

## Activities in the CMA – section 32AA assessment

Where the officer has recommended amendments, these are set out below. Additions to the notified text are in underline and deletions are ~~strike-through~~ text. The section 32AA assessment follows alongside for each of the provisions where amendments have been recommended by the officer. If the officer does not recommend any changes, the provision appears in grey.

Amendment no./Submission no.	Chapter	Provision	Text of provision with any recommended amendments	Evaluation of amendment (section 32AA assessment)
	2 Interpretation	Active beach (coastal marine area)	The area from the crest of either the foredune or, top of a storm berm or, an erosion scarp or, from the toe of a cliff or, an artificial embankment or, a seawall/revetment, out to the limit of wave breaking. It includes the dry backshore, the intermittently wet and dry foreshore and the subtidal nearshore seabed below mean low water springs. The <b>active beach</b> experiences change on a daily, weekly, monthly and inter-annual basis as a result of coastal processes including tides, nearshore currents, wave breaking and run up, sediment transport by wind, waves, fluvial and nearshore currents, erosion and accretion, and biological activity.	N/A
	2 Interpretation	Beach recontouring (coastal marine area)	The redistribution (using hand and/or mechanical methods) of in-situ, natural beach sediments in order to reshape the beach profile for hazards management, beach or dune <b>restoration</b> and may involve the reshaping of an erosion scarp to reduce its gradient.	N/A
	2 Interpretation	Coastal restoration plan	A programme designed to return or restore a coastal environment into as natural a state as possible, with the aim of allowing the coastal environment and/or <b>active beach</b> to function as	N/A

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			<p>a natural system, operating by natural coastal processes with minimal interference from human activities. Can involve all or some of the following activities, removal of exotic flora and fauna, removal of hard structures, rock, rubble or other introduced materials, beach re-nourishment (sand or gravel), dune or <b>beach recontouring</b>, re-introduction or enhancement of native plant species.</p>	
	2 Interpretation	Disposal	<p>The abandonment of waste or other matter into the coastal marine area, including but not limited to:</p> <ul style="list-style-type: none"> <li>(a) dredge material, and</li> <li>(b) sewage <b>sludge</b>, and</li> <li>(c) fish processing waste from an onshore facility, and</li> <li>(d) ships and platforms or other man-made structures at sea, and</li> <li>(e) inert, inorganic geological material, and</li> <li>(f) organic materials of natural origins, and</li> <li>(g) bulky items consisting mainly of iron, steel and concrete.</li> </ul>	<b>N/A</b>
	2 Interpretation	Harbour and pilotage limit	The area shown on Map 49.	<b>N/A</b>
	2 Interpretation	Motor vehicle	<p>A man-made device for land transport, including, but not limited to cars, trucks, heavy machinery, motorbikes and bicycles, weighing up to 3,500kg and does not include prams, strollers, wheelchairs or other mobility scooters used by persons.</p>	<b>N/A</b>

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	2 Interpretation	Noise sensitive activities	Any residential activity, any early childhood education centre, or any hotel, motel or other accommodation activity.	N/A
	2 Interpretation	Port Noise Control Line	The line at or beyond which the rule controlling the emission of noise from <b>port related activities</b> applies and where the noise from <b>port related activities</b> is monitored.	N/A
	2 Interpretation	Port related activities	Activities within the <b>Commercial Port Area</b> , the <b>Lambton Harbour Area</b> and on the adjacent land within the district including, but not limited to, the berthing, departure and movement of ships, storage and cargo handling, handling of goods and passengers, all activities associated with the movement, storage and handling of cargo and any activities (including construction, maintenance and repair) associated with buildings, machinery and equipment used in connection with the port or its administration. Activities not directly connected to the operation of the port such as office activities, retail activities, and other non-port uses within the <b>Commercial Port Area</b> and the <b>Lambton Harbour Area</b> are excluded.	N/A
	3 Objectives	Objective O58: Noise and underwater noise	Objective O58: Noise, including underwater noise, from activities in the coastal marine area is managed to maintain the health and well-being of marine fauna, and the health and amenity value of users of the coastal marine area.	N/A
	4 Policies	Policy P143: Deposition in a site of significance	Policy P143: Deposition in a site of significance Deposition of sand, shingle or shell in a site	N/A

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			<p>identified in Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) and Schedule J (geological features) shall be avoided except where:</p> <p>(a) the activity is for the specific purpose of providing protection for the values identified in Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) and Schedule J (geological features), or</p> <p>(b) it involves renourishment for the purpose of managing coastal erosion, or</p> <p>(c) it provides for public amenity, or</p> <p>(d) the activity is carried out for the purposes of flood protection and/or erosion mitigation, or</p> <p>(e) the activity is carried out by or for local authorities, or</p> <p>(f) it is necessary to enable the efficient development, operation, maintenance and <b>upgrade of regionally significant infrastructure</b>,</p> <p>and in respect of (a) to (f):</p> <p>(g) there are no practicable alternative methods of providing for the activity.</p>	
	4 Policies	Policy P144: Dumping in a site with significant values	<p>Policy P144: Dumping in a site with significant values</p> <p>Dumping in a site identified in Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) and Schedule J (geological features)</p>	<b>N/A</b>

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			<p>shall be avoided except where:</p> <p>(a) it is necessary to enable the development, operation, maintenance and <b>upgrade of regionally significant infrastructure</b>, and</p> <p>(b) there are no practicable alternative methods of providing for the activity.</p>	
	4 Policies	Policy P145: Reclamation, drainage and destruction	<p>Policy P145: Reclamation, drainage and destruction</p> <p><b>Reclamation</b>, drainage or destruction in the coastal marine area shall be avoided except where:</p> <p>(a) the <b>reclamation</b>, drainage or destruction is associated with the development, operation, maintenance and <b>upgrade of regionally significant infrastructure</b>, and</p> <p>(b) there are no other locations outside the coastal marine area for the activity associated with the <b>reclamation</b>, drainage or destruction, and</p> <p>(c) there are no practicable alternative methods of providing for the associated activity.</p>	<b>N/A</b>
	4 Policies	Policy P146: Introduction of pest plants	<p>Policy P146: Introduction of pest plants</p> <p>The introduction of plants listed in the National Pest Plant Accord into the coastal marine area shall be avoided.</p>	<b>N/A</b>

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	4 Policies	Policy P147: Motor vehicles on the foreshore	<p>Policy P147: Motor vehicles on the foreshore</p> <p>District and city councils may restrict the use of <b>motor vehicles</b> on the foreshore, with the exception of vehicles associated with:</p> <p>(a) surf lifesaving operations, or</p> <p>(b) emergency situations, including (but not restricted to) firefighting, oil spills, rescue operations, salvage of vessels and marine mammal strandings, or</p> <p>(c) local authority activities, or</p> <p>(d) the development, operation, maintenance and <b>upgrade of regionally significant infrastructure.</b></p>	<b>N/A</b>
	4 Policies	Policy P148: Motor vehicles in sites with significant value	<p>Policy P148: Motor vehicles in sites with significant value</p> <p>The use of <b>motor vehicles</b> on the foreshore in a site identified in Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F2c (birds-coastal), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) shall be avoided, except when required for surf lifesaving, emergency, law enforcement, local authority or <b>regionally significant infrastructure</b> purposes.</p>	<b>N/A</b>
	4 Policies	Policy P149: Protection	Policy P149: Protection of the Tītahi Bay fossil	<b>N/A</b>

