal and therapeutic compounds which may be used

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- v. how the farm will be accessed
- vi. method to be used for crop harvesting
- vii. activities intended for land-based facilities
- c. the effects footprint or extent of the aquatic environment potentially affected by the proposed aquaculture activity
- d. a description of methods to manage likely effects associated with:
 - i. depositing material in the CMA or on land
 - ii. discharge of contaminants into the CMA
 - iii. disturbance of the foreshore or seabed
 - iv. disposal of non-sale crop
 - v. collection and disposal of non-biodegradable material
 - vi. biosecurity vector risk management
 - vii. public access exclusion or effective exclusion from areas of the CMA, or restriction of occupied or used areas of the CMA, or from access to and along the foreshore
- e. monitoring and reporting proposed in relation to the above measures.

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