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		of the Titahi Bay fossil forest	<p>forest</p> <p>The use of <b>motor vehicles</b> at Titahi Bay in areas containing remnants of fossil forest shown on Map 35 shall be avoided, except when required for surf lifesaving, emergency, law enforcement, local authority or <b>regionally significant infrastructure</b> purposes.</p>	
	4 Policies	Policy P150: Noise and lighting	<p>Policy P150: Noise and lighting</p> <p>Noise in the coastal marine area shall be managed by applying the general conditions as set out in section 5.7.2 of the Plan or by adopting the best practicable option to ensure that the emission of noise does not exceed a reasonable level. Exterior lighting on structures shall avoid being directed at <b>sensitive activities</b>, streets, roads and navigation tracks and shall minimise effects on other users and wildlife, unless it is for operational health and safety reasons.</p>	<b>N/A</b>
	4 Policies	Policy P151: Underwater noise	<p>Policy P151: Underwater noise</p> <p>Use and development in the coastal marine area shall be managed to minimise the adverse effects of underwater noise on the health and well-being of marine fauna and the health and amenity values of users of the coastal marine area.</p>	<b>N/A</b>

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	5 Rules	5.7.11 Surface water and foreshore activities		
	5 Rules	Rule R185: General surface water and foreshore activities - permitted activity	<p>Rule R185: General surface water and foreshore activities – permitted activity</p> <p>General surface water and foreshore activities and the associated use in the coastal marine area, including any associated:</p> <p>(a) occupation of space in the <b>common marine and coastal area</b>, and</p> <p>(b) disturbance of the foreshore or seabed, and</p> <p>(c) deposition in, on or under the foreshore or seabed, and</p> <p>(d) discharge of contaminants</p> <p>is a permitted activity, provided the following conditions are met:</p> <p>(e) the activity is not inside the <b>Lambton Harbour Area</b> (including Northern Zone) shown on Map 32, and</p> <p>(f) if the activity includes occupation of space in the <b>common marine and coastal area</b> that excludes public access or navigation of ships:</p> <p>(i) the area of occupation shall be less than 1ha, and</p> <p>(ii) the activity shall comply with the Wellington Regional Council Navigation and Safety Bylaws Wellington Region 2009, and</p>	N/A



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			<p>(iii) the occupation shall not affect the <b>operational requirement</b> of emergency services including the coastguard, police and surf lifesaving, and</p> <p>(iv) written notice shall be given five working days before work commences to:</p> <ul style="list-style-type: none"> <li>a. the Wellington Regional Council Harbourmaster, and</li> <li>b. Maritime New Zealand, and</li> <li>c. the relevant territorial authority, and</li> </ul> <p>(v) the duration of the activity in a 12 month period must not exceed:</p> <ul style="list-style-type: none"> <li>a. for temporary military training activities, 30 days, and</li> <li>b. for all other activities, seven days, and</li> </ul> <p>(g) if the activity will exclude public access or navigation of ships in the <b>common marine and coastal area</b> for more than 24 hours:</p> <ul style="list-style-type: none"> <li>(i) the public shall be notified of the proposed activity and associated restrictions on use of the area, including via a public notice in local newspapers, at least 14 working days prior to the commencement of the activity, and</li> <li>(ii) signs shall be placed at the location of the activity notifying</li> </ul>	

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			<p>the public of the event with dates, times, the activity</p> <p>proposed, any restrictions imposed on the use of the area and</p> <p>contact information of the organiser at least seven working</p> <p>days prior to the occupation commencing, and</p> <p>(h) the activity shall comply with the coastal management general</p> <p>conditions specified above in Section 5.7.2.</p> <p>Note</p> <p>Permission may be required from the relevant city or district council.</p>	
	5 Rules	Rule R186: General surface water and foreshore activities - restricted discretionary	<p>Rule R186: General surface water and foreshore activities – restricted discretionary</p> <p>General surface water and foreshore activities and the associated use in the coastal marine area, including any associated:</p> <p>(a) occupation of space in the <b>common marine and coastal area</b>, and</p> <p>(b) disturbance of the foreshore or seabed, and</p> <p>(c) deposition in, on or under the foreshore or seabed, and</p> <p>(d) discharge of contaminants</p> <p>that is not permitted by Rule R185 is a restricted discretionary activity,</p> <p>provided the following conditions are met:</p> <p>(e) the activity shall comply with the coastal management general</p>	N/A

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			<p>conditions specified above in Section 5.7.2.</p> <p><i>Matters for discretion</i></p> <ol style="list-style-type: none"> <li>1. Effects on public access</li> <li>2. Effects on public open space and visual amenity</li> <li>3. Use of the structure</li> <li>4. Extent and exclusivity of the occupation of the <b>common marine and coastal area</b></li> <li>5. Navigation safety</li> <li>6. Lighting and noise</li> <li>7. Effects on a site or habitat identified in or using Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats), Schedule J (geological features) or Schedule K (surf breaks)</li> <li>8. Effects on the heritage values of structures identified in Schedule E1 (heritage structures), Schedule E2 (wharves and boatsheds) or Schedule E3 (navigational aids)</li> </ol>	
	5 Rules	Rule R187: General surface water and foreshore activities - discretionary activity	<p>Rule R187: General surface water and foreshore activities – discretionary activity</p> <p>General surface water and foreshore activities in and the associated use of the coastal marine area, including any associated:</p> <p>(a) occupation of space in the <b>common marine and coastal area</b>, and</p>	<b>N/A</b>

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			<p>(b) disturbance of the foreshore or seabed, and  (c) deposition in, on or under the foreshore or seabed, and  (d) discharge of contaminants  not permitted by Rule R185 or restricted discretionary under Rule R186 is a discretionary activity.</p>	
	5 Rules	5.7.12 General disturbance activities		
	5 Rules	Rule R188: Minor disturbances - permitted activity	<p>Rule R188: Minor disturbances – permitted activity  The disturbance of the foreshore or seabed including any removal of sand, shingle, shell or other natural material in the coastal marine area, including any associated:  (a) occupation of space in the <b>common marine and coastal area</b>, and  (b) deposition in, on or under the foreshore or seabed, and  (c) discharge of contaminants  is a permitted activity, provided the following conditions are met:  (d) the activity shall not be inside a site or habitat identified in or using  Schedule C (mana whenua), Schedule E4 (archaeological sites),  Schedule F2c (birds-coastal) or Schedule J (geological features), and</p>	<b>N/A</b>

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			<p>(e) no more than 0.1m<sup>3</sup> of sand, shingle, shell or other natural material shall be taken by a person in a 12 month period, and</p> <p>(f) the removed natural material shall not be used for commercial gain, and</p> <p>(g) the area of excavation shall be smoothed over after the completion of the activity (e.g. no holes left on the foreshore), and</p> <p>(h) the extent of the foreshore or seabed disturbance is limited to that required to undertake the activity, and</p> <p>(i) no motorised excavation machinery shall be used to disturb or remove sand, shingle, shell or other natural material.</p> <p>Note While the removal of natural materials from a marine reserve (unless authorised for research purposes) is prohibited under the Marine Reserves Act 1971, a memorandum of understanding between the Department of Conservation and the Wellington City Council enables the removal of natural material (beach grooming) within Taputeranga Marine Reserve with particular conditions.</p>	
	5 Rules	Rule R189: Clearance of	Rule R189: Clearance of stormwater pipes –	<b>N/A</b>

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		stormwater pipes - permitted activity	<p>permitted activity</p> <p>The disturbance of the foreshore or seabed from the clearance of a <b>stormwater</b> pipe in the coastal marine area, including any associated:</p> <p>(a) occupation of space in the <b>common marine and coastal area</b>, and</p> <p>(b) deposition in, on or under the foreshore or seabed, and</p> <p>(c) discharge of contaminants</p> <p>is a permitted activity, provided the following conditions are met:</p> <p>(d) the disturbance is undertaken by or for a local authority or a road controlling authority or is required for port maintenance, and</p> <p>(e) the extent of the foreshore or seabed disturbance is limited to that required to create a free-draining path from the <b>stormwater</b> outlet to the sea, and</p> <p>(f) the disturbance shall not prevent public access to or along the foreshore, and</p> <p>(g) all material excavated is retained within the <b>active beach</b> system except for visibly contaminated material. Any visibly contaminated material shall be removed from the beach system and disposed of appropriately, and</p>	

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			<p>(h) excavated material is not mounded, banded and/or deposited in a manner that creates ponding or the diversion of water on the foreshore or seabed, and</p> <p>(i) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.</p>	
Issue 1.3	5 Rules	Rule R190: Launching, retrieving or temporary mooring of vessels - permitted activity	<p><b>Rule R190: Launching, retrieving or temporary mooring of vessels – permitted activity</b></p> <p>The disturbance of the foreshore or seabed from the launching, retrieval or temporary mooring of a vessel in the coastal marine area is a permitted activity, provided the following conditions are met:</p> <p>(a) a boat ramp shall be used if available at the locality, and</p> <p>(b) the activity shall not be undertaken on any exposed Titahi Bay fossil forest shown on Map 35, and</p> <p>(c) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.</p> <p>Note</p> <p>Marine Reserves Regulations 1993 provide for anchoring and use of vessels in a marine reserve (section 5 and 6 respectively).</p>	N/A

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			Anchoring is only permitted on the condition that no damage occurs, or that damage is kept to a minimum practical level. The Marine Reserves Act 1971 (section 23) provides for anchoring anywhere within a marine reserve in times of stress or emergency.	
Issue 1.3	5 Rules	Rule R191: Disturbance associated with beach grooming - permitted activity	<p><b>Rule R191: Disturbance associated with beach grooming – permitted activity</b></p> <p>The disturbance of the foreshore or seabed for beach grooming including any removal of sand, shingle, shell or other natural material in the coastal marine area, including any associated:</p> <p>(a) deposition in, on or under the foreshore or seabed, and</p> <p>(b) discharge of contaminants on the following beaches: Ōtaki, Te Horo, Peka Peka, Waikanae, Paraparaumu, Raumati, Paekakariki, Tītahi Bay (excluding the area of fossil forest shown on Map 35), Karehana Bay, Plimmerton, Browns Bay, Bradley Point, Motukaraka Point, Mana Foreshore, Onehunga Bay, Dolly Varden Beach, Pukerua Bay, Lyall Bay, Island Bay, Princess Bay, Worsler Bay, Scorching Bay, Oriental Bay, Freyberg, Petone, Point Howard, Sorrento Bay, Days Bay, Rona Bay, Castlepoint, Riversdale is a permitted activity, provided the following conditions are met:</p> <p>(c) the beach grooming shall be carried out for the purpose of grooming and the removal of</p>	<p><b>Effectiveness and efficiency</b></p> <p>The recommended amendment to proposed Rule R191 (for the disturbance to the foreshore and seabed from beach grooming) will ensure:</p> <ul style="list-style-type: none"> <li>- the coastal management general conditions must be achieved; and that</li> <li>- the activity cannot be within a site with significant indigenous biodiversity values in the coastal marine area (schedule F4).</li> </ul> <p>The recommendation to incorporate the coastal management general conditions into a new permitted activity condition (h) of Rule R191 will ensure that any potential disturbance effects to the CMA from beach grooming will be mitigated to a level provided for in the relevant objectives of the plan.</p> <p>The recommendation to not provide for beach grooming in a site with significant indigenous biodiversity values in the coastal marine area within permitted activity condition (f) of Rule R191 will give effect to Objective O35 of the proposed Plan, which states that ecosystems and habitats with significant biodiversity values shall be protected. Given beach grooming in Schedule F4 sites will now become a non-complying activity under Rule R195, in my view, this recommended amendment also gives effect to Policy P11 of the NZCPS, which directs adverse effects on sites with indigenous biodiversity values to be avoided.</p> <p>For these reasons, in my view, the recommended amendments will improve the efficiency and effectiveness of proposed Rule R191.</p>



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			<p>marine debris and litter, and</p> <p>(d) the activity shall be undertaken by or for a local authority, and</p> <p>(e) the activity shall not occur when shellfish beds are exposed, and</p> <p>(f) the activity shall not be within a site identified in Schedule C (mana whenua) or Schedule E4 (archaeological sites) <u>or Schedule F4 (significant indigenous biodiversity values in the coastal marine area)</u>, and</p> <p>(g) the activity shall not be within the Titahi Bay fossil forest shown on Map 35- <u>and</u></p> <p><u>(h) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.</u></p> <p>Note</p> <p>While the removal of natural materials from a marine reserve (unless authorised for research purposes) is prohibited under the Marine Reserves Act 1971, a memorandum of understanding between the Department of Conservation and Wellington City Council enables beach grooming within Taputeranga Marine Reserve with particular conditions</p>	<p><b>Benefits: (environmental, cultural, economic and social)</b></p> <p>The recommended amendment will provide environmental benefits both for beach grooming:</p> <ul style="list-style-type: none"> <li>- within sites with significant indigenous biodiversity values in the coastal marine area (schedule F4); and also</li> <li>- outside scheduled sites which are now required to meet the general coastal management general conditions.</li> </ul> <p><b>Costs</b></p> <p>If these recommended amendments to proposed Rule R191 are incorporated into the decisions version of the plan, applicants will now be required to apply for consent as a non-complying activity to undertake beach grooming within sites scheduled for significant indigenous biodiversity values in the coastal marine area (Schedule F4).</p> <p>Further to that, the requirements to meet the coastal management general management conditions have the potential to incur additional costs, which were not required within proposed Rule R191.</p> <p><b>Risk of acting or not acting</b></p> <p>If these amendments are not incorporated into the decisions version of the Plan, Rule R191 will not give effect to Objective O35 of the proposed Plan, nor will it give effect to Policy 11 of the NZCPS.</p> <p><b>Decision about most appropriate option</b></p> <p>This option is considered to be the most appropriate approach to achieve the relevant objectives of the Plan.</p>
	5 Rules	Rule R192: Beach recontouring for coastal	Rule R192: Beach recontouring for coastal restoration purposes –	<b>N/A</b>

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		restoration purposes - controlled activity	<p>controlled activity</p> <p>The disturbance of the foreshore or seabed for <b>beach recontouring</b> in the coastal marine area, including any associated:</p> <p>(a) deposition in, on or under the foreshore or seabed, and</p> <p>(b) discharge of contaminants</p> <p>is a controlled activity, provided the following conditions are met:</p> <p>(c) the activity forms part of a <b>coastal restoration plan</b>, and</p> <p>(d) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.</p> <p><i>Matters of control</i></p> <ol style="list-style-type: none"> <li>1. Timing of the activity associated with coastal fauna</li> <li>2. Volume of material removed</li> <li>3. Effects of disturbance, deposition, discharge and diversion associated with the activity</li> <li>4. Effects on shoreline stability (including dunes and nearshore) and the potential to create a coastal inundation hazard</li> <li>5. Effects on the heritage values of structures and sites identified in Schedule E1 (heritage structures) or Schedule E4 (archaeological sites)</li> <li>6. Effects on sites and habitats identified in or</li> </ol>	

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			<p>using Schedule C (mana whenua), Schedule F2c (birds-coastal), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features) and Schedule K (surf breaks)</p> <p><i>Notification</i></p> <p>In respect of Rule R192, applications are precluded from public notification (unless special circumstances exist).</p>	
Issue 1.3	5 Rules	Rule R193: River and stream mouth cutting - permitted activity	<p><b>Rule R193: River, <del>and stream</del> and lake mouth cutting – permitted activity</b></p> <p>The disturbance of the foreshore or seabed for river, <del>and stream</del> and lake mouth cutting in the coastal marine area, including any associated:</p> <p>(a) deposition in, on or under the foreshore or seabed, and</p> <p><del>(b) discharge of contaminants</del>, and</p> <p><del>(e)(b)</del> diversion of open coastal water, and</p> <p><del>(e)(c)</del> discharge of contaminants for the following rivers and lakes:</p> <p><del>(e)(d)</del> Waitohu Stream, Ōtaki River, Mangaone Stream, Waimeha Stream, Waikanae River, Hadfield Drain, Wharemauku Stream, Whareroa Stream, Wainui Stream, Waikakariki Stream, Makara Stream, Motuwaireka Stream, Castlepoint Stream, Whakataki River, Tikotu</p>	<p><b>Effectiveness and efficiency</b></p> <p>The recommended amendments to Rule R193 clarifies to plan users that Rule R193 provides for the disturbance to the foreshore and seabed from river, stream and lake mouth cutting, thus improving the efficiency and effectiveness of the proposed Rule R193.</p> <p><b>Benefits: (environmental, cultural, economic and social)</b></p> <p>This recommended amendment provides clarity to plan users that lake mouth cutting is also provided under Rule R193. This amendment will provide environmental benefits; as it will ensure plan users are aware that lake mouth cutting (in addition to river and stream mouth cutting) is also required to meet the permitted activity conditions set out in Rule R193.</p> <p><b>Costs</b></p> <p>There are no additional costs associated with this recommendation.</p> <p><b>Risk of acting or not acting</b></p> <p>If this recommended amendment is not provided within Rule R193, in my view, the appropriate level of clarity will not be provided in the decisions version of the plan, as to whether the Rule also provides for lake mouth cutting as a permitted activity, provided the permitted activity conditions can be achieved.</p> <p><b>Decision about most appropriate option</b></p> <p>This option is considered to be the most appropriate approach to achieve</p>

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			<p>Stream, and</p> <p><del>(f)</del>(e) Lake Kohangapiripiri, Lake Kohangatera and Lake Onoke, and</p> <p><del>(g)</del>(f) an unnamed stream approximately 190m south of the seaward end of Sunrise Way, Riversdale, and</p> <p><del>(h)</del>(g) an unnamed stream approximately 145m north of the seaward end of Sunrise Way, Riversdale, and</p> <p><del>(i)</del>(h) an unnamed stream at the seaward end of Karaka Drive, Riversdale is a permitted activity, provided the following conditions are met:</p> <p><del>(j)</del>(i) the activity shall be carried out for the purposes of flood protection and/or erosion mitigation, and</p> <p><del>(k)</del>(j) the activity shall only be carried out by or for a local authority, and</p> <p><del>(l)</del>(k) the activity is only undertaken when the trigger level defined in Schedule U (river mouth cutting) is equalled or exceeded, and</p> <p><del>(m)</del>(l) the foreshore shall not be mechanically disturbed to a depth greater than required to divert stream flow, and</p> <p><del>(n)</del>(m) the activity shall not prevent public access to or along the foreshore (this condition shall not apply to any restrictions on access arising from water flowing in any outlet</p>	<p>the relevant objectives of the Plan.</p>

Amendment no./Submission no.	Chapter	Provision	Text of provision with any recommended amendments	Evaluation of amendment (section 32AA assessment)
			<p>channel), and</p> <p><del>(e)</del><u>(n)</u> any material excavated shall be placed on the immediately adjacent foreshore area, and no material shall be removed from the site unless the material is contaminated and/or it contains hazardous substances, and</p> <p><del>(p)</del><u>(o)</u> for activities undertaken in the mouths of either Lake Kohangapiripiri or Lake Kohangatera, any cutting operation shall be in accordance with the Wellington Regional Council Parangarahu Lakes Area Co-Management Plan (August 2014), and</p> <p><del>(q)</del><u>(p)</u> for activities undertaken in the Lake Onoke mouth, the mechanical opening shall not occur during the period 1 February to 31 May (inclusive) each year without notification to a nominated representative (or in their absence, a nominated deputy) from the Tuhirangi Marae, and</p> <p><del>(r)</del><u>(q)</u> for activities undertaken in the Waikanae River, the Department of Conservation shall be notified at least two working days prior to the commencement of the cutting operation, and</p> <p><del>(s)</del><u>(r)</u> the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.</p>	
	5 Rules	Rule R194: Disturbance or damage - discretionary activity	Rule R194: Disturbance or damage – discretionary activity The disturbance or damage of the foreshore or	N/A

Amendment no./Submission no.	Chapter	Provision	Text of provision with any recommended amendments	Evaluation of amendment (section 32AA assessment)
			<p>seabed outside a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features) in the coastal marine area, including any associated:</p> <p>(a) deposition in, on or under the foreshore or seabed, and</p> <p>(b) discharge of contaminants that is not permitted by Rule R188, Rule R191 or Rule R193 is a discretionary activity.</p> <p><i>Note</i></p> <p>Rule R194 controls the damage and disturbance of the foreshore or seabed. The dumping of dredged material is not included in this rule. For dumping of material in the coastal marine area refer to Rule R210, Rule R211, Rule R212 or Rule R213.</p>	
	5 Rules	Rule R195: Disturbance or damage inside sites of significance - non complying activity	<p>Rule R195: Disturbance or damage inside sites of significance – non-complying activity</p> <p>Disturbance or damage of the foreshore or seabed inside a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features) in the coastal marine area, including any associated:</p>	<b>N/A</b>

Amendment no./Submission no.	Chapter	Provision	Text of provision with any recommended amendments	Evaluation of amendment (section 32AA assessment)
			<p>(a) occupation in the <b>common marine and coastal area</b>, and</p> <p>(b) deposition in, on or under the foreshore or seabed, and</p> <p>(c) discharge of contaminants that is not permitted by Rule R191 or Rule R193 or a controlled activity under Rule R192, is a non-complying activity.</p> <p><i>Note</i></p> <p>Rule R195 controls the damage and disturbance of the foreshore or seabed. The dumping of dredged material is not included in this rule. For dumping of material in the coastal marine area refer to Rule R210, Rule R211 or Rule R212</p>	
	5 Rules	5.7.13 Motor vehicles on the foreshore		
	5 Rules	Rule R196: Motor vehicles - permitted activity	<p>Rule R196: Motor vehicles – permitted activity</p> <p>The disturbance of the foreshore from <b>motor vehicles</b> in the coastal marine area is a permitted activity, provided the following conditions are met:</p> <p>(a) the activity is not within the area of Tītahi Bay shown on Map 35, and</p> <p>(b) the activity is not within a site or habitat identified in Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F2c (birds-coastal), Schedule F4 (coastal sites),</p>	<b>N/A</b>

Amendment no./Submission no.	Chapter	Provision	Text of provision with any recommended amendments	Evaluation of amendment (section 32AA assessment)
			<p>Schedule F5 (coastal habitats) or Schedule J (geological features).</p> <p><i>Note</i></p> <p>Permission may be required from the relevant city or district council.</p>	
	5 Rules	Rule R197: Motor vehicles for certain purposes - permitted activity	<p>Rule R197: Motor vehicles for certain purposes – permitted activity</p> <p>The disturbance of the foreshore or seabed from <b>motor vehicles</b> in the coastal marine area, for the following purposes:</p> <p>(a) surf lifesaving operations, or</p> <p>(b) emergency situations, including firefighting, oil spills, rescue operations, salvage of vessels and marine mammal strandings, or</p> <p>(c) local authority activities, including law enforcement, or</p> <p>(d) the maintenance, <b>upgrade</b> and operation of <b>regionally significant infrastructure</b></p> <p>is a permitted activity, provided the following conditions are met:</p> <p>(e) the vehicle shall take the most direct route, and shall only operate within the area necessary to carry out the activity to ensure minimal disturbance to the foreshore or seabed, and</p> <p>(f) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.</p>	<b>N/A</b>



Amendment no./Submission no.	Chapter	Provision	Text of provision with any recommended amendments	Evaluation of amendment (section 32AA assessment)
	5 Rules	Rule R198: Motor vehicles inside sites of significance - non complying activity	<p>Rule R198: Motor vehicles inside sites of significance – non-complying activity</p> <p>The disturbance of the foreshore or seabed from <b>motor vehicles</b> inside a site or habitat identified in Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F2c (birds-coastal), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features) in the coastal marine area, that is not permitted by Rule R196 or Rule R197 or prohibited under Rule R199, is a non-complying activity.</p>	N/A
Issue 1.1	5 Rules	Rule R199: Motor vehicles in the fossil forest at Titahi Bay - prohibited activity	<p><b>Rule R199: Motor vehicles in the fossil forest at Titahi Bay – prohibited activity</b></p> <p>The disturbance of the foreshore or seabed from <b>motor vehicles</b> within the following areas at Titahi Bay in the coastal marine area:</p> <p>(a) part of the foreshore shown on Map 35 as containing remnants of fossilised forest, and</p> <p>(b) any part of the remaining foreshore where any fossil forest is exposed</p> <p>that is not permitted activity under Rule R189, Rule R190, Rule R192, Rule R196 or Rule R197 or non-complying under Rule R198, is a prohibited</p>	<p><b>Effectiveness and efficiency</b></p> <p>The amendments will provide clarity for plan users to determine the origin of vessels in which Rule R199 intends to control, thus increasing the efficiency of the proposed Plan.</p> <p><b>Benefits: (environmental, cultural, economic and social)</b></p> <p>This additional level of clarity provided in Rule R199 ensures that for plan users (who only read Rule R199 in isolation) the launching vessels in Titahi Bay beach is a permitted activity under Rule R199, provided the permitted activity conditions can be achieved. Therefore, including this advice note within Rule R190 provides social and cultural benefits to the approach provided in the proposed Plan.</p> <p><b>Costs</b></p> <p>There are no additional costs associated with this recommendation.</p> <p><b>Risk of acting or not acting</b></p> <p>If this note is not incorporated into the decisions version of the plan there will not be the appropriate level of clarity for plan users that Rule R199 does not apply for disturbance to the foreshore and seabed from vehicle</p>

Amendment no./Submission no.	Chapter	Provision	Text of provision with any recommended amendments	Evaluation of amendment (section 32AA assessment)
			<p>activity.</p> <p><u>Note</u></p> <p><u>Rule R190 provides for the disturbance of the foreshore or seabed (associated with the use of a motor vehicle) on Titahi Bay Beach to launch, retrieve or temporarily moor a vessel as a permitted activity provided (i) a boat ramp is used if available, (ii) the activity is not undertaken on any exposed Titahi Bay fossil forest shown on Map 35 (iii) and the activity complies with the coastal management general conditions in Section 5.7.2.</u></p>	<p>access associated with launching, retrieving or temporary mooring of vessels.</p> <p><b>Decision about most appropriate option</b></p> <p>This option is considered to be the most appropriate approach to achieve the relevant objectives of the Plan.</p>
	5 Rules	5.7.14 Dredging		
	5 Rules	Rule R200: Dredging for flood protection purposes or erosion mitigation - controlled activity	<p>Rule R200: Dredging for flood protection purposes or erosion mitigation – controlled activity</p> <p>Destruction, damage and disturbance associated with dredging of the foreshore or seabed for flood protection purposes or erosion mitigation in a river or stream mouth in the coastal marine area, including any associated:</p> <p>(a) deposition in, on or under the foreshore or seabed, and</p> <p>(b) discharge of contaminants, and</p> <p>(c) diversion of open coastal water</p> <p>is a controlled activity, provided the following conditions are met:</p> <p>(d) the activity shall be carried out by or for a local authority, and</p>	<b>N/A</b>

Amendment no./Submission no.	Chapter	Provision	Text of provision with any recommended amendments	Evaluation of amendment (section 32AA assessment)
			<p>(e) the activity shall not occur in Te Awa Kairangi/Hutt River, and</p> <p>(f) the activity shall not occur inside a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features), and</p> <p>(g) for dredging in the Waikanae River, the Department of Conservation is notified, and</p> <p>(h) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2, excluding condition (b).</p> <p><i>Matters of control</i></p> <ol style="list-style-type: none"> <li>1. Effects on public access</li> <li>2. Method of dredging</li> <li>3. Frequency, volume and timing of disturbance and removal</li> <li>4. Quality, nature and composition of the material to be disturbed and removed including the potential presence of contaminants</li> <li>5. Effects on coastal <b>natural processes</b> including effects on shoreline stability in the vicinity and adjacent areas and the potential to create a coastal inundation hazard</li> <li>6. Effects on sites or habitats identified in Schedule F2c (bird-coastal),</li> </ol>	

Amendment no./Submission no.	Chapter	Provision	Text of provision with any recommended amendments	Evaluation of amendment (section 32AA assessment)
			<p>Schedule F2a (birds-rivers) or Schedule K (surf breaks)</p> <p><i>Notification</i></p> <p>In respect of Rule R200, applications are precluded from public notification (unless special circumstances exist).</p> <p><i>Note</i></p> <p>Rule R200 controls the destruction, damage and disturbance of the foreshore or seabed. The dumping of dredged material is not included in this rule. For dumping of material in the coastal marine area refer to Rule R210, Rule R211 or Rule R212.</p>	
Issue 2.1	5 Rules	Rule R201: Dredging for flood protection purposes or erosion mitigation inside sites of significance - discretionary activity	<p><b>Rule R201: Dredging for flood protection purposes or erosion mitigation inside sites of significance – <u>discretionary non-complying</u> activity</b></p> <p>Destruction, damage or disturbance associated with dredging for flood protection purposes or erosion mitigation inside a site or habitat identified in Schedule C (mana whenua), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features) in the coastal marine area, including any associated:</p> <p>(a) deposition in, on or under the foreshore or seabed, and</p>	<p><b>Effectiveness and efficiency:</b></p> <p>The proposed approach in Rule R201, as discretionary activity, is to mitigate the effects of destruction, damage and disturbance from dredging for flood protection purposes on schedule sites. Therefore, the recommended amendment, to make Rule R201 a non-complying activity, will give effect to the relevant objectives of the plan (O31 – O37), which state that sites with significant values (scheduled sites) should be protected.</p> <p>This recommended amendment will also give effect to Policy 11(a) of the NZCPS which provides a clear direction that adverse effects of activities on indigenous biodiversity should be avoided.</p> <p>For these reasons the proposed amendment will improve the efficiency and effectiveness of proposed Rule R201.</p> <p><b>Benefits: (environmental, cultural, economic and social):</b></p> <p>The proposed amendment is incorporated into the decisions version of the plan it will ensure that the potential destruction, damage and</p>

Amendment no./Submission no.	Chapter	Provision	Text of provision with any recommended amendments	Evaluation of amendment (section 32AA assessment)
			<p>(b) discharge of contaminants, and</p> <p>(c) diversion of open coastal water</p> <p>is a <u>discretionary non-complying</u> activity.</p> <p>Note</p> <p>Rule R201 controls the destruction, damage and disturbance of the foreshore or seabed. The dumping of dredged material is not included in this rule. For dumping of material in the coastal marine area refer to Rule R210, Rule R211 or Rule R212.</p>	<p>disturbance effects associated with dredging for flood control purposes in sites of significance are avoided, as opposed to being mitigated (as currently managed in the proposed Plan).</p> <p><b>Costs</b></p> <p>For a non-complying activity the decision maker is likely to require more information (often technical reporting) to be provided within the assessment of environmental effects than would be required as part of a discretionary activity. Therefore, for applicants applying for resource consent to undertake dredging for flood control purposes in scheduled sites, the cost is likely to be significantly higher than for a discretionary.</p> <p><b>Risk of acting or not acting</b></p> <p>If the activity status of Rule R201 is not amended to a non-complying activity, in my view, it will not give effect to Policy 11 of the NZCPS.</p> <p><b>Decision about most appropriate option</b></p> <p>This option is considered to be the most appropriate approach to achieve the relevant objectives of the Plan.</p>
	5 Rules	Rule R202: Maintenance dredging outside a Commercial Port Area or navigation protection areas - controlled activity	<p>Rule R202: Maintenance dredging outside a Commercial Port Area or navigation protection areas – controlled activity</p> <p>Destruction, damage or disturbance associated with maintenance dredging outside a <b>Commercial Port Area</b> shown on Map 32, Map 33 and Map 34 or a <b>navigation protection area</b> shown on Map 49, in the coastal marine area, including any associated:</p> <p>(a) deposition in, on or under the foreshore or</p>	<b>N/A</b>

Amendment no./Submission no.	Chapter	Provision	Text of provision with any recommended amendments	Evaluation of amendment (section 32AA assessment)
			<p>seabed, and</p> <p>(b) discharge of contaminants, and</p> <p>(c) diversion of open coastal water is a controlled activity, provided the following conditions are met:</p> <p>(d) the activity shall comply with any related current resource consent conditions and the area of the coastal marine area that this consent(s) specifies, and</p> <p>(e) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2, excluding condition (b).</p> <p>Matters of control</p> <ol style="list-style-type: none"> <li>1. Method of dredging</li> <li>2. Depth of any dredging including that which occurs in the Hutt Valley Aquifer Zone in the Wellington Harbour (Port Nicholson) shown on Map 30</li> <li>3. Effects on coastal <b>natural processes</b> including effects on shoreline stability in the vicinity and adjacent areas and the potential to create a coastal inundation hazard</li> <li>4. Effects of disturbance, deposition, discharge and diversion associated with the activity</li> <li>5. Effects on sites and habitats identified in</li> </ol>	

Amendment no./Submission no.	Chapter	Provision	Text of provision with any recommended amendments	Evaluation of amendment (section 32AA assessment)
			<p>Schedule C (mana whenua), Schedule F2c (birds-coastal), Schedule F4 (coastal sites), Schedule F5 (coastal habitats), Schedule J (geological features) or Schedule K (surf breaks)</p> <p>6. Effects on the heritage values of sites identified in Schedule E4 (archaeological sites)</p> <p>7. Navigational safety and charting including notification of Land Information New Zealand, the Wellington Regional Council Harbourmaster and Maritime New Zealand <i>Notification</i></p> <p>In respect of Rule R202, applications are precluded from public notification (unless special circumstances exist).</p> <p><i>Note</i></p> <p>Rule R202 controls the destruction, damage and disturbance of the foreshore or seabed. The dumping of dredged material is not included in this rule. For dumping of material in the coastal marine area refer to Rules R210, Rule R211 or Rule R212.</p>	
	5 Rules	Rule R203: Dredging inside the Commercial Port Area and in navigation protection	Rule R203: Dredging inside a Commercial Port Area or navigation protection areas – discretionary activity Destruction, damage or disturbance associated	<b>N/A</b>

Amendment no./Submission no.	Chapter	Provision	Text of provision with any recommended amendments	Evaluation of amendment (section 32AA assessment)
		areas - discretionary activity	<p>with dredging inside the <b>Commercial Port Area</b> shown on Map 32, Map 33 and Map 34 or in a <b>navigation protection area</b> shown on Map 49, in the coastal marine area, including any associated:</p> <p>(a) deposition in, on or under the foreshore or seabed and</p> <p>(b) discharge of contaminants, and</p> <p>(c) diversion of open coastal water</p> <p>is a discretionary activity.</p> <p><i>Note</i></p> <p>Rule R203 controls the destruction, damage and disturbance of the foreshore or seabed. The dumping of dredged material is not included in this rule. For dumping of material in the coastal marine area refer to Rule R210, Rule R211 or Rule R212.</p>	
	5 Rules	5.7.15 All other destruction, damage or disturbance		
	5 Rules	Rule R204: Destruction, damage or disturbance outside sites of significance - discretionary activity	<p>Rule R204: Destruction, damage or disturbance outside sites of significance – discretionary activity</p> <p>Destruction, damage or disturbance outside a site and habitat identified in Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F4</p>	<b>N/A</b>



Amendment no./Submission no.	Chapter	Provision	Text of provision with any recommended amendments	Evaluation of amendment (section 32AA assessment)
			<p>(coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features) in the coastal marine area, including any associated:</p> <p>(a) deposition in, on or under the foreshore or seabed, and</p> <p>(b) discharge of contaminants, and</p> <p>(c) diversion of open coastal water that is not permitted, controlled, restricted discretionary, non-complying or prohibited, is a discretionary activity.</p>	
	5 Rules	Rule R205: Destruction, damage or disturbance inside sites of significance - non-complying activity	<p>Rule R205: Destruction, damage or disturbance inside sites of significance – non-complying activity</p> <p>Destruction, damage or disturbance inside a site and habitat identified in Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features) in the coastal marine area, including any associated:</p> <p>(a) deposition in, on or under the foreshore or seabed, and</p> <p>(b) discharge of contaminants, and</p> <p>(c) diversion of open coastal water that is not permitted, controlled, restricted discretionary, discretionary or prohibited, is a non-complying activity.</p>	<b>N/A</b>

Amendment no./Submission no.	Chapter	Provision	Text of provision with any recommended amendments	Evaluation of amendment (section 32AA assessment)
	5 Rules	5.7.16 Desposition		
	5 Rules	Rule R206: Re-deposition of wind-blown sand - permitted activity	<p>Rule R206: Re-deposition of wind-blown sand – permitted activity</p> <p>The re-deposition of wind-blown sand into the coastal marine area, including any associated:</p> <p>(a) disturbance of the foreshore or seabed, and</p> <p>(b) discharge of contaminants</p> <p>is a permitted activity, provided the following conditions are met:</p> <p>(c) the sand is free of contaminants and includes no litter, and</p> <p>(d) the sand has been derived from the beach where it is to be deposited, and</p> <p>(e) the sand is not removed from sand dunes, and</p> <p>(f) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2</p>	<b>N/A</b>
	5 Rules	Rule R207: Deposition for beach renourishment - controlled activity	<p>Rule R207: Deposition for beach renourishment – controlled activity</p> <p>The deposition of sand, shingle, shell or other naturally occurring coastal material for beach renourishment in, on or under the coastal marine area, including any associated:</p> <p>(a) disturbance of the foreshore or seabed, and</p>	<b>N/A</b>

Amendment no./Submission no.	Chapter	Provision	Text of provision with any recommended amendments	Evaluation of amendment (section 32AA assessment)
			<p>(b) discharge of contaminants is a controlled activity provided the following conditions are met:</p> <p>(c) the deposition is for the purpose of managing beach or shoreline erosion or improving the amenity value of the foreshore, and</p> <p>(d) the deposition is undertaken by, or for, a local authority, and</p> <p>(e) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.</p> <p><i>Matters of control</i></p> <ol style="list-style-type: none"> <li>1. Type and composition of the material to be used including its size, roundness, shape and colour</li> <li>2. Volume of material to be deposited</li> <li>3. Effects of disturbance, deposition, discharge and diversion associated with the activity</li> <li>4. Effects on coastal <b>natural processes</b> including effects on shoreline stability in the vicinity and adjacent areas</li> <li>5. Effects on sites or habitats identified in Schedule C (mana whenua), Schedule F2c (birds–coastal), Schedule F4 (coastal sites), Schedule F5 (coastal habitats), Schedule J (geological features) and Schedule K (surf breaks)</li> <li>6. Measures to manage the loss of the</li> </ol>	

Amendment no./Submission no.	Chapter	Provision	Text of provision with any recommended amendments	Evaluation of amendment (section 32AA assessment)
			<p>deposited material through wind or water erosion</p> <p>7. Navigational safety and charting including notification of Land Information New Zealand and Maritime New Zealand</p> <p><i>Notification</i></p> <p>In respect of Rule R207 applications are precluded from public notification (unless special circumstances exist).</p>	
	5 Rules	Rule R208: Deposition outside sites of significance - discretionary activity	<p>Rule R208: Deposition outside sites of significance – discretionary activity</p> <p>Deposition outside a site and habitat identified in Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features) in, on or under the coastal marine area, including any associated:</p> <p>(a) disturbance of the foreshore or seabed, and</p> <p>(b) discharge of contaminants that is not permitted, controlled, restricted discretionary, non-complying or prohibited, is a discretionary activity.</p>	<b>N/A</b>
	5 Rules	Rule R209: Deposition inside sites of significance - non-complying activity	<p>Rule R209: Deposition inside sites of significance – non-complying activity</p> <p>Deposition inside sites and habitats identified in</p>	<b>N/A</b>

Amendment no./Submission no.	Chapter	Provision	Text of provision with any recommended amendments	Evaluation of amendment (section 32AA assessment)
			<p>Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features) in, on or under the coastal marine area, including any associated:</p> <p>(a) disturbance of the foreshore or seabed, and</p> <p>(b) discharge of contaminants</p> <p>that is not a permitted activity under Rule R206 or a controlled activity under Rule R207 or a discretionary activity under Rule R208, is a non-complying activity.</p>	
	5 Rules	5.7.17 Dumping of waste or other matter		
	5 Rules	Rule R210: Dumping of waste or other matter outside sites of significance - discretionary activity	<p>Rule R210: Dumping of waste or other matter outside sites of significance – discretionary activity</p> <p>The dumping of:</p> <p>(a) dredge material, and</p> <p>(b) sewage <b>sludge</b>, and</p> <p>(c) fish processing waste from an onshore facility, and</p> <p>(d) ships and platforms or other man-made structures at sea, and</p> <p>(e) inert, inorganic geological material, and</p> <p>(f) organic materials of natural origin, and</p> <p>(g) bulky items consisting mainly of iron, steel, and concrete</p>	<b>N/A</b>

Amendment no./Submission no.	Chapter	Provision	Text of provision with any recommended amendments	Evaluation of amendment (section 32AA assessment)
			<p>from a ship, aircraft or offshore installation or dredging activity outside a site and habitat identified in Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features) in the coastal marine area, including any associated:</p> <p>(h) disturbance of the foreshore or seabed, and</p> <p>(i) discharge of contaminants</p> <p>is a discretionary activity.</p>	
	5 Rules	Rule R211: Dumping or storage of waste or other matter - discretionary activity	<p><b>Rule R211: Dumping or storage of waste or other matter <u>outside sites of significance</u> – discretionary activity</b></p> <p>The dumping or storage of waste or other matter arising directly from, or related to, the exploration, exploitation, and associated offshore processing of, seabed mineral resources in the coastal marine area, including any associated:</p> <p>(a) disturbance of the foreshore or seabed, and</p> <p>(b) discharge of contaminants is a discretionary activity.</p> <p>is a discretionary activity, <u>provided the following condition is met:</u></p> <p><u>(c) the activity shall not occur inside a site or habitat identified in Schedule C (mana whenua),</u></p>	<p><b>Effectiveness and efficiency:</b></p> <p>The proposed approach in Rule R211 is to provide for dumping or storage of waste or other matter as discretionary activity in the CMA. Therefore the recommended amendment will ensure that the effects on sites of significance are not provided for as a discretionary activity under Rule R211.</p> <p>As a result, any dumping or storage of waste or other matter within sites of significance (Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features)) will default to a non-complying activity under Rule R212 (for the dumping of waste or other matter inside sites of significance).</p> <p>This recommendation will give effect to the relevant objectives of the plan which seek to protect sites of significance (specifically O34, O35 and O3) and accordingly improve the efficiency and effectiveness of proposed Rule R211.</p> <p><b>Benefits: (environmental, cultural, economic and social):</b></p> <p>The proposed amendment will also provide environmental benefits as it</p>

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			<p><u>Schedule E4 (archaeological sites), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features).</u></p>	<p>will ensure that the potential disturbance and discharge effects associated with dumping or storage of waste or other matter within sites of significance are avoided.</p> <p><b>Costs</b></p> <p>Given that dumping or storage of waste to the CMA within sites of significance will now require resource consent as a non-complying activity (under Rule R212), the resource consent application is likely to require more information (often technical reporting) to be provided within the assessment of environmental effects than would be required as part of a discretionary activity (Rule R211).</p> <p>Therefore, the cost of dumping or storage of waste to the CMA inside sites of significance is likely to be higher than for outside sites of significance.</p> <p><b>Risk of acting or not acting</b></p> <p>If the recommended amendments to Rule R211 are not incorporated into the decisions version of the plan, in my view, proposed Rule R211 will not give effect to Policy 11 of the NZCPS.</p> <p><b>Decision about most appropriate option</b></p> <p>This option is considered to be the most appropriate approach to achieve the relevant objectives of the Plan.</p>
	5 Rules	Rule R212: Dumping of waste or other matter inside sites of significance - non-complying activity	<p>Rule R212: Dumping of waste or other matter inside sites of significance – non-complying activity</p> <p>The dumping of:</p> <p>(a) dredge material, and</p> <p>(b) sewage <b>sludge</b>, and</p> <p>(c) fish processing waste from an onshore</p>	<b>N/A</b>

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			<p>facility, and</p> <p>(d) ships and platforms or other man-made structures at sea, and</p> <p>(e) inert, inorganic geological material, and</p> <p>(f) organic materials of natural origin, and</p> <p>(g) bulky items consisting mainly of iron, steel, and concrete</p> <p>from a ship, aircraft or offshore installation or dredging activity inside a site and habitat identified in Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features) in the coastal marine area, including any associated:</p> <p>(h) disturbance of the foreshore or seabed, and</p> <p>(i) discharge of contaminants</p> <p>that is not a discretionary activity under Rule R210 or Rule R211 or is not a prohibited activity under Rule R213, is a non-complying activity.</p>	
	5 Rules	Rule R213: Incineration of waste - prohibited activity	<p>Rule R213: Incineration of waste – prohibited activity</p> <p>The incineration of waste or other matter in any marine incineration facility in the coastal marine area, including any associated:</p> <p>(a) disturbance of the foreshore or seabed, and</p> <p>(b) discharge of contaminants</p>	<b>N/A</b>



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			that is not a discretionary activity under Rule R210 or Rule R211 or a noncomplying activity under Rule R212, is a prohibited activity.	
	5 Rules	5.7.18 Reclamation and drainage		
	5 Rules	Rule R214: Reclamation and drainage for regionally significant infrastructure outside of sites of significance - discretionary activity	<p>Rule R214: Reclamation and drainage for regionally significant infrastructure outside of sites of significance – discretionary activity</p> <p><b>Reclamation</b> and drainage for <b>regionally significant infrastructure</b> activities outside a site or habitat identified in Schedule C (mana whenua), Schedule E4 (archaeological sites), Schedule F4 (coastal sites), Schedule F5 (coastal habitats) or Schedule J (geological features) in the coastal marine area, including any associated:</p> <ul style="list-style-type: none"> <li>(a) occupation of space in the <b>common marine and coastal area</b>, and</li> <li>(b) destruction of the foreshore or seabed, and</li> <li>(c) disturbance of the foreshore or seabed, and</li> <li>(d) deposition in, on or under the foreshore or seabed, and</li> <li>(e) discharge of contaminants, and</li> <li>(f) diversion of open coastal water</li> </ul> <p>is a discretionary activity.</p>	<b>N/A</b>
	5 Rules	Rule R215: Reclamation	Rule R215: Reclamation and drainage – non-	<b>N/A</b>

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		and drainage - non-complying activity	<p>complying activity</p> <p><b>Reclamation</b> and drainage in the coastal marine area, including any associated:</p> <p>(a) occupation of space in the <b>common marine and coastal area</b>, and</p> <p>(b) destruction of the foreshore or seabed, and</p> <p>(c) disturbance of the foreshore or seabed, and</p> <p>(d) deposition in, on or under the foreshore or seabed, and</p> <p>(e) discharge of contaminants</p> <p>(f) diversion of open coastal water that is not a discretionary activity under Rule R214 is a non-complying activity.</p>	
	5 Rules	5.7.19 Destruction		
	5 Rules	Rule R216: Destruction - non-complying activity	<p>Rule R216: Destruction – non-complying activity</p> <p>The destruction of the foreshore or seabed in the coastal marine area including any associated:</p> <p>(a) disturbance of the foreshore or seabed, and</p> <p>(b) deposition in, on or under the foreshore or seabed, and</p> <p>(c) discharge of contaminants, and</p> <p>(d) diversion of open coastal water is a non-complying activity.</p>	<b>N/A</b>
	5 Rules	5.7.20 Introduction of plants		
	5 Rules	Rule R217: Planting -	Rule R217: Planting – permitted activity	<b>N/A</b>

Amendment no./Submission no.	Chapter	Provision	Text of provision with any recommended amendments	Evaluation of amendment (section 32AA assessment)
		permitted activity	<p>The introduction or planting of any plant species in the coastal marine area including any associated:</p> <p>(a) disturbance of the foreshore or seabed, and</p> <p>(b) deposition in, on or under the foreshore or seabed, and</p> <p>(c) discharge of contaminants</p> <p>is a permitted activity, provided the following conditions are met:</p> <p>(d) the plant species shall not be identified in the <i>National Pest Plant Accord 2013 or in the Greater Wellington Regional Pest Management Strategy 2002-2022</i>, and</p> <p>(e) there is no planting in sites identified in Schedule E4 (archaeological sites), and</p> <p>(f) the activity shall comply with the coastal management general conditions specified above in Section 5.7.2.</p> <p><i>Note</i></p> <p>The Wellington Regional Council will provide advice on its website and upon request regarding appropriate species to plant.</p>	
	5 Rules	Rule R218: Planting - discretionary activity	<p>Rule R218: Planting – discretionary activity</p> <p>The introduction or planting of any plant species in the coastal marine area including any associated:</p> <p>(a) disturbance of the foreshore or seabed, and</p> <p>(b) deposition in, on or under the foreshore or</p>	<b>N/A</b>

Amendment no./Submission no.	Chapter	Provision	Text of provision with any recommended amendments	Evaluation of amendment (section 32AA assessment)
			seabed, and (c) discharge of contaminants that is not a permitted under Rule R217 or is not a prohibited activity under Rule R219, is a discretionary activity.	
	5 Rules	Rule R219: Planting of pest species - prohibited activity	Rule R219: Planting of pest species – prohibited activity The introduction or planting of a pest plant species identified in the <i>National Pest Plant Accord 2013</i> or in the <i>Greater Wellington Regional Pest Management Strategy 2002-2022</i> in the coastal marine area is a prohibited activity.	<b>N/A</b>
	6 Methods	6.10 Coast		
	6 Methods	Method M22: Integrated management of the coast	Method M22: Integrated management of the coast Wellington Regional Council will advocate for the integrated management of the coastal marine area, by actively engaging with <b>mana whenua</b> and other agencies that have governance responsibilities in the <b>coastal marine area</b> to achieve: (a) good communication and information sharing, and (b) the protection of sites and habitats with significant indigenous biodiversity values in the coastal marine area	<b>N/A</b>

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			<p>identified in Schedule F4 (coastal sites) and Schedule F5 (coastal habitats), and</p> <p>(c) the restoration of natural character, and</p> <p>(d) improved public access.</p>	
Issue 4.4	12 Schedules	Schedule U: Trigger levels for river and stream mouth cutting	<p><b>Schedule U: Trigger levels for river, <del>and</del> stream and lake mouth cutting</b></p> <p><b>Schedule U1: Trigger levels for river, <del>and</del> stream and lake mouth cutting</b></p>	<p><b>Effectiveness and efficiency</b></p> <p>The recommended amendments clarify that Schedule U also provides for triggers levels for lakes (in addition to rivers and streams) and therefore improves the efficiency and effectiveness of the proposed Plan.</p> <p><b>Benefits: (environmental, cultural, economic and social)</b></p> <p>Providing clarity that Schedule U provides trigger levels of lakes (in addition to rivers and streams, provide a more navigable plan for plan users, thus providing for the associated environmental benefits.</p> <p><b>Costs</b></p> <p>There are no additional costs associated with this recommendation.</p> <p><b>Risk of acting or not acting</b></p> <p>If this recommended amendment is not provided within Schedule U, in my view, the appropriate level of clarity will not be provided in the decisions version of the plan, as to whether the Schedule U also provides trigger levels for lake mouth cutting.</p> <p><b>Decision about most appropriate option</b></p> <p>This option is considered to be the most appropriate approach to achieve the relevant objectives of the Plan.</p>
	13 Maps	Map 33: Commercial port area & noise control lines - Miramar and Burnham Wharves	Chapter 13 page 50.	N/A
	13 Maps	Map 34: Commercial port area - Seaview Wharf	Chapter 13 page 51.	N/A

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	13 Maps	Map 35: Titahi Bay fossil forest (indicative)	Chapter 13 page 52.	N/A
	13 Maps	Map 36: Mooring areas Wellington Harbour (Port Nicholson) - Evans Bay	Chapter 13 page 53.	N/A
	13 Maps	Map 37: Mooring areas Wellington Harbour (Port Nicholson) - Whiorau/Lowry Bay	Chapter 13 page 54.	N/A
	13 Maps	Map 38: Mooring areas Island Bay	Chapter 13 page 55.	N/A
	13 Maps	Map 39: Mooring areas Te Awarua-o-Porirua Harbour - Onepoto	Chapter 13 page 56.	N/A
	13 Maps	Map 40: Mooring areas Te Awarua-o-Porirua Harbour - Mana	Chapter 13 page 57.	N/A
	13 Maps	Map 41: Mooring areas Te Awarua-o-Porirua Harbour - Pauatahanui Arm	Chapter 13 page 58.	N/A
	13 Maps	Maps 42-48: Coastal marine area and river mouth boundaries	Chapter 13: Map 42 is on page 59. Map 43 is on page 60. Map 44 is on page 61. Map 45 is on page 62. Map 46 is on page 63.	N/A

Amendment no./Submission no.	Chapter	Provision	Text of provision with any recommended amendments	Evaluation of amendment (section 32AA assessment)
			Map 47 is on page 64. Map 48 is on page 65.	
	13 Maps	Map 49: Navigation protection areas in Wellington Harbour (Port Nicolson)	Chapter 13 page 66.	N/A
	13 Maps	Map 51: Kapiti Coast Airport approach gradients	Chapter 13 page 68.	N/A
	13 Maps	Map 52: Cook Strait cable protection zone	Chapter 13 page 69.	N/A